

STORAGE NAME: h1643a.teda.doc
DATE: February 20, 2002

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
TRANSPORTATION & ECONOMIC DEVELOPMENT APPROPRIATIONS
ANALYSIS**

BILL #: HB 1643
RELATING TO: Department of Labor & Employment Security
SPONSOR(S): Representative(s) Clarke
TIED BILL(S): None

ORIGINATING COMMITTEE(S)/COUNCIL(S)/COMMITTEE(S) OF REFERENCE:

- (1) TRANSPORTATION & ECONOMIC DEVELOPMENT APPROPRIATIONS YEAS 14 NAYS
0
 - (2) SMARTER GOVERNMENT COUNCIL
 - (3)
 - (4)
 - (5)
-

I. SUMMARY:

THIS DOCUMENT IS NOT INTENDED TO BE USED FOR THE PURPOSE OF CONSTRUING STATUTES, OR TO BE CONSTRUED AS AFFECTING, DEFINING, LIMITING, CONTROLLING, SPECIFYING, CLARIFYING, OR MODIFYING ANY LEGISLATION OR STATUTE.

HB 1643 dissolves the Department of Labor and transfers the remaining functions as follows: The majority of the Division of Workers' Compensation is transferred to the Department of Insurance by type two transfer. The Division's Bureau of Rehabilitation and Medical Services will be transferred to the Agency for Health Care Administration and the Department of Education. The Farm Labor and Crew Chief Office and Child Labor are transferred by type two transfer to the Department of Business and Professional Regulation. The Office of Information Systems is transferred by type two transfer to the State Technology Office. The Unemployment Appeals Commission is transferred to the Agency for Workforce Innovation by type two transfer. Provisions are made for the appropriate allocation of resources, unexpended balances of appropriations, records, property, and other funds allocated to the Office of the Secretary and Administrative Services to each of the transferred entities listed above that were used to support those entities. Provisions are also made for the transfer or expiration of leases and temporary exemption from the provisions of Chapter 287 for purposes of purchasing on contract for each transferred entity. There is language included to ensure that the acts of transfer do not affect the validity of any judicial or administrative proceeding involving the Department of Labor and Employment Security pending at the effective date of the transfer. There are also provisions for the promulgation of temporary or emergency rules for each transferred entity. Conforming language is provided throughout the bill to make sure that cross-references and other references to the Department of Labor are eliminated.

There is a strike-all amendment traveling with the bill, which is analyzed in Section VI "AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES".

THIS DOCUMENT IS NOT INTENDED TO BE USED FOR THE PURPOSE OF CONSTRUING STATUTES, OR TO BE CONSTRUED AS AFFECTING, DEFINING, LIMITING, CONTROLLING, SPECIFYING, CLARIFYING, OR MODIFYING ANY LEGISLATION OR STATUTE.

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- | | | | |
|-----------------------------------|------------------------------|-----------------------------|---|
| 1. <u>Less Government</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. <u>Lower Taxes</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. <u>Individual Freedom</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. <u>Personal Responsibility</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. <u>Family Empowerment</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

B. PRESENT SITUATION:

Since 1999, the Florida Legislature has slowly been moving the functions of the Department of Labor and Employment Security (DLES) to other agencies. During the 2000 session, the majority of the Department's divisions and offices were transferred to the newly created Agency for Workforce Innovation (AWI), the Department of Revenue (DOR), and the Department of Education (DOE). There was also legislation filed during the 2000 session (SB 1206) to transfer the Division of Workers' Compensation, Unemployment Appeals Commission and Public Employee Relations Commission (PERC) to various agencies, but the bill failed to pass on the last day of session. This left the Department with one full division and several small offices, along with the Office of the Secretary and Administrative Services. During the 2001 session, legislation passed which transferred the Public Employees Relations Commission and the Office of the Judge of Compensation Claims (JCC) to the Department of Management Services (DMS). HB 1655 would have dissolved the Department and transfer the Division of Workers' Compensation and the remainder of the Department to other agencies, but the bill failed to pass on the last day of session.

