



# Journal of the Senate

Number 11

Thursday, May 10, 1990

## CALL TO ORDER

The Senate was called to order by the President at 9:50 a.m. A quorum present—39:

Mr. President	Deratany	Johnson	Scott
Bankhead	Diaz-Balart	Kirkpatrick	Souto
Beard	Dudley	Kiser	Stuart
Brown	Forman	Langley	Thomas
Bruner	Gardner	Malchon	Thurman
Casas	Girardeau	Margolis	Walker
Childers, D.	Gordon	Meek	Weinstein
Childers, W. D.	Grant	Myers	Weinstock
Crenshaw	Grizzle	Peterson	Woodson-Howard
Davis	Jennings	Plummer	

Excused: Senator McPherson

## PRAYER

The following prayer was offered by Senator Tom Brown:

O God, we thank you for truth and pray to pursue it with diligence. We thank you for love and pray to seek it with the whole of our hearts. We thank you for hope and pray to face the future with confidence. We thank you for faith and pray that you will give us the eyes to see beyond just the outward appearances of things.

Help us today, dear God, to differentiate the essential from the inconsequential. Help us today, dear God, to discipline ourselves for accomplishment, but not to neglect contemplation. Help us, dear God, to walk in integrity, in humility, in compassion and in thanksgiving. This is our prayer in your name. Amen.

## Consideration of Resolutions

On motion by Senator D. Childers—

**SR 2830**—A resolution congratulating the Palm Beach Community College Women's Basketball Team and commending its coach.

WHEREAS, the Palm Beach Community College Women's Basketball Team was formed in 1987, and

WHEREAS, Sally Smith has served as coach of the Palm Beach Community College Women's Basketball Team since its creation, and

WHEREAS, the Palm Beach Community College Women's Basketball Team placed second in the Florida State Junior College Basketball Championship in its first year of existence in 1987-1988, and

WHEREAS, the Palm Beach Community College Women's Basketball Team tied for first place in the Southern Conference in its second year of existence in 1988-1989, and

WHEREAS, the team won the Florida State Junior College Basketball Championship in March 1990, and

WHEREAS, the team placed seventh in the National Junior College Athletic Association Women's Basketball Tournament played in Tyler, Texas, in March 1990, and

WHEREAS, the Palm Beach Community College Women's Basketball Team has compiled a 3-year winning record of 67-21, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That the Palm Beach Community College Women's Basketball Team is congratulated for its dedication and exceptional performance representing the state in national athletic competition.

BE IT FURTHER RESOLVED that the Senate commends Coach Sally Smith for a job well done in taking a young team to state and national honors.

—was taken up out of order by unanimous consent, read the second time in full and adopted.

On motion by Senator Weinstock, by two-thirds vote SR 942 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Weinstock—

**SR 942**—A resolution commending community-based providers of services to persons who have disabilities and their statewide organization, the Florida Association of Rehabilitation Facilities.

WHEREAS, the people of the State of Florida recognize the invaluable contributions of community-based providers of services to persons who have physical and mental disabilities, and

WHEREAS, these facilities and agencies provide quality, cost-effective services which would otherwise be provided at a greater expense to taxpayers or at a lesser quality to the consumers of these services, and

WHEREAS, community-based facilities diligently generate a substantial portion of the finances for these services through local fundraising efforts and other methods, thereby mitigating the fiscal impact of these services on state resources, and

WHEREAS, the Florida Association of Rehabilitation Facilities is the single largest alliance of community-based provider agencies in the state, and

WHEREAS, the Florida Association of Rehabilitative Facilities represents the interests of persons who have disabilities and has served such persons in hundreds of its member agencies which are Florida-based affiliates of United Cerebral Palsy, Associations of Retarded Citizens, Easter Seals Societies, Goodwill Industries, major rehabilitation hospitals, mental health agencies, and many large and small independent community agencies throughout the state, and

WHEREAS, in 1959 the Florida Association of Rehabilitative Facilities began as the Florida Association of Sheltered Workshops and in 1969 changed its name to the Florida Association of Rehabilitation Facilities, and

WHEREAS, 1989 marked the thirtieth anniversary of the Florida Association of Rehabilitative Facilities, serving persons who have disabilities through representation of its member agencies, and

WHEREAS, from very modest beginnings, the Florida Association of Rehabilitative Facilities has increased and expanded its advocacy for the disabled to its current recognition as the state's leader in the field of rehabilitation advocacy, and

WHEREAS, the Florida Association of Rehabilitation Facilities and its member agencies are celebrating thirty years of advocacy for agencies serving persons who have disabilities, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That the Florida Association of Rehabilitation Facilities and its member agencies are hereby commended for providing exemplary, dedicated service to Florida's taxpayers and to persons who have disabilities.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to the Florida Association of Rehabilitation Facilities as a tangible token of the sentiments expressed herein.

—was taken up out of order by unanimous consent, read the second time in full and adopted.

On motion by Senator Gardner, by two-thirds vote SR 3140 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Gardner—

**SR 3140**—A resolution recognizing the long and faithful service of the Florida National Guard.

WHEREAS, the Florida National Guard is the direct and lineal descendant organization of the first Spanish militia companies formed in the new settlement of St. Augustine in 1565, and

WHEREAS, subsequently established units of the Florida militia, serving under Spanish, British, and American command have successfully defended our state from all foreign invaders, and

WHEREAS, Florida's State Troops, while fighting for the cause of Southern Independence on many battlefields, east and west, also successfully defended the heartland and capital city of our state until war's end, and

WHEREAS, Florida's State Troops served in the war with Spain, and

WHEREAS, Florida's National Guard has served our state and country with distinction in all of our nation's wars during the present century, and

WHEREAS, the Florida National Guard, actively serving as the State Troops of Florida, have, on more than 200 documented occasions, brought relief, protection, and comfort to the people and property of the state in times of natural disaster and civil unrest, and

WHEREAS, the Florida National Guard stands prepared and ready to fulfill both its federal and state missions as competently and professionally today as it has done on many occasions during the past 400 years of service, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That the Senate of the State of Florida officially recognizes the Florida National Guard as the oldest official state militia of the United States and commends and expresses great appreciation to the Florida National Guard for its long and distinguished tradition, spanning more than 400 years of exemplary service to "Florida and Country."

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Major General Robert F. Ensslin, Jr., the Adjutant General of the State of Florida and Commander of the Florida National Guard, as a tangible token of the sentiments expressed herein.

—was taken up out of order by unanimous consent, read the second time in full and adopted.

#### REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Thursday, May 10, 1990: SB 3100, SB 3102, CS for HB 3695, CS for SB 2984

Respectfully submitted,  
*James A. Scott, Chairman*

The Committee on Finance, Taxation and Claims recommends the following pass: CS for SB 616

The Committee on Health and Rehabilitative Services recommends the following pass: SB 1526

The Committee on Regulated Industries recommends the following pass: SB 2496 with 2 amendments

**The bills contained in the foregoing reports were referred to the Committee on Appropriations under the original reference.**

The Committee on Regulated Industries recommends the following pass: SB 2986

**The bill was referred to the Committee on Finance, Taxation and Claims under the original reference.**

The Committee on Health and Rehabilitative Services recommends the following pass: SB 1066

**The bill was referred to the Committee on Governmental Operations under the original reference.**

The Committee on Health and Rehabilitative Services recommends the following pass: SB 2130

**The bill was referred to the Committee on Judiciary-Criminal under the original reference.**

The Committee on Commerce recommends committee substitutes for the following: SB 1602, SB 2450

The Committee on Economic, Professional and Utility Regulation recommends a committee substitute for the following: SB 2524

The Committee on Finance, Taxation and Claims recommends committee substitutes for the following: SB 362, CS for SB 1110, CS for SB 1548, CS for SB 1620, SB 2310, SB 2536

**The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Appropriations under the original reference.**

The Committee on Commerce recommends a committee substitute for the following: Senate Bills 1232 and 1518

**The bills with committee substitute attached were referred to the Committee on Economic, Professional and Utility Regulation under the original reference.**

The Committee on Commerce recommends a committee substitute for the following: SB 2920

The Committee on Community Affairs recommends committee substitutes for the following: Senate Bills 1622 and 2914, SB 1882, SB 2922

**The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Finance, Taxation and Claims under the original reference.**

The Committee on Economic, Professional and Utility Regulation recommends a committee substitute for the following: Senate Bills 548 and 1070

**The bills with committee substitute attached were referred to the Committee on Governmental Operations under the original reference.**

The Committee on Economic, Professional and Utility Regulation recommends a committee substitute for the following: SB 2570

**The bill with committee substitute attached was referred to the Committee on Insurance under the original reference.**

The Committee on Community Affairs recommends committee substitutes for the following: SB 1204, SB 3064

**The bills with committee substitutes attached were referred to the Committee on Judiciary-Civil under the original reference.**

The Committee on Economic, Professional and Utility Regulation recommends a committee substitute for the following: SB 2314

**The bill with committee substitute attached was referred to the Committee on Judiciary-Criminal under the original reference.**

The Committee on Finance, Taxation and Claims recommends a committee substitute for the following: CS for SJR 2464

**The bill with committee substitute attached was referred to the Committee on Rules and Calendar under the original reference.**

The Committee on Commerce recommends committee substitutes for the following: SB 248, SB 272

The Committee on Community Affairs recommends a committee substitute for the following: SB 2626

The Committee on Economic, Professional and Utility Regulation recommends committee substitutes for the following: SB 788, SB 972, SB 1634, SB 1830, SB 1834

The Committee on Finance, Taxation and Claims recommends committee substitutes for the following: SB 2256, SB 2472

The Committee on Regulated Industries recommends a committee substitute for the following: SB 2340

**The bills with committee substitutes attached contained in the foregoing reports were placed on the calendar.**

#### FIRST READING OF COMMITTEE SUBSTITUTES

By the Committee on Commerce and Senators Grant, Gardner and Deratany—

**CS for SB 248**—A bill to be entitled An act relating to the Florida Consumer Finance Act; amending s. 516.01, F.S.; redefining the term “consumer finance loan” to increase the amount of money which the term encompasses; amending s. 516.02, F.S.; increasing the amount of money for which a limitation on interest applies with respect to certain loans and lines of credit; amending s. 516.031, F.S.; revising language with respect to the maximum rates allowable for certain finance rates; eliminating an interest rate limitation on certain amounts; revising language with respect to certain other charges; amending s. 516.07, F.S.; providing an additional ground for denial of license or disciplinary action; amending s. 559.10, F.S.; redefining the term “budget planning” to eliminate certain activity; authorizing the Department of Banking and Finance to adopt certain rules; amending s. 559.11, F.S.; providing an exemption to the prohibition with respect to certain budget planning; amending s. 516.21, F.S.; revising language with respect to restrictions on borrower’s indebtedness to provide increased monetary limits; amending and reenacting s. 516.19, F.S.; providing penalties; providing an effective date.

By the Committee on Commerce and Senator Forman—

**CS for SB 272**—A bill to be entitled An act relating to disposition of unclaimed property; creating s. 717.1035, F.S.; providing criteria for the presumption of abandonment for certain intangible property; amending s. 717.106, F.S.; providing for notice to beneficiaries under certain conditions; amending s. 717.122, F.S.; allowing the department to sell securities without incurring liability to the owner; amending s. 717.124, F.S.; deleting the reference to the department’s liability for the sale of securities; providing an effective date.

By the Committee on Finance, Taxation and Claims; and Senator Forman—

**CS for SB 362**—A bill to be entitled An act relating to property taxes and assessments; amending s. 193.116, F.S.; deleting the requirement that a tax collector include a separate category for the municipality on the millage and tax statement, which statement is dispensed with by this act; amending s. 195.087, F.S.; providing for accounting of money received in complying with ch. 119, F.S.; amending s. 196.011, F.S.; providing for tax liens to be placed on property owned by a person or entity who has illegally or improperly received a tax exemption; increasing the penalty; amending s. 196.161, F.S.; providing for tax liens to be placed on property owned by a person who has illegally or improperly received homestead tax exemption; providing for a penalty; amending s. 197.102, F.S.; revising the definition of the term “tax certificate” for purposes of ch. 197, F.S., relating to tax collections, sales, and liens; amending s. 197.322, F.S.; deleting requirement that a tax notice be accompanied by a separate millage and tax statement when mailed by the tax collector; amending s. 197.432, F.S.; revising provisions relating to the payment of interest with respect to canceled tax certificates; changing the statute of limitation for tax certificates which are void; amending s. 197.443, F.S.; revising provisions relating to the time period for claiming a refund; amending s. 197.462, F.S.; revising provisions relating to the transfer of tax certificates held by individuals; amending s. 200.069, F.S.; updating cross-references; requiring a statement relating to non-ad valorem assessments; repealing s. 197.342, F.S.; relating to the form and content of the millage and tax statement required to accompany the notice of taxes, to eliminate provision for such a statement; providing that certain provisions relating to the interest on, processing of, and refund procedure for tax certificates are retroactive to a specified date; amending s. 192.001, F.S.; providing standards for determining substantial completion of real and tangible personal property; creating s. 192.039, F.S.; providing for assessment and taxation of certain real property on a partial-year roll; creating s. 192.0401, F.S.;

providing for assessment and taxation of certain tangible personal property on a partial-year roll; amending s. 192.042, F.S.; providing an assessment day; amending s. 192.091, F.S.; providing for tax collector reimbursement; amending s. 193.052, F.S.; providing for partial-year property returns; amending s. 193.062, F.S.; providing a date for filing of certain returns; amending s. 193.114, F.S.; providing for preparation of partial-year assessment rolls; amending s. 195.027, F.S.; requiring adoption of rules with respect to partial-year returns; amending s. 196.011, F.S.; requiring certain information on applications for exemption; amending s. 197.3635, F.S.; requiring certain information to be included on tax notice; creating s. 200.0701, F.S.; requiring notice of partial-year assessment; requiring inclusion of partial-year 1990 property or 1991 rolls; providing a severability clause; providing effective dates.

By the Committee on Economic, Professional and Utility Regulation—

**CS for SB 788**—A bill to be entitled An act relating to clinical, counseling, psychotherapy, and psychological services; amending s. 455.241, F.S.; requiring clinical, counseling, and psychotherapy practitioners to provide copies of reports to patients on request; amending s. 455.26, F.S.; modifying the composition of the Impaired Practitioners Committee; amending s. 490.012, F.S., and creating s. 491.0149, F.S.; requiring display of title and license number in advertisements; making ch. 490, F.S., a practice act; amending ss. 490.014 and 491.014, F.S.; providing exemptions from application of chs. 490 and 491, F.S.; amending s. 491.003, F.S.; defining “clinical social work experience” and “psychotherapist”; amending s. 491.005, F.S.; revising requirements for licensure of clinical, counseling, and psychotherapy practitioners by examination; providing for reexamination of certain practitioners; amending s. 491.006, F.S.; revising requirements for licensure by endorsement; amending 491.008, F.S.; providing procedures for placement of licensees in voluntary or involuntary inactive status; amending s. 491.009, F.S.; prescribing procedures in certain disciplinary proceedings; creating s. 491.0095, F.S.; providing for treatment programs for impaired practitioners; amending s. 491.012, F.S.; providing violations of ch. 491, F.S.; providing a penalty; providing for injunction; creating s. 491.0148, F.S.; requiring certain recordkeeping; providing for rules; amending s. 491.0145, F.S.; revising requirements for certified master social workers; amending s. 491.015, F.S.; revising rule-making authority of the Department of Professional Regulation; providing for rules relating to certified master social workers; amending s. 491.035, F.S.; deleting obsolete provisions and providing exemption for supervised experience requirement; saving ch. 491, F.S., from Sunset repeal; providing for future review and repeal; providing an effective date.

By the Committee on Economic, Professional and Utility Regulation—

**CS for SB 972**—A bill to be entitled An act relating to medical practice; amending s. 458.313, F.S.; revising provisions for licensure by endorsement of physicians who are licensed in other jurisdictions; providing an effective date.

By the Committees on Finance, Taxation and Claims; Corrections, Probation and Parole; and Senator Langley—

**CS for CS for SB 1110**—A bill to be entitled An act relating to the criminal justice one-cent sales tax; creating s. 212.0501, F.S.; providing a supplemental sales tax; providing for use of such tax; creating the Criminal Justice One-cent Sales Tax Trust Fund; providing for a distribution of trust fund revenues upon certain conditions; amending s. 212.20, F.S.; providing conforming language; providing for a future repeal; providing an effective date.

By the Committee on Community Affairs and Senator Kiser—

**CS for SB 1204**—A bill to be entitled An act relating to public housing eviction policy; repealing s. 421.102, F.S., which provides for the eviction of tenants who are adjudicated guilty of violations of law relating to the sale, manufacture, delivery, or possession of a controlled substance and for other household members to retain possession of the premises; providing an effective date.

By the Committee on Commerce and Senators Langley and Walker—

**CS for SB’s 1232 and 1518**—A bill to be entitled An act relating to the Motor Fuel Marketing Practices Act; amending s. 526.303, F.S.; defining the terms “direct labor cost,” “reasonable rental value,” and “rent”; redefining the term “motor fuel”; providing an effective date.

By the Committees on Finance, Taxation and Claims; Natural Resources and Conservation; and Senators McPherson, Kirkpatrick, Grizzle, Crenshaw, Souto, Brown, W. D. Childers and Deratany—

**CS for CS for SB 1548**—A bill to be entitled An act relating to environmental resources; providing legislative findings and intent; amending s. 201.022, F.S.; providing the Department of Natural Resources access to certain tax records; amending s. 201.15, F.S.; providing for an additional portion of moneys collected from the excise tax on documents to be deposited in the Land Acquisition Trust Fund; providing for such moneys to be used to finance certain bonds issued for purposes of acquiring or improving recreation and conservation lands; amending s. 253.023, F.S.; requiring the Department of Natural Resources to use state-certified appraisers after a certain date; providing for a portion of moneys transferred to the Land Acquisition Trust Fund from the Conservation and Recreation Lands Trust Fund to be used to finance such bonds; revising the portion of the Conservation and Recreation Lands Trust Fund that is available for land acquisition; deleting the circumstances under which the state may pay in excess of the appraised value for land acquisitions; amending s. 253.025, F.S.; providing qualifications of appraisers and appraisal organizations; prohibiting offers by state agencies that exceed certain appraisals; creating s. 372.074, F.S.; providing for the Wildlife Habitat Trust Fund within the Florida Game and Fresh Water Fish Commission; providing for land acquisitions; specifying types of moneys to be deposited into said trust fund; amending ss. 375.032, 375.041, F.S.; authorizing the purchase of conservation lands and the improvement of such lands with moneys in the Land Acquisition Trust Fund; creating s. 375.045, F.S.; creating the Florida Preservation 2000 Bond Project Trust Fund to be administered by the Department of Natural Resources; providing for proceeds from the sale of certain revenue bonds to be deposited in the trust fund; providing guidelines and allocation percentages for the distribution of moneys in the trust fund; providing requirements for the disbursement of the proceeds of such revenue bonds; amending s. 375.051, F.S.; providing for revenue bonds issued under the Outdoor Recreation and Conservation Act of 1963 to be used by the department for improvement of lands and related resources; amending s. 375.075, F.S.; conforming a cross-reference; amending s. 380.503, F.S.; defining the term "redevelopment project" for purposes of the Florida Communities Trust Act; amending s. 380.504, F.S.; revising the date of appointment of certain members of the Florida Communities Trust; amending s. 380.505, F.S.; revising meeting requirements of the governing body of the trust; amending s. 380.508, F.S.; providing for advisory committees to the trust; amending s. 380.510, F.S.; providing certain limitations on moneys transferred to the trust from the Florida Preservation 2000 Bond Project Trust Fund; amending s. 380.511, F.S.; authorizing the use of moneys in the Florida Communities Trust Fund for certain improvements; amending s. 320.08065, F.S.; renaming the communities trust license plate as the Florida Panther license plate; specifying the design of such plate; providing for the distribution of the license plate annual use fees; providing an effective date.

By the Committee on Commerce and Senators Thomas, Forman, Bruner, Bankhead, Jennings and Diaz-Balart—

**CS for SB 1602**—A bill to be entitled An act relating to banking and finance; amending s. 655.045, F.S.; authorizing the Department of Banking and Finance to furnish copies of examinations of state financial institutions to certain institutions; authorizing the department to recover the cost of certain examination and supervision; providing a definition; providing a time period for the payment of certain fees; providing an administrative penalty; increasing an administrative fine under certain circumstances; creating s. 655.047, F.S.; providing for assessments of financial institutions generally; providing an administrative penalty; amending ss. 657.053, 658.73, 665.082, F.S.; providing a timeframe for the payment of certain fees and assessments of certain financial institutions; providing an effective date.

By the Committees on Finance, Taxation and Claims; Governmental Operations; and Senator Bankhead—

**CS for CS for SB 1620**—A bill to be entitled An act relating to the Treasurer; amending s. 18.10, F.S.; authorizing the Treasurer to invest in additional securities; creating s. 18.103, F.S.; providing for the deposit of assets of state agencies with the Treasurer for safekeeping; providing fees for such service; creating s. 18.104, F.S.; establishing the Treasury Cash Deposit Trust Fund; amending s. 18.125, F.S.; authorizing the Treasurer to invest funds of any statutorily created board, association, or entity; amending s. 280.02, F.S.; redefining the term "average daily balance" for the purposes of the Florida Security for Public Deposits Act; amending

s. 280.03, F.S.; providing that public deposits held outside the country are exempt from the requirements and protection of that act; amending s. 280.04, F.S.; revising a provision relating to collateral for public deposits; amending s. 280.05, F.S.; revising a duty of the Treasurer with respect to the protection of the public deposits security program; authorizing the Treasurer to allow electronic filings; amending s. 280.10, F.S.; providing that a qualified public depository that sells or disposes of any of its branches is responsible for public deposits held by such branch until the purchasing institution becomes a qualified public depository; amending s. 280.11, F.S.; specifying procedures for compulsory withdrawal from the public deposit security program of public depositories that are disqualified from receiving or retaining deposits; repealing ss. 111.02, 111.03, 111.04, F.S., which relate to responsibilities of the Treasurer with respect to certain prerequisites accruing from the administration of certain state officers, the reporting, furnishing and accounting thereof, and a penalty for noncompliance; providing an effective date.

By the Committee on Community Affairs and Senators Bankhead and Dudley—

**CS for SB's 1622 and 2914**—A bill to be entitled An act relating to county and municipal impact fees; providing that a county or municipality may elect to collect impact fees that it levies on new construction by the installment method for a limited term of years; specifying a date by which each such installment must be paid; providing for the collection of delinquent impact fees; providing that the revenues from impact fees paid in installments may be used for financing improvements or for repayment of bonds issued to pay for services and facilities needed to accommodate new construction; providing for interest and penalties; providing for liens and their foreclosure; providing for a hearing and adoption of an impact fee assessment roll; providing an effective date.

By the Committee on Economic, Professional and Utility Regulation—

**CS for SB 1634**—A bill to be entitled An act relating to water and wastewater utilities; amending s. 367.081, F.S.; providing additional criteria for determining the reasonableness of rate case expense; providing an effective date.

By the Committee on Economic, Professional and Utility Regulation; and Senator Grant—

**CS for SB 1830**—A bill to be entitled An act relating to medical practice; amending s. 458.319, F.S.; revising language with respect to the renewal of certain licenses to require a licensee to complete a clinical competency examination under certain circumstances; amending s. 458.347, F.S.; revising language with respect to the composition of the Physician Assistant Committee; amending s. 458.331, F.S.; revising guidelines related to malpractice; providing an effective date.

By the Committee on Economic, Professional and Utility Regulation; and Senator Thurman—

**CS for SB 1834**—A bill to be entitled An act relating to the fitting and dispensing of hearing aids; amending s. 484.0445, F.S.; revising provisions relating to the training program and examination requirements for hearing aid specialists; amending s. 484.045, F.S.; revising provisions relating to retaking the examination for licensure; amending s. 484.047, F.S.; revising provisions relating to renewal of licensure; amending s. 484.051, F.S.; revising provisions relating to the direction of complaints concerning the sale of hearing aids; providing an effective date.

By the Committee on Community Affairs and Senator Gardner—

**CS for SB 1882**—A bill to be entitled An act relating to the local option tourist development tax; amending s. 125.0104, F.S.; revising the definition of a high tourism impact county, which is authorized to levy an additional tax; providing an effective date.

By the Committee on Finance, Taxation and Claims; and Senators Deratany and Kirkpatrick—

**CS for SB 2256**—A bill to be entitled An act relating to vending machine sales; creating s. 212.0515, F.S.; providing a method for calculating the sales tax on sales made through vending machines; providing a definition; requiring an identifying device for each machine; establishing a fee for such devices; requiring reports on vending machine sales and the taxes remitted on those sales; providing for deposit of certain vending machine sales tax collections; providing for distribution; providing limitations on uses of such moneys; providing for grants; providing penalties; amending s. 212.20, F.S.; providing for deposit of vending machine sales

tax collections; amending s. 212.12, F.S.; providing for separately reporting sales made through vending machines; providing an appropriation; providing an effective date.

By the Committee on Finance, Taxation and Claims; and Senator Bruner—

**CS for SB 2310**—A bill to be entitled An act relating to saltwater conservation; amending s. 370.06, F.S.; deleting a provision that any person holding a saltwater products license shall receive credit for the license fee against the Apalachicola Bay oyster harvesting license fee and providing for credit against saltwater products license fees; providing that any person holding an Apalachicola Bay oyster harvesting license shall receive credit for the license fee against the saltwater products license fee; amending s. 370.153, F.S.; providing that fees paid for certain shrimp production licenses and permits shall be credited against the saltwater products license fee; providing an effective date.

By the Committee on Economic, Professional and Utility Regulation; and Senator Langley—

**CS for SB 2314**—A bill to be entitled An act relating to park trailers and recreational vehicles; amending s. 723.002, F.S.; expanding the applicability of the Florida Mobile Home Act to include certain recreational-vehicle-type units; amending s. 723.003, F.S.; redefining the term "mobile home"; creating s. 320.91, F.S.; prohibiting certain activities by motor vehicle dealers; providing a penalty; providing an effective date.

By the Committee on Regulated Industries and Senator Crenshaw—

**CS for SB 2340**—A bill to be entitled An act relating to tobacco products; creating s. 859.062, F.S.; prohibiting the sale or delivery of tobacco products to a minor within a specified distance of the real property of a school; providing penalties; limiting use of tobacco vending machines in such areas; providing civil penalties; providing for deposit of fines; providing an effective date.

By the Committee on Commerce and Senator Souto—

**CS for SB 2450**—A bill to be entitled An act relating to farm labor registration; amending s. 450.29, F.S.; providing additional persons who are excluded from farm labor registration provisions; amending s. 450.30, F.S.; requiring the Division of Labor, Employment, and Training of the Department of Labor and Employment Security to provide a program of education and examination for applicants for a farm labor contractor certificate of registration; requiring an education and examination fee; amending ss. 450.31, 450.32, F.S.; revising provisions relating to issuance, revocation, and suspension of, and refusal to issue or renew, certificates of registration; increasing the application fee; amending s. 450.33, F.S.; specifying additional duty of farm labor contractors; amending s. 450.38, F.S.; revising penalty provisions; providing effective dates.

By the Committees on Finance, Taxation and Claims; Corrections, Probation and Parole; and Senator Langley—

**CS for CS for SJR 2464**—A joint resolution proposing an amendment to Article VII of the State Constitution to authorize a sales and use tax to provide supplemental funding for state and county correctional facilities and programs, for the operation of the offices of the state attorneys and public defenders, and for the counties' financial obligations relating to the state court system and to require the Legislature to eliminate provisional release credits.

By the Committee on Finance, Taxation and Claims; and Senator Bankhead—

**CS for SB 2472**—A bill to be entitled An act relating to vehicles; amending s. 319.36, F.S., relating to the transportation of vehicles to destinations outside the United States; revising applicable definitions and terminology; repealing requirements that an application for a certificate of right of possession be notarized, that the required proof of ownership be surrendered upon application, and that the Department of Highway Safety and Motor Vehicles inspect equipment before issuing a certificate of right of possession for a vehicle; specifying acceptable evidence of right of possession; repealing a provision that provides that a certificate of right of possession be recognized as a basis for reapplication for a certificate of title for a vehicle upon reimportation of the vehicle; providing an effective date.

By the Committee on Economic, Professional and Utility Regulation; and Senators Peterson, Malchon, Davis and Gardner—

**CS for SB 2524**—A bill to be entitled An act relating to professional regulation; providing legislative intent; providing exemptions; providing definitions; creating the Board of Speech-Language Pathology and Audiology within the Department of Professional Regulation; providing rulemaking authority; providing for fees; providing for deposit of fees and fines; providing requirements for a provisional license; providing for renewal; providing a professional experience requirement; providing for a licensure examination; specifying requirements for licensure as a speech-language pathologist or an audiologist; providing requirements for licensure by endorsement; providing continuing education requirements; providing exceptions; providing for inactive status, reactivation, and expiration of licenses and certificates; specifying requirements for certification as a speech-language pathology assistant or an audiology assistant; providing minimal procedures and equipment in fitting and selling hearing aids; requiring certification of such equipment and testing facilities by the department; providing an exception; providing authority of the board; providing for inspections and investigations by the department; requiring an itemized listing of prices for hearing aids; providing requirements for receipts, packaging, disclaimers, and guarantees; providing conditions for cancellation and refund; prohibiting the sale or distribution of hearing aids through the mail; providing a penalty; requiring establishment of a place of business and display of license; providing prohibitions; providing a penalty; providing disciplinary proceedings and penalties; providing for the prosecution of criminal violations; saving certain pending proceedings; providing for participation of the board and the Department of Professional Regulation; continuing certificates and registrations currently in effect under part I of ch. 468, F.S.; amending s. 20.30, F.S., to conform; amending s. 468.1695, F.S.; providing that the examination for licensure as a nursing home administrator shall be given at least four times a year; amending s. 468.1705, F.S.; modifying requirements for temporary licensure; amending s. 484.042, F.S.; deleting the audiologist member of the Board of Hearing Aid Specialists; modifying requirements for lay members; amending s. 484.0447, F.S.; increasing licensure and renewal fees for hearing aid specialists; amending s. 484.059, F.S.; modifying the exemption from licensure as a hearing aid specialist for audiologists; providing for transfer of funds in the Speech-Language Pathology and Audiology Trust Fund; repealing part I of ch. 468, F.S., the Speech-Language Pathology and Audiology Act; providing for the transfer of certain functions of the Department of Education to the department; repealing part I of ch. 468, F.S., the Speech-Language Pathology and Audiology Act; repealing s. 484.045(4), F.S., relating to licensure of audiologists to fit and dispense hearing aids; providing for review and repeal; providing an appropriation; providing an effective date.

By the Committee on Finance, Taxation and Claims; and Senator Deratany—

**CS for SB 2536**—A bill to be entitled An act relating to state budgeting; amending s. 216.301, F.S.; providing procedures and guidelines for the reversion of certain appropriations; providing for retroactive applicability; providing an effective date.

By the Committee on Economic, Professional and Utility Regulation; and Senator Crenshaw—

**CS for SB 2570**—A bill to be entitled An act relating to professional regulation; amending s. 455.247, F.S.; requiring insurers, self-insurers, and joint underwriting associations to report claims or actions for damages to the Department of Professional Regulation; requiring the department to review such reports and take specified actions; amending ss. 627.912, 627.9122, 627.9126, and 627.913, F.S.; requiring insurers, self-insurers, and joint underwriting associations to maintain and make available certain information on professional liability claims or actions; amending s. 766.101, F.S.; revising the definition of the term "medical review committee"; renumbering ss. 627.6057 and 627.6058, F.S., relating to medical malpractice insurers; amending s. 458.311, F.S.; delaying the future repeal date of a provision relating to licensure of foreign medical school graduates; amending s. 458.331, F.S.; providing conforming language; requiring investigation of occurrences upon which certain claims against physicians are based; amending s. 459.015, F.S.; providing conforming language; requiring investigation of occurrences upon which certain claims against osteopathic physicians are based; amending s. 461.013, F.S.; providing conforming language; requiring investigation of occurrences upon which certain claims against podiatrists are based; amending s. 466.028, F.S.; providing conforming language; requiring investigations of occurrences resulting in certain claims against dentists; providing an effective date.

By the Committee on Community Affairs and Senator Thurman—

**CS for SB 2626**—A bill to be entitled An act relating to safety standards for construction; creating the "Trench Safety Act"; providing for incorporation of current Occupational Safety and Health Administration trench safety standards as state trench safety standards; providing that the Department of Labor and Employment Security may adopt by rule any revised or updated versions of OSHA trench safety standards which are not inconsistent with state law; providing requirements with respect to contract bids for construction projects which contain trenches which exceed a certain depth; imposing certain requirements on contractors; providing an effective date.

