

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 Representative Harper offered the following:

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3 **Amendment (with title amendment)**

4 Between line(s) 21 and 22, insert:

5 Section 1. Subsection (4) is added to section 446.032,

6 Florida Statutes, to read:

7 446.032 General duties of division with respect to  
8 apprenticeship training.--The Division of Workforce Development  
9 shall:

10 (4) Accept services and activities offered by other  
11 agencies in support of the intent specified in s. 446.011.

12 Section 2. Subsections (8) through (12) of section  
13 446.041, Florida Statutes, are renumbered as subsections (9)  
14 through (13), respectively, and a new subsection (8) is added to  
15 said section to read:

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16 446.041 Apprenticeship program, duties of division.--The  
17 Division of Workforce Development shall:

18 (8) Consult and cooperate with agencies that license  
19 apprenticeable professions.

20 Section 3. Subsection (3) is added to section 446.051,  
21 Florida Statutes, to read:

22 446.051 Related instruction for apprentices.--

23 (3) Training should be combined with properly coordinated  
24 studies of related technical subjects, supplementary subjects,  
25 and other criteria or qualifications for licensure as a  
26 practitioner of a regulated profession adopted by the  
27 appropriate regulatory board for a profession under the  
28 jurisdiction of the Department of Business and Professional  
29 Regulation.

30 Section 4. Subsections (1) and (3) of section 446.071,  
31 Florida Statutes, are amended to read:

32 446.071 Apprenticeship sponsors.--

33 (1) One or more local apprenticeship sponsors shall be  
34 approved in any trade or group of trades, or in any profession  
35 licensed by the Department of Business and Professional  
36 Regulation, by the Division of Workforce Development of the  
37 Department of Education, upon a determination of need, provided  
38 the apprenticeship sponsor meets all of the standards  
39 established by the division. "Need" refers to the need of state  
40 residents for apprenticeship training. In the absence of proof  
41 to the contrary, it shall be presumed that there is need for  
42 apprenticeship and preapprenticeship training in each county in  
43 this state.

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44 (3) The division has authority to grant a variance from  
45 the standards upon a showing of good cause for such variance by  
46 program sponsors in nonconstruction trades or professions  
47 licensed by the Department of Business and Professional  
48 Regulation. The purpose of this provision is to recognize the  
49 unique and varying training requirements in nontraditional  
50 apprenticeable occupations and to authorize the division and  
51 bureau to adapt the standards to the needs of such programs.

52 Section 5. Section 446.092, Florida Statutes, is amended  
53 to read:

54 446.092 Criteria for apprenticeship occupations.--An  
55 apprenticeable occupation is a skilled trade or profession  
56 licensed by the Department of Business and Professional  
57 Regulation which possesses all of the following characteristics:

58 (1) It is customarily learned in a practical way through a  
59 structured, systematic program of on-the-job, supervised  
60 training.

61 (2) It is commonly recognized throughout the industry or  
62 recognized with a positive view towards changing technology.

63 (3) It involves manual, mechanical, or technical skills  
64 and knowledge which require a minimum of 2,000 hours of work and  
65 training, which hours are excluded from the time spent at  
66 related instruction.

67 (4) It requires related instruction to supplement on-the-  
68 job training. Such instruction may be given in a classroom or  
69 through correspondence courses.

70 (5) It involves the development of skill sufficiently  
71 broad to be applicable in like occupations throughout an

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72 industry, rather than of restricted application to the products  
73 or services of any one company.

74 (6) It does not fall into any of the following categories:

75 (a) Selling, retailing, or similar occupations in the  
76 distributive field.

77 (b) Managerial occupations.

78 (c) Professional and scientific vocations for which  
79 entrance requirements customarily require an academic degree.

80 Section 6. Section 455.2126, Florida Statutes, is created  
81 to read:

82 455.2126 Apprenticeship program; duties of a board or the  
83 department.--In order to support and assist the development and  
84 operations of a registered apprenticeship program and the  
85 training of registered apprentices, the board, or the department  
86 where there is no board, shall support the intent of the  
87 Legislature, as specified in s. 446.011, and is authorized to:

88 (1) Encourage registered apprenticeship programs.

89 (2) Support registered apprentices as necessary to  
90 encourage achievement of goals and objectives.

91 (3) Cooperate with and assist the Division of Workforce  
92 Development in the creation of apprenticeship standards and  
93 training requirements.

94 (4) Monitor registered apprenticeship programs to the  
95 degree the board, or the department where there is no board, may  
96 help to ensure they are being operated in compliance with  
97 applicable requirements under the appropriate practice act of  
98 the profession licensed by the department.

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99 Section 7. Section 476.194, Florida Statutes, is amended  
100 to read:

101 476.194 Prohibited acts.--

102 (1) It is unlawful for any person to:

103 (a) Engage in the practice of barbering without an active  
104 license as a barber issued pursuant to the provisions of this  
105 act by the department or registration as an apprentice pursuant  
106 to chapter 446.

107 (b) Engage in willful or repeated violations of this act  
108 or of any of the rules adopted by the board.

109 (c) Hire or employ any person to engage in the practice of  
110 barbering unless such person holds a valid license as a barber  
111 or a registration as an apprentice.

112 (d) Obtain or attempt to obtain a license for money other  
113 than the required fee or any other thing of value or by  
114 fraudulent misrepresentations.

115 (e) Own, operate, maintain, open, establish, conduct, or  
116 have charge of, either alone or with another person or persons,  
117 a barbershop:

118 1. Which is not licensed under the provisions of this  
119 chapter; or

120 2. In which a person not licensed as a barber or  
121 registered as an apprentice is permitted to perform services.

122 (f) Use or attempt to use a license to practice barbering  
123 when said license is suspended or revoked.

124 (2) Any person who violates any provision of this section  
125 commits ~~is guilty of~~ a misdemeanor of the second degree,  
126 punishable as provided in s. 775.082 or s. 775.083.

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

Remove line(s) 6 and insert:

An act relating to regulation of professions and occupations;  
amending ss. 446.032 and 446.041, F.S.; providing additional  
duties of the Division of Workforce Development of the  
Department of Education with respect to apprenticeship training  
and the apprenticeship program; amending s. 446.051, F.S.;  
providing for coordination of training with the Department of  
Business and Professional Regulation for practitioners regulated  
under such department; amending ss. 446.071 and 446.092, F.S.;  
providing additional consideration with respect to sponsorship  
and criteria for professions licensed by the Department of  
Business and Professional Regulation; creating s. 455.2126,  
F.S.; providing authority of regulatory boards or the Department  
of Business and Professional Regulation with respect to  
apprenticeship programs; amending s. 476.194, F.S.; prohibiting  
certain acts relating to the practice of barbering by or  
involving an apprentice; providing penalties; amending s.  
466.006,