

CHAMBER ACTION

1 The Military & Veteran Affairs Committee recommends the
2 following:

3
4 **Council/Committee Substitute**

5 Remove the entire bill and insert:

6 A bill to be entitled

7 An act relating to regulation of wells; amending s.
8 373.323, F.S.; authorizing licensed water well contractors
9 to facilitate work by certain licensed contractors under
10 certain circumstances; providing a definition; amending s.
11 373.324, F.S.; requiring the Department of Environmental
12 Protection to include the renewal fee in its license-
13 renewal method prescribed by rule; waiving continuing
14 education requirements for license renewal of certain
15 water well contractors; providing water well contractor
16 license extensions for certain servicemembers and their
17 spouses under certain circumstances; providing for
18 exemption from certain costs or fees under certain
19 circumstances; providing for nullification of extension
20 under certain circumstances; amending s. 373.333, F.S.;
21 increasing the amount of the administrative fine a water
22 management district may impose for certain water well
23 contracting violations; amending s. 373.336, F.S.;

HB 1063

2006
CS

24 providing fines for persons or entities drilling a water
 25 well without a license or contracting with unlicensed
 26 water well contractors for water well services; requiring
 27 the department to establish policies and procedures for
 28 the enforcement of the fines; providing an effective date.
 29

30 Be It Enacted by the Legislature of the State of Florida:
 31

32 Section 1. Subsection (11) is added to section 373.323,
 33 Florida Statutes, to read:

34 373.323 Licensure of water well contractors; application,
 35 qualifications, and examinations; equipment identification.--

36 (11) A licensed water well contractor may facilitate the
 37 performance of additional work by an appropriately licensed
 38 contractor that is incidental to the construction, repair, or
 39 abandonment of a water well. For purposes of this subsection,
 40 "incidental" work is limited to the electrical connection of a
 41 pump, connecting a well to a residential dwelling, constructing
 42 a pump house or pump vault of 100 square feet or less,
 43 constructing a nonstructural well slab of 100 square feet or
 44 less, fencing, and landscaping. Nothing in this part shall
 45 authorize a licensed water well contractor to perform any
 46 services or work for which a license under chapter 489 is
 47 required.

48 Section 2. Subsection (3) of section 373.324, Florida
 49 Statutes, is amended, and subsection (7) is added to that
 50 section, to read:

51 373.324 License renewal.--

HB 1063

2006
CS

52 (3) The department shall prescribe by rule the method for
53 renewal of a license, which shall include continuing education
54 requirements of not less than 12 classroom hours for each
55 renewal cycle as well as a renewal fee. However, if a water well
56 contractor has received his or her first license within 180 days
57 before the end of the license biennium, the continuing education
58 requirements shall be waived for the licensee's first renewal
59 cycle.

60 (7) Notwithstanding the renewal requirements of subsection
61 (3) and the provision under s. 250.4815, any active water well
62 contractor license issued under this part to a servicemember as
63 defined in s. 250.01 or his or her spouse, both of whom reside
64 in the state, shall not become inactive while the servicemember
65 is serving on military orders that take him or her over 35 miles
66 from his or her residence, and the license shall be considered
67 an active license for up to 180 days after the servicemember
68 returns to his or her residence in the state. If the license
69 renewal requirements are met within the 180-day extension
70 period, the servicemember or his or her spouse shall not be
71 charged any additional costs above the normal license fees,
72 including, but not limited to, late fees or delinquency fees.
73 Nothing in this subsection shall be construed to waive renewal
74 requirements such as applying, continuing education, and all
75 associated fees. The servicemember must present to the water
76 management district issuing the license a copy of his or her
77 official military orders or a written verification from the
78 servicemember's commanding officer before the end of the 180-day
79 period in order to qualify for the extension. The extension

HB 1063

2006
CS

80 granted in this subsection shall be nullified in the event the
 81 licensee engages in for-profit water well contracting in the
 82 private sector during the 180-day extension period, prior to
 83 completing all renewal requirements.

84 Section 3. Paragraph (c) of subsection (5) of section
 85 373.333, Florida Statutes, is amended to read:

86 373.333 Disciplinary guidelines; adoption and enforcement;
 87 license suspension or revocation.--

88 (5) When the water management district finds a person
 89 guilty of any of the grounds set forth in subsection (4), it may
 90 enter an order imposing one or more of the following
 91 disciplinary actions:

92 (c) Imposition of an administrative fine not to exceed
 93 \$5,000 ~~\$1,000~~ for each count or separate offense.

94 Section 4. Subsection (4) is added to section 373.336,
 95 Florida Statutes, to read:

96 373.336 Unlawful acts; penalties.--

97 (4) Persons or entities drilling a water well without a
 98 license or contracting with an unlicensed water well contractor
 99 for water well services shall be subject to a fine of up to
 100 \$5,000 for each violation. Policies and procedures for the
 101 enforcement of the fines shall be established by the department.

102 Section 5. This act shall take effect July 1, 2006.