

By Senator Baker

20-805A-06

See HB

1 A bill to be entitled

2 An act relating to the regulation of wells;

3 amending s. 373.323, F.S.; authorizing licensed

4 water well contractors to act as prime

5 contractors for certain work and to contract

6 with other contractors; amending s. 373.324,

7 F.S.; requiring the Department of Environmental

8 Protection to include the renewal fee in its

9 license-renewal method prescribed by rule;

10 waiving continuing education requirements for

11 license renewal of certain water well

12 contractors; providing exemptions from

13 continuing education requirements for water

14 well contractors on active military duty;

15 requiring the department to adopt rules

16 exempting the spouses of active-duty military

17 personnel from license renewal requirements

18 under certain circumstances; amending s.

19 373.333, F.S.; increasing the amount of the

20 administrative fine a water management district

21 may impose for certain water well contracting

22 violations; amending s. 373.336, F.S.;

23 providing fines for persons or entities

24 drilling a water well without a license or

25 contracting with unlicensed water well

26 contractors for water well services; requiring

27 the department to establish policies and

28 procedures for the enforcement of such fines;

29 providing an effective date.

30

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

1 Section 1. Subsection (11) is added to section
2 373.323, Florida Statutes, to read:

3 373.323 Licensure of water well contractors;
4 application, qualifications, and examinations; equipment
5 identification.--

6 (11) A licensed water well contractor may act as a
7 prime contractor if the majority of work to be performed under
8 the contract is within the scope of his or her license. A
9 licensed water well contractor may contract with another
10 licensed water well contractor for the remaining work or with
11 another contractor for which a water well contracting license
12 is not required.

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

16 373.324 License renewal.--

17 (3) The department shall prescribe by rule the method
18 for renewal of a license, which shall include continuing
19 education requirements of not less than 12 classroom hours for
20 each renewal cycle as well as an administrative fee. However,
21 if a water well contractor has received his or her first
22 license within 180 days before the end of the license
23 biennium, the continuing education requirements shall be
24 waived for the licensee's first renewal cycle.

25 (7) Notwithstanding the renewal requirements of
26 subsection (3), any water well contractor who is serving on
27 active duty as a member of the Armed Forces of the United
28 States who, at the time of becoming an active-duty member, had
29 an active water well contractor license issued under this part
30 and was entitled to practice or engage in water well
31 contracting in this state shall be kept in active-license

1 status, without registering, paying fees, or fulfilling the
2 continuing education requirements, as long as he or she is an
3 active-duty member of the Armed Forces of the United States
4 and for a period of 6 months after discharge from active-duty
5 status, provided he or she is not engaged in water well
6 contracting in the private sector for profit.

7 (8) The department shall adopt rules exempting the
8 spouses of active-duty members of the Armed Forces of the
9 United States from licensure renewal provisions when the
10 family must relocate out of state due to active-duty
11 assignment.

12 Section 3. Paragraph (c) of subsection (5) of section
13 373.333, Florida Statutes, is amended to read:

14 373.333 Disciplinary guidelines; adoption and
15 enforcement; license suspension or revocation.--

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

20 (c) Imposition of an administrative fine not to exceed
21 ~~\$5,000~~~~\$1,000~~ for each count or separate offense.

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

24 373.336 Unlawful acts; penalties.--

25 (4) Persons or entities drilling a water well without
26 a license or contracting with an unlicensed water well
27 contractor for water well services shall be subject to a fine
28 of up to \$5,000 for each violation. Policies and procedures
29 for the enforcement of such fines shall be established by the
30 department.

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