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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.--

1 (11) A licensed well water contractor may facilitate
2 the performance of additional work by an appropriately
3 licensed contractor which is incidental to the construction,
4 repair, or abandonment of a water well. For purposes of this
5 subsection, incidental work is limited to the electrical
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
9 100 square feet or less, constructing fencing, and
10 landscaping. This part does not authorize a licensed water
11 well contractor to perform any services or work for which a
12 license under chapter 489 is required.

13 Section 2. Subsection (3) of section 373.324, Florida
14 Statutes, is amended, and subsection (7) is added to that
15 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. However, if a water well contractor has
21 received his or her first license within 180 days before the
22 end of the biennium renewal of licenses, the continuing
23 education requirements shall be waived for the licensee's
24 first renewal cycle. Notwithstanding s. 373.329, the
25 department by rule shall establish an administrative fee based
26 on the actual costs incurred in administering the
27 responsibilities related to continuing education requirements.

28 (7) Notwithstanding the renewal requirements in
29 subsection (3) and s. 250.4815 for members of the Florida
30 National Guard and the United States Armed Forces Reserves,
31 any active water well contractor license issued under this

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
3 inactive while the servicemember is serving on military orders
4 which take him or her over 35 miles from his or her residence
5 and shall be considered an active license for up to 180 days
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
9 spouse may not be charged any additional costs, such as, but
10 not limited to, late fees or delinquency fees, above the
11 normal license fees. This subsection does not waive renewal
12 requirements such as registering, continuing education, and
13 all associated fees. The servicemember must present to the
14 water management district issuing the license a copy of his or
15 her official military orders or a written verification from
16 the member's commanding officer before the end of the 180-day
17 period in order to qualify for the extension.

18 Section 3. Paragraph (c) of subsection (5) of section
19 373.333, Florida Statutes, is amended, and subsection (8) is
20 added to that section, to read:

21 373.333 Disciplinary guidelines; adoption and
22 enforcement; license suspension or revocation.--

23 (5) When the water management district finds a person
24 guilty of any of the grounds set forth in subsection (4), it
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
30 an order an administrative fine not to exceed \$5,000 against
31 an unlicensed person when it determines that the unlicensed

1 person has engaged in the practice of water well contracting,
2 for which a license is required.

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