Under s. 20.06, F.S., unless otherwise provided by law, a "type two transfer" is the merging into another agency certain identifiable units of another agency; all statutory powers, duties, and functions, and all records, personnel, property, and unexpended balances are transferred; and all rules of the involved agencies remain in effect.

C. EFFECT OF PROPOSED CHANGES:

HB 1643 dissolves the Department of Labor and transfers the remaining functions as follows: The majority of the Division of Workers' Compensation is transferred to the Department of Insurance (DOI) by type two transfer. The Division's Bureau of Rehabilitation and Medical Services will be transferred to the Agency for Health Care Administration (ACHA) and the Department of Education. The Farm Labor and Crew Chief Office and Child Labor are transferred by type two transfer to the Department of Business and Professional Regulation. The Office of Information Systems is transferred by type two transfer to the State Technology Office (STO). The Unemployment Appeals Commission is transferred to the AWI by type two transfer. Provisions are made for the appropriate allocation of resources, unexpended balances of appropriations, records, property, and other funds allocated to the Office of the Secretary and Administrative Services to each of the transferred entities listed above that were used to support those entities. Provisions are also made for the transfer or expiration of leases and temporary exemption from the provisions of Chapter 287 for

purposes of purchasing on contract for each transferred entity. There is language included to ensure that the acts of transfer do not affect the validity of any judicial or administrative proceeding involving the DLES pending at the effective date of the transfer. There are also provisions for the promulgation of temporary or emergency rules for each transferred entity. Conforming language is provided throughout the bill to make sure that cross-references and other references to the department are eliminated. For details, see the "section-by-section analysis" below.

D. SECTION-BY-SECTION ANALYSIS:

Section 1: Provides for a type two transfer of the Division of Workers' Compensation to the Department of Insurance; provides for a type two transfer of workers' compensation medical services to the Agency for Health Care Administration; provides for a type two transfer of workers' compensation rehabilitation and reemployment services to the Department of Education; provides for a type two transfer of the Office of Farm Labor and Crew Chief Office and Child Labor to the Department of Business and Professional Regulation; provides for a type two transfer of certain functions of the Office of the Secretary and Administrative Services relating to labor organizations and migrant and farm labor registration to the Department of Business and Professional Regulation; provides for a type two transfer of other workplace regulation functions to the Department of Business and Professional Regulation; provides for a type two transfer of the Unemployment Appeals Commission to the Agency for Workforce Innovation; provides for a type two transfer of the Office of Information Systems to the State Technology Office; authorizes the Department of Banking and Finance, in conjunction with the Office of the Attorney General, to use unexpended funds to settle certain claims; provides for the continuation of certain contracts or agreements of the Department of Labor and Employment Security and substitutes the successor entity as a party in interest in pending proceedings; exempts specified state agencies, on a temporary basis, from provisions relating to procurement of property and services and leasing of space, and authorizes specified state agencies to develop temporary emergency rules relating to the implementation of this act.

Section 2: Amends s. 20.13, Florida Statutes, to add the Division of Workers' Compensation to the list of divisions to be contained within the Department of Insurance.

Section 3: Amends s. 440.02, Florida Statutes, to provide a definition for the term "agency" which will be the Agency for Health Care Administration and conforming the definitions of "department" and "division" to the transfer of the Division of Workers' Compensation to the Department of Insurance, renumbers sections as needed.

Section 4: Amends s. 440.102, Florida Statutes, conforming agency references to reflect the transfer of the Division of Workers' Compensation to the Department of Insurance.

Section 5: Amends s. 440.125, Florida Statutes, conforming agency references to reflect the transfer of the Division of Workers' Compensation to the Department of Insurance. Allows the Department of Insurance to share confidential information with the Agency for Health Care Administration in furtherance of its official duties and requires the agency to maintain the confidential nature of the information.

