

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Plakon offered the following:

2
3 **Amendment (with title amendment)**

4 Between lines 1955 and 1956, insert:

5 Section 60. Paragraph (k) is added to subsection (2) of
6 section 20.165, Florida Statutes, to read:

7 20.165 Department of Business and Professional
8 Regulation.--There is created a Department of Business and
9 Professional Regulation.

10 (2) The following divisions of the Department of Business
11 and Professional Regulation are established:

12 (k) Division of Service Operations.

13 Section 61. Paragraph (a) of subsection (1) of section
14 455.217, Florida Statutes, is amended to read:

15 455.217 Examinations.--This section shall be read in
16 conjunction with the appropriate practice act associated with
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17 each regulated profession under this chapter.

18 (1) The Division of Service Operations Technology of the
19 Department of Business and Professional Regulation shall
20 provide, contract, or approve services for the development,
21 preparation, administration, scoring, score reporting, and
22 evaluation of all examinations. The division shall seek the
23 advice of the appropriate board in providing such services.

24 (a) The department, acting in conjunction with the
25 Division of Service Operations Technology and the Division of
26 Real Estate, as appropriate, shall ensure that examinations
27 adequately and reliably measure an applicant's ability to
28 practice the profession regulated by the department. After an
29 examination developed or approved by the department has been
30 administered, the board or department may reject any question
31 which does not reliably measure the general areas of competency
32 specified in the rules of the board or department, when there is
33 no board. The department shall use qualified outside
34 ~~professional testing vendors services~~ for the development,
35 preparation, and evaluation of examinations, when such services
36 are economically and viably available and approved by the
37 department board.

38 Section 62. Paragraph (h) of subsection (2) of section
39 471.003, Florida Statutes, is amended to read:

40 471.003 Qualifications for practice; exemptions.--

41 (2) The following persons are not required to be licensed
42 under the provisions of this chapter as a licensed engineer:

43 (h) Any electrical, plumbing, air-conditioning, or
44 mechanical contractor whose practice includes the design and
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45 fabrication of electrical, plumbing, air-conditioning, or
46 mechanical systems, respectively, which she or he installs by
47 virtue of a license issued under chapter 489, under part I of
48 chapter 553, or under any special act or ordinance when working
49 on any construction project which:

50 1. Requires an electrical or plumbing or air-conditioning
51 and refrigeration system with a value of \$125,000 ~~\$50,000~~ or
52 less; and

53 2.a. Requires an aggregate service capacity of 600 amperes
54 (240 volts) or less on a residential electrical system or 800
55 amperes (240 volts) or less on a commercial or industrial
56 electrical system;

57 b. Requires a plumbing system with fewer than 250 fixture
58 units; or

59 c. Requires a heating, ventilation, and air-conditioning
60 system not to exceed a 15-ton-per-system capacity, or if the
61 project is designed to accommodate 100 or fewer persons.

62 Section 63. The Office of Program Policy Analysis and
63 Government Accountability shall perform a study and make
64 recommendations to the Legislature by December 1, 2009,
65 regarding the enactment of laws to provide for protection and
66 remedies from existing and unregulated online poker activities,
67 which currently lack oversight and consumer protection under s.
68 849.086, Florida Statutes.

69 Section 64. Effective upon this act becoming a law, the
70 amendments made by this act to ss. 489.128(1)(a) and
71 489.532(1)(a), Florida Statutes, shall apply retroactively to
72 contracts entered into on or after October 1, 2000, and shall
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73 apply retroactively to all actions pending when this act becomes
74 a law.

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77 **T I T L E A M E N D M E N T**

78 Remove line 204 and insert:

79 made to s. 455.227, F.S., in references thereto; amending s.
80 20.165, F.S.; creating the Division of Service Operations of the
81 department; amending s. 455.217, F.S.; conforming provisions and
82 transferring to the Division of Service Operations from the
83 Division of Technology certain responsibilities related to
84 examinations; revising certain requirements for the department
85 concerning the use of outside vendors for the development,
86 preparation, and evaluation of examinations; amending s.
87 471.003, F.S.; revises the types of construction projects for
88 which certain contractors are exempt from licensure as an
89 engineer; requiring that the Office of Program Policy Analysis
90 and Government Accountability perform a study and make certain
91 recommendations to the Legislature by a specified date regarding
92 the enactment of laws to provide for protection and remedies
93 from certain online poker activities; providing for retroactive
94 application; repealing