



# Journal of the Senate

Number 4—Special Session H

Wednesday, June 10, 1992

## CALL TO ORDER

The Senate was called to order by the President at 2:00 p.m. A quorum present—39:

Madam President	Davis	Johnson	Scott
Bankhead	Diaz-Balart	Kirkpatrick	Souto
Beard	Dudley	Kiser	Thomas
Bruner	Forman	Kurth	Thurman
Burt	Gardner	Langley	Walker
Casas	Girardeau	Malchon	Weinstein
Childers	Grant	McKay	Weinstock
Crenshaw	Grizzle	Meek	Wexler
Crotty	Jenne	Myers	Yancey
Dantzler	Jennings	Plummer	

Excused: Senator Gordon

## PRAYER

The following prayer was offered by James C. Vaughn, Jr., Reading Clerk:

In the beginning God created the Florida Senate, which was not void and not without form; and suddenly darkness fell upon the chamber. The commitment of the Department of General Services moved upon the chamber's darkness and the darkness was suddenly transformed into light and it was good light, that would now make the reality budget a reality.

Eternal God our Father, who is the Lord of fire—you are present in all of life's fiery furnaces; you are present in the heat of debate and discussion; you are present in our situations of horror and despair; and you are present in life's prisons that incarcerate our beliefs. Not everyone is as lucky as Shadrach, Meshach and Abednego, who were delivered from the fiery furnace unscathed.

Lord, give your ubiquitous and perennial presence to these Senators that they may face the many tyrannies of government and remain unharmed. Walk with them in their lonely moments, give them a glimmering hope in hopeless situations; for where there is no hope there is nothing. In your precious name, we ask it. Amen.

## PLEDGE

Senator Yancey led the Senate in the Pledge of Allegiance to the flag of the United States of America.

## MOMENT OF SILENCE

At the request of Senator Crenshaw, the Senate stood in a moment of silence in memory of Jean Barry, Staff Director of the Senate Republican Office, who died June 8.

## COMMUNICATION FROM THE GOVERNOR

June 4, 1992

*The Honorable Gwen Margolis*  
President of the Florida Senate

*The Honorable T. K. Wetherell*  
Speaker of the Florida House  
of Representatives

Dear Madam President and Mr. Speaker:

Pursuant to the provisions of Section 11.011, Florida Statutes, I request that the purpose of the Special Session of the Legislature of the State of Florida, convened by your Joint Proclamation, dated April 29, 1992,

include, in addition to the matters set forth in your Joint Proclamation and my requests of May 29, 1992, and June 1, 1992, the following:

1. Amending the laws relating to conservation and recreation lands, and providing for the management of lands acquired by the State of Florida, as generally described by, but not limited to, the matters set forth in Senate Bill 100-H and House Bill 315-H; and
2. Amending the laws relating to the Community Corrections Partnership Act and providing for a dedicated revenue source for the construction and operation of county work camps, as generally described by, but not limited to, the matters set forth in Committee Substitute for Senate Bill 66-H.

Thank you for including these additional matters in this Special Session.

With kind regards, I am

Respectfully,  
*Lawton Chiles*  
Governor

## CONSIDERATION OF RESOLUTIONS

On motion by Senator Grant, by the required constitutional two-thirds vote of the Senate, the following resolution was admitted for introduction:

By Senators Grant, Margolis, Weinstein, Jenne, Forman and Wexler—

**SR 222-H**—A resolution recognizing the 25th anniversary of the reunification of the City of Jerusalem.

WHEREAS, with the reestablishment of the State of Israel in 1948, Jerusalem became once more the capital of a sovereign Jewish state, as it was established by King David 3,000 years ago, and

WHEREAS, throughout the millennia of its existence, Jerusalem has never been the capital of any other sovereign nation, and

WHEREAS, from 1948 to 1967, Jerusalem was a city divided as a result of a war thrust upon her, and

WHEREAS, for 19 years, concrete walls and barbed wire sealed off one part of the city from the other, and

WHEREAS, its eastern section, including the Old City, was annexed by Jordan and ruled from its capital, Amman, and the western section of Jerusalem became Israel's capital, and

WHEREAS, after Israel was attacked by surrounding Arab nations in June 1967, Jerusalem was reunited, the barriers dividing the city were demolished, the gates of the Old City were opened to people of all faiths, and the eastern section was reintegrated into the nation's capital, and

WHEREAS, according to tradition, the name "Jerusalem" is derived from the two Hebrew words "ir," meaning city, and "shalom," meaning peace, and thus the name "Jerusalem" embodies the hope expressed in mankind's noblest aspiration: peace among all people, NOW, THEREFORE,

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

That this legislative body pause in its deliberations to recognize the 25th anniversary of the reunification of the City of Jerusalem and express its hope that the City of Jerusalem be forever unified and exist in peace.

BE IT FURTHER RESOLVED that this body expresses its collective opinion that Jerusalem should be recognized by the United States Government as the capital of Israel and the American Embassy in Israel should be relocated to Jerusalem.

BE IT FURTHER RESOLVED that copies of this resolution, with the Seal of the Senate affixed, be presented to the Florida-Israel Institute at Broward Community College and Florida Atlantic University and to Dr. Moshe Liba, the Consul-General of Israel, as a tangible token of the celebration of this special anniversary.

—was introduced out of order and read by title. On motion by Senator Grant, **SR 222-H** was read the second time in full and adopted. The vote on adoption was:

Yeas—36 Nays—None

On motion by Senator Dudley, by two-thirds vote **SR 190-H** was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Dudley—

**SR 190-H**—A resolution in remembrance of Chuck Ross, a Little League Coach who brought baseball and humanity into the lives of many Florida children.

WHEREAS, Chuck Ross was born in Brooklyn, New York, on April 1, 1922, and moved to Ft. Myers, Florida, in 1951, and

WHEREAS, Chuck Ross was cofounder, in 1955, of the Ft. Myers Little League, which he coached every year from that date, and

WHEREAS, Chuck Ross was President of the Southwest Florida Sportsman Club, a group that raises thousands of dollars each year for area youth, and

WHEREAS, Chuck Ross was instrumental in bringing the Pittsburg Pirates to Ft. Myers for Spring Training, was very active with the Kansas City Royals' Spring Training, and with the Minnesota Twins, and

WHEREAS, Chuck Ross always said that he wanted to die on the baseball field and did so, two days after his 70th birthday, at Ted Ferreria Little League Complex while coaching his Major League Dodgers, a team of eleven and twelve year olds, and

WHEREAS, Chuck Ross wrote a Coach's Creed which states: "A coach can only do his best, nothing more. But he does owe that—not only to himself, but to the youngsters under his supervision. If you truly do your best, and only you will know, you can consider yourself successful. The actual score will be immaterial.", NOW, THEREFORE,

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

That this body pause in remembrance of Little League Coach Chuck Ross.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to the family of Chuck Ross as a tangible token of the respect of the members of the Florida Senate and in recognition of his efforts on behalf of Little League baseball players, both past and present.

—was read the second time in full and adopted. The vote on adoption was:

Yeas—27 Nays—None

### MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Gardner, by two-thirds vote **Senate Bills 24-H, 48-H, 50-H, 56-H, 72-H, 94-H, 110-H, 134-H** and **138-H** were withdrawn from the Committee on Appropriations.

On motions by Senator Thomas, by two-thirds vote **Senate Bills 140-H** and **142-H** were withdrawn from the Committee on Appropriations, and by two-thirds vote established as the Special Order Calendar for this day.

On motion by Senator Thomas, by two-thirds vote **HB 171-H** was placed on the Special Order Calendar.

On motions by Senator Thomas, by two-thirds vote **HB 225-H** was withdrawn from the Committee on Corrections, Probation and Parole; **CS for SB 72-H** was withdrawn from the Committee on Education; **CS for SB 130-H** and **CS for SB 132-H** were withdrawn from the Committee on Personnel, Retirement and Collective Bargaining; and **CS for SB 208-H** was also referred to the Committee on Finance, Taxation and Claims.

On motions by Senator Weinstein, by two-thirds vote **CS for SB 110-H** was removed from the calendar and referred to the Committee on Judiciary; and the Committee on Judiciary was granted permission to consider **CS for SB 110-H** at the meeting June 11.

### MOTION TO INTRODUCE BILL

Senator Bankhead moved that a bill relating to enterprise zones be introduced by the required constitutional two-thirds vote of the Senate.

The motion was referred to the Committee on Rules and Calendar.

### MOTIONS

On motion by Senator Jenne, the rules were waived and the Subcommittee on Claims of the Committee on Finance, Taxation and Claims was granted permission to meet June 11 from 8:45 a.m. until 9:00 a.m.

### COMMITTEE MEETING CHANGE

On motions by Senator Jenne, by two-thirds vote the meeting of the Committee on Finance, Taxation and Claims scheduled for this day was cancelled and the agenda was added to the meeting scheduled for June 11; and **SB 88-H** was also added to the agenda.

On motion by Senator Gardner, the rules were waived and the Committee on Appropriations was granted permission to meet at 11:00 a.m. June 11, in lieu of 9:00 a.m.

### SPECIAL ORDER

**SB 140-H**—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1992, and ending June 30, 1993, to pay salaries, and other expenses, capital outlay - build-ings, 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 Dantzler moved the following amendment which was adopted:

#### Amendment 1—

SECTION 01	STRIKE:	INSERT:
PAGE 19		
ITEM 219		
CITRUS, DEPARTMENT OF		
219 SPECIAL CATEGORIES		
PAID ADVERTISING AND PROMOTION		
FROM CITRUS ADVERTISING		
TRUST FUND	62,800,028	65,026,028

Senator Girardeau moved the following amendment which was adopted:

#### Amendment 2—

SECTION 01	STRIKE:	INSERT:
PAGE 22		
ITEM 253B-AA		
Insert after Item 253B		
COMMERCE, DEPARTMENT OF		
INTERNATIONAL TRADE AND		
DEVELOPMENT, DIVISION OF		
253B-AA SPECIAL CATEGORIES - GRANTS AND		
AIDS - INTERNATIONAL EDUCATION		
LINKAGES		
FROM FLORIDA INTERNATIONAL TRADE		
AND PROMOTION TRUST FUND		500,000

Insert the following proviso after line item 253B-AA

Funds provided in Specific Appropriation 253B-AA are contingent upon CS for SB 64-H or similar legislation, providing \$500,000 for Interna-

tional Education Programs, not becoming a law. If CS for SB 64-H or similar legislation becomes law, the Executive Office of the Governor may place these funds in reserve.

Senator Gardner moved the following amendment which was adopted:

**Amendment 3—**

SECTION 01 STRIKE: INSERT:  
PAGE 38  
ITEM 393

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

393 SPECIAL CATEGORIES  
GRANTS AND AIDS -  
PUBLIC BROADCASTING  
FROM GENERAL REVENUE FUND 8,248,553 8,348,553

Strike the first paragraph of proviso following Item 393 and replace with the following new proviso:

The allocation of funds appropriated in Specific Appropriation 393 shall be as follows: \$634,591 for statewide governmental and cultural affairs programming; \$539,323 for public television stations recommended by the Commissioner of Education and \$103,826 for public radio stations recommended by the Commissioner of Education.