Section 6: Amends s. 440.13, Florida Statutes, relating to medical services and supplies under the workers' compensation law; reassigns certain functions from the Division of Workers' Compensation to the Agency for Health Care Administration; requires the Department of Insurance to consult with the Agency for Health Care Administration on treatment report format and forms and rules regarding medical reports and bills; eliminates the penalty associated with carriers failing to pay 90% or more of their medical bills on time; provides for audits related to timeliness of medical bill payments to be conducted in accordance with s. 624.3161, Florida Statutes; provides for any

finances or other discipline to be conducted pursuant to the provisions of the insurance code rather than Chapter 440, F.S.; conforms agency references to reflect the transfer of the Division of Workers' Compensation to the Department of Insurance.

Section 7: Amends s. 440.15, Florida Statutes, to conform agency references to reflect the transfer of the Division of Workers' Compensation to the Department of Insurance and to the Agency for Health Care Administration; corrects a cross reference.

Section 8: Amends s. 440.20, Florida Statutes, relating to the time for payment of compensation and penalties for late payment; eliminates the penalty associated with a carrier failing to pay more than 90% of compensation benefits on time; provides that audits of payments of compensation will be made in accordance with s. 624.3161; provides that investigations for carrier compliance will be done in accordance with 624.317; provides that penalties for late payment of compensation will be imposed pursuant to s.624.4211; eliminates the requirement for an annual report indicating the promptness of initial payments of all carriers; conforms references to reflect the transfer of the Division of Workers' Compensation to the Department of Insurance and certain functions of the Division to the Department of Education.

Section 9: Amends s. 440.207, Florida Statutes, to conform departmental references to reflect the transfer of the Division of Workers' Compensation to the Department of Insurance.

Section 10: Amends s. 440.25, Florida Statutes, to transfer the Division's authority to order an examination by an expert medical advisor from the Division of Workers' Compensation to the Agency for Health Care Administration; corrects the name of the Workers' Compensation Trust Fund.

Section 11: Amends s. 440.271, Florida Statutes, to conform departmental references to reflect the transfer of the Division of Workers' Compensation to the Department of Insurance.

Section 12: Amends s. 440.381, Florida Statutes, to delete the requirement for the Division of Workers' Compensation to collect data to identify injured workers that were not reported on Unemployment Compensation quarterly reports so that the carrier can seek reimbursement; conforms references to reflect the transfer of the Division of Workers' Compensation to the Department of Insurance.

Section 13: Amends s. 440.49, Florida Statutes, reassigning responsibility for the Preferred Worker program from the Department of Labor to the Departments of Education and Insurance. Also reassigns responsibility for a report on the Special Disability Trust Fund to the Department of Insurance.

Section 14: Amends s. 440.491, Florida Statutes, to conform references based on the transfer of rehabilitation and reemployment services to the Department of Education.

Section 15: Amends s. 440.525, Florida Statutes, to conform departmental references to reflect the transfer of the Division of Workers' Compensation to the Department of Insurance, removes a requirement that the division examine each carrier to determine their compliance with the Workers' Compensation Laws once every three years, authorizes audits as warranted.

Section 16: Amends s. 443.012, Florida Statutes, creating the Unemployment Appeals Commission within the Agency for Workforce Innovation, rather than the Department of Labor and Employment Security, and conforming applicable provisions.

Section 17: Amends s. 443.036, Florida Statutes, to conform the definition of “commission” to the transfer of the Unemployment Appeals Commission to the Agency for Workforce Innovation.

Section 18: Amends s.447.02, Florida Statutes, to conform the definition of “department” to the transfer of the regulation of labor organizations to the Department of Business and Professional Regulation.

Section 19: Amends s. 447.305, Florida Statutes, pertaining to the registration of employee organizations; requires filing with the Department of Business and Professional Regulation rather than the Department of Labor and Employment Security.

Section 20: Amends s. 450.012, Florida Statutes, conforming the definition of “department” to the transfer of the regulation of child labor to the Department of Business and Professional Regulation.

Section 21: Amends s. 450.191, Florida Statutes, relating to the duties of the Executive Office of the Governor with respect to migrant and farm labor; conforming provisions to changes made elsewhere in this act.