By the Committee on Commerce and Senator D. Childers—

**CS for SB 2920**—A bill to be entitled An act relating to corporations; amending s. 214.23, F.S.; correcting a cross-reference; amending s. 253.03, F.S.; correcting a cross-reference; amending s. 424.10, F.S.; correcting a cross-reference; amending s. 607.0120, F.S.; permitting additional copies of documents to be filed; amending s. 607.0122, F.S.; correcting spelling; amending s. 607.0125, F.S.; permitting delivery of acknowledgments; amending s. 607.0126, F.S.; prescribing time within which appeal may be taken; renumbering and amending s. 607.0140, F.S.; correcting a cross-reference; amending s. 607.0202, F.S.; requiring articles of incorporation to contain certain addresses; requiring an acceptance; amending s. 607.0501, F.S.; authorizing certain corporations to be registered agents; providing certain free corporate information; correcting a cross-reference; amending s. 607.0504, F.S.; providing for certain notice; amending s. 607.0505, F.S.; correcting a cross-reference; adding definitions; amending s. 607.0603, F.S.; correcting a cross-reference; amending s. 607.0624, F.S.; prescribing conditions of stock rights and options; renumbering s. 607.0640, F.S.; amending s. 607.0721, F.S.; revising exceptions to voting entitlement of shares; amending s. 607.0727, F.S.; providing voting requirements in shareholder voting; amending s. 607.0731, F.S.; providing validity of shareholder agreements; renumbering ss. 607.0740, 607.0810, 607.0840, F.S.; amending s. 607.0834, F.S.; correcting a cross-reference; amending s. 607.1105, F.S.; prescribing requirements for execution of articles of merger or share exchange; amending s. 607.1202, F.S.; correcting a cross-reference; amending s. 607.1405, F.S.; permitting certain assumptions of corporate name; permitting appointment of a trustee; amending s. 607.1406, F.S.; correcting an obsolete term; amending s. 607.1420, F.S.; correcting an obsolete term; amending s. 607.1422, F.S.; requiring an additional signature on annual report; permitting immediate use of corporate name under certain conditions; amending s. 607.1433, F.S.; correcting cross-references; prescribing method for notice; renumbering s. 607.1440, F.S.; amending s. 607.1504, F.S.; prescribing additional requirements for application; amending s. 607.1506, F.S.; prescribing method of executing document; amending s. 607.1507, F.S.; prescribing limitations on registered agents of foreign corporations; amending s. 607.1508, F.S.; prescribing additional requirement for statement of change; amending s. 607.1509, F.S.; requiring submission of additional addresses; renumbering s. 607.1510, F.S.; amending s. 607.1531, F.S.; correcting cross-references; creating s. 607.15315, F.S.; providing for applications for reinstatement; providing procedure for reinstatement; amending s. 607.1622, F.S.; requiring additional address; permitting updated annual report to be part of official record; amending s. 607.1801, F.S.; correcting cross-references; deleting reference to an acknowledgment; amending s. 608.451, F.S.; correcting a cross-reference; amending s. 617.003, F.S.; correcting a cross-reference; amending s. 617.013, F.S.; correcting a cross-reference; amending s. 617.018, F.S.; correcting a cross-reference; amending s. 617.023, F.S.; correcting cross-references; amending s. 617.028, F.S.; correcting cross-references; amending s. 617.041, F.S.; correcting a cross-reference; amending s. 620.192, F.S.; correcting cross-references; amending s. 621.13, F.S.; correcting a cross-reference; amending s. 628.530, F.S.; correcting a cross-reference; amending s. 631.0515; correcting a cross-reference; amending s. 658.23, F.S.; correcting a cross-reference; amending s. 658.48, F.S.; correcting a cross-reference; amending s. 663.03, F.S.; correcting a cross-reference; amending s. 665.0201, F.S.; correcting a cross-reference; deleting a cross-reference; amending s. 665.023, F.S.; correcting a cross-reference; providing definitions; amending s. 665.0311, F.S.; correcting a cross-reference; amending s. 719.1035, F.S.; correcting a cross-reference; repealing ss. 607.001, 607.004, 607.007, 607.011, 607.014, 607.017, 607.021, 607.024, 607.027, 607.031, 607.034, 607.037, 607.041, 607.044, 607.047, 607.051, 607.054, 607.057, 607.058, 607.061, 607.064, 607.067, 607.071, 607.074, 607.077, 607.081, 607.084, 607.087, 607.091, 607.094, 607.097, 607.101, 607.104, 607.107, 607.108, 607.109, 607.110, 607.111, 607.114, 607.117, 607.121, 607.124, 607.127, 607.131, 607.134, 607.137, 607.141, 607.144, 607.147, 607.151, 607.154, 607.157, 607.161,

607.164, 607.1645, 607.165, 607.167, 607.171, 607.174, 607.177, 607.181, 607.184, 607.187, 607.191, 607.194, 607.197, 607.201, 607.204, 607.207, 607.211, 607.214, 607.217, 607.219, 607.221, 607.224, 607.227, 607.231, 607.234, 607.237, 607.241, 607.244, 607.247, 607.251, 607.254, 607.257, 607.261, 607.264, 607.267, 607.271, 607.274, 607.277, 607.281, 607.284, 607.287, 607.291, 607.294, 607.297, 607.301, 607.304, 607.307, 607.311, 607.317, 607.321, 607.324, 607.325, 607.327, 607.337, 607.341, 607.344, 607.347, 607.351, 607.354, 607.355, 607.357, 607.361, 607.371, 607.372, 607.374, 607.377, 607.381, 607.384, 607.387, 607.391, 607.394, 607.397, 607.401, 607.404, 607.407, 607.411, and 607.414, F.S.; providing an effective date.

By the Committee on Community Affairs and Senator Meek—

**CS for SB 2922**—A bill to be entitled An act relating to crime control and community improvement; creating s. 163.5055, F.S.; requiring neighborhood improvement districts to register with the Department of Community Affairs; requiring notification of dissolution of a district; amending ss. 163.501, 163.502, 163.503, 163.504, 163.506, 163.508, 163.511, 163.5151, 163.516, F.S., to conform and correct references; revising the membership of advisory councils for local government neighborhood improvement districts; creating s. 163.512, F.S.; authorizing the creation of community redevelopment neighborhood improvement districts; authorizing use of community redevelopment trust funds to implement safe neighborhood improvement plans; providing for dissolution of such districts; amending s. 163.513, F.S.; providing that neighborhood improvement districts may not restrict access to or lawful use of public facilities; amending s. 163.514, F.S.; authorizing districts to make and collect special assessments; amending s. 163.517, F.S.; revising provisions relating to planning grants and technical assistance provided under the Safe Neighborhoods Trust Fund; requiring audits; creating s. 163.5175, F.S.; providing for recognition awards for certain safe neighborhood improvement plans; amending s. 163.518, F.S.; revising provisions relating to creation of a crime prevention through environmental design program by the Department of Legal Affairs; amending s. 163.519, F.S., to conform; amending s. 163.521, F.S.; revising provisions relating to funding of capital improvements in districts located in enterprise zones; providing additional requirements; providing duties of the Department of Community Affairs; providing for funding of capital improvements necessary to implement safe neighborhood improvement plans; providing requirements; creating s. 163.5215, F.S.; specifying the effect of the Safe Neighborhoods Act on existing laws; amending s. 163.522, F.S.; directing local governments to consider the creation of neighborhood improvement districts within community redevelopment areas; establishing the Public Housing Community Improvement Demonstration Program; providing legislative findings; providing definitions; providing for notice; providing for designation of demonstration housing projects; providing application procedure with specified criteria; providing for review process; establishing powers of public housing authorities selected to participate in the demonstration program; providing for needs assessment and crime prevention through environmental design, environmental security, and defensible space functions; providing for development of public housing community improvement plans; providing for notice and public hearings; providing for conformity with local government comprehensive plans; providing methods for allocations; prescribing duties of the Department of Community Affairs; amending s. 421.10, F.S.; providing for tenant participation in the process of selecting tenants for public housing; amending s. 893.13, F.S.; prohibiting sales of controlled substances within 1,000 feet of a public housing project; providing penalties; requiring the Department of Community Affairs to examine solutions and programs in order to improve the quality of life in public housing; providing appropriations; providing an effective date.

By the Committee on Finance, Taxation and Claims; and Senator Peterson—

**CS for SB 2980**—A bill to be entitled An act relating to taxation; amending ss. 203.01, 203.012, F.S.; increasing the tax on gross receipts for utility services over a specified period; defining "utility service" and "person" for purposes of imposition of said tax; amending ss. 212.05, 212.054, F.S.; imposing the sales and use tax on television system programming services; imposing an excise tax upon soft drinks and soft-drink base products produced in this state or imported into this state; providing definitions; providing for payment of the tax proceeds to the Department of Revenue; providing for rulemaking; providing for penalties and interest on delinquent payments; providing for depositing the tax proceeds into the Educational Enhancement Trust Fund; providing for dealer registration and licensure; providing license fees; requiring cer-

tain records to be kept and made available for inspection by the department; requiring dealers to take inventory on a specified date, report to the department, and pay the taxes due on such inventory; providing effective dates.

By the Committee on Community Affairs and Senator Davis—

**CS for SB 3064**—A bill to be entitled An act relating to the right of eminent domain to counties; amending s. 127.01, F.S.; providing that in eminent domain proceedings a county's burden of showing reasonable necessity for parks, playgrounds, recreational centers, or other types of recreational purposes shall be the same as the burden in other types of eminent domain proceedings; amending s. 166.401, F.S.; providing that certain eminent domain proceedings, which allow the Department of Transportation to acquire entire parcels of property where the costs of acquisition are equal to or less than the costs of acquiring a portion of property, apply to municipalities; providing an effective date.

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

##### First Reading

*The Honorable Bob Crawford, President*

I am directed to inform the Senate that the House of Representatives has passed HB 83, CS for HB 281, HB 287, HB 733, CS for HB 789, HB 799, CS for HB 821, CS for HB 873, CS for HB 1137, HB 1169, CS for HB 1249, HB 1457, HB 1873, HB 1969, HB 2163, HB 2333, CS for HB 2527, CS for HB 2667, HB 2933, HB 3005; has passed as amended CS for HB 55, CS for HB 71, HB 155, HB 163, CS for CS for HB 319, HB 357, CS for HB 403, CS for HB 517, CS for HB's 623 and 739, CS for HB 967, CS for HB 1393, CS for HB 1523, CS for HB 1869, HB 2443, HB 2481, HB 2513, HB 2519, HB 2545, HB 3429, CS for HB 3621; has adopted HCR 305, CS for HM 2841 and requests the concurrence of the Senate.

*John B. Phelps, Clerk*

By Representative Hill and others—

**HB 83**—A bill to be entitled An act relating to lewdness; amending s. 800.04, F.S.; adding commission or enticement of sexual conduct to the offenses proscribed for which felony penalties are provided by law when a child is present, and reenacting ss. 775.15(7), 787.01(3), 787.02(3), and 914.16, F.S., relating to time limitations, kidnapping and false imprisonment of a child under age 13, and interview limits on child abuse and sexual abuse victims under age 16, to incorporate said amendment in references thereto; providing an effective date.

—was referred to the Committee on Judiciary-Criminal.

By the Committee on Education and Representative Sansom and others—

**CS for HB 281**—A bill to be entitled An act relating to education; amending s. 228.041, F.S.; authorizing a decrease in the minimum number of days of instruction under certain circumstances; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Representative Cosgrove—

**HB 287**—A bill to be entitled An act relating to legal holidays; amending s. 683.01, F.S.; designating June 14, Flag Day, as a legal holiday; providing an effective date.

—was referred to the Committees on Governmental Operations; Personnel, Retirement and Collective Bargaining; and Appropriations.

By Representative Hafner—

**HB 733**—A bill to be entitled An act relating to saltwater fisheries; amending s. 370.061, F.S.; providing for municipal or county law enforcement agencies to receive all or a portion of funds received in the confiscation of property and products, pursuant to certain forfeiture proceedings; providing for the use of such funds; providing that such funds shall be supplemental funds; providing an effective date.

—was referred to the Committee on Natural Resources and Conservation.

By the Committee on Ethics and Elections; and Representative Rudd—

**CS for HB 789**—A bill to be entitled An act relating to the office of supervisor of elections; creating ss. 98.1611, 98.1613, 98.1614, 98.1615, 98.1616, 98.1617, and 98.1619, F.S.; providing for the nonpartisan election of supervisors of elections; providing qualifying procedures, including fees and oath; providing for write-in candidates; providing the form of the ballot; providing for determination of election to office; providing limitations on political activity; providing a penalty; providing applicability of election code; amending ss. 101.141 and 101.151, F.S., relating to ballot format, to conform; providing an effective date.

—was referred to the Committee on Ethics and Elections.

By Representative Saunders—

**HB 799**—A bill to be entitled An act relating to the Museum of Florida History; amending s. 267.072, F.S.; providing for deposit of certain funds to the account of a citizen support organization, to be used to support museum programs; providing an effective date.

—was referred to the Committees on Governmental Operations; Finance, Taxation and Claims; and Appropriations.

By the Committee on Commerce and Representative Mackey—

**CS for HB 821**—A bill to be entitled An act relating to the Motor Fuel Marketing Practices Act; amending s. 526.303, F.S.; defining the terms "direct labor cost," "reasonable rental value," and "rent"; redefining the term "motor fuel"; providing an effective date.

—was referred to the Committees on Commerce; and Economic, Professional and Utility Regulation.

By the Committee on Commerce and Representative Canady—

**CS for HB 873**—A bill to be entitled An act relating to limited partnerships; amending s. 620.102, F.S.; providing a definition; amending s. 620.103, F.S.; specifying requirements for the name of a limited partnership; amending s. 620.104, F.S.; providing that a reservation of a name of a limited partnership may not be renewed; creating s. 620.1051, F.S.; providing requirements for change of registered office or registered agent or change of address; amending s. 620.114, F.S.; providing for execution of required certificates or statements; amending s. 620.116, F.S.; providing that only one copy of certain certificates need be filed; amending s. 620.168, F.S.; limiting the names that may be used by foreign limited partnerships; amending s. 620.169, F.S.; providing for registration of foreign limited partnerships; amending s. 620.172, F.S.; deleting references to certificates of registration for foreign limited partnerships; deleting references to multiple copies; providing that an endorsed application constitutes proof of a certificate of authority to transact business; amending s. 620.177, F.S.; providing that an annual report is an application for renewal of certificate of authority; specifying expiration dates of certificates of authority; providing for proof of compliance with time requirements; amending s. 620.178, F.S.; providing additional circumstances for revocation of authority of a limited partnership to transact business in the state; providing for filing of an annual report as an application for reinstatement; creating s. 620.1835, F.S.; authorizing the Department of State to propound interrogatories to a limited partnership; providing general powers of the Department of State; reenacting ss. 620.115 and 620.179(2), F.S., to incorporate amendments made by the act in references to ss. 620.114 and 620.178, F.S.; repealing s. 620.109(2)(a)5., F.S., relating to change of address of the office or the name or address of the agent; providing an effective date.

—was referred to the Committees on Commerce; and Finance, Taxation and Claims.

By the Committee on Highway Safety and Construction; and Representative Ritchie—

**CS for HB 1137**—A bill to be entitled An act relating to motorized disability access vehicles; amending s. 320.01, F.S.; defining the term "motorized disability access vehicle"; directing the Department of Highway Safety and Motor Vehicles to make described rules with respect to motorized disability access vehicles; providing fees; amending s. 320.27, F.S.; exempting persons who sell or deliver motorized disability access vehicles from being required to be motor vehicle dealers; providing an effective date.

—was referred to the Committees on Transportation; and Finance, Taxation and Claims.

By Representative Ostrau—

**HB 1169**—A bill to be entitled An act relating to recorded instruments; amending s. 689.03, F.S.; deleting obsolete language relating to the effect of a married woman's signature on a warranty deed; repealing ss. 28.16 and 28.17, F.S., relating to records from county courts made prior to May 4, 1875, and to verification of records; repealing ss. 55.08 and 55.09, F.S., relating to judgments entered prior to June 5, 1939; repealing s. 65.071, F.S., relating to quieting title on deeds without joinder of wife when separated for 30 years; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

By the Committee on Governmental Operations and Representative Crotty and others—

**CS for HB 1249**—A bill to be entitled An act relating to public records; creating s. 255.047, F.S.; providing for the confidentiality of booking business records of publicly owned or publicly operated convention centers, sports stadiums, sports arenas, coliseums, and auditoriums; providing definitions; providing for future review and repeal; providing access to exempted records for the Department of Revenue; providing an effective date.

—was referred to the Committees on Governmental Operations; Finance, Taxation and Claims; and Ethics and Elections.

By Representatives Rojas and Sindler—

**HB 1457**—A bill to be entitled An act relating to false pretense; creating s. 817.025, F.S.; prohibiting home or private business invasion by false personation or representation with intent to commit a felony; providing criminal penalties; providing an effective date.

—was referred to the Committee on Judiciary-Criminal.

By Representative Tobin and others—

**HB 1873**—A bill to be entitled An act relating to labor regulations; prohibiting employers from taking retaliatory personnel action against employees under certain conditions; authorizing civil actions and providing specified relief; providing for certain employer relief; providing an effective date.

—was referred to the Committees on Commerce; Judiciary-Civil; and Personnel, Retirement and Collective Bargaining.

By Representative Frankel—

**HB 1969**—A bill to be entitled An act relating to dog owner's liability; amending s. 767.04, F.S.; specifying liability of dog owner who displays a "Bad Dog" sign; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

By Representative Boyd—

**HB 2163**—A bill to be entitled An act relating to plant industry; amending s. 581.011, F.S.; defining "arthropod"; modifying the definition of "plant pest"; amending s. 581.031, F.S.; modifying powers and duties of the Department of Agriculture and Consumer Services to provide for control of arthropods; amending s. 581.083, F.S.; prohibiting introduction or release of arthropods except under special permit; amending s. 581.101, F.S.; providing for quarantines; providing an effective date.

—was referred to the Committees on Agriculture and Appropriations.

By the Committee on Governmental Operations and Representative Martin—

**HB 2333**—A bill to be entitled An act relating to state government; amending s. 286.001, F.S.; providing that specified governmental agencies required to make regular or periodic reports may file an abstract thereof with the designated recipient and an abstract and copy with the Division of Library and Information Services; providing duties of the division and removing responsibilities of the Executive Office of the Governor; directing agency heads to ensure that reports are disseminated through electronic means; creating s. 286.002, F.S.; providing legislative findings with respect to state government reporting requirements; directing state governmental entities to periodically identify, review, and evaluate reporting requirements for which they are responsible and make recommendations with respect thereto; amending ss. 110.1245, 110.131, 110.217, 110.505, 110.606, 186.505, 216.345, 240.283, 383.144, 401.245, 409.185, 455.2285,

509.032, 626.943, and 958.11, F.S., which specify requirements for reports in the following areas: the meritorious service awards program; other-personal-services employment; eligibility, and selection actions with respect to career service positions; utilization of volunteers by state departments and agencies; the Selected Exempt Service; receipt and disbursement of certain funds by regional planning councils; professional or other organization membership dues paid by state agencies; extra compensation for State University System employees; the infant hearing impairment program; accomplishments and expenditures of the Emergency Medical Services Advisory Council; payments for aid to families with dependent children; complaints to and disciplinary action by the Department of Professional Regulation; inspections of public food service establishments by the Department of Health and Rehabilitative Services; persons certified or disciplined as health care risk managers; and assignments to youthful offender facilities; revising the dates and modifying requirements for certain reports; consolidating certain reports; deleting the requirement for certain periodic reports and requiring that the information be reported through computer processing or maintained for appropriate distribution; amending s. 255.257, F.S.; directing the Division of Facilities Management and the Department of Banking and Finance to review requirements regarding submission of data on energy consumption and cost; repealing s. 255.512, F.S., which requires an annual report on the operations of the division; amending s. 396.042, F.S.; removing a requirement that the Department of Health and Rehabilitative Services prepare a comprehensive alcoholism plan; repealing s. 402.3195(8), F.S., which requires an annual report by the department on the Child Care Facility and Family Day Care Home Trust Fund loan program; repealing s. 410.2015, F.S., which requires an annual report by the department on the older volunteer service credit program; providing an effective date.

—was referred to the Committees on Governmental Operations; Rules and Calendar; and Appropriations.

By the Committees on Appropriations; and Health and Rehabilitative Services—

**CS for HB 2527**—A bill to be entitled An act relating to disabled persons; requiring the Department of Health and Rehabilitative Services to contract for a study of the service needs of the state's disabled adult population; requiring cooperation of the Department of Labor and Employment Security and other agencies; providing guidelines; requiring reports and development of a multiyear plan; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services; and Appropriations.

By the Committee on Agriculture and Representative Harris—

**CS for HB 2667**—A bill to be entitled An act relating to commercial feed; amending s. 580.051, F.S.; deleting a limitation on labels or containers of feed sold at retail required to bear the date of manufacture; providing additional exemptions from such labeling requirement; providing an effective date.

—was referred to the Committee on Agriculture.

By Representative Bloom—

**HB 2933**—A bill to be entitled An act relating to the naming of a building; naming a building at Florida International University as the Ruth and Arnold Picker Center; providing an effective date.

—was referred to the Committee on Higher Education.

By Representative Trammell—

**HB 3005**—A bill to be entitled An act relating to probate administration; amending s. 733.617, F.S.; providing that where a decedent's will provides for a corporate personal representative's compensation to be based upon specific criteria then said corporate personal representative shall be entitled to compensation in accordance with such provision; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

By the Committee on Highway Safety and Construction; and Representative Albright and others—

**CS for HB 55**—A bill to be entitled An act relating to road designations; designating a portion of State Road 464 in Ocala as the Angela Simone Santos Memorial Highway; designating a portion of U.S. Highway 27, U.S. Highway 301, and U.S. Highway 441 in Ocala as the William

Hamilton Rutherford Memorial Highway; designating the bridge over the Suwanee River on U.S. Highway 27 at Branford as the Jay W. Brown Bridge; co-designating a portion of Southwest 8th Street in Miami as the Loring P. Evans Memorial Boulevard; designating the roadside park where Interstate Highway 10 crosses the Apalachicola River in Chatahoochee the Edgar Warren Scarborough Park; designating a portion of Northwest 7th Avenue in Miami as Manny Anon Memorial Boulevard; providing for erection of markers; designating the newly constructed bridge upon which U.S. Highway 331 spans the Choctawhatchee Bay as the "Clyde B. Wells Bridge"; designating a portion of East Flagler Street as Natan R. Rok Boulevard; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was referred to the Committee on Transportation.

By the Committee on Agriculture and Representatives Cosgrove and Easterly—

**CS for HB 71**—A bill to be entitled An act relating to agriculture; creating the Florida Tropical Fruit Policy Act; providing legislative declarations and findings; creating the Tropical Fruit Advisory Council; providing for council membership, terms of office, meetings, and responsibilities; requiring the development of a South Florida Tropical Fruit Plan; directing the Commissioner of Agriculture to submit the plan to specified officials; specifying contents of the plan; requiring an annual progress report and budget request; requiring biennial revision and update of the plan; providing for review and repeal; providing an effective date.

—was referred to the Committees on Agriculture and Appropriations.

By Representative Hawkins—

**HB 155**—A bill to be entitled An act relating to legal relationship; amending ss. 742.091 and 742.11, F.S., to change the term "legitimate"; expanding provisions relating to artificial insemination to include in vitro insemination; amending s. 63.172, F.S., relating to adoption, and ss. 90.803 and 90.804, F.S., relating to hearsay exceptions in the evidence code, to conform; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

By Representative Glickman—

**HB 163**—A bill to be entitled An act relating to admissibility of evidence; amending s. 914.04, F.S.; providing for grants of use immunity by state attorneys to obtain testimony, and providing certain notifications to witnesses; providing an effective date.

—was referred to the Committees on Judiciary-Criminal and Judiciary-Civil.

By the Committees on Finance and Taxation; and Regulatory Reform; and Representative Kelly and others—

**CS for CS for HB 319**—A bill to be entitled An act relating to contracting; amending ss. 489.501, 489.503, 489.505, 489.507, 489.509, 489.513, 489.516, 489.517, 489.531, 489.533, 489.537, F.S.; expanding the scope of provisions applicable to the regulation of electrical and alarm system contractors to cover locksmiths; providing for regulation of locksmiths by the Electrical Contractors' Licensing Board and the Department of Professional Regulation; declaring legislative purpose; specifying exemptions from the act; providing definitions of terms used; revising the membership of the licensing board; providing rulemaking authority; authorizing the board to establish fees for registration as a locksmith; specifying requirements for registration as a locksmith in order to engage in locksmithing; prohibiting a person from engaging in locksmithing unless he holds the required registration; providing for enforcement; providing for renewal of registration; providing for registration to become inactive if not timely renewed; providing for reactivation of registration; prescribing prohibited acts and penalties therefor; requiring certain rules; prescribing grounds for discipline; providing for disciplinary proceedings; prescribing administrative fines and penalties; providing that the act does not exempt a locksmith from other state or local requirements; providing a saving clause; providing an effective date.

—was referred to the Committees on Economic, Professional and Utility Regulation; and Appropriations.

By Representative Gordon and others—

**HB 357**—A bill to be entitled An act relating to employee rights; creating s. 448.10, F.S.; requiring certain employers to notify employees of

continuation of coverage requirements of group health insurance plans under certain circumstances; amending s. 627.6645, F.S.; providing, with respect to group health insurance, that upon termination for nonpayment of premium, the insurer shall inform the certificateholders of certain rights to conversion; amending s. 760.10, F.S.; providing that it is an unlawful employment practice for an employer to dismiss, or otherwise discriminate against in certain respects, an employee on the basis of a noninterfering illness; defining the term "noninterfering illness"; providing an effective date.

—was referred to the Committees on Commerce, Insurance and Appropriations.

By the Committee on Ethics and Elections; and Representative Glickman—

**CS for HB 403**—A bill to be entitled An act relating to elections; amending s. 99.012, F.S.; providing restrictions on persons qualifying for public office; providing exceptions; providing definitions; providing for removal of a person's name from the ballot for his failure to comply with the restrictions; amending s. 99.061, F.S.; requiring all candidates to file financial disclosure at the time of qualifying; amending s. 163.566, F.S., to correct a cross reference; providing an effective date.

—was referred to the Committees on Ethics and Elections; and Rules and Calendar.

By the Committee on Regulatory Reform and Representatives Morse and Kelly—

**CS for HB 517**—A bill to be entitled An act relating to pilots, pilotage, and pilotage; amending s. 310.071, F.S.; providing for an initial deputy pilot certificate; amending s. 310.081, F.S.; providing requirements for maintenance of a state pilot license; amending s. 310.101, F.S.; providing additional authority to the board with respect to certain disciplinary action; providing clarifying language with respect to accountability of pilots; amending s. 310.111, F.S.; providing additional reporting requirements; amending s. 310.141, F.S.; expanding the jurisdiction for requiring pilots on vessels; amending s. 310.161, F.S.; revising language with respect to penalties; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation; and Economic, Professional and Utility Regulation.

By the Committee on Education and Representative Long and others—

**CS for HB's 623 and 739**—A bill to be entitled An act relating to education; amending s. 231.24, F.S.; revising provisions relating to renewal of professional certificates; defining the term "instructional position"; amending s. 231.17, F.S.; revising provisions relating to issuance of a teaching certificate and providing for extension of a certificate in certain circumstances; including developmental research schools in certification provisions; creating s. 231.1725, F.S.; prescribing requirements for the employment of substitute teachers, teachers of adult education, and nondegreed teachers of vocational education; providing an effective date.

—was referred to the Committee on Education.

By the Committee on Employee and Management Relations; and Representative Guber and others—

**CS for HB 967**—A bill to be entitled An act relating to state government; creating the State Employee Telecommuting Act; providing definitions; requiring the Department of Administration to establish a state employee telecommuting program; providing powers and duties of the department; providing for rules; authorizing state agencies to conduct telecommuting pilot programs; providing requirements for such pilot programs; establishing a telecommuting program advisory council; requiring a report; providing for the applicability of the act; providing an appropriation; providing for future legislative review and repeal; providing an effective date.

—was referred to the Committees on Governmental Operations; Personnel, Retirement and Collective Bargaining; and Appropriations.

By the Committee on Criminal Justice and Representative Gordon and others—

**CS for HB 1393**—A bill to be entitled An act relating to admissibility of evidence; amending s. 794.022, F.S.; providing for inadmissibility of evidence relating to the manner in which a victim of sexual battery is

dressed, and reenacting s. 90.404(1)(b)1., F.S., relating to admissibility of character evidence, to incorporate said amendment in a reference thereto; providing an effective date.

—was referred to the Committee on Judiciary-Civil.

By the Committee on Health Care and Representative Lippman—

**CS for HB 1523**—A bill to be entitled An act relating to home health agencies; amending ss. 400.461 and 400.462, F.S.; redefining “home health agency” to include non-Medicare service providers; expanding applicability of licensure provisions; revising the definition of “home health services”; amending s. 400.467, F.S.; providing for nonrefundable license and renewal fees; providing exemptions; amending ss. 400.471 and 400.477, F.S.; requiring an oath for license application and renewal; amending s. 400.497, F.S.; providing for minimum standards in relation to geographic service areas; amending s. 400.501, F.S.; increasing a penalty for specified violations; amending s. 410.0241, F.S.; exempting from home health agency licensure certain agencies providing personal care to elderly persons; providing requirements; providing a definition; repealing s. 400.504, F.S., relating to timeframe for compliance with rules and standards; repealing s. 400.505, F.S., relating to licensure of non-Medicare home health agencies; providing an effective date.

—was referred to the Committee on Health and Rehabilitative Services.

By the Committee on Criminal Justice and Representatives Silver and Burke—

**CS for HB 1869**—A bill to be entitled An act relating to obstruction of justice; creating s. 843.085, F.S.; prohibiting unauthorized wearing or display of certain badges, emblems, and other criminal justice agency identifiers; prohibiting unauthorized display on vehicles of certain police-related markings or identifiers; regulating sale or transfer of certain badges and requiring recordkeeping for such transactions; providing that the section is cumulative to other laws; providing criminal penalties; amending s. 316.008, F.S., relating to the “combat automobile theft” program, providing for use of a uniform decal approved by the Department of Law Enforcement; providing an effective date.

—was referred to the Committee on Judiciary-Criminal.

By the Committee on Children and Youth; and Representative Langton and others—

**HB 2443**—A bill to be entitled An act relating to youth employment; creating the Florida Youth-at-Risk 2000 Pilot Program; providing legislative intent; providing definitions; specifying obligations of a mentor; specifying obligations of the youth participant; providing for demonstration sites; providing that primary program responsibility shall rest with the Department of Labor and Employment Security; providing for joint responsibility of other agencies; providing duties of the State Job Training Coordinating Council; providing for funding; providing for an annual report to the Legislature and specifying contents thereof; providing an effective date.

—was referred to the Committees on Commerce and Appropriations.

By the Committee on Emergency Preparedness, Military and Veterans Affairs; and Representative Reddick and others—

**HB 2481**—A bill to be entitled An act relating to economic planning; providing that the state, through the Florida High Technology and Industry Council, establish an economic preparedness plan to assist state government and public and private industries in preparing for reductions in federal military personnel and programs within the state and the resulting changes in federal spending priorities; specifying content of the plan; requiring submittal of the plan to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the minority leaders of both the Senate and the House by a specified date; providing an effective date.

—was referred to the Committees on Commerce and Appropriations.

By the Committee on Governmental Operations and Representatives Martin and Hoffmann—

**HB 2513**—A bill to be entitled An act relating to public records and meetings; amending ss. 14.22, 17.076, 20.17, 24.105, 24.108, 24.118, 27.151, 27.37, 30.49, 39.031, 39.117, 39.12, 39.411, 39.471, 44.101, 44.201, 61.183, 63.022, 63.162, 101.62, 106.25, 110.1127, 110.123, 110.201, 112.0455,

112.08, 112.21, 112.215, 112.3215, 112.324, 112.533, 125.355, 163.01, 166.045, 166.231, 192.105, 193.074, 195.027, 195.084, 196.101, 199.222, 201.022, 206.27, 211.125, 211.33, 212.0305, 212.0505, 213.053, 213.21, 213.22, 213.27, 215.322, 220.242, 228.093, 229.551, 229.8021, 230.23, 230.2316, 230.66, 230.69, 231.17, 231.1715, 231.262, 231.291, 232.23, 232.248, 235.054, 237.40, 240.209, 240.213, 240.237, 240.241, 240.253, 240.299, 240.323, 240.331, 240.3315, 240.334, 240.337, 240.539, 240.551, 242.335, 246.226, 252.355, 252.88, 258.015, 265.26, 265.289, 265.605, 266.08, 266.109, 266.118, 266.2095, 266.309, 266.411, 266.508, 267.16, 267.17, 279.11, 281.301, 284.40, 287.0595, 288.075, 288.712, 296.09, 331.326, 337.168, 341.419, 365.171, 372.0215, 377.606, 377.701, 378.101, and 378.208, F.S., which provide exemptions from public records and public meetings requirements with respect to: various direct-support, citizen-support, and contract organization and trust fund donor records; certain financial records; state lottery records; certain executive orders; hearings and documents of the Council on Organized Crime; certain law enforcement information; records relating to juveniles; certain mediation and dispute settlement records; adoption records; absentee ballot information; records and proceedings relating to violation of campaign financing laws; various records relating to public officers and employees; investigations relating to executive branch lobbyists and violations of the code of ethics for public officers and employees; complaints against law enforcement officers; records relating to purchase of real property by governmental agencies; various proprietary business and trade secret information; various tax-related documents and information; various education-related records and hearings and records of students and educational personnel; records relating to disabled persons; material collected by the Florida Folklife Programs; security systems information and meetings; claim files of the Division of Risk Management; certain bid information; certain economic development agency records; certain veterans' health records; and emergency telephone number information; revising and conforming language; revising provisions relating to the exemption from public records and public meetings requirements for security systems for public property and extending the exemption to information relating to security systems for private property in the possession of a government agency; amending s. 119.07, F.S.; specifying that auditors have access to public records which are part of an audit or investigation; providing an effective date.

—was referred to the Committee on Governmental Operations.

By the Committee on Science Industry and Technology; and Representative Tobin—

**HB 2519**—A bill to be entitled An act relating to the Water and Wastewater System Regulatory Law; amending s. 367.022, F.S.; revising language with respect to exemptions to the law; amending s. 367.071, F.S.; providing clarifying language with respect to persons that obtain ownership or control over any system governed by the law; amending s. 367.081, F.S.; requiring an automatic change in rates for increases or decreases in regulatory assessment fees; permitting utilities to place requested rates into effect prior to approval by the Florida Public Service Commission under certain circumstances; amending s. 367.0822, F.S.; requiring a fee for limited proceedings; amending s. 367.145, F.S.; providing an exclusion to the percentage amount of the regulatory assessment fee for sales for resale made to a regulated company; providing reference to limited proceedings under the provision setting fees; amending s. 367.171, F.S.; revising language with respect to the effectiveness of the chapter; revising language with respect to service which transverses county boundaries; providing for regulation by counties; providing an effective date.

—was referred to the Committees on Economic, Professional and Utility Regulation; and Finance, Taxation and Claims.

By the Committee on Agriculture and Representative Mackey and others—

**HB 2545**—A bill to be entitled An act relating to product labeling; creating part II of chapter 504, F.S.; creating the Florida Organic Farming and Food Law; providing a short title; providing a purpose; providing definitions; providing duties of the Department of Agriculture and Consumer Services; providing prohibited acts; providing for certification of organic food; providing duties of certifying agents; providing for a license and fee; providing organic food standards; creating an organic food advisory council; providing rulemaking authority; providing for inspection, sampling, analysis, and enforcement; providing penalties; providing for injunctive relief; providing labeling and advertising requirements; providing for the disposition of fees, fines, and penalties; amending ss. 504.011 and 504.014, F.S., to conform; providing a directive to statute editors

renaming chapter 504, F.S.; providing for review and repeal; providing an effective date.

—was referred to the Committees on Agriculture and Appropriations.

By the Committee on Commerce and Representative R. C. Johnson—

**HB 3429**—A bill to be entitled An act relating to securities regulation; amending s. 517.021, F.S.; providing definitions; amending s. 517.051, F.S.; limiting the scope of an exemption from the registration requirement; amending s. 517.061, F.S.; limiting the scope of provisions exempting certain transactions; authorizing the exemption of persons selling exempt securities from registration requirements; amending s. 517.082, F.S.; providing additional securities that may be registered by notification; amending s. 517.111, F.S.; providing additional grounds for suspension or revocation of a registration; authorizing denial of a request to terminate a registration or withdraw an application for registration; amending s. 517.12, F.S.; expanding requirements for registration of dealers, associated persons, investment advisers, and branch offices; providing for registration of certain out-of-state persons who sell securities to persons in the state; providing additional requirements for registration of associated persons; requiring that persons registered as securities dealers also be registered with the Securities and Exchange Commission; amending s. 517.121, F.S.; expanding applicability of record-keeping requirements; amending s. 517.122, F.S.; requiring agreements providing for arbitration to give the aggrieved party the option of arbitration before a panel of nonindustry members; amending s. 517.131, F.S.; deleting an antiquated date; amending s. 517.161, F.S.; providing additional grounds for revocation, denial, or suspension of a dealer, investment adviser, associated person, or branch office; amending s. 517.201, F.S.; providing a limited exemption from the Sunset Review Act; amending s. 517.211, F.S.; providing a cross reference; amending s. 517.302, F.S.; deleting an antiquated date; saving ch. 517, F.S., from Sunset repeal; providing for future review and repeal; providing an effective date.

—was referred to the Committee on Commerce.