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

Insert after Item 1016

1016-AC SPECIAL CATEGORIES -  
CHIROPRACTIC SERVICES  
FROM GENERAL REVENUE FUND 200,000

1016-AD SPECIAL CATEGORIES -  
CHIROPRACTIC SERVICES  
FROM MEDICAL CARE TRUST FUND 244,445

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

934 AID TO LOCAL GOVERNMENTS  
CONTRIBUTION TO COUNTY  
HEALTH UNITS  
FROM GENERAL REVENUE FUND 104,332,696 104,632,696

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

857 SPECIAL CATEGORIES  
GRANTS AND AIDS -  
CHILDREN'S MENTAL HEALTH  
SERVICES  
FROM GENERAL REVENUE FUND 12,396,053 12,646,053

SECTION 2G  
ITEM 1823

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

1823 FIXED CAPITAL OUTLAY  
LIBRARY CONSTRUCTION GRANTS

FROM GENERAL REVENUE FUND 400,000

SECTION 01  
ITEM 271

COMMUNITY AFFAIRS, DEPARTMENT OF  
RESOURCE PLANNING AND MANAGEMENT,  
DIVISION OF

271 SPECIAL CATEGORIES  
GRANTS AND AIDS -  
LOCAL PLAN REVIEW  
FROM GENERAL REVENUE FUND 500,000 1,050,000

Following proviso after Specific Appropriation 1019 on page 140 insert the following language:

Prior Approval Requirements:

(A) After a drug has been approved and designated as safe and effective by the federal Food and Drug Administration for a period of at least six (6) months, the Department of Medicaid may require prior approval for such a drug if the following criteria are met:

(1) A prior approval program may not be applied to a single drug entity;

(2) Prior approval may not be implemented for other than medical reasons;

(3) The department must provide evidence that demonstrates that placing a therapeutic drug class on prior approval will not impede quality of patient care and that the drug class is subject to a pattern of clinical abuse or misuse;

(4) The department demonstrates a significant net economic savings through restricting access to a drug by prior approval compared to increased utilization of other medical services.

(B) The department shall provide response by telephone or other telecommunications device within 24 hours for prior approval and, except with respect to those drugs subject to federal restriction referred to at 42 U.S.C. Section 1927 (d)(2), provide for the dispensing of at least a 72 hour supply of a covered outpatient prescription drug in an emergency situation, as defined by federal regulation.

(C) The department shall approve any request for prior approval upon a practitioner's certification, which certification may be oral, of any of the following:

(1) That the drug preferred by the department may cause unnecessary side effects for the patient;

(2) That the patient has used or is using successfully the drug for which prior approval is sought; or

(3) That, for any reason, in the practitioner's professional opinion, the use of the drug is medically indicated and more appropriate for the treatment of the patient than the drug preferred by the department.

(D) The department shall report to the appropriate committees of the Legislature a detailed cost analysis on all medical services including administrative costs caused by any prior approval program implemented by the department.

(E) Prior approval requirements shall apply only to new patient prescriptions, not to refill prescriptions.

(F) The department shall appoint an advisory committee, a majority of whose members shall be practicing physicians. The advisory committee shall recommend to the department which drugs should be subject to prior approval requirements. The department shall hold a public hearing at least (90) ninety days before a therapeutic drug class may be placed on prior approval.

After Section 8 on page 296 insert the following new Section 9 and renumber all subsequent sections:

Section 9. Each agency shall initiate negotiations, and the agency and its respective lessors shall negotiate in good faith, each lease held in the private sector to effect the best overall lease terms reasonably available to that agency for that real property, and in order to accomplish that,

amendments to such leases shall be permitted modifying any lease provisions, including but not limiting to: rent, escalator clauses, inflation indices, cost of living adjustments or other automatic increases, services to be provided under the lease, the term of the lease, termination provisions, or any other terms or conditions, except to the extent specifically prohibited by Chapter 255, Florida Statutes.

	STRIKE:	INSERT:
COMMUNITY AFFAIRS, DEPARTMENT OF HOUSING FINANCE AGENCY		
301 OTHER PERSONAL SERVICES FROM HOUSING FINANCE AGENCY TRUST FUND	116,660	848,660

Of the funds provided in Specific Appropriation 301, \$732,000 provided for an integrated computerized data management system is contingent upon plan approval by the Information Resources Commission.

Senator Plummer moved the following amendment which was adopted:

**Amendment 4--**

SECTION 01  
PAGE 92  
ITEM 637

ENVIRONMENTAL REGULATION,  
DEPARTMENT OF

637 SPECIAL CATEGORIES  
POLLUTION RESTORATION CONTRACTS

Insert the following proviso after Specific Appropriation 637

From funds provided in Specific Appropriation 637, \$1,000,000 shall be used for the restoration or replacement of private potable wells or water systems found by the Secretary of the Department of Environmental Regulation to be at risk for contamination based upon documentation that groundwater contamination exists in proximity to such wells or systems, provided that the county where the risk exists provides matching equal to the amount expended by the state.

Senator Gardner moved the following amendments which were adopted:

**Amendment 5--**

SECTION 01  
PAGE 99  
ITEM 703

MANAGEMENT SERVICES,  
DEPARTMENT OF FACILITIES MANAGEMENT,  
DIVISION OF

703 EXPENSES

Following Specific Appropriation 703

From funds provided in Specific Appropriation 703 from the Supervision Trust Fund, up to \$30,000 may be used by the Division of Facilities Management to lease parking spaces in close proximity to the McCarty Building in Winter Park, Florida to relieve congestion during peak client service periods.

**Amendment 6--**

SECTION 01  
PAGE 156  
ITEM 1142X-AA

JUDICIAL BRANCH  
JUSTICE ADMINISTRATIVE COMMISSION

1142X-AA LUMP SUM-TAX

AMNESTY PROGRAM	POS. 20
FROM GENERAL REVENUE FUND	951,787

Insert after Item 1142X-AA

Funds and positions appropriated in Specific Appropriation 1142X-AA, are for the purpose of implementing CS for SB 68-H or similar legislation pertaining to the Tax Amnesty Program and are contingent upon such legislation becoming law.

LAW ENFORCEMENT, DEPARTMENT OF  
STAFF SERVICES, DIVISION OF

1215-AA LUMP SUM-TAX AMNESTY PROGRAM FROM GENERAL REVENUE FUND	POS. 8	393,319
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Insert after Item 1215-AA

Funds and positions appropriated in Specific Appropriation 1215-AA are for the purpose of implementing CS for SB 68-H or similar legislation pertaining to the Tax Amnesty Program and are contingent upon such legislation becoming law.

	STRIKE:	INSERT:
REVENUE, DEPARTMENT OF OFFICE OF THE EXECUTIVE DIRECTOR AND DIVISION OF ADMINISTRATION		

1420A-AA LUMP SUM-TAX AMNESTY PROGRAM FROM GENERAL REVENUE FUND	POS. 118	7,118,266
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Insert following Item 1420A-AA

Funds and positions appropriated in Specific Appropriation 1420A-AA are for the purpose of implementing CS for SB 68-H or similar legislation pertaining to the Tax Amnesty Program and are contingent upon such legislation becoming law.

**Amendment 7--**

SECTION 01 PAGE 201 ITEM 1398	STRIKE:	INSERT:
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PROFESSIONAL REGULATION,  
DEPARTMENT OF

1398 OTHER PERSONAL SERVICES FROM PROFESSIONAL REGULATION TRUST FUND	8,083,870	8,353,870
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**Amendment 8--**

SECTION 01 PAGE 201 ITEM 1398	STRIKE:	INSERT:
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PROFESSIONAL REGULATION,  
DEPARTMENT OF

1398 OTHER PERSONAL SERVICES FROM EDUCATION AND RESEARCH FOUNDATION TRUST FUND	88,838	291,744
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1399 EXPENSES FROM EDUCATION AND RESEARCH FOUNDATION TRUST FUND	20,191	77,400
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Senator Kirkpatrick moved the following amendment which was adopted:

Amendment 9—

SECTION 1C STRIKE: INSERT:
PAGE 244
ITEM 1627CZ

Insert after Item 1627CZ

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

1627CZ-AA SPECIAL CATEGORIES
TRANSFER TO MOTOR VEHICLE
LICENSE REPLACEMENT TRUST FUND
FROM GENERAL REVENUE FUND 2,184,172

Insert the following proviso after Line Item 1627CZ-AA

Funds in Specific Appropriation 1627CZ-AA are contingent upon the
Department of General Services reverting \$634,172 from the State Infra-
structure Fund as provided in Specific Appropriation 2052B of Chapter
88-555, Laws of Florida, and \$758,000 and \$792,000 from the State Infra-
structure Fund as provided in Specific Appropriations 2111 and 2112,
respectively, of Chapter 89-253, Laws of Florida.

SECTION 2D
PAGE
ITEM 1748A

MANAGEMENT SERVICES, DEPARTMENT OF
FACILITIES MANAGEMENT, DIVISION OF

1748A FIXED CAPITAL OUTLAY
INFRASTRUCTURE CONSTRUCTION -
SATELLITE OFFICE CENTER
FROM PUBLIC FACILITIES
FINANCING TRUST FUND 4,500,000 3,000,000

Strike the proviso following Specific Appropriation 1748A and insert the
following:

Funds in Specific Appropriation 1748A are contingent upon the Depart-
ment of General Services reverting \$3,000,000 of the spending authority
authorized from the Public Facilities Financing Trust Fund in Specific
Appropriations 2111 and 2112 of the 1989-90, General Appropriations
Act, Chapter 89-253, Laws of Florida.

Senator Gardner moved the following amendments which were
adopted:

Amendment 10—

SECTION 1C STRIKE: INSERT:
PAGE 247
ITEM 1627DT-AA

Insert the following Specific Appropriation after 1627DT in
Section 1C

PROFESSIONAL REGULATION,
DEPARTMENT OF

1627DT-AA TRANSFER TO PROFESSIONAL
REGULATION TRUST FUND
FROM EDUCATION AND RESEARCH
FOUNDATION TRUST FUND 700,000

Amendment 11—

SECTION 2A STRIKE: INSERT:
PAGE 256
ITEM 1654C-AA

Following proviso after Specific Appropriation 1654C

insert:

PROFESSIONAL REGULATION,
DEPARTMENT OF

1654C-AA F.C.O. - RENOVATION OF
DEPARTMENT OF PROFESSIONAL
REGULATION ORLANDO TESTING
FACILITY
FROM PROFESSIONAL REGULATION
TRUST FUND 1,000,000

After new Specific Appropriation above insert the following proviso lan-
guage:

Funds in Specific Appropriation 1654C-AA are contingent on the Depart-
ment of Professional Regulation reverting to the Professional Regulaiton
Trust Fund at least \$1,000,000 of the spending authority authorized in
Chapter 91-193, Laws of Florida, Specific Appropriation 1993B from the
Professional Regulation Trust Fund.