Section 22: Amends s. 450.28, Florida Statutes, conforming the definition of “department” to the transfer of the regulation of farm labor to the Department of Business and Professional Regulation.

Section 23: Amends s. 110.205, Florida Statutes, to conform references to changes made by this act.

Section 24: Amends s. 112.19, Florida Statutes, to conform references to changes made by this act.

Section 25: Amends s. 112.191, Florida Statutes, to conform references to changes made by this act.

Section 26: Amends s. 121.125, Florida Statutes, to conform references to changes made by this act.

Section 27: Amends s. 122.03, Florida Statutes, to conform references to changes made by this act.

Section 28: Amends s. 238.06, Florida Statutes, to conform references to changes made by this act.

Section 29: Amends s. 440.10, Florida Statutes, to conform references to changes made by this act.

Section 30: Amends s. 440.104, Florida Statutes, to conform references to changes made by this act.

Section 31: Amends s. 440.134, Florida Statutes, to conform references to changes made by this act.

Section 32: Amends s. 440.14, Florida Statutes, to conform references to changes made by this act.

Section 33: Amends s. 440.51, Florida Statutes, to correct a cross-reference.

Section 34: Amends s. 489.114, Florida Statutes, to conform departmental references to reflect the transfer of the Division of Workers' Compensation to the Department of Insurance.

Section 35: Amends s. 489.510, Florida Statutes, to conform departmental references to reflect the transfer of the Division of Workers' Compensation to the Department of Insurance.

Section 36: Amends s. 626.88, Florida Statutes, to conform departmental references to reflect the transfer of the Division of Workers' Compensation to the Department of Insurance.

Section 37: Amends s. 626.989, Florida Statutes, to conform departmental references to reflect the transfer of the Division of Workers' Compensation to the Department of Insurance.

Section 38: Amends s. 627.0915, Florida Statutes, to conform departmental references to reflect the transfer of the Division of Workers' Compensation to the Department of Insurance.

Section 39: Amends s. 627.914, Florida Statutes, to conform departmental references to reflect the transfer of the Division of Workers' Compensation to the Department of Insurance.

Section 40: Repeals ss. 20.171, 440.4416, and 440.59, Florida Statutes, which creates and defines the Department of Labor and Employment Security as an executive branch agency; which creates the Workers' Compensation Oversight Board; and which requires certain annual reports by the division.

Section 41: Provides a severability clause.

Section 42: Provides an effective date of July 1, 2002.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None

2. Expenditures:

None

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None

2. Expenditures:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None

D. FISCAL COMMENTS:

None

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

This bill does not require cities or counties to expend funds or to take actions requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This bill does not reduce the authority of cities or counties to raise revenue in the aggregate.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

This bill does not reduce the percentage of a state tax shared with cities or counties.

V. COMMENTS:

A. CONSTITUTIONAL ISSUES:

None

B. RULE-MAKING AUTHORITY:

The bill provides for the transfer of rulemaking authority from the dissolution of DLES to the several successor agencies; and provides temporary authority for these agencies to promulgate rules to implement the type two transfer.

C. OTHER COMMENTS:

None

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

There is a strike-all amendment to this bill, which differs from the original bill as follows:

1. The bill and the amendment differ in what duties will be done at the department level rather than the division. The amendment creates a Division of Workers' Compensation, yet virtually all of the duties and receipt of reports, etc., of the current division are transferred to the Department in the amendment.
2. The amendment deletes s. 440.15(3)(b)4., F.S., which requires carriers to investigate whether extended periods of unemployment or underemployment are still related to the workers' compensation injury.
3. The amendment deletes language found in the bill in s.440.20(15)(a), F.S., which authorizes the Department of Insurance to impose penalties upon carriers for questionable business practices.
4. The amendment does not delete the pay lag report found in s. 440.20(15)(e), F.S.