By the Committees on Appropriations and Insurance and Representative Deutsch and others—

**CS for HB 3621**—A bill to be entitled An act relating to insurance; revising ch. 626, F.S., relating to insurance field representatives and operations; amending s. 626.041, F.S., deleting provisions that specified that certain employees of general lines agents or agencies are not deemed to be agents; creating s. 626.0428, F.S.; providing that certain personnel are not deemed agents, customer representatives, or solicitors; specifying authority of such personnel; amending s. 626.051, F.S.; correcting a cross reference; amending s. 626.062, F.S.; providing that an agent representing a health maintenance organization is deemed to be a health agent; correcting a cross reference; amending s. 626.071, F.S.; defining "solicitor"; creating s. 626.072, F.S.; defining "customer representative", amending s. 626.081, F.S.; defining "service representative"; amending s. 626.091, F.S.; defining "managing general agent"; deleting references to supervising general agents; amending s. 626.094, F.S.; defining "insurance agency"; creating ss. 626.102, 626.103, and 626.104, F.S.; providing additional definitions; amending s. 626.112, F.S.; requiring license and appointment for agents, customer representatives, solicitors, adjusters, service representatives, managing general agents, and claims investigators; providing circumstances for licensing of insurance agencies; amending s. 626.141, F.S.; providing that a contract handled by an unappointed agent or solicitor is valid; amending s. 626.161, F.S.; requiring preparation and furnishing of forms; amending s. 626.171, F.S.; specifying content of application for license; requiring applications to be accompanied by a set of fingerprints; amending s. 626.181, F.S.; providing circumstances for required reexamination; amending s. 626.191, F.S.; authorizing an applicant to reapply for a license; amending s. 626.201, F.S.; authorizing interrogatories in connection with an application for license or appointment; amending s. 626.211, F.S.; providing for approval or disapproval of application for license; amending s. 626.221, F.S.; providing exemptions from examination requirements; amending s. 626.231, F.S.; specifying eligibility for examination; amending s. 626.241, F.S.; specifying scope of examination for license as an agent, customer representative, or adjuster; amending s. 626.251, F.S.; removing certain limitations on the place of taking examinations; amending s. 626.261, F.S.; providing for taking of examinations; amending s. 626.271, F.S.; requiring payment of examination fees; amending s. 626.281, F.S.; specifying procedures and requirements for reexamination; amending s. 626.2815, F.S.; specifying continuing education requirements; providing for nonrenewal of appointments of agents not in compliance; amending s. 626.291, F.S.; providing for scoring of

examinations by the Department of Insurance or its designee; deleting provisions relating to originals and copies of licenses; deleting a provision relating to refund of license taxes; amending s. 626.301, F.S.; specifying form and content of licenses; authorizing the department to require photographs of licensees; amending s. 626.311, F.S.; specifying scope of licenses; amending s. 626.321, F.S.; modifying provisions relating to limited licenses; amending s. 626.322, F.S.; providing for license and appointment of nonresidents to represent certain insurers at military installations; amending s. 626.331, F.S.; requiring a separate appointment as to each insurer represented; providing for refund of state and county taxes; amending s. 626.341, F.S.; providing for additional appointment of general lines, life, and health agents; amending s. 626.342, F.S.; prohibiting furnishing of certain supplies to an unlicensed or unappointed agent; amending s. 626.361, F.S.; requiring submission of appointments to the department; specifying effective date of appointments; amending s. 626.371, F.S.; requiring payment of fees and taxes for retroactive appointment; amending s. 626.381, F.S.; providing for renewal, continuation, reinstatement, or termination of appointment; amending s. 626.431, F.S.; providing that an agent is without authority upon expiration of appointment; requiring reapplication after failing to maintain an appointment for a specified time; amending s. 626.441, F.S.; providing that licenses and appointments are not transferable; amending s. 626.451, F.S.; providing procedures for appointment of agents and other representatives; amending s. 626.461, F.S.; providing for duration of appointment; amending s. 626.471, F.S.; providing procedures for termination of appointment; amending s. 626.511, F.S.; requiring filing of certain statements with respect to the termination of an appointment; amending s. 626.521, F.S.; requiring credit and character checks on applicants for license; amending s. 626.532, F.S.; prohibiting new or additional appointments under vending machine licenses; providing for renewal of vending machine licenses; amending s. 626.541, F.S.; requiring annual filing of certain information with the department; amending s. 626.551, F.S.; requiring notice of change of name or address; providing for termination of license and appointment of an agent who is no longer a resident; amending s. 626.561, F.S.; specifying accounting requirements; requiring separate accounts for certain funds; specifying penalties for unlawful diversion or appropriation of funds; amending s. 626.571, F.S.; requiring certain notice of agencies delinquent in accounts owing to insurers; creating s. 626.572, F.S.; specifying when rebating is allowed; amending s. 626.592, F.S.; specifying responsibilities of primary agent or sole agent of an agency; amending s. 626.601, F.S.; expanding authority of the department to investigate alleged improper conduct; authorizing fingerprinting in certain circumstances; amending s. 626.611, F.S.; requiring refusal, suspension, or revocation of license or appointment in specified circumstances; amending s. 626.621, F.S.; authorizing refusal, suspension, or revocation of license or appointment in specified circumstances; amending s. 626.6215, F.S.; specifying grounds for refusal, suspension, or revocation of agency license; amending s. 626.631, F.S.; providing procedures for refusal, suspension, or revocation of licenses; amending s. 626.641, F.S.; specifying duration of suspension or revocation; amending s. 626.651, F.S.; specifying effect of refusal, suspension, or revocation on associated licenses, licensees, appointments, and appointees; amending s. 626.661, F.S.; requiring surrender of license in specified circumstances; amending s. 626.681, F.S.; providing for administrative fines; amending s. 626.691, F.S.; providing for probation; amending s. 626.727, F.S.; specifying scope of General Lines Agents Law; amending s. 626.729, F.S.; defining "industrial fire insurance"; amending s. 626.730, F.S.; specifying circumstances for refusal of license or appointment; providing for determination of violation of prohibition against general lines agents securing rebates or commissions on controlled business; amending s. 626.731, F.S.; specifying qualifications for a general lines agent's license; amending s. 626.732, F.S.; providing educational requirements; amending s. 626.733, F.S.; requiring individual appointment of agents; amending s. 626.734, F.S., relating to corporate agent liability; limiting circumstances in which the section subjects a person to criminal liability or disciplinary actions; creating s. 626.7351, F.S.; specifying qualifications for customer representative's license; creating s. 626.7352, F.S.; providing requirements for the office of a customer representative; creating s. 626.7353, F.S.; providing for appointment of customer representatives; creating s. 626.7354, F.S.; specifying powers of customer representatives; specifying responsibility and accountability of appointing agent or agency; amending s. 626.736, F.S.; providing requirements for the office of a solicitor; amending s. 626.737, F.S.; providing for appointment of solicitors; amending s. 626.738, F.S.; specifying scope of solicitor's license and appointment; amending s. 626.739, F.S.; providing for issuance of a temporary agent's license; amending s. 626.740, F.S.; providing for issuance of a temporary limited license as industrial fire or burglary agent; amending s. 626.741,

F.S.; providing restrictions on licensure and appointment of nonresident agents; amending s. 626.742, F.S.; providing for service of process on nonresident agents; amending s. 626.744, F.S.; providing for application for license as service representative or managing general agent; amending s. 626.745, F.S.; restricting activities of service representatives and managing general agents; creating s. 626.7451, F.S.; requiring certain provisions in contracts between managing general agents and insurers; authorizing agents to charge certain per-policy fees; creating s. 626.7452, F.S.; authorizing examination of managing general agents; creating s. 626.7453, F.S.; requiring certification that the managing general agent has obtained errors and omissions coverage; creating s. 626.7454, F.S.; specifying duties of insurers with respect to managing general agents; amending s. 626.747, F.S.; requiring branch agencies to be in charge of a general lines agent who is licensed and appointed; amending s. 626.748, F.S.; requiring agents to maintain certain records; amending s. 626.752, F.S.; providing definitions; providing limited authority for an agent to place business with an insurer for which the agent is not appointed; specifying liability of insurer that accepts business in violation of the section; requiring certain insurers to provide reports to the department; providing for reimbursement of insurer-paid fees; amending s. 626.753, F.S.; specifying circumstances in which an agent may share commissions; amending s. 626.754, F.S.; specifying rights of agent following termination of appointment; amending s. 626.777, F.S.; specifying scope of Life Agents Law; amending s. 626.784, F.S.; providing for refusal or other action against the license or appointment of an agent for procurement of controlled business; providing for determination of existence of violation; amending s. 626.785, F.S.; increasing maximum coverage under certain policies covering final disposition or burial of the insured; authorizing funeral directors, direct disposers, and employees of funeral establishments to be licensed to sell certain policies of life insurance; amending s. 626.7851, F.S.; requiring that educational requirements be satisfied within a specified time prior to application; amending s. 626.789, F.S.; providing requirements for military personnel licensed and appointed as life agents; amending s. 626.790, F.S.; providing for temporary licenses; amending s. 626.791, F.S.; providing for issuance of temporary license without examination in certain circumstances; amending s. 626.792, F.S.; requiring a nonresident agent to be licensed in his state of residence; providing for cancellation of license and appointments of a nonresident agent who becomes a resident of the state; amending s. 626.793, F.S.; providing authority for an agent to place business with an insurer for which the agent is not appointed; requiring certain insurers to provide reports to the department; providing for reimbursement of insurer-paid fees; amending s. 626.794, F.S.; prohibiting certain payment or sharing of commissions; amending s. 626.795, F.S.; limiting circumstances in which the section subjects a person to criminal liability or disciplinary actions; amending s. 626.796, F.S.; restricting employment or appointment of persons to sell weekly premium or industrial insurance; amending s. 626.798, F.S.; modifying prohibition on life agent as beneficiary; amending s. 626.827, F.S.; specifying scope of Health Agent Law; amending s. 626.829, F.S.; defining "health agent"; amending s. 626.830, F.S.; providing for refusal or other action against the license or appointment of an agent for procurement of controlled business; amending s. 626.831, F.S.; specifying qualifications for license; creating s. 626.8311, F.S.; requiring completion of certain educational programs within a specified time prior to application for license; amending s. 626.833, F.S.; prohibiting licensure of employees of specified veterans' agencies as health agents; amending s. 626.834, F.S.; providing requirements for military personnel licensed and appointed as health agents; amending s. 626.835, F.S.; requiring a nonresident agent to be licensed in his state of residence; providing for cancellation of license and appointments of a nonresident agent who becomes a resident of the state; amending s. 626.837, F.S.; providing authority for an agent to place business with an insurer for which the agent is not appointed; requiring certain insurers to provide reports to the department; providing for reimbursement of insurer-paid fees; amending s. 626.8373, F.S.; requiring certain inquiries with respect to health coverage or Medicare supplement coverage; amending s. 626.838, F.S.; prohibiting certain payment or sharing of commissions; amending s. 626.839, F.S.; limiting circumstances in which the section subjects a person to criminal liability or disciplinary actions; amending s. 626.8417, F.S.; providing for filing of application for title agent's license; providing qualifications for licensure; providing circumstances requiring the licensure of an attorney as a title agent; amending s. 626.842, F.S.; requiring credit and character checks on applicants for appointment; creating s. 626.8421, F.S.; requiring a title agent to have a separate appointment for each insurer; amending s. 626.8423, F.S.; authorizing interrogatories in connection with an application for license or appointment; amending s. 626.8427, F.S.; providing circumstances requiring the filing of additional applications by a

licensed title agent; amending s. 626.843, F.S.; providing for renewal, continuation, reinstatement, and termination of a title agent's appointment; amending s. 626.8433, F.S.; requiring filing of certain statements with respect to the termination of an appointment; amending s. 626.8437, F.S.; providing grounds for compulsory refusal, suspension, or revocation of license or appointment; amending s. 626.844, F.S.; providing grounds for discretionary refusal, suspension, or revocation of license or appointment; amending s. 626.8443, F.S.; specifying duration of suspension or revocation; amending s. 626.8447, F.S.; specifying effect of suspension or revocation on associated licenses, licensees, appointments, and appointees; amending s. 626.845, F.S.; providing for cancellation of license in certain circumstances; amending s. 626.8453, F.S.; providing penalties for false or fraudulent applications for license or appointment; amending s. 626.8457, F.S.; providing for administrative fines; amending s. 626.846, F.S.; providing for probation; amending s. 626.8467, F.S.; providing for compelled testimony and immunity from prosecution; amending s. 626.8473, F.S.; authorizing a title agent to act as an escrow agent in certain circumstances; providing penalties for conversion or misappropriation of funds held in escrow or trust; amending s. 626.852, F.S.; specifying scope of the Insurance Adjusters Law; amending s. 626.857, F.S.; defining "claims investigator"; amending s. 626.858, F.S.; defining "nonresident adjuster"; amending s. 626.859, F.S.; defining "catastrophe" or "emergency" adjuster; amending s. 626.862, F.S.; authorizing adjusting by licensed and appointed agents and solicitors; amending s. 626.863, F.S.; requiring that independent adjusters be licensed and appointed; amending s. 626.864, F.S.; providing categories for licensure and appointment of adjusters; amending s. 626.865, F.S.; providing for bonding of public adjusters; amending s. 626.869, F.S.; providing for licensing of adjusters; prohibiting new or additional licenses or appointments of certain types of adjusters; restricting licensure as an independent or public adjuster to certain persons; requiring continuing education for workers' compensation adjusters; amending s. 626.870, F.S.; providing form and content of application for license; amending s. 626.871, F.S.; providing for reappointment after military service; amending s. 626.872, F.S.; providing for temporary licenses; amending s. 626.873, F.S.; providing circumstances for issuance of a nonresident adjuster's license; amending s. 626.874, F.S.; providing for issuance of licenses for catastrophe and emergency adjusters; amending s. 626.875, F.S.; specifying content of adjuster's license; amending s. 626.876, F.S.; prohibiting multiple employment of persons licensed and appointed as public adjusters or independent adjusters; amending s. 626.878, F.S.; requiring adjusters to subscribe to a code of ethics provided by rule; amending s. 626.897, F.S.; providing fidelity bond and coverage requirements for service companies; amending s. 626.901, F.S.; prohibiting a person from representing or aiding an unauthorized insurer; specifying liability if an unauthorized insurer fails to pay a covered claim or loss; amending ss. 626.905, 626.906, 626.907, 626.908, 626.909, 626.910, 626.911, and 626.912, F.S.; applying the Unauthorized Insurers Process Law to persons representing or aiding insurers subject to such law; authorizing the department to bring certain actions for damages on behalf of insureds or others; providing for attorney's fees; amending s. 626.914, F.S.; defining terms used in the Surplus Lines Law; amending s. 626.915, F.S.; authorizing placement of surplus lines coverage through Florida-licensed nonresident agents; amending s. 626.916, F.S.; providing eligibility criteria for export of insurance coverage; amending s. 626.917, F.S.; removing requirement of filing of wet marine or transportation or aviation risk policies; amending s. 626.918, F.S.; specifying eligibility of surplus lines insurers; amending s. 626.919, F.S.; providing for withdrawal of eligibility; creating s. 626.9201, F.S.; requiring notice of cancellation or nonrenewal; amending s. 626.921, F.S.; providing for a surplus lines examining office; amending s. 626.922, F.S.; requiring delivery of a copy of the policy or evidence thereof to the insured within a specified time; amending s. 626.923, F.S.; providing for filing of copies of applications; amending s. 626.924, F.S.; requiring name and address of producing agent on policy; amending s. 626.927, F.S.; providing for licensure and appointment of surplus lines agents; amending s. 626.9271, F.S.; providing for temporary licenses; amending s. 626.928, F.S.; requiring posting of bond; amending s. 626.929, F.S.; providing for acceptance of business from Florida-licensed nonresident agents; amending s. 626.930, F.S.; providing for recordkeeping; amending s. 626.932, F.S.; defining "premium" for purposes of the surplus lines tax; amending s. 626.935, F.S.; providing for suspension, revocation, or refusal of surplus lines agent's license; amending s. 626.936, F.S.; specifying penalty for failure to pay surplus lines premium tax; amending s. 626.938, F.S.; providing for collection of tax; amending s. 626.939, F.S.; authorizing the department to require production of documents; amending s. 626.943, F.S.; conforming terminology; amending s. 626.944, F.S.; specifying requirements for licensure as a health care risk manager; amending s. 626.945, F.S.; specifying grounds

for denial, suspension, or revocation of a health care risk manager's license; amending s. 626.9541, F.S.; revising elements of unfair methods of competition or unfair or deceptive acts or practices; amending s. 626.973, F.S.; limiting the exemption of certain insurance from provisions relating to fictitious groups; amending s. 626.988, F.S.; exempting certain activities of financial institutions from prohibitions on insurance agency activities; specifying authority of the Comptroller; amending s. 626.989, F.S.; expanding the definition of "fraudulent insurance act"; requiring certain persons to report certain information or suppositions to the Division of Insurance Fraud of the department; amending s. 626.99, F.S.; narrowing the exception to the requirement of a life insurance buyer's guide and policy summary; amending s. 624.34, F.S.; authorizing the Department of Law Enforcement to accept fingerprints of applicants for licensure under the insurance code; amending ss. 624.501, 624.5015, 624.504, 624.505, 624.506, and 624.507, F.S.; specifying filing, license, appointment, and miscellaneous fees and taxes; conforming terminology and references; amending ss. 215.22, 624.521, 624.523, 629.401, 633.111, 637.415, and 648.31, F.S., to conform terminology and references; repealing ss. 626.041(3) and (4), 626.121, 626.351, 626.391, 626.401, 626.411, 626.421, 626.481, 626.491, 626.501, 626.531, 626.552, 626.711(2)-(4), 626.735, 626.786, 626.787, 626.832, 626.868, 626.920, 626.9271(4) and (5), and 626.931(4) and (5), F.S., relating to definitions, permit requirements, licensure, continuance or expiration of licenses or permits, termination of appointment, vending machines, reporting, agents from other states, license applications, claims investigator permits, export procedures, temporary licenses, and reports; saving parts I, II, III, IV, VI, VII, VIII, and X of chapter 626, F.S., from Sunset repeal; providing for future review and repeal; providing effective dates.

—was referred to the Committee on Insurance.

By Representative Glickman and others—

**HCR 305**—A concurrent resolution requesting action by the Marine Fisheries Commission.

—was referred to the Committee on Rules and Calendar.

By the Committee on Natural Resources and Representatives Lombard and Lawson—

**CS for HM 2841**—A memorial to the Congress of the United States, urging adoption of H.R. 2945 and H.R. 3751 which would prohibit oil and gas leases in certain offshore areas near Florida.

—was referred to the Committees on Natural Resources and Conservation; and Rules and Calendar.

*The Honorable Bob Crawford, President*

I am directed to inform the Senate that the House of Representatives has passed SB 308, SB 704 and SB 864.

*John B. Phelps, Clerk*

The bills contained in the foregoing message were ordered enrolled.

**SPECIAL ORDER**

**SB 3100**—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1990, and ending June 30, 1991, to pay salaries, other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of state government; providing an effective date.

—was read the second time by title.

Senator Margolis offered the following amendment which was moved by Senator Kirkpatrick and adopted:

**Amendment 1—**

SECTION 01, PAGE 2 STRIKE: INSERT:  
ITEM 2N

Insert after Specific Appropriation 2M

ADMINISTERED FUNDS

2N	LUMP SUM SPECIAL PAY-STATE COURTS SYSTEM FROM TRUST FUNDS	1,113,236
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After Specific Appropriation 2N, insert the following proviso: Funds from Specific Appropriation 2N are contingent upon passage of substantive legislation increasing the appellate and trial courts filing fees. Upon passage, effective January 1, 1991, the salary rate for Supreme Court Justices shall be set at \$100,443, Judges of the District Courts of Appeal at \$95,421, Judges of the Circuit Courts, \$90,399, and County Court Judges, \$80,354. Additionally, \$614,634 from the appropriation shall be utilized to implement the State Courts System Pay Plan issues, effective January 1, 1991.

Senator Stuart offered the following amendment which was moved by Senator Kirkpatrick and adopted:

**Amendment 2—**

SECTION 01, PAGE 5 STRIKE: INSERT:  
ITEM 26

ADMINISTRATION, DEPARTMENT OF  
PERSONNEL MANAGEMENT SERVICES,  
DIVISION OF

26	SALARIES AND BENEFITS	92	93
	FROM STATE PERSONNEL SYSTEM		
	TRUST FUND	2,651,898	2,681,898

After Specific Appropriation 26, insert the following proviso: From the funds provided in Specific Appropriation 26, 1 FTE and \$30,000 from the State Personnel System Trust Fund are contingent upon HB 967 or similar legislation becoming law.

Senator Kirkpatrick moved the following amendment which was adopted:

**Amendment 3—**

SECTION 01, PAGE 10 STRIKE: INSERT:  
ITEM 72

AGRICULTURE AND CONSUMER SERVICES, DEPARTMENT OF,  
AND COMMISSIONER OF AGRICULTURE CHEMISTRY,  
DIVISION OF

72	SALARIES AND BENEFITS	Positions 124	Positions 125
	FROM GENERAL REVENUE FUND	1,964,338	1,997,387
74	EXPENSES		
	FROM GENERAL REVENUE FUND	460,768	462,768

Senator Thurman offered the following amendment which was moved by Senator Kirkpatrick and adopted:

**Amendment 4—**

SECTION 01, PAGE 13 STRIKE: INSERT:  
ITEM 104

AGRICULTURE AND CONSUMER SERVICES, DEPARTMENT OF,  
AND COMMISSIONER OF AGRICULTURE  
PLANT INDUSTRY, DIVISION OF

104	LUMP SUM ETHYLENE DIBROMIDE CASE SETTLEMENT CONTINGENCY FROM GENERAL REVENUE FUND	552,820
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Senator W. D. Childers offered the following amendment which was moved by Senator Kirkpatrick and adopted:

**Amendment 5—**

SECTION 01, PAGE 19 STRIKE: INSERT:  
ITEM 174

BUSINESS REGULATION, DEPARTMENT OF  
OFFICE OF THE SECRETARY AND  
DIVISION OF ADMINISTRATION

174	SALARIES AND BENEFITS
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	FROM STATE ATHLETIC COMMISSION OPERATING TRUST FUND	116,437	117,613
175	OTHER PERSONAL SERVICES FROM STATE ATHLETIC COMMISSION OPERATING TRUST FUND	12,000	23,545
176	EXPENSES FROM STATE ATHLETIC COMMISSION OPERATING TRUST FUND	54,402	68,054

Senator Kirkpatrick moved the following amendment which was adopted:

**Amendment 6—**

SECTION 01, PAGE 25 STRIKE: INSERT:  
ITEM 236A

COMMERCE, DEPARTMENT OF  
ECONOMIC DEVELOPMENT,  
DIVISION OF

236A	SPECIAL CATEGORIES GRANTS AND AIDS - ECONOMIC DEVELOPMENT PROJECTS FROM GENERAL REVENUE FUND	3,805,773	4,825,773
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Following Specific Appropriation 236A, insert the following proviso: "1994 World Cup Soccer Games. . . 1,020,000"

Senator Meek offered the following amendment which was moved by Senator Kirkpatrick and adopted:

**Amendment 7—**

SECTION 01, PAGE 32 STRIKE: INSERT:  
ITEM 293A

COMMUNITY AFFAIRS, DEPARTMENT OF  
HOUSING AND COMMUNITY DEVELOPMENT,  
DIVISION OF

293A	SPECIAL CATEGORIES GRANTS AND AIDS - AFFORDABLE HOUSING DEVELOPMENT TRAINING FROM GENERAL REVENUE FUND	300,000	300,000
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After Specific Appropriation 293A, strike and insert the following proviso:

Strike: Funds in Specific Appropriation 293A shall be used by the Department of Community Affairs to contract with the community college system for the provision of an affordable housing development training program designed to enhance the housing production capabilities of local governments and community-based organizations, as specified in s. 420.606, F.S.

Insert: From the funds provided in Specific Appropriation 293A, \$220,000 shall be used by the Department of Community Affairs to contract with the community college system for the provision of an affordable housing development training program designed to enhance the housing production capabilities of local governments and community-based organizations, as specified in s. 420.606, F.S. The remaining \$80,000 shall be used by the Department of Community Affairs to conduct a review of planning and regulatory processes in operation at the state, regional, and local levels in order to ensure that impediments are removed and incentives are provided for the development of affordable housing.

Senator Brown offered the following amendment which was moved by Senator Kirkpatrick and adopted:

**Amendment 8—**

SECTION 01, PAGE 118 STRIKE: INSERT:  
ITEM 719

ENVIRONMENTAL REGULATION,

DEPARTMENT OF

719	SALARIES AND BENEFITS FROM WATER QUALITY ASSURANCE TRUST FUND	Positions 1,319	Positions 1,324	3,832,009	3,977,589
721	EXPENSES FROM WATER QUALITY ASSURANCE TRUST FUND			1,072,929	1,105,634
731	OPERATING CAPITAL OUTLAY FROM WATER QUALITY ASSURANCE TRUST FUND				11,095

Senator Kirkpatrick moved the following amendment which was adopted:

**Amendment 9—**

SECTION 01, PAGE 125 STRIKE: INSERT:  
ITEM 788

GENERAL SERVICES, DEPARTMENT OF  
PURCHASING, DIVISION OF

788	SALARIES AND BENEFITS FROM GENERAL REVENUE FUND	Positions 84	Positions 86	2,647,784	2,693,377
790	EXPENSES FROM GENERAL REVENUE FUND			989,347	935,544
791	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND			10,392	18,602

SECTION 01, PAGE 126 STRIKE: INSERT:  
ITEM 795A

GENERAL SERVICES, DEPARTMENT OF  
INFORMATION SERVICES, DIVISION OF

795A	OPERATING CAPITAL OUTLAY FROM WORKING CAPITAL TRUST FUND			1,209,582	1,311,082
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Senator Myers offered the following amendment which was moved by Senator Kirkpatrick and adopted:

**Amendment 10—**

SECTION 01, PAGE 175 STRIKE: INSERT:  
ITEM 1159

HIGHWAY SAFETY AND MOTOR VEHICLES,  
DEPARTMENT OF  
DRIVER LICENSES, DIVISION OF

1159	SALARIES AND BENEFITS FROM ACCIDENT REPORTS TRUST FUND	Positions 1,697	Positions 1,704	16,536,485	16,679,643
1160	OTHER PERSONAL SERVICES FROM ACCIDENT REPORTS TRUST FUND			333,500	339,500
1161	EXPENSES FROM ACCIDENT REPORTS TRUST FUND			511,092	603,670
1162	OPERATING CAPITAL OUTLAY FROM ACCIDENT REPORTS TRUST FUND			101,676	113,283
1164	DATA PROCESSING SERVICES FROM ACCIDENT REPORTS TRUST FUND			161,069	192,887

Senator Casas offered the following amendment which was moved by Senator Kirkpatrick and adopted:

Amendment 11—

SECTION 01, PAGE 180 ITEM 1214	STRIKE:	INSERT:
INSURANCE, DEPARTMENT OF, AND TREASURER, INSURANCE CONSUMER SERVICES, DIVISION OF		
1214 EXPENSES FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND	1,096,334	1,773,811

Senator Thurman offered the following amendment which was moved by Senator Kirkpatrick and adopted:

Amendment 12—

SECTION 01, PAGE 180 ITEM 1217	STRIKE:	INSERT:
INSURANCE, DEPARTMENT OF, AND TREASURER, STATE FIRE MARSHAL, DIVISION OF		
1217 SALARIES AND BENEFITS FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND	Positions 195 6,209,897	Positions 198 6,279,022
1219 EXPENSES FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND	2,015,217	2,039,067
1220 OPERATING CAPITAL OUTLAY FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND	276,473	-0-
1220 OPERATING CAPITAL OUTLAY FROM FIRE COLLEGE TRUST FUND		284,475

Senator Bruner offered the following amendment which was moved by Senator Kirkpatrick and adopted:

Amendment 13—

SECTION 01, PAGE 227 ITEM 1705	STRIKE:	INSERT:
NATURAL RESOURCES, DEPARTMENT OF MARINE RESOURCES, DIVISION OF		
1705 SPECIAL CATEGORIES OYSTER PLANTING FROM GENERAL REVENUE FUND	545,600	545,600

In proviso after Specific Appropriation 1705, strike and insert the following proviso:

Strike: Funds in Specific Appropriation 1705 from the General Revenue Fund shall be allocated as follows: Levy, Dixie, Santa Rosa, and Wakulla counties shall each receive \$104,400 and Bay County shall receive \$128,000. Funds in Specific Appropriation 1705 from the Apalachicola Bay Protection Trust Fund shall be allocated to Franklin County.

Insert: "Funds in Specific Appropriation 1705 from the General Revenue Fund shall be allocated as follows: Levy, Dixie, and Santa Rosa counties shall each receive \$104,400; Bay County shall receive \$128,000, Franklin County shall receive \$64,400, and Wakulla County shall receive \$40,000. Funds in Specific Appropriation 1705 from the Apalachicola Bay Protection Trust Fund shall be allocated to Franklin County."

Senator Kirkpatrick moved the following amendments which were adopted:

Amendment 14—

SECTION 01, PAGE 231 ITEM 1737B	STRIKE:	INSERT:
Insert after Specific Appropriation 1737A		
NATURAL RESOURCES, DEPARTMENT OF LAW ENFORCEMENT, DIVISION OF		
1737B SPECIAL CATEGORIES GRANTS AND AIDS - OIL SPILL EMERGENCY TRAINING FROM COASTAL PROTECTION TRUST FUND		25,000

Amendment 15—

SECTION 01, PAGE 236 ITEM 1818	STRIKE:	INSERT:
STATE, DEPARTMENT OF, AND SECRETARY OF STATE, OFFICE OF THE SECRETARY AND DIVISION OF ADMINISTRATIVE SERVICES		
1818 SALARIES AND BENEFITS FROM PUBLICATIONS REVOLVING TRUST FUND	41,544	76,557

Amendment 16—

SECTION 01, PAGE 268 ITEM 2011B	STRIKE:	INSERT:
GENERAL SERVICES, DEPARTMENT OF FACILITIES MANAGEMENT, DIVISION OF		
2011B FIXED CAPITAL OUTLAY STATEWIDE CAPITAL DEPRECIATION FROM PAID PARKING TRUST FUND		488,000

Senator Myers offered the following amendment which was moved by Senator Kirkpatrick and adopted:

Amendment 17—

SECTION 2a, PAGE 272 ITEM 2038A	STRIKE:	INSERT:
HIGHWAY SAFETY AND MOTOR VEHICLES, DEPARTMENT OF DRIVER LICENSES, DIVISION OF		
2038A FIXED CAPITAL OUTLAY RENOVATE DRIVER LICENSE OFFICE-PALM BEACH COUNTY FROM ACCIDENT REPORTS TRUST FUND		120,732

Senator D. Childers offered the following amendment which was moved by Senator Kirkpatrick and adopted:

Amendment 18—

SECTION 2b, PAGE 278 ITEM 2070M	STRIKE:	INSERT:
Insert before Specific Appropriation 2070L		
AGRICULTURE AND CONSUMER SERVICES, DEPARTMENT OF, AND COMMISSIONER OF AGRICULTURE, FORESTRY, DIVISION OF		
2070M FIXED CAPITAL OUTLAY GRANTS AND AIDS -		

CONSTRUCTION/PAVING - HENDRY  
 COUNTY AGRICULTURE CENTER  
 FROM STATE INFRASTRUCTURE FUND 150,000

Senator Grizzle offered the following amendment which was moved by Senator Kirkpatrick and adopted:

**Amendment 19—**

SECTION 01 STRIKE: INSERT:  
 ITEM 2241D  
 ENVIRONMENTAL REGULATION, DEPARTMENT OF  
 2241D AID TO LOCAL GOVERNMENTS AND  
 NON-PROFIT ORGANIZATIONS  
 TAMPA BAY RESTORATION  
 FROM FLORIDA PRESERVATION 2000  
 BOND PROJECT TRUST FUND 5,000,000

After Specific Appropriation 2241D, insert the following proviso:

Funds in Specific Appropriation 2241D are contingent on legislative authorization of the issuance of revenue bonds under the Florida Preservation 2000 Program.

Senator Johnson offered the following amendment which was moved by Senator Kirkpatrick and adopted:

**Amendment 20—**

SECTION 2G, PAGE 319 STRIKE: INSERT:  
 ITEM 2242AU  
 Insert after Specific Appropriation  
 2242C  
 ENVIRONMENTAL REGULATION, DEPARTMENT OF  
 2242AU FIXED CAPITAL OUTLAY  
 PARK DEVELOPMENT  
 FROM FLORIDA PRESERVATION 2000  
 BOND PROJECT TRUST FUND 100,000

After Specific Appropriation 2242AU, strike and insert the following proviso:

Strike: "Funds in Specific Appropriation 2234, 2238, 2240, 2242A, 2242B, and 2242C are contingent on Legislative Authorization of the issuance of revenue bonds under the Florida Preservation 2000 Program."

Insert: Funds in Specific Appropriation 2234, 2238, 2240, 2242A, 2242B, 2242C, and 2242AU, are contingent on Legislative Authorization of the issuance of revenue bonds under the Florida Preservation 2000 Program.