Amendment 12—

SECTION 1D STRIKE: INSERT:
PAGE 250
ITEM 1627EI

MANAGEMENT SERVICES, DEPARTMENT OF
RETIREMENT, DIVISION OF

1627EI PENSIONS AND BENEFITS
MEMBERS BENEFITS
FROM RETIREE HEALTH
INSURANCE SUBSIDY TRUST
FUND 79,464,532 81,727,113

Amendment 13—

SECTION 2B
PAGE 259
ITEM 1673A STRIKE: INSERT:

MANAGEMENT SERVICES, DEPARTMENT OF
FACILITIES MANAGEMENT, DIVISION OF

1673A FIXED CAPITAL OUTLAY
PURCHASE/LEASE PURCHASE EVALUATION OF
BUILDINGS - HEALTH AND REHABILITATIVE
SERVICES, DEPARTMENT OF, CORRECTIONS AND
PAROLE COMMISSION 0

Insert the following proviso language which follows Specific Appropria-
tion 1673A

A facility which is leased-purchased for any of the projects listed above
shall be considered to be a "state-owned office building" and a "state-
owned building" as those terms are applied in Section 255.248 through
255.25, Florida Statutes.

Amendment 14—

SECTION 2H STRIKE: INSERT:
PAGE 292
ITEM 1823K-AA

Immediately following proviso language following
Item 1823K

NATURAL RESOURCES, DEPARTMENT OF
STATE LANDS, DIVISION OF

1823K-AA FIRST YEARS DEBT SERVICE-
PRESERVATION 2000-3RD SERIES
FROM GENERAL REVENUE FUND 1,649,375

Following Line Item 1823K-AA

Funds provided in Specific Appropriation 1823K-AA are for the first years debt service on the third series of Preservation 2000 bonds.

Senator Childers moved the following amendment which was adopted:

**Amendment 15—**

SECTION 1D  
PAGE 296  
ITEM

On page 296 following section 8:

Section 9. There is hereby appropriated \$7 million from the Working Capital Fund to the Florida Department of Commerce for the purpose of locating a United States Defense Department Finance and Accounting Service (DFAS) Center in the state. Of this amount, up to \$2 million may be used for planning activities designed to give Florida a competitive edge, with the remaining amount to be provided to the community selected by the United States Department of Defense (DoD) as a site for such center. This appropriation is for the purpose of assisting the community in meeting the federal requirements for selection and is contingent upon a Florida community being chosen as the location for a new DFAS Center.

(Renumber subsequent sections.)

Senator Johnson moved the following amendment which was adopted:

**Amendment 16—**

SECTION 01  
PAGE 36  
ITEM 379

STRIKE:                      INSERT:

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

379 SALARIES AND BENEFITS                      0

Following the last line of proviso before Specific Appropriation 379 on page 36 insert the following new language:

When a public educational institution has been fully funded by an external agency for direct instructional costs of any course or program, the FTE generated shall not be reported for state funding.

Senator Langley moved the following amendment which was adopted:

**Amendment 17—**

SECTION 01  
PAGE 59  
ITEM 514

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

514 AID TO LOCAL GOVERNMENTS  
GRANTS AND AIDS - PROGRAMS  
OF EMPHASIS

Add a new sentence of proviso following Specific Appropriation 514 as the last sentence in the existing paragraph.

From the funds appropriated in Specific Appropriation 514, \$150,000 is provided for the Harry Anna Supplement.

Senator Johnson moved the following amendment:

**Amendment 18—**

SECTION 01  
PAGE 60  
ITEM 516

STRIKE:                      INSERT:

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

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

0

Insert the following new paragraph of proviso following Specific Appropriation 516:

Each district's requested full time equivalent student enrollment used for the first calculation of the FEFP to establish enrollment caps as defined in section 236.081(1)(d), Florida Statutes, shall be adjusted by reducing each district's requested full time equivalent summer school enrollment in grades K-8 basic programs by five percent. Funds appropriated in Specific Appropriation 516 for grades 9-12 summer school enrollment in basic programs are provided only for academic courses approved in the state Course Code Directory for graduation credit. Districts may charge a fee for grades K-12 voluntary, non-credit summer school enrollment in basic program courses. The amount of any student's fee shall be based on the student's ability to pay and the student's financial need as determined by district school board policy.

Senator Bankhead moved the following substitute amendment which failed:

**Amendment 19—**

SECTION 01  
PAGE 60  
ITEM 516

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

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

Insert the following new paragraph of proviso as the first paragraph of proviso following Specific Appropriation 516.

Each district's requested full time equivalent student enrollment used for the first calculation of the FEFP to establish enrollment caps as defined in section 236.081(1)(d), Florida Statutes, shall be adjusted in the following manner: (1) Each district's requested full time equivalent summer school enrollment in grades K-12 basic programs shall be divided by its requested total full time equivalent enrollment in grades K-12 basic programs for both the regular school year and for summer school and the result shall be expressed as a percent; (2) a state total grades K-12 summer school enrollment expressed as a percent of total grades K-12 enrollment for both the regular school year and summer school shall be calculated as defined in (1) above; (3) any district's summer school enrollment that is less than or equal to 1.0% of total grades K-12 enrollment in basic programs for the school year shall not be adjusted; (4) the amount of any district's summer school enrollment that is greater than 1.0% but less than or equal to 125% of the state average shall be reduced by 50% (5) the amount of any district's summer school enrollment that is greater than 125% of the state average shall be reduced by 100%.

Adjust the base student allocation in the last line of the last paragraph of proviso for Specific Appropriation 516 on page 60.

The vote was:

Yeas—14      Nays—25

The question recurred on **Amendment 18** which was adopted.

Senator Diaz-Balart moved the following amendment which was adopted:

**Amendment 20—**

SECTION 01  
PAGE 60  
ITEM 516

STRIKE:                      INSERT:

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

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

Insert the following new paragraph of proviso following Specific Appropriation 516:

In the expenditure of funds provided in Specific Appropriation 516 for salaries and benefits, school districts shall accommodate the following personnel policy: Any district reduction in force that occurs during 1992-93 that effects teachers shall also effect administrators. This dual layoff policy shall be accomplished by (1) calculating the number of teachers laid off as a percent of all teachers employed prior to layoff and by (2) multiplying the teacher layoff percentage by two and laying off that percent of all administrators.

The vote was:

Yeas—24 Nays—13

**SENATOR FORMAN PRESIDING**

Senator Diaz-Balart moved the following amendment which failed:

**Amendment 21—**

SECTION 01 STRIKE: INSERT:  
PAGE 60  
ITEM 516

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

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

Strike the first paragraph of proviso on page 61.

Senator Kiser moved the following amendment which was adopted:

**Amendment 22—**

SECTION 01 STRIKE: INSERT:  
PAGE 60  
ITEM 516

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

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

Strike the first paragraph of proviso following Specific Appropriation 516 on page 60.

The vote was:

Yeas—20 Nays—14

**THE PRESIDENT PRESIDING**

Senator Dantzler moved the following amendment which was adopted:

**Amendment 23—**

SECTION 01 STRIKE: INSERT:  
PAGE 60  
ITEM 516

EDUCATION, DEPARTMENT OF, AND

COMMISSIONER OF EDUCATION  
PUBLIC SCHOOLS, DIVISION OF

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

Insert the following new paragraph of proviso following Specific Appropriation 516:

In the expenditure of funds provided in Specific Appropriation 516, school districts shall reduce administrative expense as necessary to a level equal to or below the state average for the prior year. The State Board of Education shall establish a definition of administrative expense and shall calculate for each district and for the state as a whole, using prior year data, the amount expended for administration expressed as a percentage of total expenditures. The prior year state average administrative expense percentage shall be applied by each district as a limit on current year administrative expenditures. However, the State Board of Education may authorize a percentage limit for small districts greater than the state average if an analysis of available data justify such an exception. The State Board of Education shall require each district to submit an interim report by February 1, 1993, and a final report at the close of the fiscal year demonstrating compliance with this expenditure limitation.

Senator Gardner moved the following amendment which was adopted:

**Amendment 24—**

SECTION 01 STRIKE: INSERT:  
PAGE 65  
ITEM 517

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

517 AID TO LOCAL GOVERNMENTS  
GRANTS AND AIDS - DISTRICT  
DISCRETIONARY LOTTERY FUNDS  
FROM EDUCATIONAL ENHANCEMENT  
TRUST FUND 491,537,645 505,537,645

Adjust the lottery allocation factor in the fifth line of the first paragraph of proviso following Specific Appropriation 517.

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

569 LUMP SUM  
STATE UNIVERSITY SYSTEM  
LOTTERY FUNDS  
FROM EDUCATIONAL ENHANCEMENT  
TRUST FUND 110,586,421 113,586,421

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

540 AID TO LOCAL GOVERNMENTS  
GRANTS AND AIDS - COMMUNITY  
COLLEGE LOTTERY FUNDS  
FROM EDUCATIONAL ENHANCEMENT  
TRUST FUND 118,595,000 121,595,000

Adjust the community college distribution following Specific Appropriation 540 on page 73.

Senator Meek moved the following amendment which was adopted:

**Amendment 25—**

SECTION 01 STRIKE: INSERT:  
PAGE 69  
ITEM 531

EDUCATION, DEPARTMENT OF,  
AND COMMISSIONER OF EDUCATION  
VOCATIONAL, ADULT, AND COMMUNITY  
EDUCATION, DIVISION OF

531 AID TO LOCAL GOVERNMENTS  
GRANTS AND AIDS - COMMUNITY SCHOOLS 0

In the second line of proviso following Specific Appropriation 531 on page 69, strike "\$89,239" and insert "\$100,000".

Senator Gardner moved the following amendments which were adopted:

**Amendment 26—**

SECTION 01		
PAGE 189	STRIKE:	INSERT:
ITEM 1275		

LEGISLATIVE BRANCH  
SENATE

1275 LUMP SUM		
SENATE		
FROM GENERAL REVENUE		
FUND	27, 229, 475	27, 198, 560

LEGISLATIVE BRANCH  
HOUSE OF REPRESENTATIVES

1276 LUMP SUM		
HOUSE		
FROM GENERAL REVENUE		
FUND	43, 128, 726	43, 097, 811

LEGISLATIVE BRANCH  
ADMINISTRATIVE PROCEDURES  
COMMITTEE

1279 LUMP SUM		
ADMINISTRATIVE PROCEDURES		
FROM GENERAL REVENUE		
FUND	994, 843	1, 021, 843

LEGISLATIVE BRANCH  
ETHICS, COMMISSION ON

1287 LUMP SUM		
ETHICS COMMISSION		
FROM GENERAL REVENUE		
FUND	1, 051, 372	1, 086, 202

**Amendment 27—**

SECTION  
PAGE 295  
ITEM

Following the last line in the introductory paragraph add to the existing language at the beginning of Section 7 on page 295 of Senate Bill 140-H.

If the property to be acquired is not adjacent to an existing approved center or campus, then all necessary approvals from the State Board of Community Colleges, the Postsecondary Education Planning Commission, and the State Board of Education must be received before any funds may be expended to acquire the property. Further, colleges may not transfer funds from the college's General Current Fund to acquire the listed property. Granting approval to acquire the listed property should not be considered as endowing the project with a higher priority for future funding requests related to the property, nor should this result in the State Board of Community Colleges giving special consideration to such projects in developing the Board's three year PECO request.

And insert on page 260 the following new items after existing item 12:

(13) Brevard Community College - Palm Bay Center to acquire adjacent property for future use to construct joint teaching and research laboratory facilities for Brevard Community College and other governmental agencies.

