Florida Senate - 2006

By the Committees on General Government Appropriations; Environmental Preservation; and Senator Baker

601-2144-06

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 facilitate
5	performance of additional work incidental to
6	the construction, repair, or abandonment of a
7	water well; amending s. 373.324, F.S.;
8	requiring the Department of Environmental
9	Protection to include an administrative fee in
10	its license-renewal method prescribed by rule;
11	waiving continuing education requirements for
12	license renewal of certain water well
13	contractors; providing exemptions from
14	continuing education requirements for water
15	well contractors on active military duty and
16	their spouses; amending s. 373.333, F.S.;
17	increasing the amount of the administrative
18	fine a water management district may impose for
19	certain water well contracting violations;
20	allowing the water management district to
21	impose an administrative fine against
22	unlicensed water well contractors; providing an
23	effective date.
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25	Be It Enacted by the Legislature of the State of Florida:
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27	Section 1. Subsection (11) is added to section
28	373.323, Florida Statutes, to read:
29	373.323 Licensure of water well contractors;
30	application, qualifications, and examinations; equipment
31	identification
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1 (11) A licensed well water contractor may facilitate 2 the performance of additional work by an appropriately licensed contractor which is incidental to the construction, 3 4 repair, or abandonment of a water well. For purposes of this subsection, incidental work is limited to the electrical 5 6 connection of a pump, connecting a well to a residential 7 dwelling, constructing a pump house or pump vault of 100 8 square feet or less, constructing a nonstructural well slab of 100 square feet or less, constructing fencing, and 9 10 landscaping. This part does not authorize a licensed water well contractor to perform any services or work for which a 11 12 license under chapter 489 is required. 13 Section 2. Subsection (3) of section 373.324, Florida Statutes, is amended, and subsection (7) is added to that 14 15 section, to read: 373.324 License renewal.--16 17 (3) The department shall prescribe by rule the method 18 for renewal of <u>a</u> license, which shall include continuing education requirements of not less than 12 classroom hours for 19 each renewal cycle. However, if a water well contractor has 2.0 21 received his or her first license within 180 days before the end of the biennium renewal of licenses, the continuing 2.2 23 education requirements shall be waived for the licensee's first renewal cycle. Notwithstanding s. 373.329, the 2.4 department by rule shall establish an administrative fee based 25 on the actual costs incurred in administering the 26 27 responsibilities related to continuing education requirements. 2.8 (7) Notwithstanding the renewal requirements in subsection (3) and s. 250.4815 for members of the Florida 29 National Guard and the United States Armed Forces Reserves, 30 any active water well contractor license issued under this 31

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1 part to a servicemember as defined in s. 250.01 or his or her 2 spouse, both of whom reside in Florida, may not become inactive while the servicemember is serving on military orders 3 4 which take him or her over 35 miles from his or her residence and shall be considered an active license for up to 180 days 5 6 after the servicemember returns to his or her Florida 7 residence. If the license renewal requirements are met within 8 the 180-day extension period, the servicemember or his or her spouse may not be charged any additional costs, such as, but 9 10 not limited to, late fees or delinquency fees, above the normal license fees. This subsection does not waive renewal 11 requirements such as registering, continuing education, and 12 13 all associated fees. The servicemember must present to the water management district issuing the license a copy of his or 14 her official military orders or a written verification from 15 the member's commanding officer before the end of the 180-day 16 17 period in order to qualify for the extension. 18 Section 3. Paragraph (c) of subsection (5) of section 373.333, Florida Statutes, is amended, and subsection (8) is 19 added to that section, to read: 20 21 373.333 Disciplinary guidelines; adoption and 2.2 enforcement; license suspension or revocation .--23 (5) When the water management district finds a person guilty of any of the grounds set forth in subsection (4), it 2.4 25 may enter an order imposing one or more of the following 26 disciplinary actions: 27 (c) Imposition of an administrative fine not to exceed 28|\$5,000\$1,000 for each count or separate offense. 29 (8) The water management district may impose through an order an administrative fine not to exceed \$5,000 against 30 an unlicensed person when it determines that the unlicensed 31

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person has engaged in the practice of water well contracting, for which a license is required. Section 4. This act shall take effect July 1, 2006. STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN COMMITTEE SUBSTITUTE FOR <u>CS for SB 1090</u> Further defines the performance of additional work by a licensed contractor that is incidental to the construction, repair, or abandonment of a water well. Clarifies the license renewal provision and changes the time allowance to 180 days.

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