

Bill No. CS for SB 2224

Amendment No. 2 Barcode 712950

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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The Committee on Governmental Oversight and Productivity recommended the following amendment:

**Senate Amendment (with title amendment)**

On page 6, between lines 20 and 21,

insert:

(12) Eleven full-time equivalent positions from the Division of Workers' Compensation of the Department of Labor and Employment Security, and the powers, duties, functions, rules, records, personnel, property, and unexpended balances of appropriations, allocations, and other funds related to the administration of child labor laws under chapter 450, Florida Statutes, are transferred by a type two transfer, as defined in section 20.06(2), Florida Statutes, from the Department of Labor and Employment Security to the Department of Business and Professional Regulation.

(13) Thirty full-time equivalent positions from the Compliance and Enforcement Program in the Office of the Secretary and Administrative Services and one senior attorney and one administrative secretary from the Office of General

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1 Counsel in the Office of the Secretary and Administrative  
2 Services, and the powers, duties, functions, rules, records,  
3 personnel, property, and unexpended balances of  
4 appropriations, allocations, and other funds of the Office of  
5 the Secretary and Administrative Services of the Department of  
6 Labor and Employment Security related to the regulation of  
7 labor organizations under chapter 447, Florida Statutes, and  
8 the administration of migrant labor and farm labor laws under  
9 chapter 450, Florida Statutes, are transferred by a type two  
10 transfer, as defined in section 20.06 (2), Florida Statutes,  
11 from the Department of Labor and Employment Security to the  
12 Department of Business and Professional Regulation.

13 (14) Any other powers, duties, functions, rules,  
14 records, property, and unexpended balances of appropriations,  
15 allocations, and other funds of the Department of Labor and  
16 Employment Security not otherwise transferred by this act,  
17 relating to workplace regulation and enforcement, including,  
18 but not limited to, those under chapter 448, Florida Statutes,  
19 are transferred by a type two transfer, as defined in section  
20 20.06(2), Florida Statutes, from the Department of Labor and  
21 Employment Security to the Department of Business and  
22 Professional Regulation.

23 (15) The records, property, and unexpended balances of  
24 appropriations, allocations, and other funds and resources of  
25 the Office of the Secretary and Administrative Services of the  
26 Department of Labor and Employment Security which support the  
27 activities and functions transferred under subsections (9),  
28 (10), and (11) to the Department of Business and Professional  
29 Regulation are transferred as provided in section 20.06(2),  
30 Florida Statutes, to the Department of Business and  
31 Professional Regulation.

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1           (16) Notwithstanding any other provision of law, any  
2 binding contract or interagency agreement existing on or  
3 before October 1, 2001, between the Department of Labor and  
4 Employment Security, or an entity or agent of the department,  
5 and any other agency, entity, or person shall continue as a  
6 binding contract or agreement for the remainder of the term of  
7 such contract or agreement with the successor department,  
8 agency, or entity responsible for the program, activity, or  
9 functions relative to the contract or agreement.

10           Section 2. The sum of \$515,128 is appropriated from  
11 the Workers' Compensation Trust Fund and the sum of \$184,000  
12 is appropriated from the Child Labor Trust Fund to the  
13 Department of Business and Professional Regulation for the  
14 purpose of administration of child labor laws under chapter  
15 450, Florida Statutes. This appropriation shall not take  
16 effect if a similar amount of funding is included for this  
17 purpose in the various appropriations in the fiscal year  
18 2001-2002 General Appropriations Act.

19           Section 3. The sum of \$407,621 is appropriated from  
20 the Department of Labor and Employment Security Administrative  
21 Trust Fund, the sum of \$520,726 is appropriated from the  
22 Workers' Compensation Trust Fund, the sum of \$320,000 is  
23 appropriated from the Crew Chief Registration Trust Fund, and  
24 the sum of \$780,546 is appropriated from the General Revenue  
25 Fund to the Department of Business and Professional Regulation  
26 for the purpose of administration of the regulation of labor  
27 organizations under chapter 447, Florida Statutes, and the  
28 administration of migrant labor and farm labor laws under  
29 chapter 450, Florida Statutes. This appropriation shall not  
30 take effect if a similar amount of funding is included for  
31 this purpose in the various appropriations in the fiscal year

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1 2001-2002 General Appropriations Act.