**Amendment 28—**

SECTION 7  
PAGE 296  
ITEM

Following the existing proviso language insert a new item (13) as follows:

(13) Miami—Dade Community College - Medical Center Campus, adjacent property for campus facility needs.

and in the existing proviso (7) strike "FEC property for parking lot" and insert "property for campus facility needs."

Senator Kiser moved the following amendment:

**Amendment 29—**

SECTION 01		
PAGE 108	STRIKE:	INSERT:
ITEM 783		

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

783 SALARIES AND BENEFITS		
FROM GENERAL REVENUE FUND	19, 486, 924	19, 276, 924

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

783 SALARIES AND BENEFITS		
FROM ADMINISTRATIVE		
TRUST FUND	10, 569, 376	10, 779, 376

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

883 SPECIAL CATEGORIES		
GRANTS AND AIDS -		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	43, 983, 787	44, 193, 787

Insert proviso following Specific Appropriation 883:

From the funds in Specific Appropriation 883, \$210,000 from General Revenue Fund is provided on a non-recurring basis for the implementation of a client-based management information system pilot project in the Department of Health and Rehabilitative Services, District V. These funds are provided to implement this pilot on January 1, 1993, according to the provisions of Chapter 92-58, Laws of Florida, Section 2.

Senator Kiser moved the following substitute amendment which was adopted:

**Amendment 30—**

SECTION 01		
PAGE 108	STRIKE:	INSERT:
ITEM 783		

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

783 SALARIES AND BENEFITS  
FROM GENERAL REVENUE FUND 19,486,924 19,276,924

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

783 SALARIES AND BENEFITS  
FROM ADMINISTRATIVE  
TRUST FUND 10,569,376 10,779,376

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

883 SPECIAL CATEGORIES  
GRANTS AND AIDS -  
CONTRACTED SERVICES  
FROM GENERAL REVENUE FUND 43,983,787 44,193,787

Insert proviso following Specific Appropriation 883:

From the funds in Specific Appropriation 883, \$210,000 from General Revenue Fund is provided on a non-recurring basis for the implementation of a client-based management information system pilot project in the Department of Health and Rehabilitative Services. These funds are provided to implement this pilot on January 1, 1993, according to the provisions of Chapter 92-58, Laws of Florida, Section 2.

Senator Davis moved the following amendment which was adopted:

**Amendment 31—**

SECTION 01 STRIKE: INSERT:  
PAGE 117  
ITEM 849

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

849 FINANCIAL ASSISTANCE PAYMENTS  
ADULT CONGREGATE LIVING  
FACILITY CARE SUPPLEMENT  
FROM GENERAL REVENUE FUND 18,725,838 17,825,838

ELDER AFFAIRS, DEPARTMENT OF

611 SPECIAL CATEGORIES  
GRANTS AND AIDS - COMMUNITY  
CARE FOR THE ELDERLY  
FROM GENERAL REVENUE FUND 39,981,967 40,881,967

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

**Amendment 32—**

SECTION 01 STRIKE: INSERT:  
PAGE 132  
ITEM 975

HEALTH AND REHABILITATIVE SERVICES,  
DEPARTMENT OF  
DEPUTY SECRETARY FOR OPERATIONS  
CHILDREN'S MEDICAL SERVICES

975 SPECIAL CATEGORIES  
CONTRACTED SERVICES  
FROM MATERNAL AND CHILD  
HEALTH BLOCK GRANT  
TRUST FUND 612,153 1,612,153

Senator Bankhead moved the following amendments which were adopted:

**Amendment 33—**

SECTION 01 STRIKE: INSERT:  
PAGE 133  
ITEM 981

HEALTH AND REHABILITATIVE SERVICES,  
DEPARTMENT OF  
DEPUTY SECRETARY FOR OPERATIONS  
CHILDREN'S MEDICAL SERVICES

981 SPECIAL CATEGORIES  
PURCHASED CLIENT SERVICE -  
CLINIC AND FIELD OPERATIONS  
FROM GENERAL REVENUE FUND 9,047,064 8,487,064

HEALTH AND REHABILITATIVE SERVICES,  
DEPARTMENT OF  
DEPUTY SECRETARY FOR OPERATIONS  
CHILDREN'S MEDICAL SERVICES

981 SPECIAL CATEGORIES  
PURCHASED CLIENT SERVICE -  
CLINIC AND FIELD OPERATIONS  
FROM MATERNAL AND CHILD HEALTH  
BLOCK GRANT TRUST FUND 4,255,939 5,255,939

982 SPECIAL CATEGORIES  
POISON CONTROL CENTER  
FROM GENERAL REVENUE FUND 800,638 1,360,638

**Amendment 34—**

SECTION 01 STRIKE: INSERT:  
PAGE 135  
ITEM 993A

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

993A LUMP SUM  
IMPLEMENT MEDICALLY  
NEEDY PROGRAM  
FROM MEDICAL CARE  
TRUST FUND 29,680,076 29,680,076

On page 135 following Specific Appropriation 993A, strike existing proviso and insert the following:

Funds in Specific Appropriation 993A are provided to continue the Medicaid Medically Needy Program as authorized in Section 409.904(2), Florida Statutes, for the period beginning July 1, 1992 through December 31, 1992.

Senator Burt moved the following amendment which failed:

**Amendment 35—**

SECTION 01 STRIKE: INSERT:  
PAGE 221  
ITEM 1620

VETERANS' AFFAIRS, DEPARTMENT OF

1620 SALARIES AND BENEFITS POS. 136 POS. 146  
FROM GENERAL REVENUE FUND 2,219,973 2,319,909

1622 EXPENSES  
FROM GENERAL REVENUE FUND 227,516 252,407

1623 OPERATING CAPITAL OUTLAY  
FROM GENERAL REVENUE FUND 42,170

Senator Burt moved the following amendment:

**Amendment 36—**

SECTION 01 STRIKE: INSERT:  
PAGE 29  
ITEM 320-AA

Following Item 320

CORRECTIONS, DEPARTMENT OF  
OFFICE OF THE SECRETARY AND  
OFFICE OF MANAGEMENT AND BUDGET

320-AA SPECIAL CATEGORIES - CONTRACT  
FOR OPERATION OF GULF/COLUMBIA  
CORRECTIONAL INSTITUTIONS  
FROM GENERAL REVENUE FUND 7,272,406

Following Item 320-AA

From the funds in Specific Appropriation 320-AA, the Department shall contract with the Department of Management Services for the issuance of requests for proposals for the operation of Gulf and Columbia Correctional Institutions. Proposals shall conform to the provisions of Chapter 287, F.S., and shall be awarded to the lowest, best qualified responsive bidder. Any contract awarded shall conform to the provisions of ss 944.710-719, F.S. and shall be subject to annual appropriation by the Legislature. Funds not used for the contract between the Department and Department of Management Services shall be available for the contracts for the operation of Gulf and Columbia Correctional Institutions.

CORRECTIONS, DEPARTMENT OF  
ASSISTANT SECRETARY FOR  
HEALTH SERVICES

327 SALARIES AND BENEFITS POS. 2,072 POS. 2,034  
FROM GENERAL REVENUE FUND 80,760,281 80,105,117

329 EXPENSES  
FROM GENERAL REVENUE FUND 30,582,208 30,299,694

330 OPERATING CAPITAL OUTLAY  
FROM GENERAL REVENUE FUND 399,820 247,428

331 SPECIAL CATEGORIES  
COMMUNITY HOSPITAL COSTS  
FROM GENERAL REVENUE FUND 17,122,806 17,050,596

CORRECTIONS, DEPARTMENT OF  
OFFICE OF THE ASSISTANT SECRETARY  
FOR OPERATIONS  
MAJOR INSTITUTIONS

346 SALARIES AND BENEFITS POS. 14,071 POS. 13,795  
FROM GENERAL REVENUE FUND 386,086,151 381,593,117

348 EXPENSES  
FROM GENERAL REVENUE FUND 88,605,236 87,445,976

349 OPERATING CAPITAL OUTLAY  
FROM GENERAL REVENUE FUND 722,595 489,531

350 FOOD PRODUCTS  
FROM GENERAL REVENUE FUND 39,479,738 39,312,050

356 SPECIAL CATEGORIES  
SALARY INCENTIVE PAYMENTS  
FROM GENERAL REVENUE FUND 3,810,179 3,753,099

Senator Gardner moved the following amendment to **Amendment 36** which was adopted:

**Amendment 36A—**

SECTION 01 STRIKE: INSERT:  
PAGE 29  
ITEM 320-AA

CORRECTIONS, DEPARTMENT OF  
OFFICE OF THE SECRETARY AND  
OFFICE OF MANAGEMENT AND BUDGET

320-AA SPECIAL CATEGORIES - CONTRACT  
FOR OPERATION OF GULF/COLUMBIA  
CORRECTIONAL INSTITUTIONS

Insert the following after existing proviso.

“The Department of Corrections shall also submit bids in response to the requests for proposals for the operation of Gulf/Columbia Correctional Institutions.”

**Amendment 36** as amended was adopted. The vote was:

Yeas—20 Nays—16

Senator Gardner moved the following amendments which were adopted:

**Amendment 37—**

SECTION 01 STRIKE: INSERT:  
PAGE 42  
ITEM 409

EDUCATION, DEPARTMENT OF,  
AND COMMISSIONER OF EDUCATION  
OFFICE OF DEPUTY COMMISSIONER FOR  
PLANNING, BUDGETING AND MANAGEMENT

409 SPECIAL CATEGORIES  
GRANTS AND AIDS - FLORIDA  
DIAGNOSTIC AND LEARNING  
RESOURCES CENTERS 0

In the seventh line of proviso following Specific Appropriation 409 after the words “Science Center” insert the words “at Jacksonville”.

**Amendment 38—**

SECTION 01 STRIKE: INSERT:  
PAGE 81  
ITEM 572

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

572 LUMP SUM  
UNIVERSITY OF FLORIDA  
HEALTH CENTER OPERATIONS  
FROM UNIVERSITY OF FLORIDA  
HEALTH SCIENCE CENTER/  
JACKSONVILLE TRUST FUND 6,674,393 7,274,393

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

572 LUMP SUM  
UNIVERSITY OF FLORIDA  
HEALTH CENTER OPERATIONS  
FROM OPERATIONS AND  
MAINTENANCE TRUST FUND 4,568,760 3,968,750

**Amendment 39—**

SECTION 01  
PAGE 106  
ITEM 754

HEALTH AND REHABILITATIVE SERVICES, DEPARTMENT OF OFFICE OF THE SECRETARY

SECTION 1C  
PAGE 241  
ITEM 1627BZ

STRIKE:

INSERT:

754 SALARIES AND BENEFITS FROM GENERAL REVENUE FUND POS. 87 2,791,104 POS. 89 2,856,023

EDUCATION, DEPARTMENT OF, AND COMMISSIONER OF EDUCATION OFFICE OF DEPUTY COMMISSIONER FOR PLANNING, BUDGETING AND MANAGEMENT

1627BZ SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS 0

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

In the second line of proviso, strike 1627 CD and insert 1627 BZ.