5. The amendment deletes obsolete language in s. 440.385, F.S., relating to the initial appointments and plan of operation of the Florida Self-Insurers Guaranty Association, Inc.
6. The amendment amends s. 440.44, F.S., relating to the administration of the workers' compensation laws to reflect the transfer of duties under this chapter to the Department of Insurance, the Agency for Health Care Administration, and the Department of Education.
7. The amendment amends s. 20.50, relating to the creation and organizational structure of the Agency for Workforce Innovation.
8. The amendment shortens the period of days (from 180 to 90) that emergency rules that may be promulgated to carry out the provisions of the act are valid.

A section-by-section analysis of the strike-all amendment is as follows:

Section 1: Provides for the transfer of the remaining divisions of DLES.

Subsection (1) provides for a type two transfer of the Division of Workers' Compensation to DOI; provides for a type two transfer of workers' compensation medical services to ACHA; provides for a type two transfer of workers' compensation rehabilitation and reemployment services to DOE; provides for a type two transfer of the Office of Farm Labor and Crew Chief Office and Child Labor to the Department of Business and Professional Regulation (DBPR);

Subsection (2) provides for a type two transfer of certain functions of the Office of the Secretary relating to labor organizations and migrant and farm labor registration to DBPR;

Subsection (3) provides for a type two transfer of other workplace regulation functions to the DBPR;

Subsection (4) provides for a type two transfer of the Unemployment Appeals Commission to the AWI;

Subsection (5) provides for a type two transfer of the Office of Information Systems to the STO;

Subsection (6) provides that certain records, property and unexpended balances of the Office of the Secretary of DLES which support the activities and functions transferred in subsection (1) to the several department and agencies are transferred to their respective department or agency;

Subsection (7) provides that DMS shall be the custodian of any property not otherwise transferred;

Subsection (8) authorizes the Department of Banking and Finance (DBF), in conjunction with the Office of the Attorney General, to use unexpended funds to settle certain claims;

Subsection (9) provides for the continuation of certain contracts or agreements of DLES;

Subsection (10) substitutes the successor entity as a party in interest in pending proceedings;

Subsections (11) and (12) exempt specified state agencies, on a temporary basis, from provisions relating to procurement of property and services and leasing of space; and

Subsection (13) authorizes specified state agencies to develop temporary emergency rules relating to the implementation of this act.

Section 2: Amends s. 20.13, Florida Statutes, to add the Division of Workers' Compensation to the list of divisions to be contained within the Department of Insurance.

Section 3: Amends s. 440.02, Florida Statutes, to provide a definition for the term "agency" which will be the Agency for Health Care Administration and conforming the definitions of "department" and "division" to the transfer of the Division of Workers' Compensation to the Department of Insurance, renumbers sections as needed.

Section 4: Amends s. 440.021, Florida Statutes, to conform division references.

Section 5: Amends s. 440.05, Florida Statutes, to conform division references.

Section 6: Amends s. 440.09, Florida Statutes, to conform division references.

Section 7: Amends s. 440.10, Florida Statutes, to conform division references.

Section 8: Amends s. 440.102, Florida Statutes, conforming agency references to reflect the transfer of the Division of Workers' Compensation to the Department of Insurance.

Section 9: Amends s. 440.103, Florida Statutes, conforming agency references to reflect the transfer of the Division of Workers' Compensation to the Department of Insurance.

Section 10: Amends s. 440.105, Florida Statutes, to conform division references.

Section 11: Amends s. 440.106, Florida Statutes, to conform division references.

Section 12: Amends s. 440.107, Florida Statutes, to conform division references.

Section 13: Amends s. 440.108, Florida Statutes, to conform division references.

Section 14: Amends s. 440.12, Florida Statutes, to conform division references to reflect the transfer of the Unemployment Appeals Commission to AWI.

Section 15: Amends s. 440.125, Florida Statutes, conforming agency references to reflect the transfer of the Division of Workers' Compensation to DOI. Allows DOI to share confidential information with ACHA in furtherance of its official duties and requires the agency to maintain the confidential nature of the information.