Senator Weinstein offered the following amendment which was moved by Senator Kirkpatrick and adopted:

**Amendment 21—**

SECTION 2G, PAGE 325 STRIKE: INSERT:  
 ITEM 2248A  
 NATURAL RESOURCES, DEPARTMENT OF  
 RECREATION AND PARKS, DIVISION OF  
 2248A AID TO LOCAL GOVERNMENTS AND  
 NON-PROFIT ORGANIZATIONS  
 GRANTS AND AIDS - SPECIAL  
 CATEGORIES - LOCAL RECREATIONAL  
 DEVELOPMENT PROJECTS FROM  
 STATE INFRASTRUCTURE FUND 3,355,000 3,540,000

In proviso after Specific Appropriation 2248A, add the following language after last project:

Tamarac Multi-Purpose Recreation Center (Broward) SIF. . .185,000

Senator Plummer offered the following amendment which was moved by Senator Kirkpatrick and adopted:

**Amendment 22—**

SECTION 2G, PAGE 327 STRIKE: INSERT:  
 ITEM 2248A  
 NATURAL RESOURCES, DEPARTMENT OF  
 RECREATION AND PARKS, DIVISION OF  
 2248A AID TO LOCAL GOVERNMENTS AND  
 NON-PROFIT ORGANIZATIONS  
 GRANTS AND AIDS - SPECIAL CAT-  
 EGORIES - LOCAL RECREATIONAL  
 DEVELOPMENT PROJECTS  
 FROM LAND ACQUISITION TRUST  
 FUND 5,944,000 5,944,000

In proviso following Specific Appropriation 2248A, strike: "Colonial Drive Park Improvements (Dade) LATF. . . \$100,000" and insert: Colonial Drive Park Improvements (Dade) LATF. . . \$75,000 Charles Deering Estate/Environmental Program (Dade) LATF. . . \$25,000

Senator Scott offered the following amendment which was moved by Senator Kirkpatrick and adopted:

**Amendment 23—**

SECTION 2G, PAGE 325 STRIKE: INSERT:  
 ITEM 2248A  
 NATURAL RESOURCES, DEPARTMENT OF  
 RECREATION AND PARKS, DIVISION OF  
 2248A AID TO LOCAL GOVERNMENTS AND NON-PROFIT  
 ORGANIZATIONS GRANTS AND AIDS - SPECIAL  
 CATEGORIES - LOCAL RECREATIONAL  
 DEVELOPMENT PROJECTS FROM LAND  
 ACQUISITION TRUST FUND 5,944,000 6,244,000

On page 327 immediately after the last project in the proviso language of Specific Appropriations 2248A, insert the following: Recreation Park/Sunrise (Broward) LATF. . . 300,000

Senator Souto offered the following amendment which was moved by Senator Kirkpatrick and adopted:

**Amendment 24—**

SECTION 2G, PAGE 325 STRIKE: INSERT:  
 ITEM 2248A  
 NATURAL RESOURCES, DEPARTMENT OF  
 RECREATION AND PARKS, DIVISION OF  
 2248A AID TO LOCAL GOVERNMENTS AND NON-PROFIT  
 ORGANIZATIONS GRANTS AND AIDS - SPECIAL  
 CATEGORIES - LOCAL RECREATIONAL  
 DEVELOPMENT PROJECTS FROM LAND  
 ACQUISITION TRUST FUND 5,944,000 5,944,000

After Specific Appropriation 2248A, strike and insert the following proviso:

Strike: "City of West Miami Park Improvements (Dade) LATF. . . 50,000"

Insert: City of West Miami Park Improvements (Dade) LATF. . . 15,000  
 City of Sweetwater Park Improvements (Dade) LATF. . . 35,000

Senator Casas offered the following amendment which was moved by Senator Kirkpatrick and adopted:

**Amendment 25—**

SECTION 2G, PAGE 325 STRIKE: INSERT:  
 ITEM 2248A  
 NATURAL RESOURCES, DEPARTMENT OF  
 RECREATION AND PARKS, DIVISION OF

2248A AID TO LOCAL GOVERNMENTS AND NON-PROFIT ORGANIZATIONS GRANTS AND AIDS - SPECIAL CATEGORIES - LOCAL RECREATIONAL DEVELOPMENT PROJECTS FROM LAND ACQUISITION TRUST FUND

	5,944,000	5,944,000
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After Specific Appropriation 2248A, strike and insert the following proviso:

Strike: "Miami Springs Bike Path (Dade) LATF. . . 15,000"  
 "City of West Miami Park Improvements (Dade) LATF. . . 50,000"

Insert: Miami Springs Bike Path (Dade) LATF. . . 30,000  
 City of West Miami Park Improvements (Dade) LATF. . . 35,000

Senator Diaz-Balart offered the following amendments which were moved by Senator Kirkpatrick and adopted:

**Amendment 26—**

SECTION 2G, PAGE 325 STRIKE: INSERT:  
 ITEM 2248A

NATURAL RESOURCES, DEPARTMENT OF RECREATION AND PARKS, DIVISION OF

2248A AID TO LOCAL GOVERNMENTS AND NON-PROFIT ORGANIZATIONS GRANTS AND AIDS - SPECIAL CATEGORIES - LOCAL RECREATIONAL DEVELOPMENT PROJECTS FROM LAND ACQUISITION TRUST FUND

	5,944,000	5,994,000
FROM STATE INFRASTRUCTURE FUND	3,355,000	3,355,000

After Specific Appropriation 2248A, strike and insert the following proviso:

Strike:  
 "Tropical Park Playground (Dade) SIF. . . 150,000"  
 "Kendall Indian Hammocks Park (Dade) LATF. . . 150,000"

and insert:  
 Tropical Park Playground (Dade) SIF. . . 100,000  
 Kendall Indian Hammocks (Dade) LATF. . . 150,000  
 SIF. . . 50,000

**Amendment 27—**

SECTION 2G, PAGE 325 STRIKE: INSERT:  
 ITEM 2248A

NATURAL RESOURCES, DEPARTMENT OF RECREATION AND PARKS, DIVISION OF

2248A AID TO LOCAL GOVERNMENTS AND NON-PROFIT ORGANIZATIONS GRANTS AND AIDS - SPECIAL CATEGORIES - LOCAL RECREATIONAL DEVELOPMENT PROJECTS FROM STATE INFRASTRUCTURE FUND

	3,355,000	3,305,000
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COMMUNITY AFFAIRS, DEPARTMENT OF

2228B AID TO LOCAL GOVERNMENTS AND NON-PROFIT ORGANIZATIONS GRANTS AND AIDS - SPECIAL CATEGORIES - LITTLE HAVANA ACTIVITIES CENTER (DADE) FROM STATE INFRASTRUCTURE FUND

		50,000
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Senator Souto offered the following amendment which was moved by Senator Kirkpatrick and adopted:

**Amendment 28—**

SECTION 2G, PAGE 327 STRIKE: INSERT:  
 ITEM 2249

STATE, DEPARTMENT OF, AND SECRETARY OF STATE HISTORICAL RESOURCES, DIVISION OF

2249 AID TO LOCAL GOVERNMENTS AND NON-PROFIT ORGANIZATIONS GRANTS AND AIDS - SPECIAL CATEGORIES - ACQUISITION, RESTORATION OF HISTORIC PROPERTIES FROM HISTORIC AND CULTURAL FACILITIES TRUST FUND

	8,725,899	8,760,899
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2249A AID TO LOCAL GOVERNMENTS AND NON-PROFIT ORGANIZATIONS TRANSFER TO HISTORIC AND CULTURAL FACILITIES TRUST FUND FROM GENERAL REVENUE FUND

	13,451,429	13,486,429
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After Specific Appropriation 2249, insert the following proviso after the last project:

City of Coral Gables Fountain Entrance Ways Restoration (Dade). . . 25,000  
 City of Homestead Old Town Hall Restoration (Dade). . . 10,000

Senator Myers offered the following amendment which was moved by Senator Kirkpatrick and adopted:

**Amendment 29—**

SECTION 2G, PAGE 329 STRIKE: INSERT:  
 ITEM 2250

STATE, DEPARTMENT OF, AND SECRETARY OF STATE LIBRARY AND INFORMATION SERVICES, DIVISION OF

2250 AID TO LOCAL GOVERNMENTS AND NON-PROFIT ORGANIZATIONS GRANTS AND AIDS - LIBRARY CONSTRUCTION GRANTS FROM STATE INFRASTRUCTURE FUND

	1,450,000	1,666,980
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Insert in proviso following Specific Appropriation 2250, after the last project, the following proviso: Indiantown Branch Library (Martin). . . 216,980

Senator Peterson moved the following amendment which was adopted:

**Amendment 30—**

SECTION 01, PAGE 25 STRIKE: INSERT:  
 ITEM 236A

COMMERCE, DEPARTMENT OF ECONOMIC DEVELOPMENT, DIVISION OF

236A SPECIAL CATEGORIES GRANTS AND AIDS - ECONOMIC DEVELOPMENT PROJECTS FROM GENERAL REVENUE FUND

	3,805,773	3,550,000
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In the proviso following line item 236A delete "Super Bowl Task Force (Hillsborough). 255,773"

399A SPECIAL CATEGORIES HUMANITIES OUTREACH - TAMPA FROM GENERAL REVENUE FUND

		255,773
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Senator Walker offered the following amendment which was moved by Senator Peterson and adopted:

**Amendment 31—**

SECTION 01, PAGE 47 STRIKE: INSERT:  
 ITEM 404A

EDUCATION, DEPARTMENT OF, AND

COMMISSIONER OF EDUCATION  
OFFICE OF DEPUTY COMMISSIONER  
AND DIVISION OF ADMINISTRATION

404A SPECIAL CATEGORIES  
GRANTS AND AIDS -  
COLLEGE REACH OUT PROGRAM -0-

Add the following new paragraph of proviso as the last paragraph of proviso for Specific Appropriation 404A:

From the funds appropriated in Specific Appropriation 404A, \$288,000 is provided to implement the college achievement program at FSU and \$200,000 is provided to implement an engineering retention program and a career exploration program in teacher education at Florida A&M University.

Senator Peterson moved the following amendment which was adopted:

**Amendment 32—**

SECTION 01, PAGE 58 STRIKE: INSERT:  
ITEM 460

EDUCATION, DEPARTMENT OF, AND  
COMMISSIONER OF EDUCATION  
OFFICE OF STUDENT FINANCIAL  
ASSISTANCE

460	SALARIES AND BENEFITS FROM SPECIAL TRUST FUND	Positions 93 1,925,981	Positions 99 2,092,901
462	EXPENSES FROM SPECIAL TRUST FUND	966,892	1,016,479
463	OPERATING CAPITAL OUTLAY FROM SPECIAL TRUST FUND	181,310	217,064

Senator Stuart offered the following amendment which was moved by Senator Peterson and adopted:

**Amendment 33—**

SECTION 01, PAGE 61 STRIKE: INSERT:  
ITEM 483

EDUCATION, DEPARTMENT OF, AND  
COMMISSIONER OF EDUCATION  
OFFICE OF STUDENT FINANCIAL  
ASSISTANCE

483	FINANCIAL ASSISTANCE PAYMENTS PRIVATE TUITION ASSISTANCE FROM GENERAL REVENUE FUND	18,839,300	18,839,300
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In the fourth line of proviso strike: "\$1,150 and insert \$1,200"

Senator Peterson moved the following amendment which was adopted:

**Amendment 34—**

SECTION 01, PAGE 72 STRIKE: INSERT:  
ITEM 515A

EDUCATION, DEPARTMENT OF, AND  
COMMISSIONER OF EDUCATION  
PUBLIC SCHOOLS, DIVISION OF

515A	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - REQUIRED LOCAL EFFORT ADJUSTMENT FROM EDUCATIONAL ENHANCEMENT TRUST FUND	9,000,000	4,200,000
565	SPECIAL CATEGORIES GRANTS AND AIDS - SCHOOL BUS REPLACEMENT FOR PUBLIC SCHOOLS FROM		

EDUCATIONAL ENHANCEMENT TRUST FUND	11,000,000	15,800,000
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565	SPECIAL CATEGORIES GRANTS AND AIDS - SCHOOL BUS REPLACEMENT FOR PUBLIC SCHOOLS FROM INTEREST STATE SCHOOL TRUST FUND		3,500,000
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565	SPECIAL CATEGORIES GRANTS AND AIDS - SCHOOL BUS REPLACEMENT FOR PUBLIC SCHOOLS FROM QUALITY INSTRUCTION INCENTIVES TRUST FUND		1,450,000
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Senator Walker offered the following amendment which was moved by Senator Peterson and adopted:

**Amendment 35—**

SECTION 01, PAGE 75 STRIKE: INSERT:  
ITEM 531

EDUCATION, DEPARTMENT OF, AND  
COMMISSIONER OF EDUCATION  
PUBLIC SCHOOLS, DIVISION OF

531	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - INSTRUCTIONAL STRATEGIES ENHANCEMENT		-0-
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Add the following new paragraph of proviso as the last paragraph of proviso for Specific Appropriation 531:

From the funds appropriated in Specific Appropriation 531, \$300,000 is provided for Project Child.

Senator Plummer offered the following amendment which was moved by Senator Peterson and adopted:

**Amendment 36—**

SECTION 01, PAGE 76 STRIKE: INSERT:  
ITEM 542

EDUCATION, DEPARTMENT OF, AND  
COMMISSIONER OF EDUCATION  
PUBLIC SCHOOLS, DIVISION OF

542	SPECIAL CATEGORIES GRANTS AND AIDS - DRUG ABUSE EDUCATION		-0-
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Add the following new proviso:

From the funds appropriated in Specific Appropriation 542, \$200,000 is provided for Youth Crime Watch of America in Dade County.

Senator Margolis offered the following amendment which was moved by Senator Peterson and adopted:

**Amendment 37—**

SECTION 01, PAGE 91 STRIKE: INSERT:  
ITEM 600

EDUCATION, DEPARTMENT OF, AND  
COMMISSIONER OF EDUCATION  
COMMUNITY COLLEGES, DIVISION OF

600	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - COMMUNITY COLLEGES PROGRAM FUND FROM GENERAL REVENUE FUND	510,620,623	511,805,063
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And in the proviso which follows Miami-Dade strike "92,598,708" and insert "93,783,149"

Senator Meek offered the following amendment which was moved by Senator Peterson and adopted:

Amendment 38—

SECTION 01, PAGE 106 STRIKE: INSERT:
ITEM 644A

EDUCATION, DEPARTMENT OF, AND
COMMISSIONER OF EDUCATION
UNIVERSITIES, DIVISION OF
EDUCATIONAL AND GENERAL ACTIVITIES

644A LUMP SUM -0-
CENTER FOR AFFORDABLE HOUSING

Insert proviso language following Line Item 644A:

Funds in Specific Appropriation 644A shall be used to conduct a study related to the provision of affordable housing in the state, to include but not be limited, to: Documentation of the availability and rates of conversion and attrition of single room occupancy facilities, analysis of potential benefits to specific populations and areas of the state of increasing such facilities, and identification of ways to encourage the production of such facilities and documentation of the number and location of state-assisted and federally assisted units facing conversion from low-income use and recommended state action to preserve these units for needy persons and to respond to the potential displacement of unit residents. This study shall primarily address units facing imminent mortgage prepayment or contract expiration, but shall also include long-term projections for the availability of units subsidized by current programs.

A report indicating the results of this study shall be submitted to the President of the Senate and the Speaker of the House of Representatives on or before December 31, 1991.

Senator Margolis offered the following amendments which were moved by Senator Peterson and adopted:

Amendment 39—

SECTION 01, PAGE 116 STRIKE: INSERT:
ITEM 708A

Immediately following Item 708, insert Item 708A

EDUCATION, DEPARTMENT OF, AND
COMMISSIONER OF EDUCATION
UNIVERSITIES, DIVISION OF
BOARD OF REGENTS GENERAL OFFICE

708A SPECIAL CATEGORIES
SOUTHEAST FLORIDA HIGHER
EDUCATION CONSORTIUM
STRATEGIC PLAN
FROM GENERAL REVENUE FUND 225,800

Amendment 40—

SECTION 01, PAGE 116 STRIKE: INSERT:
ITEM 708B

Immediately following Item 708A, insert 708B

EDUCATION, DEPARTMENT OF, AND
COMMISSIONER OF EDUCATION
UNIVERSITIES, DIVISION OF
BOARD OF REGENTS GENERAL OFFICE

708B SPECIAL CATEGORIES
CENTER FOR HEALTH TECHNOLOGIES
FROM GENERAL REVENUE FUND 350,000

After Item 708B insert the following new proviso:

Funds provided in Specific Appropriation 708B shall be designated for the Center for Health Technologies to be administered by a statutory teaching hospital in Dade County. Funds are provided for the establishment of a coordinating center; engagement of an executive director and initial staff; engagement of professional consultants and other personnel services; and payment for start-up office rental and operating capital outlay. The administrator shall submit an annual report to the Governor, the President of the Senate, and the Speaker of the House of Representatives providing an accounting of expenditures and progress on research and development programs. The High Technology and Industry Council shall review the expenditure of these funds in the same manner as any other project provided for from the funds in Specific Appropriation 698A.

Senator Crenshaw offered the following amendments which were moved by Senator Peterson and adopted:

Amendment 41—

SECTION 01, PAGE 117 STRIKE: INSERT:
ITEM 710

EDUCATION, DEPARTMENT OF, AND
COMMISSIONER OF EDUCATION
UNIVERSITIES, DIVISION OF
UNIVERSITY OF FLORIDA HEALTH
CENTER - EDUCATIONAL AND GENERAL

710 SALARIES AND BENEFITS Positions 1,732 Positions 1,734
FROM UNIVERSITY OF FLORIDA CENTER/JACKSONVILLE TRUST FUND 61,507 122,660
712 EXPENSES
FROM UNIVERSITY OF FLORIDA CENTER/JACKSONVILLE TRUST FUND 1,800,000 1,802,920

Amendment 42—

SECTION 01, PAGE 117 STRIKE: INSERT:
ITEM 710

EDUCATION, DEPARTMENT OF, AND
COMMISSIONER OF EDUCATION
UNIVERSITIES, DIVISION OF
UNIVERSITY OF FLORIDA HEALTH
CENTER - EDUCATIONAL AND GENERAL

710 SALARIES AND BENEFITS Positions 1,732 Positions 1,734
FROM GENERAL REVENUE FUND 58,615,950 58,661,048
712 EXPENSES
FROM GENERAL REVENUE FUND 13,618,508 13,717,586

SECTION 01, PAGE 104 STRIKE: INSERT:
ITEM 638

EDUCATION, DEPARTMENT OF, AND
COMMISSIONER OF EDUCATION
UNIVERSITIES, DIVISION OF
EDUCATIONAL AND GENERAL ACTIVITIES

638 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 2,328,968 2,184,792

Amendment 43—

SECTION 01, PAGE 117 STRIKE: INSERT:
ITEM 712

EDUCATION, DEPARTMENT OF, AND
COMMISSIONER OF EDUCATION
UNIVERSITIES, DIVISION OF

UNIVERSITY OF FLORIDA HEALTH CENTER  
- EDUCATIONAL AND GENERAL

FUND 61,885,558 54,295,558

712 EXPENSES  
FROM INCIDENTAL TRUST FUND 2,339,942 2,593,802

713 OPERATING CAPITAL OUTLAY  
FROM INCIDENTAL TRUST FUND 20,000

711 OTHER PERSONAL SERVICES  
FROM OPERATIONS AND  
MAINTENANCE TRUST FUND 157,000

In the proviso on page 297 following Item 2160 for FSU strike: "University Center - Academic Facilities Phase A (c). .7,590,000"

STRIKE: INSERT:

2171C FIXED CAPITAL OUTLAY  
CONDITIONAL STATE  
UNIVERSITY SYSTEM  
PROJECTS FROM PUBLIC  
EDUCATION CAPITAL  
OUTLAY AND DEBT SERVICE  
TRUST FUND 13,055,520 27,835,395

Senator Margolis offered the following amendments which were moved by Senator Peterson and adopted:

**Amendment 44—**

SECTION 2B PAGE 282 STRIKE: INSERT:  
ITEM 2090G

EDUCATION, DEPARTMENT OF,  
AND COMMISSIONER OF EDUCATION  
OFFICE OF EDUCATIONAL FACILITIES

2090G FIXED CAPITAL OUTLAY  
STATE UNIVERSITY SYSTEM -  
BOARD OF REGENTS -0-

In the proviso on Page 302 following Item 2171C for FSU insert two new lines: "University Center. .7,189,875" and "University Center - Academic Facilities Phase A (c). .7,590,000"

Senator Myers moved the following amendment which was adopted:

**Amendment 46—**

SECTION 01, PAGE 141 STRIKE: INSERT:  
ITEM 921

HEALTH AND REHABILITATIVE  
SERVICES, DEPARTMENT OF  
DEPUTY SECRETARY FOR OPERATIONS  
OFFICE OF THE DEPUTY SECRETARY  
FOR OPERATIONS

921 OTHER PERSONAL SERVICES  
FROM GENERAL REVENUE FUND 300,000

934 SPECIAL CATEGORIES  
PURCHASE OF SERVICES -  
CHILD SUPPORT  
ENFORCEMENT  
FROM GENERAL REVENUE FUND 1,504,240 1,204,240

Following SUS - Purchase of Allstate Building. .9,000,000 strike all of the existing proviso and insert the following:

Funds in Specific Appropriation 2090G are provided to the State University System solely to purchase fee simple title to and possession of the Allstate Building and the 16.73 acres of property that is the site of the building, without exception or encumbrance and without being subject to any mortgage, lease, sublease, groundlease or ground sublease for or on the building, site and improvements. The purchase shall be contingent upon said property being owned by the Board of Regents, the awarding of the siting of a National Magnet Laboratory to Florida, in association with Florida State University, prior to the expenditure of any funds, the dismissal with prejudice of Case #88-3273 in the Circuit Court of the Second Judicial Circuit, in and for Leon County, and the execution of complete and total releases from liability in favor of the state and its departments, agencies and instrumentalities for all claims arising out of the construction or financing of said building.

Senator Gordon offered the following amendment which was moved by Senator Myers and adopted:

**Amendment 47—**

SECTION 01, PAGE 146 STRIKE: INSERT:  
ITEM 968

HEALTH AND REHABILITATIVE  
SERVICES, DEPARTMENT OF  
DEPUTY SECRETARY FOR OPERATIONS  
AGING AND ADULT SERVICES

968 SPECIAL CATEGORIES  
GRANTS AND AIDS - LOCAL  
SERVICES PROGRAMS  
FROM GENERAL REVENUE FUND 2,181,419 2,133,055

967 SPECIAL CATEGORIES  
GRANTS AND AIDS - ELDERLY  
MEALS PROGRAMS  
FROM GENERAL REVENUE FUND 183,782 232,146

**Amendment 45—**

SECTION 2C, PAGE 294 STRIKE: INSERT:  
ITEM 2156

EDUCATION, DEPARTMENT OF  
AND COMMISSIONER OF EDUCATION  
OFFICE OF EDUCATIONAL FACILITIES

2156 FIXED CAPITAL OUTLAY  
STATE UNIVERSITY SYSTEM  
CAPITAL IMPROVEMENT FEE  
PROJECTS FROM PUBLIC  
EDUCATION CAPITAL OUTLAY  
AND DEBT SERVICE TRUST  
FUND 65,000,000 57,810,125

In the proviso on page 294 following item 2156 for FSU strike: "University Center. .7,189,875".

STRIKE: INSERT:

2160 FIXED CAPITAL OUTLAY  
STATE UNIVERSITY SYSTEM  
PROJECTS FROM PUBLIC  
EDUCATION CAPITAL OUTLAY  
AND DEBT SERVICE TRUST

Insert Proviso following Specific Appropriation 967: Of the funds in Specific Appropriation 967, \$87,055 is provided for the West Miami Hot Lunch Program.

Senator Souto offered the following amendment which was moved by Senator Myers and adopted:

**Amendment 48—**

SECTION 01, PAGE 148 STRIKE: INSERT:  
ITEM 978A

HEALTH AND REHABILITATIVE SERVICES, DEPARTMENT OF DEPUTY SECRETARY FOR OPERATIONS ALCOHOL, DRUG ABUSE AND MENTAL HEALTH SERVICES

978A SPECIAL CATEGORIES GRANTS AND AIDS - CHILDREN AND ADOLESCENT SUBSTANCE ABUSE SERVICES FROM CHILDREN AND ADOLESCENTS SUBSTANCE ABUSE TRUST FUND 16,146,747 16,396,747

SECTION 2G, PAGE 320 STRIKE: INSERT: ITEM 2242G

HEALTH AND REHABILITATIVE SERVICES, DEPARTMENT OF DEPUTY SECRETARY FOR OPERATIONS ALCOHOL, DRUG ABUSE AND MENTAL HEALTH SERVICES

2242G AID TO LOCAL GOVERNMENTS AND NON-PROFIT ORGANIZATIONS GRANTS AND AIDS - RENOVATION/ REPAIRS/CONSTRUCTION OF CHILDRENS RESIDENTIAL SUBSTANCE ABUSE TREATMENT FACILITIES FROM CHILDREN AND ADOLESCENTS SUBSTANCE ABUSE TRUST FUND 2,714,530 2,464,530

Add proviso after Item 978A: From the funds in Specific Appropriation 978A, \$250,000 shall be allocated to Informed Families of Dade for drug prevention activities. These funds are provided on a non-recurring basis for one year only.

Senator Peterson offered the following amendment which was moved by Senator Myers and adopted:

**Amendment 49—**

SECTION 01, PAGE 148 STRIKE: INSERT: ITEM 978A

HEALTH AND REHABILITATIVE SERVICES, DEPARTMENT OF DEPUTY SECRETARY FOR OPERATIONS ALCOHOL, DRUG ABUSE AND MENTAL HEALTH SERVICES

978A SPECIAL CATEGORIES GRANTS AND AIDS - CHILDREN AND ADOLESCENT SUBSTANCE ABUSE SERVICES FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND 150,000

981 SPECIAL CATEGORIES GRANTS AND AIDS - COMMUNITY SUBSTANCE ABUSE SERVICES FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND 53,640,034 53,490,034

Add proviso after item 978A: From the funds in Specific Appropriation 978A, \$150,000 in non-recurring Alcohol, Drug Abuse and Mental Health Trust Funds shall be provided to Program to Aid Drug Abusers, Inc. (P.A.D.) to develop a youth camp targeted towards juvenile substance abusers who are identified by the Children, Youth and Families Program Office of the department to be at risk for commitment to the juvenile justice system, or to youth who have already been committed to the system and would benefit from such therapeutic services.

Senator Bankhead offered the following amendment which was moved by Senator Myers and adopted:

**Amendment 50—**

SECTION 01, PAGE 149 STRIKE: INSERT: ITEM 981

HEALTH AND REHABILITATIVE SERVICES, DEPARTMENT OF DEPUTY SECRETARY FOR OPERATIONS ALCOHOL, DRUG ABUSE AND MENTAL HEALTH SERVICES

981 SPECIAL CATEGORIES GRANTS AND AIDS - COMMUNITY SUBSTANCE ABUSE SERVICES FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND 53,640,034 53,640,034

Add proviso following Item 981: From the funds provided in Specific Appropriation 981, \$278,169 from Alcohol, Drug Abuse, and Mental Health Trust Fund shall be allocated to River Region Human Services, Inc., for operation of their Treatment Alternatives to Street Crime program. These funds are a non-recurring one-year only allocation.

Senator Gardner offered the following amendment which was moved by Senator Myers and adopted:

**Amendment 51—**

SECTION 01, PAGE 149 STRIKE: INSERT: ITEM 981

HEALTH AND REHABILITATIVE SERVICES, DEPARTMENT OF DEPUTY SECRETARY FOR OPERATIONS ALCOHOL, DRUG ABUSE AND MENTAL HEALTH SERVICES

981 SPECIAL CATEGORIES GRANTS AND AIDS - COMMUNITY SUBSTANCE ABUSE SERVICES FROM GENERAL REVENUE FUND 42,928,183 42,948,183

Insert: From the funds in Specific Appropriation 921, \$20,000 from recurring general revenue shall be allocated to Starlight Drug Abuse Center, Inc. in the City of Cocoa.

Senator Johnson offered the following amendment which was moved by Senator Myers and adopted:

**Amendment 52—**

SECTION 01, PAGE 154 STRIKE: INSERT: ITEM 1007

HEALTH AND REHABILITATIVE SERVICES, DEPARTMENT OF DEPUTY SECRETARY FOR OPERATIONS CHILDREN, YOUTH AND FAMILY SERVICES

1007 SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES FROM GENERAL REVENUE FUND 26,830,789 26,859,905

1010 SPECIAL CATEGORIES HOUSEKEEPER SERVICES FOR CHILDREN FROM GENERAL REVENUE FUND 340,735 311,619

Insert following existing proviso: From the funds in Specific Appropriation 1007, \$29,116 from general revenue shall be allocated to Teen Court, Incorporated in Sarasota County.

Senator Dudley offered the following amendment which was moved by Senator Myers and adopted:



substantive legislation raising the filing fees in circuit and county courts by \$2 becoming law:

- \$10,894 and 1 FTE for a Janitor
- \$12,985 and 1 FTE for a Security Guard
- \$5,713 for adjustments related to Social Security increases

Add proviso after item 1253: From the general revenue funds in Specific Appropriation 1253, the following items are contingent upon substantive legislation raising the filing fees in circuit and county courts by \$2 becoming law:

- \$9,600 for lawn maintenance
- \$50,000 for a security study of the appellate courts
- \$26,972 for computer software and maintenance costs

Add proviso after 1259: From the general revenue funds in Specific Appropriation 1259, \$41,035 is provided contingent upon substantive legislation raising the filing fees in circuit and county courts by \$2 becoming law.

Add proviso after 1270: From the general revenue funds provided in Specific Appropriation 1270, the following items are provided contingent upon substantive legislation raising the filing fees in circuit and county courts by \$2 becoming law:

- \$50,241 for adjustments related to Social Security increases
- \$26,786 and 1 FTE for the Appellate Mediation Project in the 4th DCA
- \$104,002 and 2 FTE for 2 new law clerks

Add proviso after 1271: From the general revenue funds in Specific Appropriation 1271, the following items are provided contingent upon substantive legislation raising the filing fees in circuit and county courts by \$2 becoming law:

- \$160,000 for the Appellate Mediation Project in the 4th DCA
- \$55,000 for security guards

Add proviso after item 1272: From the general revenue funds in Specific Appropriation 1272, the following items are provided contingent upon substantive legislation raising the circuit and county courts filing fees by \$2 becoming law:

- \$17,399 for the Appellate Mediation Project in the 4th DCA
- \$9,120 for new law clerks

Add proviso after Specific Appropriation 1273: From the general revenue funds in Specific Appropriation 1273, \$6,806 is provided for new law clerks contingent upon substantive legislation raising the circuit and county courts filing fees by \$2 becoming law.

Add proviso after Specific Appropriation 1275: From the general revenue funds in Specific Appropriation 1275, \$300,891 and 10 FTE are provided for new trial court law clerks contingent upon substantive legislation raising the circuit and county courts filing fees by \$2 becoming law.

Add proviso after Specific Appropriation 1277: From the general revenue funds in Specific Appropriation 1277, \$12,000 is provided for new trial court law clerks contingent upon substantive legislation raising circuit and county courts filing fees by \$2 becoming law.

Add proviso after New Item (Specific Appropriation 2045A): Funds in Specific Appropriation 2045A are contingent upon substantive legislation raising the circuit and county courts filing fees by \$2 becoming law.

Senators D. Childers and Weinstock offered the following amendment which was moved by Senator Myers and adopted:

**Amendment 57—**

SECTION 2G, PAGE 323 STRIKE: INSERT:  
ITEM 2242AO

Insert this item following Item 2242D:

HEALTH AND REHABILITATIVE SERVICES, DEPARTMENT OF  
DEPUTY SECRETARY FOR OPERATIONS  
AGING AND ADULT SERVICES

2242AO AID TO LOCAL GOVERNMENTS AND NON-PROFIT  
ORGANIZATIONS CONSTRUCTION GRANT FOR  
RUTH RALES JEWISH FAMILY SERVICES  
ADULT DAY CARE CENTER

FROM GENERAL REVENUE FUND 200,000

Senator Margolis offered the following amendment which was moved by Senator Myers and adopted:

**Amendment 58—**

SECTION 2G, PAGE 322 STRIKE: INSERT:  
ITEM 2242AR

Insert this item following Item 2242AC:

HEALTH AND REHABILITATIVE SERVICES, DEPARTMENT OF  
DEPUTY SECRETARY FOR OPERATIONS  
CHILDREN, YOUTH AND FAMILY SERVICES

2242AR AID TO LOCAL GOVERNMENTS AND NON-PROFIT  
ORGANIZATIONS ALLAPATTAH - WYNWOOD  
CHILD CARE FACILITY CONSTRUCTION  
FROM GENERAL REVENUE FUND 300,000

Senator Bankhead offered the following amendment which was moved by Senator Myers and adopted:

**Amendment 59—**

SECTION 2G, PAGE 323 STRIKE: INSERT:  
ITEM 2242AW

Insert the next item following Item 2242AL:

HEALTH AND REHABILITATIVE SERVICES, DEPARTMENT OF  
DEPUTY SECRETARY FOR OPERATIONS  
HEALTH SERVICES

2242AW AID TO LOCAL GOVERNMENTS AND NON-PROFIT  
ORGANIZATIONS HELIPORT CONSTRUCTION -  
BEACHES HOSPITAL (DUVAL CO.)  
FROM GENERAL REVENUE FUND 10,000

Senator Thurman offered the following amendment which was moved by Senator Myers and adopted:

**Amendment 60—**

SECTION 01, PAGE 11 STRIKE: INSERT:  
ITEM 86

AGRICULTURE AND CONSUMER SERVICES,  
DEPARTMENT OF, AND COMMISSIONER OF  
AGRICULTURE MARKETING, DIVISION OF

86 LUMP SUM  
AGRICULTURAL PROMOTION  
FLORIDA AGRICULTURAL PROMOTION  
CAMPAIGN TRUST FUND 200,000

After Specific Appropriation 86, insert the following proviso: Of the funds provided in Specific Appropriations 86, \$200,000 from the Florida Agricultural Promotion Campaign Trust Fund is contingent upon SB 1042 or similar legislation becoming law.

Senator Myers offered the following amendment which was moved by Senator Kirkpatrick and adopted:

**Amendment 61—**

SECTION 01, PAGE 15 STRIKE: INSERT:  
ITEM 126

AGRICULTURE AND CONSUMER SERVICES,  
DEPARTMENT OF, AND COMMISSIONER OF  
AGRICULTURE FORESTRY, DIVISION OF

126 SALARIES AND BENEFITS Positions 1,216 Positions 1,220  
FROM INCIDENTAL TRUST FUND 2,914,785 2,985,466

128 EXPENSES  
FROM INCIDENTAL TRUST FUND 2,215,982 2,277,009

131 OPERATING CAPITAL OUTLAY  
FROM INCIDENTAL TRUST FUND 282,376

After Specific Appropriation 131, insert the following proviso: From the funds provided in Specific Appropriation 126, 128, and 131, from the Incidental Trust Fund, \$70,681, \$61,027, and \$282,376, respectively, and four positions are contingent upon like amount of funds being provided by the South Florida Water Management District for the purpose of management of the Dupuis Tract by the Division of Forestry.

Senator Stuart moved the following amendment which was adopted:

**Amendment 62—**

SECTION 01, PAGE 24 STRIKE: INSERT:  
ITEM 233A

Insert after Specific Appropriation 233

COMMERCE, DEPARTMENT OF  
ECONOMIC DEVELOPMENT, DIVISION OF

233A LUMP SUM  
FLORIDA SEED CAPITAL BOARD  
FROM FLORIDA SEED CAPITAL  
TRUST FUND 1,033,475

After Specific Appropriation 233A, insert the following proviso: From funds provided in Specific Appropriation 233A, the Florida Seed Capital Board may establish a direct support organization to assist colleges and universities in technology transfer, may invest in limited partnerships established for the purpose of raising and investing venture and seed capital and may employ an executive director. This authority shall be contingent upon passage of SB 1748 or similar legislation.