**Amendment 43—**

874 SALARIES AND BENEFITS FROM GENERAL REVENUE FUND POS. 7,218 126,784,372 POS. 7,216 126,719,453

SECTION 2C  
PAGE 271  
ITEM 1731

STRIKE:

INSERT:

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

1731 FIXED CAPITAL OUTLAY COMMUNITY COLLEGE PROJECTS 0

Following the existing proviso language for Specific Appropriation 1731 ending on page 271, insert a new paragraph of proviso as follows:

Funds in Specific Appropriation 1731 for Santa Fe Community College for land acquisition may be used to acquire land to be used in a like-kind exchange for the Institute of Public Safety.

Senator Malchon moved the following amendment which was adopted:

**Amendment 44—**

**Amendment 40—**

SECTION 01  
PAGE 176  
ITEM 1164

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

1164 SALARIES AND BENEFITS POS. 656 0 POS. 632 0

1165 OTHER PERSONAL SERVICES FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND 2,199,501 3,926,701

1166 EXPENSES FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND 4,822,491 4,867,905

1166 EXPENSES FROM WORKERS' COMPENSATION SPECIAL DISABILITY TRUST FUND 288,944 304,334

1167 OPERATING CAPITAL OUTLAY FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND 547,935 573,237

SECTION 01  
PAGE 97  
ITEM 688B

On page 97 insert proviso following Specific Appropriation as follows:

No funds shall be expended from Specific Appropriation 688B for payment of the Health Claims Administrative Service Contract currently in effect until the state receives the monthly claims report in a form, format and standards specified by Section II.M.1 of the contract. The report shall include but not be limited to the full procedure code number, DRG number, eligible amount field, provider FEI number, patient's date of birth and social security number. This information is intended for claims review and analysis only and as such shall not be segregated in any manner or form from the patient's claim detail information and as such shall be exempt from the provision of Chapter 119, Florida Statutes.

In addition, the Comptroller shall not process requests for expenditures from funds provided in Specific Appropriation 688B for payment of the above named contract unless the contractor performs as provided in Section II.A.7.c and Section II.A.8 of the contract. Verification of this performance shall be attested to by the Internal Auditor of the Division of State Employees Insurance.

The Division of State Employees Insurance shall provide copies of all contracts, contract amendments, waivers, and extensions to any Administrative Services Contracts funded from this appropriation to the Chairmen of the Senate and House Appropriation Committees.

Senators Thomas and Crenshaw offered the following amendment which was moved by Senator Thomas and adopted:

**Amendment 45—**On page 227, Section 1A, paragraph (5)A, strike all of said language

On motion by Senator Gardner, by two-thirds vote **SB 140-H** 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 Nays—1

**Amendment 42—**

SECTION 01  
PAGE 201  
ITEM 1393

PAROLE COMMISSION

1393 SALARIES AND BENEFITS FROM GENERAL REVENUE FUND POS. 194 6,596,986 POS. 191 6,507,092

1394 OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND 71,407 69,907

1395 EXPENSES FROM GENERAL REVENUE FUND 1,257,677 1,215,285

**SB 142-H**—A bill to be entitled An act relating to implementing the fiscal year 1992-1993 General Appropriations Act; providing legislative intent; providing that the Emergency Medical Services Trust Fund may be used to fund Medicaid reimbursement for patient transportation; eliminating funding for Medicaid coverage for pregnant women and children under age 1 with incomes above 150 percent up to and including 185 percent of the most current federal poverty level; eliminating funding for increases in obstetrical fees for Medicaid providers and requiring the Department of Health and Rehabilitative Services to reimburse such providers for obstetrical services based on the rates in effect on a specified date; reducing funding for Medicaid physician fees; providing for calculation of the Health Care Cost Containment Board assessment for certain teaching hospitals having 100,000 or more Medicaid covered days; providing for deposit into the Planning and Evaluation Trust Fund of fees assessed against selected health care facilities and used to fund the Statewide Health Council and local health councils; directing the Correctional Education School Authority to use federal Pell Grant funding to the fullest extent possible and requiring the Department of Corrections to give priority consideration for employment to employees displaced by the reduction of the authority; authorizing the Department of Transportation to enter into loan agreements with certain airports for the development of international passenger facilities, which shall be repaid within 10 years; authorizing the Department of Transportation to transfer certain funds to the Department of Commerce to develop a trade data resource and research center; requiring the Department of Transportation to prepare a tentative work program for 1992-1997 that implements the Intermodal Surface Transportation and Efficiency Act; providing requirements thereof and responsibilities of the Department of Transportation, the Department of Community Affairs, and the Florida Transportation Commission with respect thereto; authorizing the Department of Transportation to enter into a loan agreement up to a specified amount to implement the Spaceport Florida Authority Act and providing for repayment thereof; providing that a specified appropriation relating to the Addition - Kirkman Complex for the Department of Highway Safety and Motor Vehicles will not revert until a specified date; extending the authority of the Department of State to transfer funds from the Corporations Trust Fund to the Division of Licensing Trust Fund and providing for uses of such funds; providing for use by the Department of State of moneys deposited into the Public Access Data Systems Trust Fund; continuing and providing for expansion of an experimental program in the Department of Revenue and in the Division of Workers' Compensation of the Department of Labor and Employment Security for fiscal year 1992-1993 to determine the feasibility of acting outside the normal constraints on personnel and budget; revising requirements of the Department of Revenue relating to notice and collection agency contract provisions for the recovery of delinquent taxes; requiring the Department of the Lottery to retain certain funds in order to provide a specified supplemental transfer to the Educational Enhancement Trust Fund; continuing the Resolution Trust Corporation Advisory Commission established pursuant to s. 72, ch. 91-157, Laws of Florida; requiring the Division of Retirement of the Department of Administration to conduct a study on withdrawal of certain dependent and independent public hospitals from the Florida Retirement System and to submit a report thereon to specified legislative leaders; providing for calculation of the statewide adjusted aggregate required local effort for all school districts from ad valorem taxes, under authority of the Commissioner of Education; providing for adjustment of the required local effort millage rate of certain districts; providing for calculation of school districts' maximum total weighted full-time equivalent student enrollment; providing for the implementation of ch. 90-49, Laws of Florida, relating to laboratory schools; requiring the State University System to develop a personnel system to meet certain payroll needs and informational requirements; prohibiting adjustment to the allocation of funds for any university for the 1991-1992 and 1992-1993 fiscal years; providing for no increase adjustment for the Financial Assistance Payments for Private Tuition Assistance; providing that specified appropriations relating to the Florida International University Library Addition and Joint Center for Conflict Resolution, certain Capital Improvement Fee projects, the University of Central Florida Solar Energy Center, and the University of Florida Library Center East Renovation/Restoration project will not revert until a specified date; transferring all funds from the University of West Florida's Student Activity Lodge Design project and certain funds from the university's Outdoor Recreation Facility Expansion and Other Campus Enhancement Structures project to the university's Commons Building Renovation and Expansion project; revising appropriations to projects at Florida International University relating to the University House Renovation - University Park, the Swimming Pool/Access - University Park, and the Student Center Addition - North

Miami, to provide funds for the University House/Graham Center Addition - University Park and the Multi-Purpose Stadium Complex - University Park projects; providing that the unexpended balances of the Rem/Ren Bldg #8 Classroom/Lab - Melbourne project of Brevard Community College will not revert until a specified date and authorizing use of such funds for the remodeling/renovation of Building #1 on the Melbourne Campus; providing that specified appropriations relating to the Florida Community College at Jacksonville Building E - Kent, Performing Arts - South, Child Care Facility - Kent, Energy Conservation - Collegewide, and asbestos abatement projects and the Gulf Coast Community College Site Acquisition project will not revert until a specified date; providing that funds appropriated for the Land Acquisition/Brandon Campus (s) project for Hillsborough Community College will not revert until a specified date and providing for other uses of the unexpended balances of such funds; providing that funds for the Land Acquisition projects for Lake-Sumter Community College will not revert until a specified date and providing for other uses of the unexpended balances of such funds; providing that funds appropriated for the Sumter School District - Comprehensive High School project will not revert until a specified date; authorizing the Division of Bond Finance of the Department of General Services to refinance certain bonds; providing for transfer of certain funds to ensure a specified balance in the Working Capital Fund; eliminating a salary raise for legislators and authorizing legislators to voluntarily reduce salary by a specified percentage; prescribing procedures to be followed if a general revenue shortfall requires the Chief Justice of the Supreme Court to make budget reductions; providing for the Department of Commerce to administer the operations of the Sunshine State Games; providing an authorized use for moneys in the Conservation and Recreation Lands Trust Fund; authorizing the Secretary of State to enter into a contingency-fee agreement for certain legal representation; providing that certain funds appropriated for a residential magnet school in Brevard County shall not revert; prescribing duties of the Florida Health Access Corporation and the Florida Health Care Purchasing Cooperative with respect to provision of health care to specified persons and entities; requiring the Executive Office of the Governor to certify forward unexpended moneys of each state attorney's office and each public defender's office; prescribing uses for moneys carried forward; providing limits on amounts carried forward; prohibiting state officers and employees and persons under contract with an agency of the executive branch from advising persons with respect to divestiture of resources or assets for the purpose of meeting eligibility requirements for state or federally funded services; prohibiting settling, consenting to a condition in, or agreeing to any order in a civil action to which the state is a party unless the Legislature has reviewed and approved the settlement, consent, or order; requiring the Department of Environmental Regulation to loan moneys to the St. Johns River Water Management District to pay bond indebtedness; changing the effective date of ch. 92-279, Laws of Florida, relating to governmental reorganization; authorizing the Department of Education to offer certain employees who retire during the 1992-1993 fiscal year a bonus; providing severability; providing effective dates, including a retroactive effective date, and an expiration date.

—was read the second time by title.

Senators McKay, Langley, Bruner, Myers, Crotty, Dudley, Burt and Grant offered the following amendment which was moved by Senator McKay and failed:

**Amendment 1 (with Title Amendment)**—On page 28, line 3, insert:

Section 62. (1) An employee of a school district may not have a balance of accrued annual leave which exceeds twice the amount of annual leave that the employee earns in a year. The school district may not purchase unused annual or sick leave from its employees.

(2) This section shall take effect July 1, 1993.

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 7, line 18, after "bonus;" insert: limiting the amount of annual leave that school district employees may accrue; prohibiting a public employer from purchasing unused annual or sick leave;

Senators McKay, Langley, Bruner, Myers, Crotty, Dudley, Burt and Grant offered the following amendment which was moved by Senator McKay and adopted:

**Amendment 2 (with Title Amendment)**—On page 28, line 3, insert:

Section 61. By January 1 of each year, each school district shall report the following information to the Auditor General:

- (1) The aggregate sick leave liability of the district.
- (2) The amount budgeted to be spent during the next fiscal year to purchase unused sick leave.
- (3) A projection of the amount of sick leave to be purchased during the next 10 years.
- (4) The amount set aside that year by the district to fund sick leave repurchases.

And the title is amended as follows:

In title, on page 7, line 18, after "bonus;" insert: providing for annual reports to the Auditor General by school districts with respect to their employees' sick leave;

Senator Gardner moved the following amendments which were adopted:

**Amendment 3 (with Title Amendment)**—On page 28, line 3, insert:

Section 62. Notwithstanding any other provision of law to the contrary, the activities of the Department of Revenue regarding the implementation of the automated collection and enforcement system are exempt from the provisions of chapter 287, Florida Statutes, relating to purchase or lease of goods and services, and chapter 282, Florida Statutes, relating to communications and data processing.

