

Bill No. SB 1090

Barcode 485096

CHAMBER ACTION

Senate

House

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The Committee on Environmental Preservation (Baker)
recommended the following amendment:

Senate Amendment (with title amendment)

Delete everything after the enacting clause

and insert:

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

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

(11) A licensed water well contractor may act as a
prime contractor where the majority of work to be performed
under the contract is within the scope of his or her license.
A licensed water well contractor may subcontract to other
contractors licensed to perform the remaining work which is
part of the project contracted.

Section 2. Subsection (3) of section 373.324, Florida
Statutes, is amended, and subsections (7) and (8) are added to
that section, to read:

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1 373.324 License renewal.--

2 (3) The department shall prescribe by rule the method
3 for renewal of a license, which shall include continuing
4 education requirements of not less than 12 classroom hours for
5 each renewal cycle. However, if a water well contractor has
6 received his or her first license within 180 days before the
7 end of the biennium renewal of licenses, the continuing
8 education requirements shall be waived for the licensee's
9 first renewal cycle. ~~Notwithstanding s. 373.329, the~~
10 department by rule shall establish an administrative fee based
11 on the actual costs incurred in administering the
12 responsibilities related to continuing education requirements.

13 (7) Notwithstanding the renewal requirements of
14 subsection (3), any water well contractor who is serving on
15 active duty as a member of the Armed Forces of the United
16 States who, at the time of becoming an active-duty member, had
17 an active water well contractor license issued under this part
18 and was entitled to practice or engage in water well
19 contracting in this state shall be kept in active-license
20 status, and shall be exempt from license renewal provisions,
21 as long as he or she is an active-duty member of the Armed
22 Forces of the United States and for a period of 6 months after
23 discharge from active-duty status, provided he or she is not
24 engaged in water well contracting in the private sector for
25 profit. Additionally, in adopting rules exempting such active
26 duty members of the Armed Forces of the United States, the
27 department shall adopt rules exempting the spouses of
28 active-duty members of the Armed Forces of the United States
29 from licensure renewal provisions when the family must
30 relocate out of state due to active-duty assignment.

31 Section 3. Paragraph (c) of subsection (5) of section

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1 373.333, Florida Statutes, is amended and subsection (8) is
2 added to said section to read:

3 373.333 Disciplinary guidelines; adoption and
4 enforcement; license suspension or revocation.--

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

9 (c) Imposition of an administrative fine not to exceed
10 ~~\$5,000~~~~\$1,000~~ for each count or separate offense.

11 (8) The water management district may impose through
12 an order an administrative fine not to exceed \$5,000 against
13 an unlicensed person when it determines that the unlicensed
14 person has engaged in the practice of water well contracting,
15 for which a license is required.

16 Section 4. This act shall take effect July 1, 2006.

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

20 And the title is amended as follows:

21 Delete everything before the enacting clause

22

23 and insert:

24 A bill to be entitled
25 An act relating to the regulation of wells;
26 amending s. 373.323, F.S.; authorizing licensed
27 water well contractors to act as prime
28 contractors for certain work and to subcontract
29 with other contractors; amending s. 373.324,
30 F.S.; requiring the Department of Environmental
31 Protection to include the an administrative fee

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1 in its license-renewal method prescribed by
2 rule; waiving continuing education requirements
3 for license renewal of certain water well
4 contractors; providing exemptions from
5 continuing education requirements for water
6 well contractors on active military duty;
7 requiring the department to adopt rules
8 exempting the spouses of active-duty military
9 personnel from license renewal requirements
10 under certain circumstances; amending s.
11 373.333, F.S.; increasing the amount of the
12 administrative fine a water management district
13 may impose for certain water well contracting
14 violations; allowing the water management
15 district to impose an administrative fine
16 against unlicensed water well contractors;
17 providing an effective date.

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