Senator Kirkpatrick moved the following amendment which was adopted:

**Amendment 63—**

SECTION 01, PAGE 125 STRIKE: INSERT:  
ITEM 788

GENERAL SERVICES, DEPARTMENT OF  
PURCHASING, DIVISION OF

788 SALARIES AND BENEFITS Positions 84 Positions 87  
FROM RECYCLABLE MATERIALS  
TRUST FUND 67,182 147,537

790 EXPENSES  
FROM RECYCLABLE MATERIALS  
TRUST FUND 45,496 87,263

791 OPERATING CAPITAL OUTLAY  
FROM RECYCLABLE MATERIALS  
TRUST FUND 10,309

792 SPECIAL CATEGORIES  
LABORATORY CONTRACT  
FROM RECYCLABLE MATERIALS  
TRUST FUND 47,600 100,000

SECTION 01, PAGE 126 STRIKE: INSERT:  
ITEM 797

GENERAL SERVICES, DEPARTMENT OF  
FACILITIES MANAGEMENT, DIVISION OF

797 SALARIES AND BENEFITS Positions 569 Positions 570  
FROM SUPERVISION TRUST  
FUND 10,752,279 10,781,236

799 EXPENSES  
FROM SUPERVISION TRUST FUND 8,767,036 8,783,538

800 OPERATING CAPITAL OUTLAY  
FROM SUPERVISION TRUST FUND 146,992 149,865

Senator Gordon offered the following amendment which was moved by Senator Kirkpatrick and adopted:

**Amendment 64—**

SECTION 01, PAGE 174 STRIKE: INSERT:  
ITEM 1154

HIGHWAY SAFETY AND MOTOR VEHICLES,  
DEPARTMENT OF  
FLORIDA HIGHWAY PARTOL, DIVISION OF

1154 OPERATING CAPITAL OUTLAY  
FROM GENERAL REVENUE FUND 767,377 667,377  
FROM ODOMETER FRAUD PREVENTION  
AND DETECTION TRUST FUND 16,434 116,434

SECTION 01, PAGE 242 STRIKE: INSERT:  
ITEM 1858C

STATE, DEPARTMENT OF, AND SECRETARY OF  
STATE CULTURAL AFFAIRS, DIVISION OF

1858C FINANCIAL ASSISTANCE PAYMENTS  
SPECIAL CATEGORIES - GRANTS AND  
AIDS - PERFORMING ARTS FOR  
COMMUNITY EDUCATION (DADE)  
FROM GENERAL REVENUE FUND 100,000

Senator Casas offered the following amendment which was moved by Senator Kirkpatrick and adopted:

**Amendment 65—**

SECTION 01, PAGE 179 STRIKE: INSERT:  
ITEM 1200

INSURANCE, DEPARTMENT OF, AND TREASURER  
AGENTS AND AGENCIES SERVICES, DIVISION OF

1200 OPERATING CAPITAL OUTLAY  
FROM INSURANCE COMMISSIONER'S  
REGULATORY TRUST FUND 14,782 91,942

1233B OPERATING CAPITAL OUTLAY  
FROM INSURANCE COMMISSIONER'S  
REGULATORY TRUST FUND 10,000

Senator Bankhead moved the following amendment which failed:

**Amendment 66—**

SECTION 01, PAGE 179 STRIKE: INSERT:  
ITEM 1202

INSURANCE, DEPARTMENT OF, AND TREASURER  
INSURER SERVICES, DIVISION OF

1202 SALARIES AND BENEFITS Positions 286 Positions 288  
FROM INSURANCE COMMISSIONER'S  
REGULATORY TRUST FUND 9,645,311 9,702,310

1204 EXPENSES  
FROM INSURANCE COMMISSIONER'S  
REGULATORY TRUST FUND 2,853,018 2,883,182

1205 OPERATING CAPITAL OUTLAY  
FROM INSURANCE COMMISSIONER'S  
REGULATORY TRUST FUND 20,414 25,312

Senator Thurman moved the following amendment which failed:

**Amendment 67—**

SECTION 01, PAGE 225 STRIKE: INSERT:  
ITEM 1688

NATURAL RESOURCES, DEPARTMENT OF STATE LANDS, DIVISION OF

1688 SPECIAL CATEGORIES RICO ACT - DISTRIBUTION OF PROCEEDS FROM PROPERTY SALES FROM FORFEITED PROPERTY TRUST FUND 1,000,000 910,000

1695A SPECIAL CATEGORIES RICO ACT - TRANSFER TO GENERAL INSPECTION TRUST FUND FROM FORFEITED PROPERTY TRUST FUND 90,000

SECTION 2B, PAGE 276 STRIKE: INSERT: ITEM 20700A

AGRICULTURE AND CONSUMER SERVICES, DEPARTMENT OF, AND COMMISSIONER OF AGRICULTURE OFFICE OF THE COMMISSIONER AND DIVISION OF ADMINISTRATION

20700A FIXED CAPITAL OUTLAY G/A FREE FLOW WELLS-SEMINOLE FROM GENERAL INSPECTION TRUST FUND 90,000

Senator Johnson moved the following amendment which failed:

Amendment 68—

SECTION 01, PAGE 225 STRIKE: INSERT: ITEM 1699

NATURAL RESOURCES, DEPARTMENT OF MARINE RESOURCES, DIVISION OF

1699 EXPENSES FROM GENERAL REVENUE FUND 1,497,205 1,397,205

1704B SPECIAL CATEGORIES - GRANTS AND AIDS - SOUTHWEST FLORIDA COASTAL RESEARCH CENTER FROM GENERAL REVENUE FUND 100,000

After Specific Appropriation 1704B, insert the following proviso: Funds in Specific Appropriation 1704B are contingent upon non-state matching funds being provided in the amount of \$300,000.

Senator Gardner offered the following amendment which was moved by Senator Kirkpatrick and adopted:

Amendment 69—

SECTION 2A, PAGE 272 STRIKE: INSERT: ITEM 2053B

NATURAL RESOURCES, DEPARTMENT OF MARINE RESOURCES, DIVISION OF

2053B FIXED CAPITAL OUTLAY PLANNING - FLORIDA MARINE RESEARCH INSTITUTE - EAST COAST REGIONAL LABORATORY FROM MARINE RESOURCES CONSERVATION TRUST FUND 364,679 -0-

2053B1 FIXED CAPITAL OUTLAY PLANNING FLORIDA MARINE RESEARCH INSTITUTE - EAST COAST REGIONAL LABORATORY/BREVARD COUNTY FROM MARINE RESOURCES CONSERVATION TRUST FUND 364,679

Senator Stuart moved the following amendment which failed:

Amendment 70—

SECTION 2B, PAGE 285 STRIKE: INSERT:

ITEM 2109A

NATURAL RESOURCES, DEPARTMENT OF STATE LANDS, DIVISION OF

2109A FIXED CAPITAL OUTLAY LAND ACQUISITION - HIGHLANDS HAMMOCK FROM FLORIDA PRESERVATION 2000 BOND PROJECT TRUST FUND 2,000,000 -0-

Strike Specific Appropriation 2109A.

Senator Stuart moved the following amendment which failed:

Amendment 71—

SECTION 2B, PAGE 286 STRIKE: INSERT: ITEM 2109E

NATURAL RESOURCES, DEPARTMENT OF STATE LANDS, DIVISION OF

2109E FIXED CAPITAL OUTLAY LAND ACQUISITION - SPRING HAMMOCK FROM FLORIDA PRESERVATION 2000 BOND PROJECT TRUST FUND 2,000,000 -0-

Strike Specific Appropriation 2109E.

The vote was:

Yeas—12

Brown Crenshaw Kiser Stuart Casas Davis Malchon Weinstock Childers, D. Gordon Meek Woodson-Howard

Nays—25

Mr. President Forman Kirkpatrick Thomas Beard Gardner Langley Thurman Bruner Girardeau Myers Walker Childers, W. D. Grant Peterson Weinstein Deratany Grizzle Plummer Diaz-Balart Jennings Scott Dudley Johnson Souto

Senator Stuart moved the following amendment which was adopted:

Amendment 72—

SECTION 2B, PAGE 286 STRIKE: INSERT: ITEM 2109F

NATURAL RESOURCES, DEPARTMENT OF STATE LANDS, DIVISION OF

2109F FIXED CAPITAL OUTLAY LAND ACQUISITION - REEDY CREEK SWAMP FROM FLORIDA PRESERVATION 2000 BOND PROJECT TRUST FUND 85,000 85,000

After Specific Appropriation 2109F, insert the following proviso: Provided that these monies shall be used solely by the South Florida Water Management District for land acquisition purposes as part of the Kissimmee River Restoration Project.

Further consideration of SB 3100 as amended was deferred.

RECESS

The Senate recessed at 12:19 p.m. to reconvene upon call of the President.

**CALL TO ORDER**

The Senate was called to order by the President at 1:28 p.m. A quorum present—38:

Mr. President	Deratany	Kirkpatrick	Souto
Bankhead	Diaz-Balart	Kiser	Stuart
Beard	Dudley	Langley	Thomas
Brown	Forman	Malchon	Thurman
Bruner	Gardner	Margolis	Walker
Casas	Girardeau	Meek	Weinstein
Childers, D.	Gordon	Myers	Weinstock
Childers, W. D.	Grizzle	Peterson	Woodson-Howard
Crenshaw	Jennings	Plummer	
Davis	Johnson	Scott	

**SPECIAL ORDER, continued**

The Senate resumed consideration of—

**SB 3100**—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1990, and ending June 30, 1991, to pay salaries, other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of state government; providing an effective date.

Senator Stuart moved the following amendment:

**Amendment 73—**

SECTION 2G, PAGE 324 STRIKE: INSERT:  
ITEM 2243A

NATURAL RESOURCES, DEPARTMENT OF  
STATE LANDS, DIVISION OF

2243A AID TO LOCAL GOVERNMENTS AND  
NON-PROFIT ORGANIZATIONS  
ORLANDO AVIATION AUTHORITY  
FROM FLORIDA PRESERVATION 2000  
BOND PROJECT TRUST FUND 15,000,000 -0-

Strike Specific Appropriation 2243A and associated proviso.

Senator Brown moved the following substitute amendment which was adopted:

**Amendment 74—**

SECTION 2F, PAGE 310 STRIKE: INSERT:  
ITEM 2195

TRANSPORTATION, DEPARTMENT OF  
DISTRICT PLANNING AND PUBLIC TRANSIT

2195 GRANTS AND AIDS TO LOCAL  
GOVERNMENTS AND NON-PROFIT  
ORGANIZATIONS  
AVIATION MATCHING GRANTS  
FROM STATE TRANSPORTATION  
(PRIMARY) TRUST FUND 34,847,000 44,847,000

NATURAL RESOURCES, DEPARTMENT OF  
STATE LANDS, DIVISION OF

2243A GRANTS AND AIDS TO LOCAL  
GOVERNMENTS AND NON-PROFIT  
ORGANIZATIONS  
ORLANDO AVIATION AUTHORITY  
FROM FLORIDA PRESERVATION 2000  
BOND PROJECT TRUST FUND 15,000,000

Senator Souto moved the following amendment which failed:

**Amendment 75—**

SECTION 2G, PAGE 325 STRIKE: INSERT:  
ITEM 2248A

NATURAL RESOURCES, DEPARTMENT OF  
RECREATION AND PARKS, DIVISION OF

2248A AID TO LOCAL GOVERNMENTS  
AND NON-PROFIT ORGANIZATIONS  
GRANTS AND AIDS - SPECIAL  
CATEGORIES - LOCAL RECREATIONAL  
DEVELOPMENT PROJECTS  
FROM STATE INFRASTRUCTURE  
FUND 3,355,000 3,430,000

Senators D. Childers and Weinstock offered the following amendment which was moved by Senator D. Childers and adopted:

**Amendment 76—**

SECTION 01, PAGE 330 STRIKE: INSERT:  
ITEM 2252

STATE, DEPARTMENT OF, AND SECRETARY  
OF STATE CULTURAL AFFAIRS,  
DIVISION OF

2252 AID TO LOCAL GOVERNMENTS AND  
NON-PROFIT ORGANIZATIONS  
GRANTS AND AIDS-SPECIAL CATEGORIES-  
CALDWELL THEATRE (PALM BCH)  
FROM HISTORIC AND CULTURAL  
FACILITIES TRUST FUND 500,000

Senator Stuart moved the following amendment:

**Amendment 77—**

SECTION 01, PAGE 25 STRIKE: INSERT:  
ITEM 236A

COMMERCE, DEPARTMENT OF  
ECONOMIC DEVELOPMENT, DIVISION OF

236A SPECIAL CATEGORIES  
GRANTS AND AIDS -  
ECONOMIC DEVELOPMENT PROJECTS  
FROM GENERAL REVENUE FUND 3,805,773 3,355,773

SECTION 2B, PAGE 281 STRIKE: INSERT:  
ITEM 2090E

EDUCATION, DEPARTMENT OF, AND  
COMMISSIONER OF EDUCATION  
OFFICE OF EDUCATIONAL FACILITIES

2090E FIXED CAPITAL OUTLAY  
PUBLIC SCHOOL PROJECTS  
FROM GENERAL REVENUE FUND 450,000

In the list of projects in proviso on page 25 strike "Tampa International Trade Fair (Hillsborough). . .200,000; "Greater Miami Chamber (Dade). . .150,000"; and Hialeah Latin Chamber (Dade). . .100,000" and insert in the proviso on page 282 following Escambia County. . .600,000 a new line "Sumter County Comprehensive High Schools (c). . .450,000"

Senator Stuart moved the following substitute amendment which failed:

**Amendment 78—**

SECTION 01, PAGE 25 STRIKE: INSERT:  
ITEM 236A

COMMERCE, DEPARTMENT OF  
ECONOMIC DEVELOPMENT, DIVISION OF

236A SPECIAL CATEGORIES  
GRANTS AND AIDS -  
ECONOMIC DEVELOPMENT  
PROJECTS FROM GENERAL  
REVENUE FUND 3,805,773 3,355,773

And insert in Section 2B on  
page 281 in Item 2090E

EDUCATION, DEPARTMENT OF AND  
COMMISSIONER OF EDUCATION  
OFFICE OF EDUCATIONAL FACILITIES

2090E FIXED CAPITAL OUTLAY  
PUBLIC SCHOOL PROJECTS  
FROM GENERAL REVENUE FUND 450,000

In proviso:

In the list of projects in proviso on page 25 strike: "Tampa International Trade Fair (Hillsborough). . .200,000; International Trade Grant - Orlando. . .150,000; International Trade Grant - Jacksonville. . .100,000." and insert in the proviso on page 282 following Escambia County. . .600,000 a new line "Sumter County Comprehensive High Schools (c). . .450,000"

Senator Stuart withdrew **Amendment 77.**

Senator Stuart moved the following amendment which was adopted:

**Amendment 79—**

SECTION 01, PAGE 44 STRIKE: INSERT:  
ITEM 390A

Immediately following Item 390,  
insert the following new Item 390A

EDUCATION, DEPARTMENT OF, AND  
COMMISSIONER OF EDUCATION  
OFFICE OF THE COMMISSIONER

390A SPECIAL CATEGORIES  
EDUCATION IMPROVEMENT GRANTS  
FROM EDUCATIONAL ENHANCEMENT  
TRUST FUND 100,000

Senators Johnson and D. Childers offered the following amendment  
which was moved by Senator Johnson:

**Amendment 80—**

SECTION 01, PAGE 72 STRIKE: INSERT:  
ITEM 515

EDUCATION, DEPARTMENT OF, AND  
COMMISSIONER OF EDUCATION  
PUBLIC SCHOOLS, DIVISION OF

515 AID TO LOCAL GOVERNMENTS  
GRANTS AND AIDS -  
FLORIDA EDUCATIONAL FINANCE  
PROGRAM -0-

Add the following new paragraph of proviso as the last paragraph of proviso for Specific Appropriation 515:

From the funds provided in Specific Appropriation 515 up to \$3,600,000 is provided to the school districts affected by the non-payment of 1989-90 local required effort ad valorem taxes as specified in s. 236.081(4) prior to filing Chapter 11 bankruptcy petition by General Development Corporation. The Department of Education shall calculate the 1989-90 ad valorem taxes not paid to each school district involved in the same manner as prescribed in s. 236.081(4). The Department of Education shall disseminate the amounts calculated to each school district affected in July, 1990, but if the total amounts for all school districts exceeds the amount appropriated the department shall prorate based on each district dollar amount.

Within thirty days of receiving these ad valorem taxes unpaid in 1989-90, each school district shall remit to the Department of Education the tax amounts received, prorated based on millages levied by the school district in 1989-90, up to the amounts calculated and distributed under these provisions as provided for in s. 236.081(13).

Senator Peterson moved the following substitute amendment which was adopted:

**Amendment 81—**

SECTION 01, PAGE 72 STRIKE: INSERT:  
ITEM 515

EDUCATION, DEPARTMENT OF, AND  
COMMISSIONER OF EDUCATION  
PUBLIC SCHOOLS, DIVISION OF

515 AID TO LOCAL GOVERNMENTS  
GRANTS AND AIDS -  
FLORIDA EDUCATIONAL  
FINANCE PROGRAM -0-

Add the following new paragraph as the last paragraph of proviso for Specific Appropriation 515:

From the funds appropriated in Specific Appropriation 515 up to \$3,600,000 is provided to the school districts affected by the non-payment of 1989-90 local required effort ad valorem taxes as specified in s. 236.081(4) prior to filing Chapter 11 bankruptcy petition by General Development Corporation. The Department of Education shall calculate the 1989-90 ad valorem taxes not paid to each district involved in the same manner as prescribed in s. 236.081(4). The Department of Education shall disseminate the amounts calculated to each school district affected in July, 1990, but if the total amounts for all school districts exceeds the amount appropriated the department shall prorate based on each district dollar amount.

Within thirty days of receiving these ad valorem taxes unpaid in 1989-90 or by December 31, 1990, whichever is sooner, each school district shall remit to the Department of Education the tax amounts received, prorated based on millages levied by the school district in 1989-90, up to the amounts calculated and distributed under these provisions as provided for in s. 236.081(13).

Senator Johnson moved the following amendments which were adopted:

**Amendment 82—**

SECTION 01, PAGE 104 STRIKE: INSERT:  
ITEM 641

EDUCATION, DEPARTMENT OF,  
AND COMMISSIONER OF EDUCATION  
UNIVERSITIES, DIVISION OF  
EDUCATIONAL AND GENERAL ACTIVITIES

641 LUMP SUM  
INSTRUCTION AND RESEARCH -0-

Following line item 641 add the following proviso: "From the funds in Specific Appropriation 641, \$280,000 shall be allocated to Florida State University for the Asolo Center for the Performing Arts"

**Amendment 83—**

SECTION 01, PAGE 104 STRIKE: INSERT:  
ITEM 641

EDUCATION, DEPARTMENT OF,  
AND COMMISSIONER OF EDUCATION  
UNIVERSITIES, DIVISION OF  
EDUCATIONAL AND GENERAL ACTIVITIES

641 LUMP SUM  
INSTRUCTION AND RESEARCH -0-

Following line item 641 add the following proviso: "From the funds in Specific Appropriation 641, \$264,109 shall be allocated for the Warm Mineral Springs Archaeological Research Project at Florida State University."

Senator Gordon moved the following amendment:

**Amendment 84—**

SECTION 2B, PAGE 282 ITEM 2090G			
	STRIKE:	INSERT:	
EDUCATION, DEPARTMENT OF, AND COMMISSIONER OF EDUCATION OFFICE OF EDUCATIONAL FACILITIES			
2090G FIXED CAPITAL OUTLAY STATE UNIVERSITY SYSTEM - BOARD OF REGENTS			-0-

Strike all of the existing proviso and insert the following:

“FIU - Culinary Arts Building. . .1,800,000 Capital for Centers and Institutes Building. . .1,500,000 Addition to University Park Library. . .1,200,000 FAU - Plan and Construct Library at Southeast Campus. . .4,250,000”

Senator Johnson moved the following amendment to Amendment 84 which failed:

**Amendment 84A—**

Strike: “insert the following to end of Amendment”

Senator Meek moved the following amendment to Amendment 84 which failed:

**Amendment 84B—**

SECTION 02  
ITEM 2090G

Insert the following proviso language: FAMU Science and Research Building . . .250,000

**Amendment 84** was adopted.

Senator Thurman moved the following amendment which was adopted:

**Amendment 85—**

SECTION 2C, PAGE 301 ITEM 2171B			
	STRIKE:	INSERT:	
EDUCATION, DEPARTMENT OF, AND COMMISSIONER OF EDUCATION OFFICE OF EDUCATIONAL FACILITIES			
2171B FIXED CAPITAL OUTLAY CONDITIONAL COMMUNITY COLLEGE PROJECTS			
FROM PUBLIC EDUCATION CAPITAL FUND	29,803,629	29,803,629	

In the proviso language following Specific Appropriation 2171B for Edison - Ren Safety, Handicap and Code Corr - Ft M strike “484,166” and insert “384,166”

and in the proviso following Central Florida - main 429,953 insert a new line “Lecanto joint-use (p) . . . 100,000”

Senator Gordon moved the following amendment which failed:

**Amendment 86—**

SECTION 01, PAGE 25 ITEM 236A			
	STRIKE:	INSERT:	
COMMERCE, DEPARTMENT OF ECONOMIC DEVELOPMENT, DIVISION OF			
236A SPECIAL CATEGORIES GRANTS AND AIDS - ECONOMIC DEVELOPMENT PROJECTS FROM GENERAL REVENUE FUND	3,805,773	3,330,773	

From the funds in Specific Appropriation 236A, \$427,177 is provided for the Pinellas Emergency Mental Health Services (PEMS) to expand CSSU beds and services for dually diagnosed children.

Senator Bankhead moved the following amendment which failed:

**Amendment 89—**

SECTION 01, PAGE 158			
	STRIKE:	INSERT:	
HEALTH AND REHABILITATIVE SERVICES, DEPARTMENT OF DEPUTY SECRETARY FOR OPERATIONS ECONOMIC SERVICES			
2242BA AID TO LOCAL GOVERNMENTS AND NON-PROFIT ORGANIZATIONS HOMELESS COORDINATING COUNCIL OF DADE COUNTY FROM GENERAL REVENUE FUND			475,000

SECTION 2G, PAGE 319  
ITEM 2242BA

HEALTH AND REHABILITATIVE SERVICES,  
DEPARTMENT OF DEPUTY SECRETARY FOR  
OPERATIONS ECONOMIC SERVICES

2242BA AID TO LOCAL GOVERNMENTS AND  
NON-PROFIT ORGANIZATIONS  
HOMELESS COORDINATING  
COUNCIL OF DADE COUNTY  
FROM GENERAL REVENUE FUND 475,000

Strike specific proviso in the proviso following specific appropriation 236A: “Miami Grand Prix (DADE) . . . 225,000” “Motorcycle Grand Prix of Miami (DADE) . . . 250,000”

and insert proviso following new Specific Appropriation 2242BA:

Funds in Specific Appropriation 2242BA shall be provided on a one-time non-recurring basis to the Homeless Coordinating Council of Dade County for distribution.

Senators Weinstock and D. Childers offered the following amendment which was moved by Senator Weinstock and failed:

**Amendment 87—**

SECTION 01, PAGE 148 ITEM 979			
	STRIKE:	INSERT:	

HEALTH AND REHABILITATIVE SERVICES,  
DEPARTMENT OF  
DEPUTY SECRETARY FOR OPERATIONS  
ALCOHOL, DRUG ABUSE AND MENTAL  
HEALTH SERVICES

979 SPECIAL CATEGORIES  
GRANTS AND AIDS - COMMUNITY  
MENTAL HEALTH SERVICES  
FROM GENERAL REVENUE FUND 79,910,238 79,975,238

Add proviso following Item 979:

From the funds provided in Specific Appropriation 979, \$65,000 from the General Revenue Fund is provided for the Geriatric Crisis and Outreach Services program operated by Crisis Line Information and Referral Services, Inc. in Palm Beach County.

Senator Grizzle moved the following amendment which failed:

**Amendment 88—**

SECTION 01, PAGE 151 ITEM 988			
	STRIKE:	INSERT:	

HEALTH AND REHABILITATIVE SERVICES,  
DEPARTMENT OF, DEPUTY SECRETARY FOR  
OPERATIONS, MENTAL HEALTH - INSTITUTIONS

988 SALARIES AND BENEFITS  
FROM GENERAL REVENUE FUND 164,839,431 164,414,254

978A SPECIAL CATEGORIES GRANTS  
AND AIDS - CHILDREN AND  
ADOLESCENT SUBSTANCE ABUSE  
SERVICES  
FROM GENERAL REVENUE FUND 425,177

From the funds in Specific Appropriation 978A, \$427,177 is provided for the Pinellas Emergency Mental Health Services (PEMS) to expand CSSU beds and services for dually diagnosed children.

Senator Bankhead moved the following amendment which failed:

**Amendment 89—**

SECTION 01, PAGE 158			
	STRIKE:	INSERT:	

ITEM 1033

HEALTH AND REHABILITATIVE SERVICES,  
DEPARTMENT OF DEPUTY SECRETARY FOR  
OPERATIONS DEVELOPMENTAL SERVICES

1033 SPECIAL CATEGORIES			
GRANTS AND AIDS -			
COMMUNITY RESIDENTIAL			
TRAINING			
FROM GENERAL REVENUE FUND	53,314,286		53,214,286

SECTION 2G, PAGE 323		STRIKE:	INSERT:
ITEM 2242AP			

HEALTH AND REHABILITATIVE SERVICES,  
DEPARTMENT OF, DEPUTY SECRETARY FOR  
OPERATIONS, DEVELOPMENTAL SERVICES

2242AP AID TO LOCAL GOVERNMENTS AND NON-PROFIT ORGANIZATIONS			
ST. JOHNS COUNTY ASSOCIATION OF RETARDED CITIZENS (ARC), INCORPORATED			
FROM GENERAL REVENUE FUND			100,000

**Senator W. D. Childers presiding**

Senator Gordon moved the following amendment which failed:

**Amendment 90—**

SECTION 01, PAGE 172		STRIKE:	INSERT:
ITEM 1140			

HEALTH AND REHABILITATIVE SERVICES,  
DEPARTMENT OF DEPUTY SECRETARY FOR  
OPERATIONS MEDICAID SERVICES

1140 SPECIAL CATEGORIES			
PRESCRIBED MEDICINE/DRUGS			
FROM GENERAL REVENUE FUND	99,109,200		90,109,041

Insert proviso following Specific Appropriation 1140:

Funds in Specific Appropriation 1140 are contingent upon the Department of Health and Rehabilitative Services establishing a Medicaid Prescribed Medicine Policy Commission. The commission shall review all existing prescribed medicine policies relating to reimbursement for drugs funded through the Medicaid Program. Along with this review, the commission shall review the Medicaid drug reimbursement policies of at least six states which have been identified by the Health Care Financing Administration as having model drug reimbursement programs on the basis of cost effectiveness. The commission shall report to the legislative appropriations committees by March 1, 1991, the findings of these reviews and submit recommendations for any change in the current Medicaid prescribed medicine reimbursement policy. In addition, this commission shall serve as an official HRS Prescribed Medicine Formulary Commission and as such shall develop and authorize, for implementation in the 1990-91 Fiscal Year, a prescribed medicine formulary which meets the objective of providing a cost effective reimbursement policy. For FY 1990-91, a reduction of \$24,945,639 (\$9,000,159 from the General Revenue Fund, \$2,319,157 from the Public Medical Assistance Trust Fund, and \$13,626,323 from other trust funds) in expenditures shall be made by the department to conform with the funds appropriated in this specific appropriation.

FROM MEDICAL CARE TRUST FUND	148,145,298		134,585,214
FROM PUBLIC MEDICAL ASSISTANCE TRUST FUND	25,577,724		23,258,567
FROM SPECIAL GRANTS TRUST FUND	869,485		803,246

SECTION 01, PAGE 323		STRIKE:	INSERT:
ITEM 1580B			

LABOR AND EMPLOYMENT SECURITY,  
DEPARTMENT OF, VOCATIONAL  
REHABILITATION, DIVISION OF

1580B SPECIAL CATEGORIES			
MEED PROGRAM OF DADE COUNTY			
FROM GENERAL REVENUE FUND			200,000

SECTION 01, PAGE 144		STRIKE:	INSERT:
ITEM 947			

HEALTH AND REHABILITATIVE SERVICES,  
DEPARTMENT OF, DEPUTY SECRETARY FOR  
OPERATIONS ECONOMIC SERVICES

947 FINANCIAL ASSISTANCE PAYMENTS			
AID TO FAMILIES WITH DEPENDENT CHILDREN			
FROM GENERAL REVENUE FUND	192,128,480		199,998,175

Insert proviso after Item 947: From the funds in Specific Appropriation 947, \$3,220,879 from the General Revenue Fund and \$3,860,778 from the Direct Assistance Trust Fund is provided for a three percent increase in the AFDC payment level effective January 1, 1991.

From the funds in Specific Appropriation 947, \$4,648,816 from the General Revenue Fund and \$5,572,443 from the Direct Assistance Trust Fund is provided to make the payment eligibility date for AFDC recipients the same as the date of application. This policy change shall be effective no earlier than January 1, 1991.

		STRIKE:	INSERT:
--	--	---------	---------

947 FINANCIAL ASSISTANCE PAYMENTS			
AID TO FAMILIES WITH DEPENDENT CHILDREN			
FROM DIRECT ASSISTANCE TRUST FUND	273,695,537		283,128,758

SECTION 01, PAGE 149		STRIKE:	INSERT:
ITEM 980			

HEALTH AND REHABILITATIVE SERVICES, DEPARTMENT OF  
DEPUTY SECRETARY FOR OPERATIONS  
ALCOHOL, DRUG ABUSE AND  
MENTAL HEALTH SERVICES

980 SPECIAL CATEGORIES			
GRANTS AND AIDS -			
BAKER ACT SERVICES			
FROM GENERAL REVENUE FUND	49,842,881		50,723,345

In the proviso following Item 980:

Strike: "effective January 1, 1991" and Insert: "effective December 1, 1990"

Add proviso following Item 980: From the funds in Specific Appropriation 980, \$469,409 from the General Revenue Fund is provided for Douglas Gardens Mental Health Center in Miami Beach for psychiatric emergency services.

SECTION 01, PAGE 168		STRIKE:	INSERT:
ITEM 1111			

HEALTH AND REHABILITATIVE SERVICES, DEPARTMENT OF  
DEPUTY SECRETARY FOR OPERATIONS  
MEDICAID SERVICES

1111 EXPENSES			
FROM GENERAL REVENUE FUND	1,637,664		1,687,664

Insert Proviso following Specific Appropriation 1111: Of the funds in Specific Appropriation 1111, \$50,000 is provided from the General Revenue Fund for expenses associated with the creation of a Medicaid Prescribed Medicine Policy Commission.

The vote was:

Yeas—14

Beard	Davis	Johnson	Thurman
Casas	Forman	Malchon	Weinstock
Childers, D.	Girardeau	Meek	
Childers, W. D.	Gordon	Thomas	

Nays—16

Bankhead	Deratany	Grizzle	Peterson
Brown	Diaz-Balart	Jennings	Plummer
Bruner	Dudley	Kiser	Scott
Crenshaw	Gardner	Myers	Walker

Senator Grizzle moved the following amendment which failed:

**Amendment 91—**

SECTION 2G, PAGE 323 STRIKE: INSERT:  
ITEM 2242BB

HEALTH AND REHABILITATIVE SERVICES, DEPARTMENT OF, DEPUTY SECRETARY FOR OPERATIONS ALCOHOL, DRUG ABUSE AND MENTAL HEALTH SERVICES

2242BB AID TO LOCAL GOVERNMENTS AND NON-PROFIT ORGANIZATIONS SUNCOAST CENTER FOR COMMUNITY MENTAL HEALTH PHASE II FROM GENERAL REVENUE FUND 250,000

2242K AID TO LOCAL GOVERNMENTS AND NON-PROFIT ORGANIZATIONS NEW HORIZONS OF THE TREASURE COAST, INC. - 30-BED CRISIS STABILIZATION UNIT CONSTRUCTION - ST. LUCIE COUNTY FROM GENERAL REVENUE FUND 1,000,000 750,000

Senator Forman moved the following amendment which failed:

**Amendment 92—**

SECTION 2G, PAGE 323 STRIKE: INSERT:  
ITEM 2242BE

HEALTH AND REHABILITATIVE SERVICES, DEPARTMENT OF, DEPUTY SECRETARY FOR OPERATIONS HEALTH SERVICES

2242BE AID TO LOCAL GOVERNMENTS AND NON-PROFIT ORGANIZATIONS NORTH BROWARD CHU-SATELLITE PROGRAM FROM GENERAL REVENUE FUND 100,000

Senator Casas moved the following amendment which was adopted:

**Amendment 93—**

SECTION 2G, PAGE 323 STRIKE: INSERT:  
ITEM 2242AQ

Insert this Item following Item 2242AG.

HEALTH AND REHABILITATIVE SERVICES, DEPARTMENT OF, DEPUTY SECRETARY FOR OPERATIONS DEVELOPMENTAL SERVICES

2242AQ AID TO LOCAL GOVERNMENTS AND NON-PROFIT ORGANIZATIONS DADE COUNTY ASSOCIATION FOR RETARDED CITIZENS FROM GENERAL REVENUE FUND 150,000

Senator Gordon moved the following amendment which failed:

**Amendment 94—**

SECTION 2G, PAGE 325 STRIKE: INSERT:  
ITEM 2248A

NATURAL RESOURCES, DEPARTMENT OF RECREATION AND PARKS, DIVISION OF

2248A AID TO LOCAL GOVERNMENTS AND NON-PROFIT ORGANIZATIONS GRANTS AND AIDS - SPECIAL CATEGORIES - LOCAL RECREATIONAL DEVELOPMENT PROJECTS FROM STATE INFRASTRUCTURE FUND 3,355,000 2,355,000

2242AY AID TO LOCAL GOVERNMENTS AND NON-PROFIT ORGANIZATIONS COCONUT GROVE FAMILY HEALTH CENTER FROM STATE INFRASTRUCTURE FUND 500,000

SECTION 2G, PAGE 319 STRIKE: INSERT:  
ITEM 2242AZ

HEALTH AND REHABILITATIVE SERVICES, DEPARTMENT OF DEPUTY SECRETARY FOR OPERATIONS ECONOMIC SERVICES

2242AZ AID TO LOCAL GOVERNMENTS AND NON-PROFIT ORGANIZATIONS HOMELESS COORDINATING COUNCIL OF DADE COUNTY FROM STATE INFRASTRUCTURE FUND 500,000

Delete specific proviso following Specific Appropriation 2248A as follows: STRIKE: "Tennis Stadium/Lipton International Players Championship/Crandon Park (DADE) SIF . .\$.1,000,000."

Insert proviso following Specific Appropriation 2242AZ as follows: The funds in Specific Appropriation will be distributed by the City of Miami in accordance with the recommended findings of the Homeless Coordinating Committee of Dade County.