And the title is amended as follows:

In title, on page 7, line 18, after "bonus;" insert: exempting the Department of Revenue from certain provisions of law relative to the implementation of the automated collection and enforcement system;

#### SENATOR WEINSTEIN PRESIDING

**Amendment 4 (with Title Amendment)**—On page 28, line 3, insert:

Section 63. Notwithstanding the provisions of section 259.101, Florida Statutes, the distribution of proceeds from the issuance of the third series of Preservation 2000 bonds shall be made in the same manner as the distribution of the first and second series.

(Re-number subsequent sections.)

And the title is amended as follows:

In title, on page 7, line 18, after "bonus;" insert: prescribing the distribution of proceeds from the third series of Preservation 2000 bonds;

**Amendment 5 (with Title Amendment)**—On page 28, line 3, insert:

Section 64. Notwithstanding the provisions of sections 243.151(2) and 255.25, Florida Statutes, the Board of Regents is authorized to enter into a multi-year facility lease agreement with the Florida State University Foundation or another direct support organization that supports the London Program at Florida State University. Funds for the lease payments shall be made from program funds, from student charges and those educational funds appropriated to support lease and rental payments of the program.

(Re-number subsequent sections.)

And the title is amended as follows:

In title, on page 7, line 18, after "bonus;" insert: authorizing a facility lease agreement for the London Program at Florida State University;

**Amendment 6 (with Title Amendment)**—On page 28, line 3, insert:

Section 65. Each department as defined in chapter 20, Florida Statutes, shall be permitted to expend each year up to \$5,000 from its original approved operating budget to promote employee productivity, governmental cooperation, or improve the image of said department or its pro-

grams at the unrestricted discretion of the agency head. A department shall use trust funds for this purpose to the extent that trust funds are legally available for such use. The Executive Office of the Governor shall transfer the spending authority from the category or categories identified by the affected department pursuant to this subsection into a special category in order to segregate the accounting for these funds.

And the title is amended as follows:

In title, on page 7, line 18, after "bonus;" insert: authorizing the expenditure of a specified amount of operating funds at the discretion of the agency head to promote employee productivity and department improvement;

**Amendment 7 (with Title Amendment)**—On page 27, line 4, after the period (.) insert: This condition shall not apply to settlement of tax assessment and tax refund cases.

And the title is amended as follows:

In title, on page 7, line 9, before the semicolon (;) insert: , except for cases of tax assessment or tax refund;

**Amendment 8 (with Title Amendment)**—On page 28, line 3, insert:

Section 66. Notwithstanding the last paragraph of the proviso following Specific Appropriation 1993B of chapter 91-193, Laws of Florida, the Department of Professional Regulation shall reimburse the Department of Management Services, Division of Facilities Management for all costs incurred from the Florida Facilities Pool Working Capital Trust Fund for the acquisition and renovation of the RTC Building located in Orlando. Once this reimbursement has occurred, notwithstanding subparagraph 5 following Specific Appropriation 1993B of chapter 91-193, Laws of Florida, the property and facilities acquired from RTC shall not become part of the Florida Facilities Pool as set forth in sections 255.501-255.525, Florida Statutes. Upon reimbursement, the Division of Facilities Management shall transfer to the State Working Capital Fund the sum of \$3,000,000 from the Florida Facilities Pool Working Capital Trust Fund, which shall meet the requirements of the last paragraph in the proviso following Specific Appropriation 1993B of chapter 91-193, Laws of Florida. These transactions shall occur prior to July 1, 1992. The Department of Professional Regulation and the Division of Facilities Management are hereby authorized to enter into a cost reimbursement and sinking fund agreement for certain building operation, maintenance, and capital depreciation costs and allowances. Funds received and expended by the Division of Facilities Management pursuant to this agreement shall be segregated from Florida Facilities Pool rental receipts and expenditures. This section shall take effect June 30, 1992 or upon becoming law, whichever occurs first; however, if this section becomes law after June 30, 1992, then it shall operate retroactively to June 30, 1992.

(Re-number subsequent sections.)

And the title is amended as follows:

In title, on page 7, line 18, after "bonus;" insert: prescribing reimbursement and use of funds relative to the acquisition and renovation of the RTC Building located in Orlando;

**Amendment 9 (with Title Amendment)**—On page 28, line 3, insert:

Section 67. Notwithstanding section 110.123, Florida Statutes, the Department of Administration shall develop a premium schedule by September 30, 1992, which reflects the actual cost of an enrollee in the Health Maintenance Organization (HMO) plan and a premium schedule by September 30, 1992, which reflects the actual cost of an enrollee in the State Group Health Self-Insurance Plan. The state share of each premium shall be the same in both plans as established by the Legislature on July 1, 1992, except in accordance with any modifications as described in the following paragraph. The employee share shall be the difference between the total premium cost of the plan the employee enrolls in and the established state share. Any reduction in total premium costs resulting from these new premium schedules shall reduce the state share and the employee share on a 50 percent prorated bases. Any increase in total premium costs resulting from these new premium schedules shall be borne solely by the employee. The Department of Administration shall renegotiate contracts with HMOs and other health care providers based on the new premium schedules. When developing the new premium schedules, the Department of Administration may allow for exemptions

for employees located in regions where no HMO exists and/or may allow for exemptions for employees who are required to live out of state as a condition of employment.

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 7, line 18, after "bonus;" insert: prescribing duties of the Department of Administration relative to premium schedules and other aspects of the Health Maintenance Organization (HMO) and the State Group Health Self-Insurance Plan;

**Amendment 10 (with Title Amendment)**—On page 28, between lines 2 and 3, insert a new Section 68 as follows:

Section 68. Notwithstanding the provisions of section 216.301(3)(a), Florida Statutes, the project entitled Performing Arts - South partial (c) for Florida Community College at Jacksonville contained within Specific Appropriation 1978 of chapter 91-193, Laws of Florida, shall not revert until February 1, 1994.

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 7, line 18, after "bonus;" insert: extending the reversion date for certain project funds at Florida Community College at Jacksonville;

**Amendment 11 (with Title Amendment)**—On page 28, between lines 2 and 3, insert a new Section 69 as follows:

Section 69. Notwithstanding the provisions of section 216.301(3), Florida Statutes, Specific Appropriation 2160 of chapter 90-209, Laws of Florida, relating to land acquisition and Specific Appropriation 1979 of chapter 91-193, Laws of Florida, relating to land acquisition shall not revert until February 1, 1993, and up to five percent of these appropriations may be used for unimproved parking on the sites acquired with these funds prior to their development under the Campus Master Plan.

And the title is amended as follows:

In title, on page 7, line 18, after "bonus;" insert: extending the reversion date for certain land acquisition and prescribing the use of such funds prior to development;

Senator Wexler moved the following amendment which was adopted:

**Amendment 12 (with Title Amendment)**—On page 28, line 3, insert:

Section 70. Notwithstanding the provisions of section 1 of chapter 92-121, Laws of Florida, or any other provision of law to the contrary notwithstanding, the nonprevailing adverse parties, as defined in section 120.59(6)(e)3., Florida Statutes, in hearings related to school district bid protests shall be responsible for making timely payment to the Division of Administrative Hearings in the Department of Administration for services provided by hearing officers. In any such hearing where the school board is not the nonprevailing adverse party, the Commissioner of Education shall not withhold funds from a district school board for transfer to the Division of Administrative Hearings.

And the title is amended as follows:

In title, on page 7, line 18, after "bonus;" insert: requiring nonprevailing adverse parties in school district bid protests to make timely payment to the Division of Administrative Hearings;

Senator Johnson moved the following amendment:

**Amendment 13 (with Title Amendment)**—On page 28, between lines 2 and 3, insert:

Section 71. (1) Notwithstanding section 236.25, Florida Statutes, when moneys appropriated to a district school board are insufficient to maintain class size, within programs, based upon the class size of the 1989-1990 school year, the school board may use moneys that are collected pursuant to a levy authorized in subsection (2) of section 236.25, Florida Statutes, and that are not otherwise encumbered for the purposes prescribed in that subsection to replace such moneys not received by the school board.

(2) Moneys collected pursuant to a levy authorized by subsection (2) of section 236.25, Florida Statutes, and used pursuant to this section:

(a) May not be used in an amount greater than the amount of moneys required to maintain class size, within programs, based upon the class size of the 1989-1990 school year.

(b) May be used for direct instructional costs to the school pursuant to section 237.34, Florida Statutes, only and may not be used to pay administrative costs.

(3) The district school board shall publish a notice of its intent to expend funds pursuant to this section and hold a public hearing to consider and adopt a supplemental budget as to such expenditures. The notice must specify the board's intent to expend funds and the purpose, date, time, and place of the public hearing. The notice must be published in a newspaper of general paid circulation in the county and may not be placed in that portion of the newspaper where legal notices and classified advertisements appear.

(4) This section expires June 30, 1993.

And the title is amended as follows:

In title, on page 7, line 18, after "bonus;" insert: authorizing the use of certain funds for education operations by district school boards;

Senator Grizzle moved the following substitute amendment which failed:

**Amendment 14 (with Title Amendment)**—On page 28, between lines 2 and 3, insert:

Section 62. *Notwithstanding the provisions of section 236.25, Florida Statutes, a district school board may use for operational purposes moneys that are collected pursuant to a levy authorized in subsection (2) of section 236.25, Florida Statutes, and that are not otherwise encumbered for the purposes prescribed in that subsection.*

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 7, line 18, after "bonus" insert: authorizing the use of certain funds for educational operations by district school boards;

## THE PRESIDENT PRESIDING

The question recurred on **Amendment 13** which was adopted.

Senator Johnson moved the following amendment which was adopted:

**Amendment 15 (with Title Amendment)**—On page 28, between lines 2 and 3, insert:

Section 72. Notwithstanding the provisions of section 236.25(2), Florida Statutes, during the 1992-1993 fiscal year, district school boards may use revenue from unobligated discretionary capital improvement millage to fund one-time nonrecurring expenditures that provide instructional materials for each classroom. Such expenditures may include consumable and nonconsumable instructional supplies, materials, textbooks, and equipment.

And the title is amended as follows:

In title, on page 7, line 18, after "bonus;" insert: authorizing the use of unobligated discretionary capital improvement millage to fund one-time expenditures for classroom materials;

Senator Kiser moved the following amendment which was adopted:

**Amendment 16 (with Title Amendment)**—On page 28, between lines 2 and 3, insert:

Section 73. During the 1992-1993 fiscal year, each district school board shall use revenue from the discretionary capital outlay millage or from funds appropriated in Specific Appropriation 516 in an amount equal to 2.78 percent of funds appropriated in Specific Appropriation 516 of the General Appropriations Act for district vocational programs for repair and replacement of vocational equipment.