2 Section 4. Subsection (3) of section 447.02, Florida  
3 Statutes, is amended to read:

4 447.02 Definitions.--The following terms, when used in  
5 this chapter, shall have the meanings ascribed to them in this  
6 section:

7 (3) The term "department" means the Department of  
8 Business and Professional Regulation ~~Labor and Employment~~  
9 ~~Security~~.

10 Section 5. Subsection (4) of section 450.012, Florida  
11 Statutes, is amended to read:

12 450.012 Definitions.--For the purpose of this chapter,  
13 the word, phrase, or term:

14 (4) "Department" means the Department of Business and  
15 Professional Regulation ~~Labor and Employment Security~~.

16 Section 6. Subsection (1) of section 450.191, Florida  
17 Statutes, is amended to read:

18 450.191 Executive Office of the Governor; powers and  
19 duties.--

20 (1) The Executive Office of the Governor is authorized  
21 and directed to:

22 (a) Advise and consult with employers of migrant  
23 workers as to the ways and means of improving living  
24 conditions of seasonal workers;

25 (b) Cooperate with the Department of Health in  
26 establishing minimum standards of preventive and curative  
27 health and of housing and sanitation in migrant labor camps  
28 and in making surveys to determine the adequacy of preventive  
29 and curative health services available to occupants of migrant  
30 labor camps;

31 (c) Provide coordination for the enforcement of ss.

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1 381.008-381.0088;

2 (d) Cooperate with the other departments of government  
3 in coordinating all applicable labor laws, including, but not  
4 limited to, those relating to private employment agencies,  
5 child labor, wage payments, wage claims, and crew leaders;

6 (e) Cooperate with the Department of Education to  
7 provide educational facilities for the children of migrant  
8 laborers;

9 (f) Cooperate with the Department of Highway Safety  
10 and Motor Vehicles to establish minimum standards for the  
11 transporting of migrant laborers;

12 (g) Cooperate with the Department of Agriculture and  
13 Consumer Services to conduct an education program for  
14 employers of migrant laborers pertaining to the standards,  
15 methods, and objectives of the office;

16 (h) Cooperate with the Department of Children and  
17 Family Services in coordinating all public assistance programs  
18 as they may apply to migrant laborers;

19 (i) Coordinate all federal, state, and local programs  
20 pertaining to migrant laborers; and

21 (j) Cooperate with the farm labor office of the  
22 Department of Business and Professional Regulation ~~Labor and~~  
23 ~~Employment Security~~ in the recruitment and referral of migrant  
24 laborers and other persons for the planting, cultivation, and  
25 harvesting of agricultural crops in Florida.

26 Section 7. Subsection (2) of section 450.28, Florida  
27 Statutes, is amended to read:

28 450.28 Definitions.--

29 (2) "Department" means the Department of Business and  
30 Professional Regulation ~~Labor and Employment Security~~.

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1 (Redesignate subsequent sections.)

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4 ===== T I T L E A M E N D M E N T =====

5 And the title is amended as follows:

6 On page 1, line 11, after the first semicolon,

7

8 insert:

9 providing for a type two transfer of the  
10 administration of child labor laws to the  
11 Department of Business and Professional  
12 Regulation; providing for a type two transfer  
13 of certain functions of the Office of the  
14 Secretary and the Office of Administrative  
15 Services of the Department of Labor and  
16 Employment Security relating to labor  
17 organizations and migrant and farm labor  
18 registration to the Department of Business and  
19 Professional Regulation; providing for a type  
20 two transfer of other workplace regulation  
21 functions to the Department of Business and  
22 Professional Regulation; providing  
23 appropriations; amending s. 447.02, F.S.;  
24 conforming the definition of "department" to  
25 the transfer of the regulation of labor  
26 organizations to the Department of Business and  
27 Professional Regulation; amending s. 450.012,  
28 F.S.; conforming the definition of "department"  
29 to the transfer of the regulation of child  
30 labor to the Department of Business and  
31 Professional Regulation; amending s. 450.191,

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1 F.S., relating to the duties of the Executive  
2 Office of the Governor with respect to migrant  
3 labor; conforming provisions to changes made by  
4 the act; amending s. 450.28, F.S.; conforming  
5 the definition of "department" to the transfer  
6 of the regulation of farm labor to the  
7 Department of Business and Professional  
8 Regulation;  
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