**Motion**

Senator Peterson moved that the Senate reconsider the vote by which **Amendment 90** failed. The motion failed and the vote was:

Yeas—15

Beard	Diaz-Balart	Malchon	Thomas
Casas	Forman	Meek	Thurman
Childers, D.	Girardeau	Peterson	Weinstock
Deratany	Gordon	Stuart	

Nays—18

Mr. President	Dudley	Kiser	Walker
Bankhead	Gardner	Langley	Weinstein
Brown	Grant	Myers	Woodson-Howard
Childers, W. D.	Jennings	Plummer	
Crenshaw	Johnson	Scott	

**The President presiding**

Senators Langley, Brown, Dudley and Stuart offered the following amendment which was moved by Senator Stuart and failed:

Amendment 95—

SECTION 01, PAGE 25 STRIKE: INSERT:  
 ITEM 236A

DEPARTMENT OF COMMERCE  
 DIVISION OF ECONOMIC DEVELOPMENT

236A SPECIAL CATEGORIES  
 GRANTS AND AIDS - ECONOMIC  
 DEVELOPMENT PROJECTS  
 FROM GENERAL REVENUE FUND 3,805,773 5,213

Strike all of Proviso Language on page 25 beginning with "Productivity Improvement Center - Hialeah (Dade). . .250,000" through "International Oceanographic Foundation (Dade). . .250,000"

On page 282 insert the following new Proviso language following "Escambia County School Construction (p). . .600,000"

LAKE COUNTY - LAKE AREA  
 VOC-TECH CENTER (p,c) 1,600,000

OSCEOLA COUNTY - NEW AREA  
 VOC-TEC CENTER (p,c) 500,000

LEE COUNTY - NEW NORTH AREA  
 VOC-TEC CENTER (p,c) 500,000

VOLUSIA COUNTY - AREA VOC-TEC  
 CENTER (p,c) 500,000

POLK COUNTY - RIDGE VOC-TEC  
 CENTER 400,000

ESCAMBIA COUNTY - GEORGE STONE  
 VOC-TEC CENTER 300,000

and on Page 281

DEPARTMENT OF EDUCATION  
 OFFICE OF EDUCATION FACILITIES

2090E FIXED CAPITAL OUTLAY  
 PUBLIC SCHOOL PROJECTS  
 FROM GENERAL REVENUE FUND -0- 3,100,000

Senators Thurman, Malchon, Kiser and Grizzle offered the following amendment which was moved by Senator Thurman and failed:

Amendment 96—

SECTION 01, PAGE 43 STRIKE: INSERT:  
 ITEM 386

SPECIAL CATEGORIES  
 G/A - PUBLIC BROADCASTING  
 FROM GENERAL REVENUE FUND 6,579,085 6,245,085

and in the second line of proviso on page 43 624,356 559,682

and in the fourth line of proviso that appears on page 44 453,948 430,916

and in the ninth line of proviso that appears on page 44 87,391 82,957

and on page 146, Specific Appropriation 968

SPECIAL CATEGORIES  
 G/A - LOCAL SERVICES PROGRAMS  
 FROM GENERAL REVENUE FUND 2,181,419 2,515,419

and in the second line of the second paragraph of proviso for Specific Appropriation 968 that appears on page 146 935,656 1,269,656

Senators Langley and Peterson offered the following amendment which was moved by Senator Langley and adopted:

Amendment 97—

SECTION 01, PAGE 59 STRIKE: INSERT:  
 ITEM 465B

DEPARTMENT OF EDUCATION  
 OFFICE OF STUDENT FINANCIAL  
 ASSISTANCE

SPECIAL CATEGORIES  
 POSTSECONDARY EDUCATION  
 SUCCESS INCENTIVE PROGRAM  
 FROM EDUCATIONAL ENHANCEMENT  
 TRUST FUND 16,000,000 15,200,000

FROM POSTSECONDARY  
 EDUCATION SUCCESS INCENTIVE  
 PROGRAM TRUST FUND 16,000,000 15,200,000

and on page 96 create a new Item 613

DEPARTMENT OF EDUCATION  
 DIVISION OF COMMUNITY COLLEGES

SPECIAL CATEGORIES  
 G/A - NURSING EDUCATION  
 CHALLENGE GRANT FUND  
 FROM EDUCATIONAL ENHANCEMENT TRUST FUND 800,000

Senators Peterson, Thomas and Thurman offered the following amendment which was moved by Senator Peterson and adopted:

Amendment 98—

SECTION 01, PAGE 91 STRIKE: INSERT:  
 ITEM 600

Specific Appropriation 600

AIDS TO LOCAL GOVERNMENTS  
 GRANTS AND AIDS -  
 COMMUNITY COLLEGES PROGRAM  
 FUND FROM GENERAL REVENUE  
 FUND 510,620,623 511,920,623

and in the proviso which follows for the following colleges in the General Revenue column:

FLORIDA KEYS 3,649,773 3,899,773  
 OKALOOSA - WALTON 8,271,111 8,671,111  
 PASCO - HERNANDO 6,989,147 7,239,147  
 TALLAHASSEE 12,742,022 13,142,022

Senator Peterson moved the following amendment which was adopted:

Amendment 99—

SECTION 01 STRIKE: INSERT:

DEPARTMENT OF EDUCATION  
 DIVISION OF UNIVERSITIES  
 EDUCATIONAL AND GENERAL

638 OPERATING CAPITAL OUTLAY  
 FROM GENERAL REVENUE FUND 2,328,968 2,278,968

664 INSTITUTE OF FOOD AND  
 AGRICULTURAL SCIENCES  
 EXPENSES  
 FROM GENERAL REVENUE FUND 13,397,858 13,447,858

And insert the following proviso following line item 671 on page 110: From the funds in Specific Appropriation 664, \$50,000 shall be

used for a site survey and planning for a comprehensive research facility in Gadsden County.

Senator Jennings moved the following amendment which was adopted:

**Amendment 100—**

SECTION 01, PAGE 206 ITEM 1527	STRIKE:	INSERT:	
LABOR AND EMPLOYMENT SECURITY OFFICE OF THE SECRETARY			
1527 SALARIES AND BENEFITS	Positions 281	Positions 294	
WORKERS' COMPENSATION SPECIAL DISABILITY TRUST FUND	437,861	656,375	
1529 EXPENSES			
WORKERS' COMPENSATION SPECIAL DISABILITY TRUST FUND	91,857	179,433	
1530 OPERATING CAPITAL OUTLAY			
WORKERS' COMPENSATION SPECIAL DISABILITY TRUST FUND	829	36,401	

Senator Woodson-Howard moved the following amendment which failed:

**Amendment 101—**

SECTION 01, PAGE 232 ITEM 1750	STRIKE:	INSERT:	
1750 PAROLE COMMISSION FTE'S			
SALARIES AND BENEFITS	Positions 185	Positions 179	
FROM GENERAL REVENUE	5,370,865	5,124,651	
1752 EXPENSES	1,180,035	1,147,881	

and insert: Proviso following Item 1754 Funds in specific appropriation 1750 - 1753 shall be used for the funding of five Parole Commissioners and other field and central office staff.

Senator Kiser moved the following amendment which was adopted:

**Amendment 102—**

SECTION 2G, PAGE 328 ITEM 2249	STRIKE:	INSERT:	
STATE, DEPARTMENT OF HISTORICAL RESOURCES, DIVISION OF			

On page 328, after Specific Appropriation 2249, strike and insert the following

ANCIENT SPANISH MONASTERY (DADE)	172,260	
TARPON SPRINGS CITY HALL (PINELLAS)		172,260

Senators Thomas, Bruner and W. D. Childers offered the following amendment which was moved by Senator W. D. Childers and adopted:

**Amendment 103—**

SECTION 2G, ITEM 2241C	STRIKE:	INSERT:	
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Following Item 2241C, insert new Item:

2241D G/A TO LOCAL GOVERNMENTS AND NON-PROFIT ORGANIZATIONS GRANTS AND AIDS - BRIDGE FENDER SYSTEMS FROM GENERAL REVENUE FUND			2,000,000
---	--	--	-----------

Insert following proviso:

From the funds provided in Specific Appropriation 2241D, \$1.0 million is for the Brooks Bridge and \$1.0 is for the Pensacola Bay Bridge for Bridge Fender Systems.

Senator Bruner moved the following amendment which was adopted:

**Amendment 104—**

SECTION 2G, PAGE 318 ITEM 2242A	STRIKE:	INSERT:	
ENVIRONMENTAL REGULATION, DEPARTMENT OF			
2242A G/A TO LOCAL GOVERNMENTS AND NON-PROFIT ORGANIZATIONS GRANTS AND AIDS - OLD PASS LAGOON RESTORATION - DESTIN FROM WATER QUALITY ASSURANCE TRUST FUND			1,500,000

Senator Kirkpatrick moved the following amendment which was adopted:

**Amendment 105—**

Strike all funds and accompanying language relating to preservation 2000 bond program which are included in Sections 1 and 2 of this bill.

Senators Thurman, Kiser, Malchon and Grizzle offered the following amendment which was moved by Senator Thurman and failed:

**Amendment 106—**

SECTION 01, PAGE 134 ITEM 877	STRIKE:	INSERT:	
DEPARTMENT OF HEALTH AND REHABILITATIVE SERVICES OFFICE OF THE DEPUTY SECRETARY FOR ADMINISTRATION			

EXPENSES FROM GENERAL REVENUE FUND	4,098,961	3,948,961
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SECTION 01, PAGE 119 ITEM 721	STRIKE:	INSERT:	
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DEPARTMENT OF ENVIRONMENTAL  
REGULATION

EXPENSES FROM GENERAL REVENUE FUND	4,796,415	4,616,415
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SECTION 01, PAGE 49 ITEM 414	STRIKE:	INSERT:	
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SPECIAL CATEGORIES SCHOOL PRINCIPAL INSERVICE TRAINING FROM GENERAL REVENUE FUND	994,060	990,060
---	---------	---------

PAGE 146

968 SPECIAL CATEGORIES G/A LOCAL SERVICES PROGRAM FROM GENERAL REVENUE FUND	2,181,419	2,515,419
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Revise proviso following Item 146 as follows: strike in next to last paragraph line 2 "935,656" and insert "1,269,656"

**Motion**

On motion by Senator Woodson-Howard, the Senate reconsidered the vote by which **Amendment 106** failed. The question recurred on **Amendment 106** which failed.

Senator Margolis moved the following amendments which were adopted:

**Amendment 107—**

PAGE 256

In paragraph 2. A. 1) e., strike 1991 and insert: 1990.

**Amendment 108—**

PAGE 257

In paragraph o., insert the following classes: 8231, 8229, and 8270, effective January 1, 1991.

**Amendment 109—**

PAGE 257

Immediately following paragraph A.1)q., insert the following proviso: r) Funds are provided in Specific Appropriation 2 to implement the Step Pay Plan for Correctional Officers as agreed to in the collective bargaining contract.

**Amendment 110—**

PAGE 258

On page 258, strike all of paragraph 2)c) and immediately following paragraph 2)a), insert the following proviso: Funds shall be distributed at the discretion of the Board of Regents.

**Amendment 111—**

PAGE 259

Following paragraph 3) (e), strike: 5), and insert: 4); strike 6): and insert 5).

Following the last sentence in paragraph 5)a), insert: To be distributed at the discretion of the Board of Regents.

Strike all of paragraph c).

**Amendment 112—**

PAGE 261

AID TO LOCAL GOVERNMENTS AND  
NON-PROFIT ORGANIZATIONS  
GRANTS AND AIDS - SPECIAL  
CATEGORIES - LOCAL RECREATIONAL  
DEVELOPMENT PROJECTS

Immediately following Public Defenders Circuits over 1,000,000. .84,488 87,023 strike the paragraph and insert the following proviso: Effective July 1, 1990, each circuit may add out of existing funds and rate, an amount up to \$5,000 per annum to the salary of the Public Defender of that circuit. All twenty judicial circuits are to be allowed this discretionary salary adjustment.

**Amendment 113—**

PAGE 261

Strike paragraph immediately following Circuits over 1,000,000. .89,113 91,786, and insert the following proviso: Effective July 1, 1990, each circuit may add out of existing funds and rate, an amount up to \$5,000 per annum to the salary of the State Attorney of that circuit. All twenty judicial circuits are to be allowed this discretionary salary adjustment.

**Amendment 114—**

PAGE 262

Following the first paragraph in E., insert the following proviso: With funds provided in Specific Appropriation 2, each full-time employee shall receive a minimum annual salary increase of \$700. If the competitive pay adjustment provided above is less than \$700, each eligible employee shall receive an additional increase which provides the employee a total annual increase of \$700. Each part-time employee in an authorized position shall be eligible to receive a prorated portion of the pay adjustments provided to full-time employees and shall receive a prorated portion of the additional amount necessary to assure the guaranteed minimum adjustment.

**Amendment 115—**

PAGE 263

Following the first paragraph in F., insert the following proviso: With funds provided in Specific Appropriation 2, each full-time employee shall receive a minimum annual salary increase of \$700. If the competitive pay adjustment provided above is less than \$700, each eligible employee shall receive an additional increase which provides the employee a total annual increase of \$700. Each part-time employee in an authorized position shall be eligible to receive a prorated portion of the pay adjustments provided to full-time employees and shall receive a prorated portion of the additional amount necessary to assure the guaranteed minimum adjustment.

**Amendment 116—**

SECTION 01, PAGE 208 STRIKE: INSERT:  
ITEM 1543

LABOR AND EMPLOYMENT SECURITY,  
DEPARTMENT OF  
WORKERS' COMPENSATION, DIVISION OF

1543	SALARIES AND BENEFITS	Positions 611	Positions 563
	FROM WORKERS' COMPENSATION		
	ADMINISTRATION TRUST		
	FUND	14,862,485	13,590,815

**Amendment 117—**

SECTION 01, PAGE 208 STRIKE: INSERT:  
ITEM 1545

LABOR AND EMPLOYMENT SECURITY,  
DEPARTMENT OF, WORKERS'  
COMPENSATION, DIVISION OF

1545	EXPENSES		
	FROM WORKERS' COMPENSATION		
	ADMINISTRATION TRUST FUND	3,727,483	3,631,483

**Amendment 118—**

SECTION 01, PAGE 210 STRIKE: INSERT:  
ITEM 1563

LABOR AND EMPLOYMENT SECURITY,  
DEPARTMENT OF  
UNEMPLOYMENT COMPENSATION,  
DIVISION OF

1563	SALARIES AND BENEFITS		
	FROM EMPLOYMENT SECURITY		
	ADMINISTRATION TRUST FUND	30,140,129	27,940,409

**Amendment 119—**

SECTION 01, PAGE 235 STRIKE: INSERT:  
ITEM 1782

REVENUE, DEPARTMENT OF  
AD VALOREM TAX, DIVISION OF

1782	SALARIES AND BENEFITS	Positions 121	Positions 119
	FROM INTANGIBLE TAX		
	TRUST FUND	4,255,001	4,196,921

**Amendment 120—**

SECTION 01, PAGE 57  
ITEM 456

STRIKE:            INSERT:

EDUCATION, DEPARTMENT OF,  
AND COMMISSIONER OF EDUCATION  
PRIVATE COLLEGES AND UNIVERSITIES

456	SPECIAL CATEGORIES UNIVERSITY OF MIAMI - ROSENSTIEL PHD MARINE AND ATMOSPHERIC SCIENCE FROM GENERAL REVENUE FUND	304,641	364,641
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EDUCATION, DEPARTMENT OF, AND  
COMMISSIONER OF EDUCATION  
UNIVERSITIES, DIVISION OF  
EDUCATIONAL AND GENERAL ACTIVITIES

641	LUMP SUM INSTRUCTION AND RESEARCH FROM EDUCATIONAL ENHANCEMENT TRUST FUND	60,183,026	60,183,126
	FROM ENGINEERING INDUSTRIAL EXPERIMENT STATION TRUST FUND	27,958,046	27,957,946

**Amendment 121—**

SECTION 01, PAGE 71  
ITEM 515

STRIKE:            INSERT:

EDUCATION, DEPARTMENT OF,  
AND COMMISSIONER OF EDUCATION  
PUBLIC SCHOOLS, DIVISION OF

515	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - FLORIDA EDUCATIONAL FINANCE PROGRAM	-0-
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**Amendment 125—**

SECTION 01, PAGE 109  
ITEM 662

STRIKE:            INSERT:

EDUCATION, DEPARTMENT OF, AND  
COMMISSIONER OF EDUCATION  
UNIVERSITIES, DIVISION OF  
INSTITUTE OF FOOD AND AGRICULTURAL SCIENCES

662	SALARIES AND BENEFITS	Positions 2,275	Positions 2,283
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Add a new paragraph of proviso as the first full paragraph of proviso on page 71

From the funds appropriated in Specific Appropriation 515, an amount not to exceed \$10,000,000 is provided for a sparsity supplement consistent with the provisions of s. 236.081(6), Florida Statutes and shall be allocated only to those districts that have 17,000 or fewer full time equivalent (FTE) students.

**Amendment 122—**

SECTION 01, PAGE 96  
ITEM 613B

STRIKE:            INSERT:

EDUCATION, DEPARTMENT OF,  
AND COMMISSIONER OF EDUCATION  
COMMUNITY COLLEGES, DIVISION OF

613B	SPECIAL CATEGORIES GRANTS AND AIDS - MIAMI - DADE TUITION REIMBURSEMENT	-0-
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**Amendment 126—**

SECTION 2C, PAGE 298  
ITEM 2160

STRIKE:            INSERT:

EDUCATION, DEPARTMENT OF, AND  
COMMISSIONER OF EDUCATION  
OFFICE OF EDUCATIONAL FACILITIES

2160	FIXED CAPITAL OUTLAY STATE UNIVERSITY SYSTEM PROJECTS	-0-
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In the proviso following Item 2160 for the project "UNF - Teaching/Gymnasium (p)" change to read: "UNF - Teaching Gymnasium (c)"

**Amendment 127—**

SECTION 2C, PAGE 299  
ITEM 2166

STRIKE:            INSERT:

EDUCATION, DEPARTMENT OF, AND  
COMMISSIONER OF EDUCATION  
OFFICE OF EDUCATIONAL FACILITIES

2166	FIXED CAPITAL OUTLAY JOINT-USE FACILITIES PROJECTS	-0-
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In the proviso at the top of page 300 following Okaloosa-Walton CC/ Strike "UCF" and insert "UWF"

**Amendment 128—**

SECTION 2C, PAGE 302  
ITEM 2171C

STRIKE:            INSERT:

EDUCATION, DEPARTMENT OF, AND  
COMMISSIONER OF EDUCATION  
OFFICE OF EDUCATIONAL FACILITIES

2171C	FIXED CAPITAL OUTLAY CONDITIONAL STATE UNIVERSITY SYSTEM PROJECTS FROM PUBLIC EDUCATION CAPITAL FUND	13,055,520	13,055,520
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In the proviso which follows Item 2171C for FSU Renovation and Expansion of insert before Dodd Hall "Bryan Hall and"

**Amendment 124—**

SECTION 01, PAGE 104  
ITEM 641

STRIKE:            INSERT:

EDUCATION, DEPARTMENT OF,  
AND COMMISSIONER OF EDUCATION  
UNIVERSITIES, DIVISION OF  
EDUCATIONAL AND GENERAL ACTIVITIES

641	LUMP SUM INSTRUCTION AND RESEARCH	Positions 10,207
635	SALARIES AND BENEFITS	Positions 17,507    Positions 7,397

Senators Gordon and Casas offered the following amendment which was moved by Senator Casas and failed:

**Amendment 129—**

SECTION 2F, PAGE 310 STRIKE: INSERT:  
ITEM 2195

TRANSPORTATION, DEPARTMENT OF  
DISTRICT PLANNING AND PUBLIC TRANSIT

2195 AID TO LOCAL GOVERNMENTS AND NON-PROFIT ORGANIZATIONS AVIATION MATCH GRANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	34,847,000	28,647,000
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SECTION 01, PAGE 252 STRIKE: INSERT:  
ITEM 1957A

TRANSPORTATION, DEPARTMENT OF  
DISTRICT PLANNING AND PUBLIC TRANSIT

1957A SPECIAL CATEGORIES TRANSFER/PUBLIC TRANSIT OPERATION ASSISTANCE GRANT TRUST FUND FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	5,000,000	10,000,000
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SECTION 2F, PAGE 311 STRIKE: INSERT:  
ITEM 2197

TRANSPORTATION, DEPARTMENT OF  
DISTRICT PLANNING AND PUBLIC TRANSIT

2197 AID TO LOCAL GOVERNMENTS AND NON-PROFIT ORGANIZATIONS PUBLIC TRANSIT OPERATIONS ASSISTANCE FROM PUBLIC TRANSIT OPERATION ASSISTANCE GRANT TRUST FUND	5,000,000	10,000,000
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2198 AID TO LOCAL GOVERNMENTS AND NON-PROFIT ORGANIZATIONS MASS TRANSIT MATCH GRANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	25,094,000	26,294,000
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After Specific Appropriation 2198, insert the following proviso: Of the funds in Specific Appropriation 2198, \$1,200,000 shall be expended for Tri-Rail feeder bus system.

Senator Kirkpatrick moved the following amendment which was adopted:

**Amendment 130—**

SECTION 2F, PAGE 310  
ITEM 2195

After Specific Appropriation 2195 insert the following proviso: Of the funds provided in Specific Appropriations 2195 from the State Transportation (Primary) Trust Fund, \$10,000,000 shall be granted to the Orlando Aviation Authority as a loan.

On motion by Senator Margolis, the rules were waived and staff of the Appropriations Committee was instructed to make title amendments and technical changes in SB 3100 as necessary.

On motion by Senator Margolis, by two-thirds vote SB 3100 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

Mr. President	Brown	Childers, D.	Deratany
Bankhead	Bruner	Childers, W. D.	Diaz-Balart
Beard	Casas	Davis	Dudley

Forman	Johnson	Myers	Thurman
Gardner	Kirkpatrick	Peterson	Walker
Girardeau	Kiser	Plummer	Weinstein
Gordon	Langley	Scott	Weinstock
Grant	Malchon	Souto	Woodson-Howard
Grizzle	Margolis	Stuart	
Jennings	Meek	Thomas	

Nays—1

Crenshaw

**SB 3102**—A bill to be entitled An act relating to implementing the fiscal year 1990-1991 General Appropriations Act; providing legislative intent; authorizing expenditure of funds by the Guardian Ad Litem Program in certain dissolution proceedings; requiring state attorneys and public defenders to submit a report of certain expenditures; prohibiting the Department of Professional Regulation from expending funds for the lease, possession, or acquisition of specified space for office or other use; providing restrictions on appropriations to the Department of Health and Rehabilitative Services for price level increases; requiring the Capital Collateral Representative to seek reimbursement; allowing school districts to not comply with maintenance of effort requirements; providing for the use of certain funds for construction of a building for the Kirkman Data Center; providing for the expenditure of certain funds for operation of the Department of Highway Safety and Motor Vehicles' Emissions Control Program; providing for the expenditure of certain funds for specified projects at the Sanford State Farmers' Market; providing that certain appropriations, from the 1989 General Appropriations Act, relating to a Cedar Key marina and sewer system shall not revert; providing for transfer of certain positions provided to the Department of Agriculture and Consumer Services; providing for the Department of Corrections to contract for acquisition of a facility from a private contractor which meets specified criteria with respect to cost and completion date; authorizing Valencia Community College to acquire property through non-PECO funds; postponing the reverter date for certain appropriations relating to the University of Central Florida/Solar Energy Center and the University of Florida library; providing for use of certain appropriations relating to Florida Atlantic University's University Center Expansion for such purpose and for the Student Union and for use of certain appropriations for Florida State University Dorm Asbestos; appropriating certain funds originally appropriated to Palm Beach Junior College by chapter 84-542, Laws of Florida, to Palm Beach Community College for the auditorium and related projects; authorizing the Board of Regents to construct specified projects at Florida State University, Florida A & M University, Florida Atlantic University, the University of Central Florida, and Florida International University from bond proceeds and to construct specified projects at the University of Florida and Florida International University from non-PECO funds; authorizing the acquisition and construction of a specified project by the Seminole County Expressway Authority; providing for bonds for such project; prohibiting the Department of Transportation from covenanting to complete such project; providing for the Department of Health and Rehabilitative Services to analyze long-term care reimbursement with respect to nursing home residents; requiring adequate reimbursement of nursing facilities; providing for a report; providing a retroactive effective date and an expiration date.

—was read the second time by title.

Senator Gardner moved the following amendment which was adopted:

**Amendment 1**—On page 3, line 13, insert a new Section 1:

Section 1. From the funds in Specific Appropriation 1462 of chapter 85-119, Laws of Florida, the sum of \$200,000 which was earmarked for the Monroe Center Recreational Center project in Brevard County is hereby reallocated for renovation of the Harry T. Moore Center in Brevard County.

(Renumber subsequent sections.)

Senators Gordon and Myers offered the following amendment which was moved by Senator Gordon and adopted:

**Amendment 2**—On page 10, line 25, insert a new Section 25:

Section 25. The Department of Health and Rehabilitative Services is required to establish a Medicaid Prescribed Medicine Policy Commission. The commission shall review all existing prescribed medicine policies relating to reimbursement for drugs funded through the Medicaid

program. Along with this review, the commission shall review the Medicaid drug reimbursement policies of at least six states which have been identified by the Health Care Finance Administration as having model drug reimbursement programs on the basis of cost effectiveness. The commission shall report to the Legislative Appropriations Committees by March 1, 1991, the findings of these reviews and submit recommendations for any change in the current Medicaid prescribed medicine reimbursement policy. In addition, this commission shall serve as an official Health and Rehabilitative Services Prescribed Medicine Formulary Commission and as such shall propose for implementation in the 1991-1992 fiscal year, a prescribed medicine formulary which meets the objective of providing a cost effective reimbursement policy.

(Renumber subsequent sections.)

Senator Jennings moved the following amendment which was adopted:

**Amendment 3**—On page 10, between lines 24 and 25, insert:

Section 25. Pursuant to section 11(e), Article VII of the State Constitution, the Legislature hereby approves the acquisition and construction by the Orlando-Orange County Expressway Authority of the Southern Connector project, a limited access toll highway extending approximately 24 miles from Interstate 4 south of Orlando to the Bee Line Expressway east of Orlando, or segments or phases thereof, to be financed by revenue bonds of the Orlando-Orange County Expressway Authority. The Department of Transportation shall not enter into a covenant to complete the Southern Connector project approved in this section.

(Renumber subsequent sections.)

Senators Peterson, Walker and Thomas offered the following amendment which was moved by Senator Peterson and adopted:

**Amendment 4**—On page 10, line 25, insert a new Section 25:

Section 25. Pursuant to section 240.327, Florida Statutes, Tallahassee Community College is hereby authorized to acquire property through the expenditure of non-Public Education Capital Outlay (PECO) funds available to the college.

(Renumber subsequent sections.)

Senators Gordon and Myers offered the following amendment which was moved by Senator Gordon and adopted:

**Amendment 5**—In title, on page 3, line 8, following "report;" insert: requiring the Department of Health and Rehabilitative Services to establish a Medicaid Prescribed Medicine Policy Commission;

Senator Jennings moved the following amendment which was adopted:

**Amendment 6**—In title, on page 3, line 8, after the semicolon (;) insert: approving the acquisition and construction of a specified project by the Orlando-Orange County Expressway Authority; providing for bonds for such project; prohibiting the Department of Transportation from covenanting to complete such project;

Senator Walker moved the following amendment which was adopted:

**Amendment 7**—In title, on page 3, line 8, following "report;" insert: authorizing Tallahassee Community College to acquire property through non-Public Education Capital Outlay (PECO) funds;

On motion by Senator Margolis, by two-thirds vote SB 3102 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz-Balart	Kirkpatrick	Souto
Bankhead	Dudley	Kiser	Stuart
Beard	Forman	Langley	Thomas
Brown	Gardner	Malchon	Thurman
Bruner	Girardeau	Margolis	Walker
Casas	Gordon	Meek	Weinstein
Childers, D.	Grant	Myers	Weinstock
Childers, W. D.	Grizzle	Peterson	Woodson-Howard
Crenshaw	Jennings	Plummer	
Deratany	Johnson	Scott	

Nays—None

Vote after roll call:

Yea—Davis

**CS for HB 3695**—A bill to be entitled An act relating to taxation; amending s. 199.032, F.S.; increasing the annual tax on intangible personal property; amending s. 199.185, F.S.; increasing the personal exemption for the annual tax; amending s. 199.292, F.S.; revising the distribution of intangible personal property taxes; amending ss. 201.05, 201.07, and 201.08, F.S.; increasing the documentary excise tax on stock certificates, bonds, debentures, certificates of indebtedness, promissory or non-negotiable notes, written obligations to pay money, and assignments of wages or other compensation; amending s. 201.15, F.S.; revising the distribution of documentary excise taxes; amending ss. 203.01 and 203.012, F.S.; increasing the tax on gross receipts for utility services over a specified period; providing for application of the tax to television system program services; providing an exemption for the sale of such services for resale or retransmission; defining "utility service," "person," and "television system program services" for purposes of imposition of said tax; providing for application of said tax to certain electricity produced by cogeneration or small power producers and by certain persons who produce electrical energy for their own use; amending ss. 212.05 and 212.08, F.S.; providing for application of sales tax to charges for television system program services; amending s. 212.054, F.S., relating to discretionary sales surtaxes, to conform; amending s. 210.02, F.S.; increasing the tax rate on cigarettes; amending s. 210.05, F.S.; revising the method of calculating the discount to wholesale purchasers of stamps; amending s. 210.20, F.S.; revising distribution of cigarette tax proceeds; amending s. 210.30, F.S.; increasing the tax on tobacco products and providing for the disposition of a portion of the proceeds of said tax; amending s. 210.70, F.S., to conform; providing for a tax on cigarette and tobacco product inventory on hand on the effective date of the act; providing for application of penalty and interest provisions; providing effective dates.

—was read the second time by title.

The Committee on Finance, Taxation and Claims recommended the following amendment which was moved by Senator Deratany:

**Amendment 1**—Strike everything after the enacting clause and insert:

Section 1. Section 210.02, Florida Statutes, is amended to read:

210.02 Cigarette tax imposed; collection.—

(1) An excise or privilege tax, in addition to all other taxes of every kind imposed by law, is imposed upon the sale, receipt, purchase, possession, consumption, handling, distribution, and use of cigarettes in this state, in the following amounts, except as hereinafter otherwise provided, for cigarettes of standard dimensions:

(a) Upon all cigarettes weighing not more than 3 pounds per thousand, 19 ~~12~~ mills on each cigarette.

(b) Upon all cigarettes weighing more than 3 pounds per thousand and not more than 6 inches long, 38 ~~24~~ mills on each cigarette.

(c) Upon all cigarettes weighing more than 3 pounds per thousand and more than 6 inches long, 76 ~~48~~ mills on each cigarette.

(2) The description of cigarettes contained in paragraphs (a), (b), and (c) of subsection (1) are hereby declared to be standard as to dimensions for taxing purposes as provided in this law and should any cigarette be received, purchased, possessed, sold, offered for sale, given away, or used of a size other than of standard dimensions, the same shall be taxed at the rate of 1.58 cents ~~1-cent~~ on each such cigarette.

(3) When cigarettes as described in paragraph (1)(a) are packed in varying quantities of 20 cigarettes or less, except manufacturer's free samples authorized under s. 210.04(9), the following rate shall govern:

(a) Packages containing 10 cigarettes or less require a 19-cent ~~12-cent~~ tax.

(b) Packages containing more than 10 but not more than 20 cigarettes require a 38-cent ~~24-cent~~ tax.

(4) When cigarettes as described in paragraph (1)(b) are packed in varying quantities of 20 cigarettes or less, except manufacturer's free samples authorized under s. 210.04(9), the following rates shall govern:

(a) Packages containing 10 cigarettes or less require a 38-cent ~~24-cent~~ tax.

(b) Packages containing more than 10 but not more than 20 cigarettes require a ~~76-cent 48-cent~~ tax.

(5) When cigarettes as described in paragraph (1)(c) are packed in varying quantities of 20 cigarettes or less, except manufacturer's free samples authorized under s. 210.04(9), the following rates shall govern:

(a) Packages containing 10 cigarettes or less require a ~~76-cent 48-cent~~ tax.

(b) Packages containing more than 10 but not more than 20 cigarettes require a ~~152-cent 96-cent~~ tax.

(6) This tax shall be paid by the dealer to the division for deposit and distribution as hereinafter provided upon the first sale or transaction within the state, whether or not such sale or transfer be to the ultimate purchaser or consumer. The seller or dealer shall collect the tax from the purchaser or consumer, and the purchaser or consumer shall pay the tax to the seller. The seller or dealer shall be responsible for the collection of the tax and the payment of the same to the division. All taxes are due not later than the 10th day of the month following the calendar month in which they were incurred, and thereafter shall bear interest at the rate of 1 percent per month. If the amount of tax due for a given period is assessed without allocating it to any particular month, the interest shall begin with the date of the assessment. Whenever cigarettes are shipped from outside the state to anyone other than a distributing agent or wholesale dealer, the person receiving the cigarettes shall be responsible for the tax on said cigarettes and the payment of same to the division.

(7) It is the legislative intent that the tax on cigarettes shall be uniform throughout the state.

Section 2. Paragraph (a) of subsection (3) of section 210.05, Florida Statutes, is amended to read:

210.05 Preparation and sale of stamps; discount.—

(3)(a) The division may appoint dealers in cigarettes, manufacturers of cigarettes, within or without the state as agent to buy or affix stamps to be used in paying the tax herein imposed, but an agent shall at all times have the right to appoint a person in his employ who is to affix the stamps to any cigarettes under the agent's control; provided, however, that any wholesale dealer in the state shall have the right to buy and affix such stamps. Whenever the division shall sell and deliver to any such agent or wholesaler any such stamps, such agent or wholesaler shall be entitled to receive as compensation for his services and expenses as such agent or wholesaler in affixing and accounting for the taxes represented by such stamps and to retain out of the moneys to be paid by him for such stamps a discount of 2 percent of the par value of any amount of stamps purchased during any fiscal year from July 1 through June 30 of the following year, *provided the discount shall be computed on the basis of 24 cents per pack*. No such discount shall be allowed to a dealer, vendor, or distributor who sells or deals in any form of candy which resembles drug paraphernalia. Stamping locations approved by the division shall be responsible for computing the discount they receive pursuant to this paragraph, and said computations shall be retained by the stamping location for a period of 5 years and shall be available to the division. All stamps purchased from the division under this part shall be paid for in cash on delivery, except as hereinafter provided.

Section 3. Paragraph (a) of subsection (2) of section 210.20, Florida Statutes, is amended to read:

210.20 Employees and assistants; distribution of funds.—

(2) As collections are received by the division from such cigarette taxes, it shall pay the same into a trust fund in the State Treasury designated "Cigarette Tax Collection Trust Fund" which shall be paid and distributed as follows:

(a) The division shall from month to month certify to the Comptroller the amount derived from the cigarette tax imposed by s. 210.02, less the service charge provided for in s. 215.22, specifying the amounts to be transferred from the Cigarette Tax Collection Trust Fund and credited on the basis of ~~5.6 percent two twenty-fourths~~ of the net collections to the Municipal Financial Assistance Trust Fund, ~~30.4 percent eleven twenty-fourths~~ of the net collections to the Revenue Sharing Trust Fund for Municipalities, ~~2.8 percent and one twenty-fourth~~ of the net collections to the Revenue Sharing Trust Fund for Counties, and ~~34.9 percent of the~~

*net collections for the funding of indigent health care to the Public Medical Assistance Trust Fund.*

Section 4. On the day this act takes effect, before opening for business, each manufacturer, distributor, wholesaler, and vendor in this state shall take an inventory of the cigarettes as defined in chapter 210, Florida Statutes, on hand and shall certify the amount of inventory to the Division of Alcoholic Beverages and Tobacco within 10 days after this act takes effect, accompanied by a check or money order for the amount of increased tax due upon such inventory. The tax on inventory is at the rate of 14 cents per package for packages of 20 cigarettes of standard dimensions, regardless of the size or number of cigarettes per package in inventory. The provisions of chapter 210, Florida Statutes, relating to penalties and interest for delinquent payments apply to this section. The proceeds of the tax upon inventory imposed by this section must be deposited into the Public Medical Assistance Trust Fund.

Section 5. Subsection (1) of section 15.09, Florida Statutes, is amended to read:

15.09 Fees.—

(1) The fees, except as provided by law, to be collected by the Department of State, are:

(a) For searching of papers or records, ~~\$3 \$2~~, except that there shall be no charge for telephone requests for general corporate information, including the corporation's status, names of officers and directors, address of principal place of business, and name and address of resident agent.

(b) For providing certificate with seal, ~~\$7.50 \$5~~; however, no fee shall be charged for providing a certificate with seal to any officer appointed to an office requiring Senate confirmation.

(c) For furnishing statistical information and for copying any document not mentioned, ~~75 50 cents~~ per page or fraction thereof.

(d) For certifying a copy of a corporation charter, ~~\$7.50 \$5~~ unless the charter is more than eight pages; if more than eight pages, ~~\$7.50 \$5~~ plus ~~75 50 cents~~ per page for each page over eight. When a copy of a corporation charter is furnished and needs only to be verified and certified, the total fee is ~~\$7.50 \$5~~.

Section 6. Section 15.091, Florida Statutes, is amended to read:

15.091 Fees; filing under ch. 679, Uniform Commercial Code.—

(1) The fees for filing of any financing statement or other writing required or permitted to be filed by any provision of chapter 679 of the Uniform Commercial Code are ~~\$10.50 \$7~~ for the first page of each financing statement or other writing and ~~\$3 \$2~~ for each additional page thereof.

(2) Notwithstanding the provisions of s. 15.09, the fee for searching of papers or records is ~~\$16.50 \$11~~ and the fee for copying any documents is ~~1.50 \$1~~ per page or fraction thereof.