And the title is amended as follows:

In title, on page 7, line 18, after "bonus;" insert: requiring the use of a specified amount of discretionary capital outlay millage for repair and replacement of vocational equipment;

Senator Crenshaw moved the following amendment which was adopted:

**Amendment 17 (with Title Amendment)**—On page 28, line 3, insert:

Section 74. Effective for the period July 1, 1992, through June 30, 1993, notwithstanding any law to the contrary, any vacant position, except a position in the Educational and General budget entity and in the Florida School for the Deaf and the Blind, shall only be filled if it is vital to accomplishing the mission of the organization or would cause the loss of federal funding for the position or the program. Only the agency head, or the Chief Justice in the case of the judicial branch and not his designee, has the authority to determine which positions are vital and if those positions are to be filled. Agency heads of the Chief Justice may fill any vacant position by transfer of existing full-time employees from within the same organization. Vacant positions may not be supplemented by the hiring of OPS employees or consultants. For purposes of this section, the term "agency head" means the Governor, a Cabinet member, an agency secretary, an executive director, the Chancellor of the State University System, the director of the Division of Community Colleges, and each state attorney and public defender. Every other month, each agency head and the Chief Justice shall submit a report to the President of the Senate, the Speaker of the House of Representatives, the minority leader of the Senate, and the minority leader of the House of Representatives detailing the number of vacant positions and those positions that have been filled or for which approval has been given to fill such positions from July 1, 1992, through June 30, 1993. The report format shall be developed by the Department of Administration and shall be used by all entities. Included in this report shall be a detailed description of any position filled, a detailed explanation as to the reason such position was considered vital, what federal funding would have been lost if such position were not filled, the salary authorized in filling such position, and the savings accruing to the organization from maintaining vacant positions.

And the title is amended as follows:

In title, on page 7, line 18, after "bonus;" insert: prescribing procedures regarding the filling of vacant positions;

Senator Weinstein moved the following amendment which was adopted:

**Amendment 18 (with Title Amendment)**—On page 28, line 3, insert a new section:

Section 75. Beginning July 1, 1992, the Department of Health and Rehabilitative Services is authorized to develop a program to reduce hospitalizations due to pressure ulcers by providing nursing home reimbursement for therapies designed to treat the most serious cases of pressure ulcers in a less costly manner. The department is authorized to design those eligibility criteria, reimbursement methods, and prior authorization requirements it deems appropriate, to establish one position to carry out this project, and to transfer funds from the Medicaid Hospital Inpatient Program to the Medicaid Nursing Home Program or other programs as it deems appropriate to fund the requirements of this new program. The entire program shall be designed to save overall state expenditures. The department shall report its progress and evaluation to date to the Chairman of the House and Senate Appropriations Committees no later than December 1, 1993. The department is authorized to terminate the program at any time it determines it is not cost-effective, and in no case shall the program continue beyond June 30, 1994, without affirmative approval by the Appropriations Committees.

And the title is amended as follows:

In title, on page 7, line 18, insert: authorizing the Department of Health and Rehabilitative Services to develop a cost-saving program to reduce hospitalization due to pressure ulcers; requiring a report to the appropriations committee chairmen;

Senator Childers moved the following amendment which was adopted:

**Amendment 19 (with Title Amendment)**—On page 28, line 3, insert:

Section 76. Notwithstanding any other provisions of Florida law, the Chief Justice shall have the authority to transfer funds to the appropriations for administered funds - judicial from other judicial branch budget entities, for the sole purpose of addressing anticipated deficits. He shall also have the authority to transfer funds internally between the appropri-

ations in the budget for Judicial administered funds as administered by the Supreme Court in excess of 5 percent of such appropriations, for the sole purpose of addressing anticipated deficits in such appropriations.

And the title is amended as follows:

In title, on page 7, line 18, after "bonus;" insert: authorizing judicial budget transfer authority under certain conditions;

Senator Yancey moved the following amendment which was adopted:

**Amendment 20 (with Title Amendment)**—On page 28, line 3, insert:

Section 77. Notwithstanding the provisions of section 216.301, Florida Statutes, and pursuant to section 216.351, Florida Statutes, the Executive Office of the Governor shall, on July 1, 1992, certify forward all unexpended funds appropriated for the Office of Statewide Prosecution. Any unexpended funds in the current year's budget shall be submitted for approval by the Statewide Prosecutor. Carryforward funds shall be used for nonrecurring salary bonuses for state employees exceeding performance standards, training for state employees, and purchases of productivity-enhancing technology. A detailed expenditure plan shall be submitted for approval to the legislative appropriations committees by December 31, 1992. Upon approval, funds shall be distributed by the Executive Office of the Governor. The lump sum salary bonuses for state employees shall not be included in an employee's annual base salary.

(a) A carryforward under this subsection may not exceed 5 percent of the total budget of the Office of Statewide Prosecution, and the funds carried forward may only be expended as provided in this subsection.

(b) The Office of Statewide Prosecution may not be penalized in the allocation of subsequent funds as a result of the carryforward of an unexpended balance.

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 7, line 18, after "bonus;" insert: authorizing unexpended funds in the Office of Statewide Prosecution to be carried forward; prescribing the uses of such funds;

Senator Gardner moved the following amendments which were adopted:

**Amendment 21 (with Title Amendment)**—On page 12, lines 24-31, and on page 13, lines 1-11, strike all of Section 16 and renumber subsequent sections.

And the title is amended as follows:

In title, on page 3, line 1, after the semicolon (;), strike all language up to and including the semicolon (;) on page 3, line 8.

**Amendment 22**—On page 22, line 25, strike "Line items" and insert: Specific Appropriations 1140A through 1142T, 1627EN, and 1627EO

**Amendment 23**—On page 22, lines 27 and 28, strike "and administered funds for court reporter overtime,"

**Amendment 24**—On page 25, line 6, after "July 1" strike "of each year" and insert: , 1992

**Amendment 25**—On page 25, lines 15 and 16, after "December 31," strike "of each year" and insert: , 1992

**Amendment 26**—On page 25, line 30, strike "of each year" and insert: , 1992

**Amendment 27**—On page 26, line 8, strike "of each year" and insert: , 1992

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

**Amendment 28**—On page 28, line 3, insert a new Section 78:

Section 78. The Department of Health and Rehabilitative Services may utilize general revenue funds to extend AFDC and Medicaid benefits to asylum applicants who are similarly situated to the plaintiff in *Department of Health and Rehabilitative Services v. Solis*. In implementing this provision, the department shall not amend Section 4.1.I.b. of the AFDC state plan.

Senators Johnson, Myers, Langley, Jennings and Bruner offered the following amendment which was moved by Senator Johnson:

**Amendment 29 (with Title Amendment)**—On page 28, line 9, insert:

Section 63. A school board shall not use public funds to pay membership dues or fees for the board or any of its employees to join or belong to any organization that employs or retains a lobbyist or otherwise attempts to influence state legislative activity.

(Renumber subsequent section.)

And the title is amended as follows:

In title, on page 7, line 18, after "bonus," insert: providing for limitation of funds to certain organizations;

Senators Bruner and McKay offered the following substitute amendment which was moved by Senator Bruner and adopted:

**Amendment 30**—On page 28, line 9, insert:

Section 79. No constitutional officer or state agency shall use public funds to pay membership dues or fees for a board or any employee to join or belong to any organization that employs or retains a lobbyist or otherwise attempts to influence state legislative activity.

The vote was:

Yeas—25      Nays—10

Senator Kirkpatrick moved the following amendment which was adopted:

**Amendment 31**—On page 28, line 3, insert:

Section 80. The provisions of subsection (1), (2), and (3) of section 14 of chapter 91-157, Laws of Florida, providing a grant of authority to the Department of Revenue and the Division of Workers' Compensation of the Department of Labor to act outside the normal personnel and budget requirements of the Florida Statutes, are hereby extended to include all of the Department of Labor and Employment Security and the Department of State. In addition, every department participating in this pilot project must include in the 1993-1994 legislative budget request written evaluation standards that will be used to measure productivity enhancement. These standards should identify the current level of productivity as well as the intended direction and method of calculating improvement. The standards identified will be used to evaluate the level of success and will be considered by the Legislature as criteria for the continuation of funding. Additional departments or program units included in any expansion of this pilot project must submit evaluation standards in the 1993-1994 budget request prior to receiving such flexibility authority.

(Renumber subsequent sections.)

Senators Davis and Grant offered the following amendment which was moved by Senator Davis and adopted:

**Amendment 32**—On page 28, line 3, insert:

Section 81. Notwithstanding the provisions of section 216.301, Florida Statutes, the Department of Health and Rehabilitative Services may retain any funds scheduled to revert on June 30, 1992, for the purpose of funding any capital outlay projects which are at least fifty percent complete in the construction phase, are funded for non-profit social services providers and for those facilities which whose ownership shall be conveyed to the state.

On motion by Senator Gardner, by two-thirds vote **SB 142-H** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—34      Nays—1

**HB 171-H**—A bill to be entitled An act relating to natural gas transmission pipelines; creating ss. 403.9401-403.9425, F.S.; creating the Natural Gas Transmission Pipeline Siting Act to establish a certification process for siting natural gas transmission pipelines; providing legislative intent; providing definitions; providing powers and duties of the Department of Environmental Regulation; providing applicability, certification, and exemptions; providing for applications; specifying pipeline corridor requirements; providing for appointment of a hearing officer; providing for distribution of applications and schedules; providing for determina-

tion of completeness of application; providing for determination of sufficiency of application; providing for preliminary statements of issues, reports, and studies by affected agencies; providing for notice, proceedings, parties, and participants; providing for the proposal of alternate corridors; providing for amendment of an application; providing for alteration of time limits; providing for final disposition of the application; providing for certification as the sole license for natural gas transmission pipeline siting; providing for use of a corridor by other applicants; providing for notice of certified corridor routes; providing for modification of certification; providing for enforcement; providing for superseding of laws, rules, and ordinances; establishing fees; providing for applicability to existing natural gas transmission pipelines or applications; providing for determination of need by the Florida Public Service Commission; providing for admissibility of certification in eminent domain proceedings; prohibiting the requesting of certain attorney's fees and costs; providing for local government informational meetings; providing for revocation or suspension of certification; creating the Natural Gas Transmission Pipeline Intrastate Regulatory Act; providing legislative declaration; providing definitions; providing powers and duties of the Florida Public Service Commission to regulate rates and services of natural gas transmission companies; providing for the setting of rates; providing for a statement of intent to revise rates, a hearing on revised rates, and determination of rate level; providing for determination of rates as unreasonable or violative; providing for confidentiality and discovery; providing for Open Government Sunset review and repeal; providing for regulatory assessment fees; providing for administrative fines; providing for judicial review; amending s. 361.05, F.S.; giving natural gas transmission pipeline companies the power of eminent domain; amending s. 366.02, F.S.; excluding certain natural gas sales companies from the definition of the term "public utility" for the purposes of ch. 366, F.S.; providing appropriations and positions; providing an effective date.

—was read the second time by title.

Senator Grizzle moved the following amendment:

**Amendment 1**—On page 37, line 21, strike "defined" and insert: *set forth*

On motion by Senator Kirkpatrick, further consideration of **HB 171-H** with pending **Amendment 1** was deferred.

