

hbd-02

Bill No. HB 739, 1st Eng.

Amendment No. ____ (for drafter's use only)

| | <u>Senate</u> | CHAMBER ACTION | <u>House</u> |
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Representative(s) Gay offered the following:

Amendment (with title amendment)

On page 9, between lines 15 and 16, of the bill

insert:

Section 9. Workplace Safety Research and Review

Advisory Council.--

(1) There is created the Workplace Safety Research and Review Advisory Council which will advise and recommend to the Commissioner of Insurance and State Fire Marshal and, where appropriate, to the Legislature changes in, and interpretation of, firefighter occupational safety and health standards. The council shall exclusively recommend for adoption any changes or modifications to occupational safety and health standards. Notwithstanding any provision of law to the contrary, the Department of Insurance and Financial Services may only promulgate rules, relating to occupational health and safety for firefighters, that have been approved by majority vote of the council. The council shall also:

(a) Advise the department on directions for new

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- 1 research and review and approve proposals for rule changes.
2 (b) Consult and cooperate with employing agencies
3 concerning the development of occupational health and safety
4 standards for firefighters.
5 (c) Make recommendations concerning any matter within
6 its purview pursuant to this section.
7 (d) Review and approve or deny appeals from
8 firefighter employers of department actions.
9 (2) The council shall be composed of 17 members
10 appointed as follows:
11 (a) Two members selected by the Commissioner of
12 Insurance; one who shall be the commissioner or his or her
13 designee, and one who shall be an employee of the State Fire
14 Marshal.
15 (b) Two members selected by the Florida Fire Chiefs
16 Association, who shall be administrative officers from a fire
17 department representing a municipality, fire district, or
18 county.
19 (c) Two members shall be firefighters currently
20 employed as firefighters in a city, fire district, or county
21 who are not officers.
22 (d) Two firefighters who are representatives of a
23 volunteer fire department; one from a rural community and one
24 from an urban community.
25 (e) Two members selected by the Florida League of
26 Cities, who shall be city elected officials or their
27 designees.
28 (f) Two members selected by the Florida Association of
29 Counties, who shall be county elected officials or their
30 designees.
31 (g) Two members selected by the Florida Association of

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1 Special Districts, who shall be fire district representatives.

2 (h) One member selected by the Bureau of Safety,
3 Division of Workers' Compensation, who shall be an employee of
4 the bureau.

5 (i) One member selected by the top twenty writers of
6 workers' compensation premiums in Florida, who shall be a
7 representative of one or more of those companies.

8 (j) One member selected by the Florida Public Risk
9 Insurance Management Association, who is employed as a public
10 sector risk management administrator in a local government.

11 (3) Members shall be appointed for a term of 3 years,
12 with the appointments being staggered so that the terms of no
13 more than 6 members expire in any 1 year. No member shall
14 serve more than two consecutive terms. Members shall serve
15 only as long as they continue to meet the criteria under which
16 they were appointed or unless a member has failed to appear at
17 three consecutive and properly noticed meetings, unless
18 excused by the chair. Any vacancy shall be filled in the
19 manner of the original appointment for the remaining time of
20 the term.

21 (4) The two members selected by the commissioner shall
22 serve as the chair and vice chair. Nine members shall
23 constitute a quorum. The council shall meet at the call of the
24 chair, at the request of a majority of its membership, at the
25 request of the department, or at such times as may be
26 prescribed by its rules. Members shall serve without
27 remuneration, but shall be reimbursed for per diem and travel
28 expenses as provided in s. 112.061, Florida Statutes.

29 (5) In making the appointments, the appointing
30 authority shall take into consideration representation by
31 geography, population, and other relevant factors in order

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1 that the membership on the council will be apportioned to give
2 representation to the state at large rather than to a
3 particular area.

4 (6) Membership on the council shall not disqualify a
5 member from holding any other public office or being employed
6 by a public entity except that no member of the Legislature
7 shall serve on the council.

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10 ===== T I T L E A M E N D M E N T =====

11 And the title is amended as follows:

12 On page 2, line 16,

13

14 after the semicolon insert:

15 creating the Workplace Safety Research and
16 Review Advisory Council; providing for
17 membership; providing for review of firefighter
18 occupational safety and health standards and
19 recommendations to the Commissioner of
20 Insurance and the Legislature; providing for
21 approval by the council of certain rules;

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