Section 7. Subsection (1) of section 48.161, Florida Statutes, is amended to read:

48.161 Method of substituted service on nonresident.—

(1) When authorized by law, substituted service of process on a non-resident or a person who conceals his whereabouts by serving a public officer designated by law shall be made by leaving a copy of the process with a fee of ~~\$7.50 \$5~~ with the public officer or in his office or by mailing the copies by certified mail to the public officer with the fee. The service is sufficient service on a defendant who has appointed a public officer as his agent for the service of process. Notice of service and a copy of the process shall be sent forthwith by registered or certified mail by the plaintiff or his attorney to the defendant, and the defendant's return receipt and the affidavit of the plaintiff or his attorney of compliance shall be filed on or before the return day of the process or within such time as the court allows, or the notice and copy shall be served on the defendant, if found within the state, by an officer authorized to serve legal process, or if found without the state, by a sheriff or a deputy sheriff of any county of this state or any duly constituted public officer qualified to serve like process in the state or jurisdiction where the defendant is found. The officer's return showing service shall be filed on or before the return day of the process or within such time as the court allows. The fee paid by the plaintiff to the public officer shall be taxed as cost if he prevails in the action. The public officer shall keep a record of all process served on him showing the day and hour of service.

Section 8. Section 425.28, Florida Statutes, is amended to read:

425.28 Fees.—The Department of State shall charge and collect for:

- (1) Filing articles of incorporation, \$15 ~~\$10~~;
- (2) Filing articles of amendment, \$7.50 ~~\$5~~;
- (3) Filing articles of consolidation or merger, \$7.50 ~~\$5~~;
- (4) Filing articles of conversion, \$7.50 ~~\$5~~;
- (5) Filing certificate of election to dissolve, \$7.50 ~~\$5~~;
- (6) Filing articles of dissolution, \$7.50 ~~\$5~~;
- (7) Filing certificate of change of principal office, \$3 ~~\$2~~;
- (8) Filing certified copy of charter or articles of incorporation of foreign corporation pursuant to s. 425.27, \$15 ~~\$10~~.

Section 9. Subsection (6) of section 495.031, Florida Statutes, is amended to read:

495.031 Application for registration.—

(6) Every application under this section shall be accompanied by a filing fee of \$75 ~~\$50~~, payable to the Department of State, for each class of goods or services as specified in s. 495.111, in connection with which the mark is used.

Section 10. Subsection (1) of section 495.071, Florida Statutes, is amended to read:

495.071 Duration and renewal.—

(1) Registration of a mark hereunder shall be effective for a term of 10 years from the date of registration and, upon application filed within 6 months prior to the expiration of such term, on a form to be furnished by the Department of State, the registration may be renewed for a like term. A renewal fee of \$75 ~~\$50~~ for each class of goods or services with respect to which such renewal is sought, payable to the Department of State, shall accompany the application for renewal of the registration.

Section 11. Section 506.08, Florida Statutes, is amended to read:

506.08 Fee for filing.—There shall be paid for such filing and recording a fee of \$22.50 ~~\$15~~. The Department of State shall deliver to such person, association or union so filing or causing to be filed any label, trademark, term, wording, design, device, color or form of advertisement so many duly attested certificates of the recording of the same as such person, association or union may apply for, for each of which the department shall receive a fee of \$22.50 ~~\$15~~. Any certificate of record shall, in all suits and prosecutions hereunder, be sufficient proof of the adoption of such label, trademark, term, wording, design, device, color or form of advertisement. The Department of State shall not record for any person, union or association any label, trademark, term, wording, design, device, color or form of advertisement that would probably be mistaken for any label, trademark, term, wording, design, device, color or form of advertisement theretofore filed by or on behalf of any other person, union or association.

Section 12. Section 604.11, Florida Statutes, is amended to read:

604.11 Limited agricultural association; formation, fees.—

(1) The articles of association shall be subscribed by the original members and acknowledged by one of them before an officer authorized by the laws of this state to take acknowledgments and administer oaths.

(2) Two copies of the proposed articles of association, together with a certificate of the Department of State to the effect that there is no other limited agricultural association within the state having the same name, shall be filed with the clerk of the circuit court in the county within which the principal place of business of the association is to be located. The said articles shall then be presented to a circuit judge of the circuit within which the principal place of business of the association is to be located, and, if such judge shall find that the proposed articles of association are for purposes authorized by law, he shall approve the same and endorse his approval thereon. The articles of association, with their endorsements, shall thereupon be recorded by the clerk of the circuit court, and thereafter the association and the subscribers shall be a limited agricultural association for profit. The clerk of the circuit court shall transmit a certified copy of the articles of association to the Department

of State for filing. The original articles of association, or any certified copy thereof, shall be received as conclusive evidence of the contents thereof. The Department of State and the clerk of the circuit court shall each be entitled to a fee of \$4.50 ~~\$3~~ for all services rendered by them in connection with the formation of the association.

Section 13. Section 607.0122, Florida Statutes, is amended to read:

607.0122 Fees for filing documents and issuing certificates.—The Department of State shall collect the following fees when the documents described in this section are delivered to the department for filing:

- (1) Articles of incorporation: \$30 ~~\$20~~.
- (2) Application for reserved name: \$30 ~~\$20~~.
- (3) Notice of transfer of reserved name: \$30 ~~\$20~~.
- (4) Application for registered name: \$75 ~~\$50~~.
- (5) Application for renewal of registered name: \$75 ~~\$50~~.
- (6) Corporation's statement of change of registered agent or registered office or both if not included on the annual report: \$30 ~~\$20~~.
- (7) Designation of and acceptance by registered agent: \$30 ~~\$20~~.
- (8) Agent's statement of resignation from active corporation: \$75 ~~\$50~~.
- (9) Agent's statement of resignation from administratively dissolved corporation: \$30 ~~\$20~~.
- (10) Amendment of articles of incorporation: \$30 ~~\$20~~.
- (11) Restatement of articles of incorporation with amendment of articles: \$30 ~~\$20~~.
- (12) Articles of merger or share exchanges for each party thereto: \$30 ~~\$20~~.
- (13) Articles of dissolution: \$30 ~~\$20~~.
- (14) Articles of revocation of dissolution: \$30 ~~\$20~~.
- (15) Application for reinstatement following administrative dissolution: \$150 ~~\$100~~.
- (16) Application for certificate of authority to transact business in this state by a foreign corporation: \$30 ~~\$20~~.
- (17) Application for amended certificate of authority: \$30 ~~\$20~~.
- (18) Application for certificate of withdrawal by a foreign corporation: \$30 ~~\$20~~.
- (19) Annual report: \$52.50 ~~\$35~~.
- (20) Articles of correction: \$30 ~~\$20~~.
- (21) Application for certificate of status: \$7.50 ~~\$5~~.
- (22) Certificate of domestication of a foreign corporation: \$225 ~~\$150~~.
- (23) Certified copy of document: \$45 ~~\$30~~.
- (24) Serving as agent for substitute service of process: \$75 ~~\$50~~.
- (25) Any other document required or permitted to be filed by this act: \$30 ~~\$20~~.

Section 14. Subsection (2) of section 607.1901, Florida Statutes, is amended to read:

607.1901 Corporations Trust Fund.—

(2)(a) The Legislature shall appropriate from the fund such amounts as it deems necessary for the operation of the division.

(b) Three and one-third Five percent of all moneys deposited each month in the fund are transferred to the Corporation Tax Administration Trust Fund created pursuant to s. 213.31.

Section 15. Section 607.361, Florida Statutes, is amended to read:

607.361 Fees for filing documents and issuing certificates.—The Department of State shall charge and collect for:

(1) Filing any document, instrument, application, or certificate provided for by this chapter but not otherwise specified in this section, \$30 \$20.

(2) Articles of merger or consolidation, for each party thereto, \$30 \$20.

(3) Filing an application for reinstatement of articles of incorporation or authority to do business, \$150 \$100.

(4) Furnishing a certified copy, \$45 \$30 for the first 15 pages plus \$.75 \$.50 for each additional page.

(5) Filing a notice of resignation as a registered agent, \$75 \$50.

(6) Serving as agent for service of process, \$75 \$50.

(7) Acceptance of any witness subpoena, at the time of service, and notwithstanding any other law:

(a) A fee of \$75 \$50; and

(b) A fee for per diem and travel expenses pursuant to s. 92.142(2).

(8) Filing an annual report, \$47.50 \$35, \$10 of which shall not be subject to the provisions of s. 607.372(2)(b).

(9) Filing an application of a foreign corporation to register its corporate name, \$7.50 \$5 for each month or fraction of a month between the date of filing such application and December 31 of the calendar year in which such application is filed.

(10) Filing an application of a foreign corporation for renewal of the registration of its corporate name, \$75 \$50.

(11) Certificate of domestication of a foreign corporation, \$225 \$150.

Section 16. Section 608.452, Florida Statutes, is amended to read:

608.452 Fees for filing documents and issuing certificates.—The Department of State shall charge and collect:

(1) For filing the original articles of organization and issuing a certificate of organization, the following fee if the capital of the limited liability company is:

Capital	Filing Fee
Not in excess of \$100,000 .....	\$75 \$50
\$100,001 to \$250,000 .....	\$112.50 \$75
\$250,001 to \$500,000 .....	\$150 \$100
\$500,001 to \$1,000,000 .....	\$225 \$150
In excess of \$1,000,000 .....	\$375 \$250

(2) For amending the articles of organization, a filing fee of \$45 \$30, together with the appropriate fee set out in subsection (1) if the amendment is to increase the amount of capital.

(3) For filing a statement of intent to dissolve, a fee of \$45 \$30.

(4) For filing articles of dissolution, issuing a certificate of dissolution, and canceling the certificate of organization, a fee of \$45 \$30.

(5) For filing a statement of change of address of registered office or change of registered agent, or both, a fee of \$7.50 \$5.

(6) For an annual report, a fee of \$75 \$50, due and payable January 2 of each year. This fee is delinquent if not paid by July 1, and an addition to the fee of \$75 \$50 shall then be due.

Section 17. Section 608.453, Florida Statutes, is amended to read:

608.453 Miscellaneous charges.—The Department of State shall charge and collect:

(1) For furnishing a certified copy of any document, instrument, or paper relating to a limited liability company, a fee of \$22.50 \$15 for the certificate and affixing the seal thereto.

(2) At the time of any service of process on a registered agent of a limited liability company, a fee of \$37.50 \$25, which amount may be recovered as taxable costs by the party to the suit or action causing such service to be made if such party prevails in the suit or action.

Section 18. Section 609.02, Florida Statutes, is amended to read:

609.02 Filing a declaration of trust.—Every such organization organized for the purpose of transacting business in this state, or organized in this state for the purpose of transacting business elsewhere, which intends to sell or offer for sale any units, shares, contracts, notes, bonds, mortgages, oil or mineral leases or other security of such association shall, prior to transacting any such business, file with the Department of State a true and correct copy of the declaration of trust under which the association proposes to conduct its business, which copy shall be sworn to, as being a true and correct copy, by the chairman of the board of trustees named in such declaration of trust. When such copy shall have been filed with the Department of State it shall constitute public notice as to the purposes and manner of the business to be engaged in by such association. The Department of State, prior to the issuance of the certificate by it, shall collect from the said association a filing fee of \$300 \$200, which fee shall be paid by it into the general fund of the state.

Section 19. Subsection (9) of section 609.08, Florida Statutes, is amended to read:

609.08 Merger of association into wholly-owned subsidiary corporation; dissenters' rights of appraisal.—

(9) The articles of merger shall be delivered to the Department of State. If the Department of State finds that such articles conform to law, it shall, when all fees and taxes have been paid as prescribed in this chapter, and when a filing fee of \$300 \$200 has been paid to the Department of State (which fee shall be paid by it into the General Revenue Fund of the state), file the articles of merger.

Section 20. For purposes of incorporating the amendments to sections 607.0122 and 607.361, Florida Statutes, in references thereto, section 617.002, Florida Statutes, is reenacted to read:

617.002 Applicability of General Corporation Act.—The provisions of chapter 607, the Florida General Corporation Act, apply to all corporations not for profit, except to the extent that any provision of chapter 607 conflicts with any provision of this chapter.

Section 21. Paragraph (b) of subsection (8) of section 618.04, Florida Statutes, is amended to read:

618.04 Articles of incorporation; fees.—Each association organized under this chapter shall prepare and file articles of incorporation setting forth:

(8)

(b) The articles shall be subscribed by the incorporators and acknowledged by one of them, if individuals, or by the president or any vice president of one of them, if corporations, before an officer authorized by law to take and certify acknowledgments of deeds and conveyances, and shall be filed with the Department of State accompanied by a fee of \$45 \$30 which shall be the only fee required therefor; and thereupon the association shall be and constitute a body corporate under the provisions of this chapter, and a copy of said articles of incorporation certified by the Department of State shall be received in all the courts of this state and other places, as prima facie evidence of the facts contained therein and of the due incorporation of such association.

Section 22. Section 618.26, Florida Statutes, is amended to read:

618.26 Conditions under which foreign similar corporation may do business in this state.—Any cooperative association with or without capital stock as defined in this chapter heretofore or hereafter organized under the laws of another state shall be allowed to carry on any proper activities, operations and functions in this state upon the filing with the Department of State of a certified copy of its articles of incorporation and the payment of a filing fee of \$15 \$10 in lieu of all franchise or license or corporation taxes as required of associations organized under this chapter, and all contracts which could be made by any association organized under this chapter, made by or with such associations shall be legal and valid and enforceable in this state with all of the remedies set forth in this chapter.

Section 23. Section 620.182, Florida Statutes, is amended to read:

620.182 Fees of the Department of State.—The fees of the Department of State under this act are as follows:

(1) For furnishing a certified copy, \$45 \$30 for the first 15 pages plus 75 50 cents for each additional page.

(2) For filing an original certificate of limited partnership, an amount based upon the anticipated amount of capital contributions of the limited partners, calculated at the rate of \$6 \$4 per \$1,000 of such contributions; but the amount of such filing fee may not be less than \$45 \$30 or more than \$1,500 \$1,000.

(3) For filing an original application for registration as a foreign limited partnership, an amount based upon the anticipated amount of capital contributions of the limited partners that is allocated for the purpose of transacting business in this state, calculated at the rate of \$6 \$4 per \$1,000 of such contributions; but the amount of such filing fee may not be less than \$45 \$30 or more than \$1,500 \$1,000.

(4) For filing a supplemental affidavit declaring the amount of capital contributions of the limited partners when there is an increase in capital contribution beyond the anticipated amount, an amount based upon the additional amount of capital contributions of the limited partners, calculated at the rate of \$6 \$4 per \$1,000 of such contributions; but the amount of such filing fee may not be less than \$45 \$30 or more than \$1,500 \$1,000.

(5) For filing an annual report, if a domestic limited partnership, an amount based upon the amount of the capital contributions of the limited partners, calculated at the rate of \$6 \$4 per \$1,000 of such contributions, or, if a foreign limited partnership, an amount based upon the amount of capital contributions of the limited partners that is allocated for the purpose of transacting business in this state, calculated at the rate of \$6 \$4 per \$1,000 of such contributions; but the amount of such filing fee may not be less than \$45 \$30 or more than \$375 \$250.

(6) For filing a certificate:

(a) Designating a registered agent, \$30 \$20;

(b) Changing a registered agent, \$30 \$20; or

(c) Resigning as a registered agent, \$75 \$50.

(7) For filing an application to reserve a limited partnership name or a notice of transfer of a reserved limited partnership name, \$30 \$20.

(8) For filing a certificate of cancellation of limited partnership or of registration, \$45 \$30.

(9) For filing any other domestic or foreign limited partnership document, \$45 \$30.

(10) For furnishing a certificate of fact, \$7.50 \$5.

Section 24. Subsection (8) of section 679.402, Florida Statutes, is amended to read:

679.402 Formal requisites of financing statement; amendments.—

(8) The Department of State may promulgate approved and uniform forms of financing statements and other instruments to be filed with the Department of State pursuant to this chapter. Any person filing any instrument permitted or required to be filed under this chapter with the Department of State on a form other than the approved or uniform form of the Department of State shall pay a fee of \$4.50 \$3 in addition to the fee required by s. 15.091.

Section 25. Section 201.02, Florida Statutes, is amended to read:

201.02 Tax on deeds and other instruments relating to real property or interests in real property.—

(1) On deeds, instruments, or writings whereby any lands, tenements, or other real property, or any interest therein, shall be granted, assigned, transferred, or otherwise conveyed to, or vested in, the purchaser or any other person by his direction, on each \$100 of the consideration therefor the tax shall be 55 cents. When the full amount of the consideration for the execution, assignment, transfer, or conveyance is not shown in the face of such deed, instrument, document, or writing, the tax shall be at the rate of 55 cents for each \$100 or fractional part thereof of the consideration therefor. *For purposes of this section, consideration includes the price paid or agreed to be paid; the discharge of an obligation; and the amount of any mortgage, purchase money mortgage lien, or other encumbrance, whether or not the underlying indebtedness is assumed. If the consideration paid or given in exchange for real property or any interest therein includes property other than money, it is presumed*

*that the consideration is equal to the fair market value of the real property or interest therein.*

(2) The tax imposed by subsection (1) shall also be payable upon documents by which the right is granted to a tenant-stockholder to occupy an apartment in a building owned by a cooperative apartment corporation.

(3) The tax imposed by subsection (2) shall be paid by the purchaser, and the document recorded in the office of the clerk of the circuit court as evidence of ownership.

(4) The tax imposed by subsection (1) shall also be payable upon documents which convey or transfer, pursuant to s. 689.071, any beneficial interest in lands, tenements, or other real property, or any interest therein, even though such interest may be designated as personal property, notwithstanding the provisions of s. 689.071(4). The tax shall be paid upon execution of any such document.

(5) All conveyances of real property to a partner from a partnership *which property was conveyed to the partnership after July 1, 1986, meeting the following conditions are taxable if, unless the taxpayer establishes that the conveyance is for purposes other than the avoidance of tax under this chapter:*

~~(a) The real property was conveyed to the partnership less than 6 months prior to the conveyance to the partner by the partnership;~~

~~(a)(b) The partner receiving the real property from the partnership is a partner other than the partner who conveyed the real property to the partnership; or and~~

*(b) The partner receiving the real property from the partnership is the partner who conveyed the real property to the partnership and there is a mortgage debt or other debt secured by such real property for which the partner was not personally liable prior to conveying the real property to the partnership.*

~~(c) The real property was conveyed to the partnership after July 1, 1986.~~

For purposes of this subsection, the value of the consideration paid for the conveyance of the real property to the partner from the partnership *includes, but is not limited to,* is the amount of any outstanding mortgage debt or other debt which the partner pays or agrees to pay in exchange for the real property, regardless of whether the partner was personally liable for the debts of the partnership prior to the conveyance to the partner from the partnership.

Section 26. Subsection (1) of section 201.05, Florida Statutes, is amended to read:

201.05 Tax on stock certificates.—

(1) On each original issue, whether organization or reorganization, of certificates of stock or shares however designated issued in the state or of certificates of profits or of interest in property or accumulations, by any corporation or by any joint stock company or other association as set forth in subsection (2), on each \$100 of face value or fraction thereof the tax shall be 30 15 cents; provided that when a certificate is issued without face value, the tax shall be 30 15 cents on each \$100 of actual value or fraction thereof. The stamps representing the tax imposed by this section shall be attached to the stock books and not to the certificates issued. The provisions of this section do not apply to any stock or share issued in this state of an open-end or closed-end management company or a unit investment trust registered under the Investment Company Act of 1940, as amended.

Section 27. Section 201.07, Florida Statutes, is amended to read:

201.07 Tax on bonds, debentures, and certificates of indebtedness.— On all bonds, debentures, or certificates of indebtedness issued in the state by any person, and all instruments and documents, however termed, issued by any corporation with interest coupons or in registered form, on each \$100 of the face value or fraction thereof, the tax shall be 30 15 cents; provided, however, that only that part of the value of the bonds, debentures, or certificates of indebtedness issued by any such person, the property of which is located within the state shall bear to the whole value of the property described in said instrument or obligation shall be taxed hereunder.

Section 28. Subsections (1) and (2) of section 201.08, Florida Statutes, are amended to read:

201.08 Tax on promissory or nonnegotiable notes, written obligations to pay money, or assignments of wages or other compensation; exception.—

(1) On promissory notes, nonnegotiable notes, written obligations to pay money, or assignments of salaries, wages, or other compensation made, executed, delivered, sold, transferred, or assigned in the state, and for each renewal of the same, the tax shall be ~~30~~ <sup>15</sup> cents on each \$100 or fraction thereof of the indebtedness or obligation evidenced thereby. On mortgages, trust deeds, security agreements, or other evidences of indebtedness filed or recorded in this state, and for each renewal of the same, the tax shall be ~~30~~ <sup>15</sup> cents on each \$100 or fraction thereof of the indebtedness or obligation evidenced thereby. Mortgages, including, but not limited to, mortgages executed without the state and recorded in the state, which incorporate the certificate of indebtedness, not otherwise shown in separate instruments, are subject to the same tax at the same rate. When there is both a mortgage, trust deed, or security agreement and a note, certificate of indebtedness, or obligation, the tax shall be paid on the mortgage, trust deed, or security agreement at the time of recordation. A notation shall be made on the note, certificate of indebtedness, or obligation that the tax has been paid and the proper stamps affixed to the mortgage, trust deed, or security agreement. If the mortgage, trust deed, security agreement, or other evidence of indebtedness subject to the tax levied by this section secures future advances, as provided in s. 697.04, the tax shall be paid at the time of recordation on the initial debt or obligation secured, excluding future advances; at the time and so often as any future advance is made, the tax shall be paid on all sums then advanced regardless of where such advance is made. Notwithstanding the aforesaid general rule, any increase in the amount of original indebtedness caused by interest accruing under an adjustable rate note or mortgage having an initial interest rate adjustment interval of not less than 6 months shall be taxable as a future advance only to the extent such increase is a computable sum certain when the document is executed. Failure to pay the tax shall not affect the lien for any such future advance given by s. 697.04, but any person who fails or refuses to pay such tax due by him is guilty of a misdemeanor of the first degree. The mortgage, trust deed, or other instrument shall not be enforceable in any court of this state as to any such advance unless and until the tax due thereon upon each advance that may have been made thereunder has been paid.

(2) On promissory notes, nonnegotiable notes, written obligations to pay money, or other compensation, made, executed, delivered, sold, transferred, or assigned in the state, in connection with sales made under retail charge account services, incident to sales which are not conditional in character and which are not secured by mortgage or other pledge of purchaser, the tax shall be ~~30~~ <sup>15</sup> cents on each \$100 or fraction thereof of the gross amount of the indebtedness evidenced by such instruments, payable quarterly on such forms and under such rules and regulations as may be promulgated by the Department of Revenue. No documentary stamps shall be required to be attached to instruments under the provisions of this subsection.

Section 29. Subsection (1) of section 201.09, Florida Statutes, is amended to read:

201.09 Renewal of existing promissory notes and mortgages; exemption.—

(1) When any promissory note is given in renewal of any existing promissory note, which renewal note only extends or continues the identical contractual obligations of the original promissory note and evidences part or all of the original indebtedness evidenced thereby, not including any accumulated interest thereon and without enlargement in any way of the original contract and obligation, such renewal note shall not be subject to taxation under this chapter if such renewal note has attached to it the original promissory note with canceled stamps affixed thereon showing full payment of the tax due thereon. *In order to be exempt from taxation under this section, a renewal note must be executed only by the original obligor and must renew and extend only the unpaid balance of the original contract and obligation.*

Section 30. Section 201.15, Florida Statutes, is amended to read:

201.15 Distribution of taxes collected.—All taxes collected under the provisions of this chapter shall be distributed as follows:

(1) ~~Sixty-nine and six-tenths Sixty and eight-tenths~~ percent of the total taxes collected under the provisions of this chapter shall be paid into the State Treasury to the credit of the General Revenue Fund of the state to be used and expended for the purposes for which the General Revenue Fund was created and exists by law.

(2) ~~Nine and two-tenths Eleven and eight-tenths~~ percent of the total taxes collected under the provisions of this chapter shall be paid into the State Treasury to the credit of the Land Acquisition Trust Fund. Sums deposited in such fund pursuant to this subsection may be used for any purpose for which funds deposited in the Land Acquisition Trust Fund may lawfully be used and may be used to pay the cost of the collection and enforcement of the tax levied by this chapter.

(3) ~~Two and three-tenths Three~~ percent of the total taxes collected under the provisions of this chapter shall be paid into the State Treasury to the credit of the Land Acquisition Trust Fund. Moneys deposited in the trust fund pursuant to this section shall be used for the following purposes:

(a) Sixty percent of the moneys shall be used to acquire coastal lands or to pay debt service on bonds issued to acquire coastal lands; and

(b) Forty percent of the moneys shall be used to develop and manage lands acquired with moneys from the Land Acquisition Trust Fund.

(4) ~~Seven and one-tenth Nine and two-tenths~~ percent of the total taxes collected under the provisions of this chapter shall be paid into the State Treasury to the credit of the Water Management Lands Trust Fund. Sums deposited in that fund may be used for any purpose authorized in s. 373.59 and may be used to pay the cost of the collection and enforcement of the tax levied by this chapter.

(5) ~~Four and seven-tenths Six~~ percent of the total taxes collected under the provisions of this chapter shall be paid into the State Treasury to the credit of the State Infrastructure Trust Fund.

(6) ~~Seven and one-tenth Nine and two-tenths~~ percent of the total taxes collected under the provisions of this chapter shall be paid into the State Treasury to the credit of the Conservation and Recreation Lands Trust Fund to carry out the purposes set forth in s. 253.023.

Section 31. Section 199.032, Florida Statutes, is amended to read:

199.032 Levy of annual tax.—An annual tax of ~~1 mill~~ is hereby imposed on each dollar of the just valuation of all intangible personal property which has a taxable situs in this state, except for notes, bonds, and other obligations for the payment of money which are secured by mortgage, deed of trust, or other lien upon real property situated in the state. *Such tax shall be levied at the rate of 1.5 mills, except that natural persons shall pay at the rate of 1 mill.* This tax shall be assessed and collected as provided in this chapter.

Section 32. Subsection (1) of section 199.103, Florida Statutes, is amended to read:

199.103 Basis of assessment; valuation.—All intangible personal property shall be subject to the annual tax at its just valuation as of January 1 of each year. Such property shall be valued in the following manner:

(1) Shares of stock of corporations, or any interest of a partner in any limited partnership, regularly listed on any public stock exchange or regularly traded over-the-counter shall be valued at their closing prices on the last business day of the previous calendar year.

Section 33. Paragraph (c) of subsection (1) of section 199.185, Florida Statutes, is amended to read:

199.185 Property exempted from annual and nonrecurring taxes.—

(1) The following intangible personal property shall be exempt from the annual and nonrecurring taxes imposed by this chapter:

(c) Any interest as a partner in a general partnership, excluding any interest as a limited partner either general or limited.

Section 34. Section 199.292, Florida Statutes, is amended to read:

199.292 Disposition of intangible personal property taxes.—All intangible personal property taxes collected pursuant to this chapter shall be placed in a special fund designated as the "Intangible Tax Trust Fund." The fund shall be disbursed as follows:

(1) Revenues derived from the annual tax on a leasehold described in s. 199.023(1)(d) shall be returned to the local school board for the county in which the property subject to the leasehold is situated.

(2) There is hereby appropriated annually out of the fund the amount necessary for the effective and efficient administration and enforcement by the department of the provisions of chapters 192, 193, 194, 195, 196, 197, and 198 and this chapter.

(3) An amount equal to 44.7 55 percent of the remaining intangible personal property taxes collected shall be transferred to the Revenue Sharing Trust Fund for Counties. An amount equal to 55.3 45 percent of the remaining taxes collected shall be transferred to the General Revenue Fund of the state.

Section 35. Subsections (7) and (8) of section 212.06, Florida Statutes, are amended, present subsections (9) and (10) of said section are renumbered as subsections (10) and (11), respectively, and a new subsection (9) is added to said section to read:

212.06 Sales, storage, use tax; collectible from dealers; "dealer" defined; dealers to collect from purchasers; legislative intent as to scope of tax.—

(7) The provisions of this chapter do not apply in respect to the use or consumption of tangible personal property, or distribution or storage of tangible personal property for use or consumption in this state, upon which a like tax equal to or greater than the amount imposed by this chapter has been lawfully imposed and paid in another state, territory of the United States, or the District of Columbia. The proof of payment of such tax shall be made according to rules and regulations of the department. If the amount of tax paid in another state, territory of the United States, or the District of Columbia is not equal to or greater than the amount of tax imposed by this chapter, then the dealer shall pay to the department an amount sufficient to make the tax paid in the other state, territory of the United States, or the District of Columbia and in this state equal to the amount imposed by this chapter. *This subsection does not apply to the taxation of motor vehicles as specified in subsection (9).*

(8) Use tax ~~applies to will apply~~ and is due on tangible personal property imported or caused to be imported into this state for use, consumption, distribution, or storage to be used or consumed in this state; provided, however, that it shall be presumed that tangible personal property used in another state, territory of the United States, or the District of Columbia for 6 months or longer before being imported into this state was not purchased for use in this state. *This subsection does not apply to the taxation of motor vehicles as specified in subsection (9).* The rental or lease of tangible personal property which is used or stored in this state shall be taxable without regard to its prior use or tax paid on purchase outside this state.

(9)(a) Use tax at the rate of 5.0 percent applies and is due on every motor vehicle classified in s. 320.08(2)(b), (c), or (d), (3)(a), (b), or (c), or (9)(c) or (d); imported or caused to be imported into this state; and registered or required to be registered, titled, or licensed in this state.

(b) Such use tax shall be calculated on the average trade-in value of the vehicle as published in the most recent volume of the applicable N.A.D.A. guide. For a used motor vehicle the value of which no longer appears in the applicable N.A.D.A. guide, the use tax shall be calculated in the following manner:

Number of Years Removed from N.A.D.A. Guide	Average Trade-in Value
1	75 percent of trade-in value of same make vehicle last appearing in guide.
2	50 percent of trade-in value of same vehicle last appearing in guide.
3	25 percent of trade-in value of same make vehicle last appearing in guide.
All Others	10 percent of trade-in value of same make vehicle last appearing in guide.

(c) If a motor vehicle taxed under this subsection has never been listed in the applicable N.A.D.A. guide, the department shall depreciate

the original f.o.b. factory list price, f.o.b. port-of-entry list price, or the manufacturer's suggested list price, using one of the following methods:

1. If the motor vehicle is less than 1 year in age, the depreciation percentage shall be 20 percent; or
2. If the motor vehicle is 1 year or older in age, the department shall determine the depreciation percentage consistent with the average trade-in values published in the most recent volume of an applicable N.A.D.A. guide.

(d) This subsection does not apply to motor vehicles imported or caused to be imported into this state for use or storage in this state within 30 days after the date of purchase of such motor vehicle, if a like tax equal to or greater than the amount imposed by this chapter has been lawfully imposed and paid in another state, territory of the United States, or the District of Columbia. The proof of payment of such tax must be made according to rules of the department. If the amount of tax paid in another state, territory of the United States, or the District of Columbia is not equal to or greater than the amount of tax imposed by this chapter, the dealer shall pay to the department an amount sufficient to make the total tax paid in this state and in the other state, territory of the United States, or the District of Columbia equal to the amount imposed by this chapter.

Section 36. Section 215.20, Florida Statutes, is amended to read:

215.20 Certain moneys and certain trust funds to contribute to the General Revenue Fund.—

(1) A service charge of 6 percent, representing the estimated pro rata share of the cost of general government paid from the General Revenue Fund, shall be deducted from all income of a revenue nature deposited in all the moneys and trust funds except those exempted from service charges under enumerated in s. 215.22. ~~The deduction shall be as provided in s. 215.22;~~ Income of a revenue nature includes all earnings received or credited by such moneys and trust funds, including the interest or benefit received from the investment of the principal of such trust funds as may be permitted by law. This provision shall be construed in favor of the General Revenue Fund in each instance. All such deductions shall be deposited in the General Revenue Fund.

(2) Notwithstanding subsection (1), funds collected for peanut, soybean, and tobacco marketing orders pursuant to chapter 570 shall be subject to a service charge of 3 percent.

(3)(2) There is appropriated from the proper respective trust funds from time to time such sums as may be necessary to pay such service charges.