Section 16: Amends s. 440.13, Florida Statutes, relating to medical services and supplies under the workers' compensation law; reassigns certain functions from the Division of Workers' Compensation to ACHA; requires DOI to consult with ACHA on treatment report format and forms and rules regarding medical reports and bills; conforms agency references to reflect the transfer of the Division of Workers' Compensation to DOI.

Section 17: Amends s. 440.134, Florida Statutes, to conform department references.

Section 18: Amends s. 440.14, Florida Statutes, to conform division references.

Section 19: Amends s. 440.15, Florida Statutes, to conform agency references to reflect the transfer of the Division of Workers' Compensation to DOI and to ACHA; corrects a cross reference; deletes a section which requires carriers to investigate whether extended periods of unemployment or underemployment are still related to the workers' compensation injury.

Section 20: 440.185, Florida Statutes, to conform division references.

Section 21: Amends s. 440.191, Florida Statutes, to conform departmental references to reflect the transfer of the Division of Workers' Compensation to DOI.

Section 22: Amends s. 440.192, Florida Statutes, to conform division references.

Section 23: Amends s. 440.1925, Florida Statutes, to conform division references.

Section 24: Amends s. 440.20, Florida Statutes, relating to the time for payment of compensation and penalties for late payment; eliminates the penalty associated with a carrier failing to pay more than 90% of compensation benefits on time; provides that audits of payments of compensation will be made in

accordance with s. 624.3161; provides that investigations for carrier compliance will be done in accordance with 624.317; conforms references to reflect the transfer of the Division of Workers' Compensation to DOI and certain functions of the Division to DOE.

Section 25: Amends s. 440.207, Florida Statutes, to conform departmental references to reflect the transfer of the Division of Workers' Compensation to DOI.

Section 26: Amends s. 440.211, Florida Statutes, to conform division references.

Section 27: Amends s. 440.24, Florida Statutes, to conform division references.

Section 28: Amends s. 440.25, Florida Statutes, to transfer the Division's authority to order an examination by an expert medical advisor from the Division of Workers' Compensation to DOI; corrects the name of the Workers' Compensation Administration Trust Fund.

Section 29: Amends s. 440.271, Florida Statutes, to conform departmental references to reflect the transfer of the Division of Workers' Compensation to DOI.

Section 30: Amends s. 440.345, Florida Statutes, to clarify DOAH rulemaking authority for the JCC; conforms department references.

Section 31: Amends s. 440.35, Florida Statutes, to conform division references.

Section 32: Amends s. 440.38, Florida Statutes, to conform division references; corrects the name of the American Academy of Actuaries.

Section 33: Amends s. 440.381, Florida Statutes, to delete the requirement for the Division of Workers' Compensation to collect data to identify injured workers that were not reported on Unemployment Compensation quarterly reports so that the carrier can seek reimbursement; conforms references to reflect the transfer of the Division of Workers' Compensation to DOI.

Section 34: Amends s. 40.385, deletes obsolete language relating to the initial appointments and plan of operation of the Florida Self-Insurers Guaranty Association, Inc.; conforms division references; corrects the name of the American Academy of Actuaries.

Section 35: Amends s. 440.40, Florida Statutes, to conform division references.

Section 36: Amends s. 440.41, Florida Statutes, to conform division references.

Section 37: Amends s. 440.42, Florida Statutes, to conform division references.

Section 38: Amends s. 440.44, Florida Statutes, relating to the administration of the workers' compensation laws to reflect the transfer of duties under this chapter to DOI, ACHA, and DOE to conform division references; includes DOAH as agency head of the JCC as an administrator of workers' compensation laws.

Section 39: Amends s. 440.49, Florida Statutes, reassigning responsibility for the Preferred Worker program from DLES to DOE and DOI. Also reassigns responsibility for a report on the Special Disability Trust Fund to DOI.

Section 40: Amends s. 440.491, Florida Statutes, to conform references based on the transfer of rehabilitation and reemployment services to the DOE.

Section 41: Amends s. 440.50, Florida Statutes, to conform division references.

