

By the Committee on Health Care; and Senator Argenziano

587-2317-06

1                                   A bill to be entitled

2           An act relating to public swimming facilities;

3           creating s. 514.072, F.S.; requiring additional

4           certification of swimming instructors

5           specializing in training people who have

6           developmental disabilities; requiring the Dan

7           Marino Foundation, Inc., to develop

8           certification requirements and a training

9           curriculum and to submit the certification

10          requirements to the Department of Health for

11          review; providing deadlines for certification;

12          providing a remedy for certification

13          violations; amending s. 514.075, F.S.; deleting

14          an exception to the requirement that a public

15          pool be serviced by a certified technician;

16          providing an appropriation; providing an

17          effective date.

18

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

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21           Section 1. Section 514.072, Florida Statutes, is

22 created to read:

23           514.072 Certification of swimming instructors for

24 people who have developmental disabilities required.--

25           (1) Any person working at a swimming pool who holds

26 himself or herself out as a swimming instructor specializing

27 in training people who have developmental disabilities, as

28 defined in s. 393.063(10), must be certified by the Dan Marino

29 Foundation, Inc., in addition to being certified under s.

30 514.071. The Dan Marino Foundation, Inc., must develop

31 certification requirements and a training curriculum for

1 swimming instructors for people who have developmental  
2 disabilities and must submit the certification requirements to  
3 the Department of Health for review by January 1, 2007. A  
4 person certified under s. 514.071 before July 1, 2007, must  
5 meet the additional certification requirements of this section  
6 before January 1, 2008. A person certified under s. 514.071 on  
7 or after July 1, 2007, must meet the additional certification  
8 requirements of this section within 6 months after receiving  
9 certification under s. 514.071.

10 (2) In addition to any other remedies available to the  
11 department, the department may sue to enjoin the operation of  
12 any public swimming pool that uses any swimming instructor in  
13 violation of subsection (1).

14 Section 2. Section 514.075, Florida Statutes, is  
15 amended to read:

16 514.075 Public pool service technician;  
17 certification.--The department may require that a public pool,  
18 as defined in s. 514.011, be serviced by a person certified as  
19 a pool service technician. To be certified, an individual  
20 must demonstrate knowledge of public pools which includes, but  
21 is not limited to: pool cleaning; general pool maintenance;  
22 source of the water supply; bacteriological, chemical, and  
23 physical quality of water; and water purification, testing,  
24 treatment, and disinfection procedures. The department may,  
25 by rule, establish the requirement for the certification  
26 course and course approval. The department shall deem  
27 certified any individual who is certified by a course of  
28 national recognition or any person licensed under s.  
29 489.105(3)(j), (k), or (l). ~~This requirement does not apply to~~  
30 ~~a person, or the direct employee of a person, permitted as a~~  
31 ~~public pool operator under s. 514.031.~~

1           Section 3. The sum of \$535,000, of which \$185,000 is  
2 recurring, is appropriated from the General Revenue Fund to  
3 the Department of Health for distribution to the Dan Marino  
4 Foundation, Inc., for the 2006-2007 fiscal year for the  
5 purpose of implementing this act.

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

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8                           STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
9   COMMITTEE SUBSTITUTE FOR  
10   Senate Bill 2426

11 The committee substitute requires the Dan Marino Foundation,  
12 Inc., to develop certification requirements and a training  
13 curriculum for swimming instructors for people who have  
14 developmental disabilities. The foundation must submit the  
15 requirements to the Department of Health for review by January  
16 1, 2007.

17 If a person is certified before July 1, 2007, he or she must  
18 meet the additional requirements before January 1, 2008. If a  
19 person is certified on or after July 1, 2007, then he or she  
20 must meet the additional requirements within six months of  
21 having received certification.

22 The bill deletes an exemption from the requirement that a  
23 public pool be serviced by a certified pool service  
24 technician. The exemption being deleted is for a person, or  
25 direct employee of a person, permitted as a public pool  
26 operator under s. 514.031, F.S.

27 The bill designates the appropriation to be distributed to the  
28 Dan Marino Foundation, Inc., for the purpose of implementing  
29 this act.  
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