Section 37. Section 215.22, Florida Statutes, is amended to read:

215.22 Certain moneys and certain trust funds exempt from service charges; exceptions enumerated.—

(1) The following described moneys and income of a revenue nature deposited in the following described trust funds, by whatever name designated, are exempt from deductions authorized by s. 215.20:

- (a) Student financial aid or prepaid tuition receipts;
- (b) Trust funds administered by the Department of Lottery;
- (c) Departmental administrative assessments for administrative divisions;
- (d) Funds charged by a state agency for services provided to another state agency;
- (e) State, agency, or political subdivision investments by the Treasurer;
- (f) Retirement or employee benefit funds;
- (g) Self-insurance programs administered by the Treasurer;
- (h) Funds held for the payment of citrus canker eradication and compensation;

(i) *Medicaid, medicare, or third-party receipts for client custodial care;*

(j) *Bond proceeds or revenues dedicated for bond repayment;*

(k) *The Public Education Capital Outlay and Debt Service Trust Fund;*

(l) *The trust funds administered by the Department of Transportation;*

(m) *The Motor Vehicle License Clearing Trust Fund;*

(n) *The Solid Waste Management Trust Fund; and*

(o) *The Documentary Stamp Tax Clearing Trust Fund.*

(p) *The Crimes Compensation Trust Fund established pursuant to s. 920.21.*

(q) *Trust funds administered by the Department of Agriculture, except as provided in s. 215.20(2).*

(r) *The Educational Enhancement Trust Fund.*

(2) *Moneys and income of a revenue nature shared with political subdivisions or received from taxes or fees authorized to be levied by any political subdivisions shall be exempted from the deductions authorized by s. 215.20.*

(3) *Notwithstanding subsections (1) and (2), The following described moneys and income of a revenue nature deposited in the following described trust funds, by whatever name designated, is subject to the service charge shall be those from which the deductions authorized by s. 215.20 shall be made:*

(a)(1) *The Gas Tax Collection Trust Fund created in s. 206.45.*

(b)(2) *All income derived from outdoor advertising and overweight violations which is deposited in the State Transportation Trust Fund created in s. 206.46.*

(c)(3) *All taxes levied on motor fuels other than gasoline levied pursuant to the provisions of s. 206.87.*

(d)(4) *The State Alternative Fuel User Fee Clearing Trust Fund established pursuant to s. 206.879(1).*

(e)(5) *The Local Alternative Fuel User Fee Clearing Trust Fund established pursuant to s. 206.879(2).*

(f)(6) *The Cigarette Tax Collection Trust Fund created in s. 210.20.*

(g)(7) *The proceeds of the second oil tax and the second gas tax levied pursuant to s. 211.02.*

(h)(8) *The Nonmandatory Land Reclamation Trust Fund established pursuant to s. 211.3103.*

(i)(9) *The Phosphate Research Trust Fund established pursuant to s. 211.3103.*

(j)(10) *The Land Reclamation Trust Fund established pursuant to s. 211.32(1)(f).*

(k)(11) *The Educational Certification and Service Trust Fund created in s. 231.30.*

(l)(12) *The trust funds administered by the Division of Historical Resources of the Department of State.*

(m)(13) *The Motorboat Revolving Trust Fund created in s. 327.28.*

(n)(14) *The Local Option Gas Tax Trust Fund created pursuant to s. 336.025.*

(o)(15) *The Florida Public Service Regulatory Trust Fund established pursuant to s. 350.113.*

(p)(16) *The State Game Trust Fund established in s. 372.09.*

(q)(17) *All revenues deposited in the Port Trust Fund created pursuant to s. 376.22.*

(r)(18) *The Hospital Cost Containment Trust Fund established pursuant to s. 395.512.*

(s)(19) *The Special Disability Trust Fund created in s. 440.49.*

(t)(20) *The Workers' Compensation Administration Trust Fund created in s. 440.50(1)(a).*

(u)(21) *The Employment Security Administration Trust Fund created in s. 443.211(1).*

(v)(22) *The Special Employment Security Administration Trust Fund created in s. 443.211(2).*

(w)(23) *The Professional Regulation Trust Fund.*

(x)(24) *The Speech-Language Pathology and Audiology Trust Fund established pursuant to s. 468.146.*

(y)(25) *The Division of Licensing Trust Fund established pursuant to s. 493.316.*

(z)(26) *The Florida Land Sales Trust Fund established pursuant to s. 498.019.*

(aa)(27) *The trust fund of the Division of Hotels and Restaurants, as defined in s. 509.072, with the exception of those fees collected for the purpose of funding of the hospitality education program as stated in s. 509.302.*

(bb)(28) *The trust funds administered by the Division of Pari-mutuel Wagering and the Florida Quarter Horse Racing Promotion Trust Fund.*

(cc)(29) *The General Inspection Trust Fund and subsidiary accounts thereof, unless a different percentage is authorized in s. 570.20.*

(dd)(30) *The Florida Citrus Advertising Trust Fund created in s. 601.15(7), including transfers from any subsidiary accounts thereof, unless a different percentage is authorized in that section.*

(ee)(31) *The Agents and Solicitors County License Tax Trust Fund created in s. 624.506.*

(ff)(32) *The Insurance Commissioner's Regulatory Trust Fund created in s. 624.523.*

(gg)(33) *The Financial Institutions' Regulatory Trust Fund established pursuant to s. 655.049.*

(hh)(34) *The Florida Condominiums Trust Fund established pursuant to s. 718.509.*

(ii)(35) *The Florida Real Estate Time-Sharing Trust Fund established pursuant to s. 721.28.*

(jj)(36) *The Florida Mobile Home Trust Fund created pursuant to s. 723.009.*

~~(37) The Crimes Compensation Trust Fund established pursuant to s. 960.21.~~

(kk)(38) *The Records Management Trust Fund established pursuant to s. 257.375.*

(ll)(39) *The Alcoholic Beverage and Tobacco Trust Fund established pursuant to s. 561.025.*

(mm)(40) *The Motor Vehicle Inspection Trust Fund established pursuant to the Clean Outdoor Air Law.*

The enumeration of the above moneys or trust funds ~~does shall~~ not prohibit the applicability thereto of s. 215.24 ~~if should~~ the Governor ~~determines determine~~ that for the reasons mentioned in s. 215.24 the money or trust fund should be exempt from service charges under s. 215.20 herefrom, as it is the purpose of this law to exempt all trust funds from its force and effect when, by the operation of this law, federal matching funds or contributions to any trust fund would be lost to the state.

Section 38. If the Executive Office of the Governor determines that an unmanageable hardship will result if the assessment imposed under section 215.20, Florida Statutes, is applied to certain trust funds, in whole or in part, the Administration Commission by majority vote may order the assessment to be delayed until July 1, 1991. The Executive Office of the Governor's determination of unmanageable hardship is subject to the notice, review, and objection procedures of section 216.177, Florida Statutes. Such an order may operate retroactively to July 1, 1990.

Section 39. Section 215.24, Florida Statutes, is amended to read:

215.24 Exemptions where federal contributions.—

(1) Should any state fund be the recipient of federal contributions, either by the matching of state funds or by a general donation to state funds, and the payment of moneys into the General Revenue Fund under s. 215.20 ~~this law~~ should cause such fund to lose federal assistance, the Governor shall certify to the Department of Banking and Finance and to the State Treasurer that said fund is for that reason exempt from the force and effect of s. 215.20 ~~this law~~.

(2) Should it be determined by the Governor that by reason of payments already made into the General Revenue Fund by any fund under s. 215.20 ~~this law~~, such fund is subject to the loss of federal assistance, then the Governor shall certify to the Department of Banking and Finance and to the State Treasurer that such fund is exempt from the provisions of s. 215.20 ~~this law~~, and the Department of Banking and Finance or the State Treasurer, as the case may be, shall thereupon refund and pay over to such fund any amount or amounts previously paid into the General Revenue Fund by such fund.

Section 40. If a court determines that any coin-operated film or picture machine is used for pornographic purposes, a surcharge of 100 percent of the value of said machine impounded will be paid by the owner of the establishment in which the machine is operated. The revenue raised pursuant to this section shall be deposited in the Child Abuse Trust Fund, which is hereby created.

Section 41. Subsection (2) of section 24.121, Florida Statutes, is amended to read:

24.121 Allocation of revenues and expenditure of funds for public education.—

(2) Each fiscal year, at least ~~38~~ <sup>37.5</sup> percent of the gross revenue from the sale of lottery tickets and other earned revenue, excluding application processing fees, shall be deposited in the Educational Enhancement Trust Fund, which is hereby created in the State Treasury to be administered by the Department of Education. The Department of the Lottery shall transfer moneys to the Educational Enhancement Trust Fund at least once each quarter. Funds in the Educational Enhancement Trust Fund shall be used to the benefit of public education in accordance with the provisions of this act.

Section 42. Effective October 1, 1990, subsections (1) and (2) of section 212.0596, Florida Statutes, are amended, and subsection (6) is added to said section, to read:

212.0596 Taxation of mail order sales.—

(1) For purposes of this part, a "mail order sale" is a sale of tangible personal property, ordered by mail or other means ~~as described in paragraph (2)(e), to a purchaser who is in this state at the time the order is remitted,~~ from a dealer who receives the order in another state of the United States, or in a commonwealth, territory, or other area under the jurisdiction of the United States, and transports the property or causes the property to be transported, whether or not by mail, from any jurisdiction of the United States, including this state, to a person in this state, including the person who ordered the property. ~~For purposes of this definition, it will be presumed that every person resident in this state who remits an order shall have been in this state at the time the order was remitted.~~

(2) Every dealer as defined in s. 212.06(2)(c) who makes a mail order sale is subject to the power of this state to levy and collect the tax imposed by this part when:

(a) The dealer is a corporation doing business under the laws of this state or a person domiciled in, a resident of, or a citizen of, this state;

(b) The dealer maintains retail establishments or offices in this state, whether the mail order sales thus subject to taxation by this state result from or are related in any other way to the activities of such establishments or offices;

(c) The dealer has agents in this state who solicit business or transact business on behalf of the dealer, whether the mail order sales thus subject

to taxation by this state result from or are related in any other way to such solicitation or transaction of business;

(d) The property was delivered in this state in fulfillment of a sales contract that was entered into in this state, in accordance with applicable conflict of laws rules, when a person in this state accepted an offer by ordering the property;

(e) The dealer, by purposefully or systematically exploiting the market provided by this state by any media-assisted, media-facilitated, or media-solicited means, including, but not limited to, direct mail advertising, unsolicited distribution of catalogs, computer-assisted shopping, television, radio, or other electronic media, or magazine or newspaper advertisements or other media, creates nexus with this state;

(f) Through compact or reciprocity with another jurisdiction of the United States, that jurisdiction uses its taxing power and its jurisdiction over the retailer in support of this state's taxing power; or

(g) The dealer consents, expressly or by implication, to the imposition of the tax imposed by this part;

(h) *The dealer is subject to service of process under s. 48.181;*

(i) *The dealer's mail order sales are subject to the power of this state to tax sales or to require the dealer to collect use taxes under a statute or statutes of the United States;*

(j) *The dealer, while not having nexus with this state on any of the bases described in paragraphs (a)-(i) or paragraph (k), is a corporation that is a member of an affiliated group of corporations, as defined in s. 1504(a) of the Internal Revenue Code, whose members are includable under s. 1504(b) of the Internal Revenue Code and whose members are eligible to file a consolidated tax return for federal corporate income tax purposes and any parent or subsidiary corporation in the affiliated group has nexus with this state on one or more of the bases described in paragraphs (a)-(i) or paragraph (k); or*

(k) *The dealer or his activities have sufficient connection with or relationship to this state or its residents of some type other than those described in paragraphs (a)-(j) to create nexus empowering this state to tax its mail order sales or to require the dealer to collect sales tax or accrue use tax.*

(6) *Notwithstanding other provisions of law, a dealer who makes a mail order sale in this state is exempt from collecting and remitting any local option surtax on the sale, unless the dealer is located in a county that imposes a surtax within the meaning of s. 212.054(3)(a), the order is placed through the dealer's location in such county, and the property purchased is delivered into such county or into another county in this state that levies the surtax, in which case the provisions of that paragraph are applicable.*

Section 43. There is hereby appropriated from the General Revenue Fund to the Department of Revenue for fiscal year 1990-1991, the sum of \$1,007,736 for the establishment of 43 personnel positions to provide for enhanced enforcement and auditing of the intangible tax and for processing additional filings pursuant to the preceding section of this act.

Section 44. Paragraph (d) of subsection (2) of section 212.055, Florida Statutes, is amended to read:

212.055 Discretionary sales surtaxes; legislative intent; authorization and use of proceeds.—It is the legislative intent that any authorization for imposition of a discretionary sales surtax shall be published in the Florida Statutes as a subsection of this section, irrespective of the duration of the levy. Each enactment shall specify the types of counties authorized to levy; the rate or rates which may be imposed; the maximum length of time the surtax may be imposed, if any; the procedure which must be followed to secure voter approval, if required; the purpose for which the proceeds may be expended; and such other requirements as the Legislature may provide. Taxable transactions and administrative procedures shall be as provided in s. 212.054.

(2) LOCAL GOVERNMENT INFRASTRUCTURE SURTAX.—

(d)1. The proceeds of the surtax authorized by this subsection and any interest accrued thereto shall be expended within the county and municipalities within the county, or, in the case of a negotiated joint county agreement, within another county, to finance, plan, and construct infrastructure *and to acquire land for public recreation or conservation or protection of natural resources.* Neither the proceeds nor any interest

accrued thereto shall be used for operational expenses of any infrastructure. Counties, as defined in s. 125.011(1), may, in addition, use the proceeds to retire or service indebtedness incurred for bonds issued prior to July 1, 1987, for infrastructure purposes.

2. For the purposes of this paragraph, "infrastructure" means any fixed capital expenditure or fixed capital costs associated with the construction, reconstruction, or improvement of public facilities which have a life expectancy of 5 or more years and any land acquisition, land improvement, design, and engineering costs related thereto.

Section 45. In addition to any other tax or fee imposed by law, a surcharge of 10 cents is imposed upon the sale at retail of any beer, wine, or liquor sold in any establishment licensed pursuant to s. 563.02, s. 564.02, or s. 565.02, Florida Statutes, as follows: on each ounce of liquor; on each 6 ounces of wine; and on each 12 ounces of beer or malt beverage. The provisions of this section shall be administered pursuant to part I of chapter 212, Florida Statutes. Proceeds from the surcharge imposed in this section shall be deposited into the General Revenue Fund.

Section 46. If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared severable.

Section 47. This act shall take effect July 1, 1990, or upon becoming a law, whichever occurs later.

Senators Scott, Langley and Crenshaw offered the following amendment to Amendment 1 which was moved by Senator Crenshaw and adopted:

**Amendment 1A**—On page 38, lines 25-31, and on page 39, lines 1-8, strike all of said lines and renumber subsequent sections.

Senator Myers moved the following amendment to Amendment 1 which was adopted:

**Amendment 1B**—On page 43, between lines 17 and 18, insert:

Section 46. Paragraph (ii) is added to subsection (1) of section 220.03, Florida Statutes, to read:

220.03 Definitions.—

(1) **SPECIFIC TERMS.**—When used in this code, and when not otherwise distinctly expressed or manifestly incompatible with the intent thereof, the following terms shall have the following meanings:

(ii) *"Economic business group" means a group of taxpayers related through common ownership whose business activities are integrated with, are dependent upon, or contribute to a flow of value among members of the group. When direct or indirect ownership or control is 50 percent or more of the outstanding voting stock, the group shall be an "economic business group." These taxpayers are limited to entities that have a federal corporate income tax filing requirement.*

Section 47. Paragraph (b) of subsection (1) of section 220.13, Florida Statutes, is amended to read:

220.13 "Adjusted federal income" defined.—

(1) The term "adjusted federal income" means an amount equal to the taxpayer's taxable income as defined in subsection (2), or such taxable income of more than one taxpayer as provided in s. 220.131, for the taxable year, adjusted as follows:

(b) Subtractions.—

1. In computing the net operating loss deduction allowable for federal income tax purposes under s. 172 of the Internal Revenue Code for the taxable year, the net capital loss allowable for federal income tax purposes under s. 1212 of the Internal Revenue Code for the taxable year, the excess charitable contribution deduction allowable for federal income tax purposes under s. 170(d)(2) of the Internal Revenue Code for the taxable year, and the excess contributions deductions allowable for federal income tax purposes under s. 404 of the Internal Revenue Code for the taxable year, there shall be subtracted from taxable income, in order to arrive at adjusted federal income, such amounts as reflect the following limitations:

a. No deduction may be allowed for net operating losses, net capital losses, and excess contributions deductions under ss. 170(d)(2) and 404 of the Internal Revenue Code which are carried forward from taxable years ending prior to January 1, 1972;

b. The net operating loss, net capital loss, and excess contributions deductions under ss. 170(d)(2) and 404 of the Internal Revenue Code, respectively, allowable for any taxable year beginning before and ending after January 1, 1972, shall be limited to an amount which bears the same ratio to the taxpayer's net operating loss, net capital loss, and excess contributions deductions under ss. 170(d)(2) and 404 of the Internal Revenue Code, respectively, for the entire taxable year as the number of days in such year after December 31, 1971, bears to the total number of days in such year, unless the taxpayer elects to account separately for income under s. 220.12(3) of this code, in which case the net operating loss, net capital loss, and excess contributions deductions under ss. 170(d)(2) and 404 of the Internal Revenue Code, respectively, allowable for such year shall be determined on the basis of the items actually earned, received, paid, incurred, or accrued after December 31, 1971; and

c. A net operating loss and a capital loss shall never be carried back as a deduction to a prior taxable year, but all deductions attributable to such losses shall be deemed net operating loss carryovers and capital loss carryovers, respectively, and treated in the same manner, to the same extent, and for the same time periods as are prescribed for such carryovers in ss. 172 and 1212, respectively, of the Internal Revenue Code.

2. There shall be subtracted from such taxable income any amount to the extent included therein the following:

a. Dividends treated as received from sources without the United States, as determined under s. 862 of the Internal Revenue Code.

b. All amounts included in taxable income under s. 78 of the Internal Revenue Code.

c. *Any amount paid by a member of an economic business group which was received as a dividend paid by another member of the same economic business group.*

However, as to any amount subtracted under this subparagraph, there shall be added to such taxable income all expenses deducted on the taxpayer's return for the taxable year which are attributable, directly or indirectly, to such subtracted amount. Further, no amount shall be subtracted with respect to dividends paid or deemed paid by a Domestic International Sales Corporation.

3. In computing "adjusted federal income" for taxable years beginning after December 31, 1976, there shall be allowed as a deduction the amount of wages and salaries paid or incurred within this state for the taxable year for which no deduction is allowed pursuant to s. 280C of the Internal Revenue Code (relating to credit for employment of certain new employees).

4. There shall be subtracted from such taxable income any amount of nonbusiness income included therein.

5. There shall be subtracted any amount of taxes of foreign countries allowable as credits for taxable years beginning on or after September 1, 1985, under s. 901 of the Internal Revenue Code to any corporation which derived less than 20 percent of its gross income or loss for its taxable year ended in 1984 from sources within the United States, as described in s. 861(a)(2)(A) of the Internal Revenue Code, not including credits allowed under s. 902 and s. 960 of the Internal Revenue Code, withholding taxes on dividends within the meaning of subparagraph 2.a., and withholding taxes on royalties, interest, technical service fees, and capital gains.

6. Notwithstanding any other provision of this code, except with respect to amounts subtracted pursuant to subparagraphs 1. and 3., any increment of any apportionment factor which is directly related to an increment of gross receipts or income which is deducted, subtracted, or otherwise excluded in determining adjusted federal income shall be excluded from both the numerator and denominator of such apportionment factor. Further, all valuations made for apportionment factor purposes shall be made on a basis consistent with the taxpayer's method of

accounting for federal income tax purposes.

Section 48. Section 220.133, Florida Statutes, is created to read:

220.133 Economic business groups; special requirements.—

(1) All members of an economic business group must use the combined reporting method. Under the combined reporting method:

(a) Adjusted federal income for purposes of s. 220.12 shall mean the sum of adjusted federal income for all members of the group determined for a concurrent taxable year;

(b) The denominators of the apportionment factors shall be calculated for all members of the economic business group combined;

(c) The general apportionment method shall be used for all members of the group, unless an alternate method is determined to be more appropriate by the department; and

(d) Sales made between members of the group shall be eliminated in the computation of the sales factor pursuant to part IV of chapter 214.

(2) Members of an economic business group may elect to file a single combined tax return and pay the entire tax due for all taxpayers included in the group.

(3) The Department of Revenue shall have responsibility and authority to develop and promulgate rules for reporting requirements of economic business groups.

Section 49. Subsection (3) of section 220.14, Florida Statutes, is amended to read:

220.14 Exemption.—

(3) Only one exemption shall be allowed to an economic business group or to taxpayers filing a consolidated return under this code.

Section 50. Section 220.64, Florida Statutes, is amended to read:

220.64 Other provisions applicable to franchise tax.—To the extent that they are not manifestly incompatible with the provisions of this part, parts I, III, IV, V, and VI of this code and ss. 220.12, 220.13, 220.133, and 220.16 apply to the franchise tax imposed by this part. Under rules prescribed in s. 220.131, a consolidated return may be filed by any affiliated group of corporations composed of one or more banks or savings associations, its or their Florida parent corporation, and any nonbank or nonsavings subsidiaries of such parent corporation.

(Renumber subsequent section.)

Senator Gardner moved the following amendment to Amendment 1 which failed:

**Amendment 1C**—On page 43, strike all of lines 24 and 25 and insert:

Section 47. Paragraph (i) of subsection (2) of section 220.13, Florida Statutes, is amended to read:

220.13 "Adjusted federal income" defined.—

(2) For purposes of this section, a taxpayer's taxable income for the taxable year means taxable income as defined in s. 63 of the Internal Revenue Code and properly reportable for federal income tax purposes for the taxable year, but subject to the limitations set forth in paragraph (1)(b) with respect to the deductions provided by ss. 172 (relating to net operating losses), 170(d)(2) (relating to excess charitable contributions), 404(a)(1)(D) (relating to excess pension trust contributions), 404(a)(3)(A) and (B) (to the extent relating to excess stock bonus and profit-sharing trust contributions), 404(d) (relating to excess contributions under the 1939 code), and 1212 (relating to capital losses) of the Internal Revenue Code, except that, subject to the same limitations, the term:

(i) "Taxable income," in the case of a corporation for which there is in effect for the taxable year an election under s. 1362(a) 1372 of the Internal Revenue Code, means taxable income determined as if the corporation had not made the election under s. 1362(a) of the Internal Revenue Code the amount of income subject to tax at the corporate level under paragraph 1372(b)(1) of the Internal Revenue Code for each taxable year; and

Section 48. This act shall take effect July 1, 1990, or upon becoming law, whichever occur later, except that Section 47 shall take effect upon becoming a law and shall be applicable to all corporate fiscal year beginning on or after July 1, 1989.

Senator Myers moved the following amendment to Amendment 1 which was adopted:

**Amendment 1D**—On page 5, between lines 24 and 25, insert:

Section 5. Section 210.141, Florida Statutes, is created to read:

210.141 Sale of cigarettes; annual vendor license and fee.—

(1) Every person desiring to deal in cigarettes in this state, whether for retail or wholesale sales, including persons dealing in cigarettes through the use of vending machines, shall file an application for a cigarette vendor license with the Division of Alcoholic Beverages and Tobacco. The cigarette vendor license shall be issued by the division annually on or before July 1 for which an annual fee of \$50 shall be charged.

(2) The division shall adopt rules for carrying out the provisions of this section.

(3) Revenues derived from the cigarette vendor license fee, less the cost of administration, shall be deposited into the General Revenue Fund.

(Renumber subsequent sections.)

Senator D. Childers moved the following amendment to Amendment 1:

**Amendment 1E**—On page 43, strike all of lines 9-14 and insert: imposed by law, a surcharge of 10 cents is imposed upon each ounce of liquor, each 6 ounces of wine, and each 12 ounces of beer purchased for sale at retail for consumption on the premises only by any establishment paying license fees pursuant to s. 563.02, s. 564.02, or s. 565.02, Florida Statutes. The provisions of this section shall be

Senator Kiser moved the following substitute amendment for Amendment 1E which failed:

**Amendment 1F**—On page 43, strike all of lines 8-17 and renumber subsequent sections.

**Amendment 1E** was adopted.

Senator Deratany moved the following amendments to Amendment 1 which were adopted:

**Amendment 1G**—On page 41, lines 29-31, and on page 42, lines 1-3, strike all of said lines

**Amendment 1H**—On page 27, line 17, after the period (.) insert: Charitable trusts, 80 percent of the income of which is paid to organizations exempt from federal income tax pursuant to s. 501 (c) 3 of the Internal Revenue Code shall also pay the tax pursuant to this section at the rate of 1 mill.

Senator Deratany moved the following amendment to Amendment 1:

**Amendment 1I**—On page 43, between lines 17 and 18, insert:

Section 47. (1) As used in this section, the term:

(a) "Base product" means any solid or liquid substance or preparation used or intended to be used to make for sale at retail any soft drink, except coffee or tea.

(b) "Dealer" means any person who produces in this state or imports into this state any soft drink or base product for distribution, storage, consumption, sale, or use in this state.

(c) "Department" means the Department of Revenue.

(d) "Soft drink" means any liquid beverage, including frozen concentrate, which is intended for human consumption except:

1. Milk or any product prepared from or mixed or intended to be mixed with milk;

2. Any beverage containing one-half of 1 percent or more alcohol by volume;

3. Any natural fruit or vegetable juices or their concentrates, or concentrated natural fruit or vegetable juices which have been reconstituted, whether frozen or unfrozen, seasoned with salt or spice or unseasoned, or sweetened or unsweetened; or

4. Water.

(2) In addition to any other tax imposed by law, an excise tax is imposed upon any soft drinks or base products produced in this state or imported into this state as follows:

(a) One-half cent on each 12 fluid ounces, or fraction thereof, or on each 0.3552 liter, or fraction thereof, of any soft drink.

(b) One-half cent on each portion of base product, or fraction thereof, which, when used to make a soft drink, yields 12 ounces of such soft drink. If, when used as intended, more than one base product is necessary to yield 12 ounces of a soft drink, only the primary base product is subject to this tax.

(3) The tax is due upon first production or first importation into this state. Each dealer shall pay the tax proceeds to the department on or before the 20th of the month following the month in which its soft drink or base product was produced or imported.

(4) The Department of Revenue may adopt any rules necessary to collect, administer, and enforce the tax imposed in this section. The provisions of chapter 212, Florida Statutes, relating to penalties and interest on delinquent payments shall apply to the tax imposed by this section.

(5) The department shall deposit the proceeds of the tax, less the costs of administration, into the Educational Enhancement Trust Fund.

(6) Each dealer shall register with the department and apply for a soft drink license for each place of business and shall pay to the department a registration fee of \$25 for each license. Thereafter, by June 30 of each year, a dealer may renew any license by applying to the department and paying a \$10 renewal fee.

(7) Each dealer shall keep for a period of at least 3 years an accurate account of all transactions involving soft drinks or base products. Such records shall be available for inspection by the department during normal business hours.

(8) Before opening for business on September 1, 1990, each soft drink or base product dealer subject to the tax imposed by this section shall take an inventory of the soft drinks and base products in each of his places of business and shall certify the amount of the inventory to the Department of Revenue on or before September 10, 1990, accompanied by a check or money order for the amount of tax due upon such inventory. The tax on inventory shall be at the rate as provided in subsection (2).

(9) The excise tax imposed in this section shall apply only to the manufacture in, or importation into, this state of any soft drink for sale in this state or any base product used or intended to be used to produce any soft drink for sale in this state.

(10) The provisions of this section shall take effect September 1, 1990.

(Renumber subsequent sections.)

Senator Langley moved the following substitute amendment for Amendment 1I which failed:

**Amendment 1J**—On page 43, between lines 17 and 18, insert:

Section Subparagraph 3. of paragraph (a) of subsection (1) of section 212.08, Florida Statutes, is amended to read:

3. Soft drinks, which include, but are not limited to, any nonalcoholic beverage, coffee, tea, any preparation or beverage commonly referred to as a "soft drink," or any noncarbonated drink made from milk derivatives or tea, when sold in any form ~~cans or similar containers~~. The term "soft drink" does not include: natural fruit or vegetable juices or their concentrates or reconstituted natural concentrated fruit or vegetable juices, whether frozen or unfrozen, dehydrated, powdered, granulated, sweetened or unsweetened, seasoned with salt or spice, or unseasoned; ~~coffee or coffee substitutes; tea except when sold in containers as provided herein;~~ cocoa; products intended to be mixed with milk; or natural fluid milk;

(Renumber subsequent sections.)

The vote was:

Yeas—16

Beard	Grant	Kiser	Stuart
Bruner	Jennings	Langley	Thomas
Childers, D.	Johnson	Meek	Thurman
Childers, W. D.	Kirkpatrick	Peterson	Walker

Nays—22

Mr. President	Deratany	Grizzle	Souto
Bankhead	Diaz-Balart	Malchon	Weinstein
Brown	Dudley	Margolis	Weinstock
Casas	Forman	Myers	Woodson-Howard
Crenshaw	Gardner	Plummer	
Davis	Girardeau	Scott	

Vote after roll call:

Nay to Yea—Weinstock

**Amendment 1I** was adopted.

**Senator W. D. Childers presiding**

Senator Woodson-Howard moved the following amendment to Amendment 1 which was adopted:

**Amendment 1K**—On page 43, between lines 17 and 18, insert:

Section 46. Prior to March 1 each year, state agencies administering a trust fund that includes:

- (1) Money or income shared with political subdivisions; or
- (2) Political subdivision levies authorized in general or special law shall calculate and document the projected annual collection fees, administrative costs, disbursement costs, and other deductions, for the next fiscal year beginning in July 1, authorized in general law. At a minimum, this documentation shall specify by trust fund the statute authorizing a service charge on the trust fund, if any, the statute authorizing the deduction of administrative costs or other deductions, if any, and the projected deductions, if any. After March 1 each year, the documentation required in this section shall be made available upon request.

(Renumber subsequent sections.)

Senator Langley moved the following amendment to Amendment 1 which failed:

**Amendment 1L**—On page 27, lines 8-31, and on page 28, lines 1-31, strike all of said lines and renumber subsequent sections.

**Amendment 1** as amended was adopted.

The Committee on Finance, Taxation and Claims recommended the following amendment which was moved by Senator Deratany:

**Amendment 2**—In title, strike everything before the enacting clause and insert: A bill to be entitled An act to raise revenue for the state; amending s. 210.02, F.S.; increasing the tax rates on cigarettes; amending s. 210.05, F.S.; revising the method of calculating the discount to wholesale purchasers of stamps; amending s. 210.20, F.S.; revising distribution of cigarette tax proceeds; providing for a tax on cigarette inventory on hand on the effective date of the act; providing for application of penalty and interest provisions; providing for the disposition of the proceeds of such tax; amending ss. 15.09, 15.091, 48.161, 425.28, 495.031, 495.071, 506.08, 604.11, 607.0122, 607.1901, 607.361, 608.452, 608.453, 609.02, 609.08, 617.002, 618.04, 618.26, 620.182, 679.402, F.S.; increasing certain fees for corporations, partnerships, limited liability companies, and certain other entities; reducing the amount of moneys transferred to the Corporation Tax Administration Trust Fund; amending s. 201.02, F.S.; revising a provision relating to the tax on instruments relating to real property or interests therein; revising provisions relating to the taxation of conveyances of real property from a partnership to a partner; amending ss. 201.05, 201.07, 201.08, F.S.; increasing the documentary excise tax on stock certificates, bonds, debentures, certificates of indebtedness, promissory or nonnegotiable notes, written obligations to pay money, and assignments of wages or other compensation; amending s. 201.09, F.S.; revising a provision relating to the tax exemption of the renewal of promissory notes and mortgages; amending s. 201.15, F.S.; revising the distribution of documentary excise tax revenues; amending s. 199.032, F.S.; increasing the annual tax on intangible personal property; amending ss. 199.103, 199.185, F.S.; providing for imposition of the intangible personal

property tax on interests of limited partners and providing the basis for valuing such interests; amending s. 199.292, F.S.; revising the distribution of intangible personal property tax revenues; amending s. 212.06, F.S.; imposing a use tax upon certain motor vehicles imported into the state; providing a method for calculating the use tax; amending s. 215.20, F.S.; providing that service charges at a specified rate shall be deducted from income of a revenue nature which is deposited in state trust funds; providing exceptions; appropriating the sums necessary to pay such service charges; amending ss. 215.22, 215.24, F.S.; exempting certain trust funds from service charges authorized by s. 215.20, F.S.; enumerating trust funds which remain subject to service charges; authorizing the Executive Office of the Governor to exempt certain additional moneys or trust funds in specified circumstances; imposing a surcharge on certain impounded coin-operated film or picture machines used for pornographic purposes under certain circumstances; depositing surcharge proceeds into the Child Abuse Trust Fund; amending s. 24.121, F.S.; increasing the portion of gross revenue from the state lottery which is to be deposited in the Educational Enhancement Trust Fund; amending s. 212.0596, F.S.; revising mail order sale provisions relating to nexus; exempting mail order sales from local option sales taxes; providing an appropriation; amending s. 212.055, F.S.; authorizing additional uses of infrastructure surtax proceeds; imposing a surcharge upon retail sales of alcoholic beverages; providing for administration; providing for deposit of surcharge revenues into the General Revenue Fund; providing severability; providing an effective date.

Senators Scott, Langley and Crenshaw offered the following amendment to Amendment 2 which was moved by Senator Langley and adopted:

**Amendment 2A**—In title, on page 3, strike all of lines 16-19 and insert: Fund; amending s. 212.0596,

Senator Myers moved the following amendments to Amendment 2 which were adopted:

**Amendment 2B**—In title, on page 3, line 29, after "Fund;" insert: amending s. 220.03, F.S.; defining the term "economic business group"; amending s. 220.13, F.S.; providing for subtractions for calculating economic business groups' corporate income tax liability; creating s. 220.133, F.S.; prescribing special requirements applicable to economic business groups; amending s. 220.14, F.S.; limiting exemptions for economic business groups; amending s. 220.64, F.S.; providing cross-references;

**Amendment 2C**—In title, on page 1, line 23, after the semicolon (;) insert: creating s. 210.141, F.S.; providing for an annual cigarette vendor license and fee;

Senator Deratany moved the following amendments to Amendment 2 which were adopted:

**Amendment 2D**—In title, on page 3, lines 22 and 23, strike "providing an appropriation;"

**Amendment 2E**—In title, on page 3, line 29, after "Fund;" insert: imposing an excise tax upon soft drinks and soft-drink base products produced in this state or imported into this state; providing definitions; providing for payment of the tax proceeds to the Department of Revenue; providing for rulemaking; providing for penalties and interest on delinquent payments; providing for depositing the tax proceeds into the Educational Enhancement Trust Fund; providing for dealer registration and licensure; providing license fees; requiring certain records to be kept and made available for inspection by the department; requiring dealers to take inventory on a specified date, report to the department, and pay the taxes due on such inventory; applying such tax only to the manufacture of or importation into this state of soft drinks or base products for sale in this state;

Senator Woodson-Howard moved the following amendment to Amendment 2 which was adopted:

**Amendment 2F**—On page 3, line 29, following the first semicolon (;) insert: requiring state agencies which administer specified trust funds to document certain fees and costs with respect thereto;

**Amendment 2** as amended was adopted.

On motion by Senator Deratany, by two-thirds vote CS for HB 3695 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Diaz-Balart	Kirkpatrick	Scott
Bankhead	Dudley	Kiser	Souto
Beard	Forman	Langley	Stuart
Bruner	Gardner	Malchon	Thomas
Casas	Girardeau	Margolis	Thurman
Childers, D.	Grant	Meek	Walker
Childers, W. D.	Grizzle	Myers	Weinstein
Davis	Jennings	Peterson	Weinstock
Deratany	Johnson	Plummer	Woodson-Howard

Nays—2

Brown Crenshaw

Consideration of CS for SB 2984 was deferred.

#### Designation of Majority Leader

The President announced the appointment of Senator Peter Weinstein as Senate Majority Leader, replacing Senator Jack Gordon, who was appointed to the Committees on Appropriations; Higher Education; Ethics and Elections; and Commerce. Senator Weinstein will continue to serve as Chairman of the Committee on Judiciary-Civil.

#### Committee Meeting Change

On motions by Senator Scott, the rules were waived and the meetings of the Committees on Agriculture, Health Care, Judiciary-Civil and Transportation scheduled for this day were cancelled.

On motion by Senator Scott, the rules were waived and the Special Order Subcommittee of the Committee on Rules and Calendar was granted permission to meet Monday, May 14, at 12:00 noon to set the special order calendar for Tuesday, May 15.

#### Motion to Introduce Bill

Senator Deratany moved that the rules be waived and the following bill be introduced notwithstanding the fact that the final day had passed for introduction of bills:

A bill to be entitled An act relating to Taxation and Budget Reform Commission

The motion and bill were referred to the Committee on Rules and Calendar.

#### MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Scott, by two-thirds vote SB 756 was withdrawn from the Committee on Higher Education and referred to the Committee on Transportation; Senate Bills 1584 and 1708 were withdrawn from the Committee on Community Affairs; SB 696, CS for SB 916, CS for SB 1142, CS for SB 2502, and Senate Bills 2566 and 2724 were withdrawn from the Committee on Governmental Operations; CS for SB 786 and CS for SB's 1068 and 22 were withdrawn from the Committee on Economic, Professional and Utility Regulation; Senate Bills 2044, 2152, and 2820 were withdrawn from the Committee on Health and Rehabilitative Services; CS for SB 556, SB 558 and CS for SB 1768 were withdrawn from the Committee on Health Care; and CS for SB 2758 was withdrawn from the Committees on Personnel, Retirement and Collective Bargaining and Rules and Calendar.

#### CORRECTION AND APPROVAL OF JOURNAL

The Journal of May 9 was corrected and approved.

#### CO-INTRODUCERS

Senator Souto—SB 536, CS for SB 1802; Senator Casas—SB 2084; Senator Kirkpatrick—CS for SB 2256

#### RECESS

Senator Scott moved that the Senate stand in recess for the purpose of holding committee meetings and conducting other Senate business until Tuesday, May 15, at 9:00 a.m. The motion was adopted.

Pursuant to the motion by Senator Scott, the Senate recessed at 6:37 p.m. to reconvene at 9:00 a.m., Tuesday, May 15.