Section 42: Amends s. 440.51, Florida Statutes, to conform division references.

Section 43: Amends s. 440.52, Florida Statutes, to conform division references.

Section 44: Amends s. 440.525, Florida Statutes, to conform departmental references to reflect the transfer of the Division of Workers' Compensation to DOI, removes a requirement that the division examine each carrier to determine their compliance with the Workers' Compensation Laws once every three years, authorizes audits as warranted.

Section 45: Amends s. 440.572, Florida Statutes, to conform division references.

Section 46: Amends s. 440.591, Florida Statutes, to conform department references.

Section 47: Amends s. 440.593, Florida Statutes, to conform division references.

Section 48: Amends s. 20.50, Florida Statutes, relating to the organizational structure, powers and duties of AWI to reflect the transfer from DLES.

Section 49: Amends s. 443.012, Florida Statutes, creating the Unemployment Appeals Commission within AWI, rather than DLES, and conforming applicable provisions.

Section 50: Amends s. 443.036, Florida Statutes, to conform the definition of "commission" to the transfer of the Unemployment Appeals Commission to AWI.

Section 51: Amends s.447.02, Florida Statutes, to conform the definition of "department" to the transfer of the regulation of labor organizations to DBPR.

Section 52: Amends s. 447.305, Florida Statutes, pertaining to the registration of employee organizations; requires filing with DBPR rather than DLES.

Section 53: Amends s. 450.012, Florida Statutes, conforming the definition of "department" to the transfer of the regulation of child labor to DBPR.

Section 54: Amends s. 450.191, Florida Statutes, relating to the duties of the Executive Office of the Governor with respect to migrant and farm labor; conforming provisions to changes made elsewhere in this act.

Section 55: Amends s. 450.28, Florida Statutes, conforming the definition of "department" to the transfer of the regulation of farm labor to DBPR.

Section 56: Amends s. 627.0915, Florida Statutes, to conform departmental references to reflect the transfer of the Division of Workers' Compensation to the Department of Insurance.

Section 57: Amends s. 110.205, Florida Statutes, to conform division references.

Section 58: Amends s. 112.19, Florida Statutes, to conform division references.

Section 59: Amends s. 112.191, Florida Statutes, to conform division references; corrects a cross-reference.

Section 60: Amends s. 121.125, Florida Statutes, to conform division references; corrects a cross-reference and clarifies the date of maximum medical improvement.

Section 61: Amends s. 122.03, Florida Statutes, to conform division references; corrects a cross-reference and clarifies the date of maximum medical improvement.

Section 62: Amends s. 238.06, Florida Statutes, to conform division references; corrects a cross-reference and clarifies the date of maximum medical improvement.

Section 63: Amends s. 440.10, Florida Statutes, to conform division references; corrects a cross-reference.

Section 64: Amends s. 440.104, Florida Statutes, to correct a cross-reference.

Section 65: Amends s. 440.45, Florida Statutes, to clarify the authority of DOAH as the agency head of the JCC.

Section 66: Amends s. 440.59, Florida Statutes, to delete division reporting requirements which are no longer necessary.

Section 67: Amends s. 624.3161, Florida Statutes, to conform a cross-reference.

Section 68: Amends s. 626.88, Florida Statutes, to conform department references.

Section 69: Amends s.626.989, Florida Statutes, to conform department references and clarify reporting deadlines for information related to workers' compensation coverage compliance and workers' compensation fraud reduction.

Section 70: Amends s. 627.914, Florida Statutes, to conform department references.

Section 71: Repeals ss. 20.171, and 440.4416, Florida Statutes, which creates and defines DLES as an executive branch agency, and which creates the Workers' Compensation Oversight Board.

Section 72: Provides a severability clause.

Section 73: Provides an effective date of July 1, 2002, unless provided otherwise.

VII. SIGNATURES:

COMMITTEE ON TRANSPORTATION & ECONOMIC DEVELOPMENT APPROPRIATIONS:

Prepared by:

Staff Director:

Douglas Pile

Elizabeth Hawkins