## REPORTS OF COMMITTEES

The Committee on Commerce recommends the following pass: **SB 210-H**

The Committee on Finance, Taxation and Claims recommends the following pass: **SB 138-H**

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

The Special Master on Claims recommends the following pass: **HB 225-H** with 1 amendment

**The bill was referred to the Committee on Corrections, Probation and Parole under the original reference.**

The Special Master on Claims recommends the following pass: **HB 159-H**, **CS** for **HB 257-H**

The Committee on Transportation recommends the following pass: **SB 180-H**, **SB 188-H**

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

The Committee on Finance, Taxation and Claims recommends the following pass: **SB 112-H**, **SB 114-H**, **SB 152-H** with 1 amendment

The Committee on Natural Resources and Conservation recommends the following pass: **HB 171-H**

The Committee on Transportation recommends the following pass: **SB 192-H**, **SB 200-H**

**The bills contained in the foregoing reports were placed on the calendar.**

The Committee on Corrections, Probation and Parole recommends a committee substitute for the following: SB 66-H

The Committee on Finance, Taxation and Claims recommends a committee substitute for the following: SB 154-H

**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 Health and Rehabilitative Services recommends a committee substitute for the following: SB 118-H

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

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: SB 82-H

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

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: SB 50-H

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

The Committee on Finance, Taxation and Claims recommends a committee substitute for the following: CS for SB 68-H

**The bill with committee substitute attached was placed on the calendar.**

The Special Master on Claims recommends the following not pass: HB 297-H

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

## INTRODUCTION AND REFERENCE OF BILLS

### FIRST READING

By Senator Forman—

**SB 186-H**—A bill to be entitled An act relating to pari-mutuel wagering; amending ss. 27, 30, ch. 91-197, Laws of Florida; postponing the repeal of s. 550.2635, F.S., which provides for the Breeders' Cup Meet; providing for conditional retroactive operation; providing an effective date.

—was referred to the Committee on Commerce.

By Senator Beard—

**SB 188-H**—A bill to be entitled An act relating to license fees for motorcycles, motor-driven cycles, mopeds, and trucks; amending s. 320.08, F.S.; redefining "antique truck"; restricting the use of safety education fees derived from the registration of motorcycles, motor-driven cycles, and mopeds to funding the Florida Motorcycle Safety Education Program; providing an effective date.

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

By Senator Dudley—

**SR 190-H**—A resolution in remembrance of Chuck Ross, a Little League Coach who brought baseball and humanity into the lives of many Florida children.

—was referred to the Committee on Rules and Calendar.

By Senator Dudley—

**SB 192-H**—A bill to be entitled An act relating to bridge designation; designating the two high-level bridge spans over the Caloosahatchee River in Lee County on Business U.S. 41 (State Road 739) as the "Edison Bridge"; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Jenne—

**SR 194-H**—A resolution honoring Father Gabriel O'Reilly and recognizing June 4, 1992, as Father Gabriel O'Reilly Day.

—was referred to the Committee on Rules and Calendar.

By Senator Kurth—

**SB 196-H**—A bill to be entitled An act relating to tourism; providing legislative intent; providing definitions; creating the Florida Commission on Tourism; providing purposes; providing for membership and terms; providing powers and duties; providing for the creation of a program to provide an incentive for and recognize those entities voluntarily contributing significant resources to the Tourism Promotion Investment Trust Fund; providing for trade secrets; providing confidentiality of certain information; providing for deposit of such contributions into the Tourism Promotion Investment Trust Fund; creating the Tourism Promotion Investment Trust Fund; amending s. 215.22, F.S.; exempting the Tourism Promotion Investment Trust Fund from the General Revenue Fund service charge; requiring the Florida Commission on Tourism to establish the Tourism Promotion Investment Corporation; providing criteria; providing for use of commission property by the corporation; providing for a board of directors; providing for audits; amending ss. 212.0606, 288.121, 288.8032, 288.805, 288.809, 288.810, 288.811, 288.822, 288.825, 288.826, F.S.; clarifying and conforming provisions related to tourism; repealing s. 288.821, F.S., relating to the Florida International Tourism Promotion Council; specifying funding for the division and for the commission; providing effective dates.

—was referred to the Committees on International Trade, Economic Development and Tourism; Finance, Taxation and Claims; and Appropriations.

By Senator Scott—

**SB 198-H**—A bill to be entitled An act relating to educational facilities; amending s. 235.215, F.S., relating to energy efficiency contracting; conforming language; providing an effective date.

—was referred to the Committee on Education.

By Senator Thomas—

**SB 200-H**—A bill to be entitled An act relating to road designation; designating a portion of U.S. Highway 319 as the "Kate Ireland Parkway"; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was referred to the Committee on Transportation.

By Senators Forman, Jenne, Malchon, Davis, Kirkpatrick, Childers and Weinstein—

**SB 202-H**—A bill to be entitled An act relating to the State Group Health Insurance Plan; amending s. 53, ch. 92-69, Laws of Florida; providing legislative intent; clarifying a provision of law relating to reimbursement to pharmacies participating in the state employees' prescription drug program under the plan; providing for review, approval, and payment of claims; providing for the assessment of interest and the creation of liens on unpaid claims; requiring certain notice; providing administrative and civil remedies; providing an effective date.

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

By Senator Dudley—

**SB 204-H**—A bill to be entitled An act relating to salaries of school board members and superintendents; amending s. 145.19, F.S.; providing for annual percentage increases; providing an effective date.

—was referred to the Committee on Appropriations.

By Senator Souto—

**SB 206-H**—A bill to be entitled An act relating to corporate income tax; creating s. 220.191, F.S.; providing a credit against the tax for a taxpayer that contributes funds to the Corporate Sponsor Scholarship Program; providing requirements and limitations; providing for carryover credit; requiring proposals to be submitted to and approved by the Department of Education; providing for expiration; providing for rules; creating s. 240.4083, F.S.; creating the Corporate Sponsor Scholarship

Program; establishing eligibility criteria and providing guidelines and procedures for scholarship awards; requiring scholarship recipients to report annually to their respective corporate sponsors; providing for refunds and transfers; requiring the Department of Education to publicize the program; creating the Corporate Sponsor Scholarship Program Trust Fund; amending s. 220.02, F.S.; providing for the order of application of the higher education tax credit; providing an effective date.

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

By the Committee on Commerce—

**SB 208-H**—A bill to be entitled An act relating to pari-mutuel wagering; amending s. 20.16, F.S.; providing for a general counsel for the Florida Pari-mutuel Commission and providing for duties and compensation; saving from repeal s. 20.16(4), F.S., relating to the commission; creating s. 550.001, F.S.; providing a short title; creating s. 550.002, F.S.; providing definitions; creating s. 550.003, F.S.; providing for validating existing permits; amending s. 550.012, F.S.; providing for restoration of lost performances; amending s. 550.0121, F.S.; authorizing the Florida Pari-mutuel Commission to approve, reallocate, or reassign performance dates; providing additional operating days; removing restrictions on the number of matinee performances that may be conducted by Summersport Jai Alai; providing for quarter horse racing throughout the year; providing that any permitted facility may be used for the conduct of concerts, trade shows, expositions, conventions, flea markets, charitable events, and similar activities in addition to the conduct of pari-mutuel wagering; providing for conversion of a greyhound permit to a jai alai permit; amending s. 550.02, F.S.; providing powers and duties of the Division of Pari-mutuel Wagering of the Department of Business Regulation; amending s. 550.03, F.S.; providing for “hound dog derbies” or “mutt derbies”; amending s. 550.042, F.S.; authorizing minors to attend and be employed at pari-mutuel performances under specified conditions; amending s. 550.05, F.S.; providing procedures for obtaining pari-mutuel operation permits; providing for contents of a permit application; providing duties of the Division of Pari-mutuel Wagering; amending s. 550.06, F.S.; providing technical changes; amending s. 550.09, F.S.; providing for fees and taxes; amending s. 550.10, F.S.; providing for taxes in lieu of other taxes; amending s. 550.115, F.S.; expanding the number of persons covered by the relief fund; amending s. 550.12, F.S.; providing bond requirements; providing for annual review of permitholders’ records; amending s. 550.13, F.S.; providing for payment of racing funds to district school boards; amending s. 550.16, F.S.; providing limitation on takeout; amending s. 550.162, F.S.; providing technical and conforming language; transferring and amending s. 551.1535, F.S.; providing for Jai Alai Tournament of Champions Meet; amending ss. 550.164, 550.24, F.S.; providing conforming language; amending s. 550.2405, F.S.; providing for inadmissibility in criminal proceedings of certain evidence of tests or actions taken by stewards, judges, or the division; reenacting and amending s. 550.241, F.S.; specifying circumstances under which racing animal drug test results are to be disclosed; providing limited confidentiality for test results; providing for future review and repeal of related public records law exemptions; regulating the medication of racing animals and prohibiting the use of drugs in racing animals under certain circumstances; providing procedures for obtaining and testing split samples of blood or urine; providing legislative intent that greyhound racing animals be treated humanely; providing for the establishment of adoption facilities under certain circumstances; creating s. 550.2614, F.S.; requiring thoroughbred horseracing permitholders to deduct a certain percentage of purses to be paid to a horsemen’s association representing the majority of thoroughbred racehorse owners and trainers; authorizing the division to adopt rules; amending s. 550.2616, F.S.; providing sources of funds for breeders’ awards; amending s. 550.262, F.S.; providing for certain funds to be withheld from purse pools; specifying the purposes for which such funds are to be used; providing for payment of breeders’ and owners’ awards under certain circumstances; providing technical changes; amending s. 550.28, F.S.; providing technical changes; amending s. 550.33, F.S.; removing authority to conduct quarter horse races; removing a prohibition against specified intertrack wagering by quarter horse permitholders; amending s. 550.35, F.S.; providing that wagers accepted by out-of-state pari-mutuel permitholders on a broadcasted race may be included in the track’s pari-mutuel pool; authorizing the division to facilitate commingling of pari-mutuel pools; amending s. 550.37, F.S.; revising legislative findings; providing for operation of certain harness tracks; amending s. 550.50, F.S.; providing clarifying language; amending s. 550.52, F.S.; providing a schedule of racing dates for certain permitholders; providing additional operating days; providing operating conditions for licensed

thoroughbred permitholders; amending s. 550.61, F.S.; specifying times during which specified facilities may conduct intertrack wagering; restricting the conduct of intertrack wagering in certain counties; amending s. 550.62, F.S.; providing for optional payments to the Florida Owners’ Awards program; amending s. 550.63, F.S.; providing a formula for distribution of intertrack wagering proceeds from out-of-state simulcast races; providing for thoroughbred purse money to be paid to certain permitholders under certain circumstances; amending s. 550.633, F.S.; providing that the surcharge collected by a guest track accepting intertrack wagers must be calculated after breakage is taken out; amending s. 550.65, F.S.; providing for backside medical and health benefits; specifying amount of total handle that may be paid to a corporation to provide such benefits and specifying corporations eligible to provide such benefits; creating the Workers’ Compensation Fund for Jockeys Study Commission; prescribing its membership and duties; creating s. 550.70, F.S.; requiring chief court judges at certain jai alai games; providing time for ratifying jai alai permits; allowing amateur jai alai contests; amending ss. 772.102, 895.02, F.S.; providing conforming provisions; providing for the repeal of specified provisions in chs. 550, 551, F.S., relating to pari-mutuel wagering and jai alai; providing retroactivity; providing an effective date.

—was referred to the Committees on Commerce and Appropriations.

By the Committee on Commerce—

**SB 210-H**—A bill to be entitled An act relating to banks and financial institutions; reviving and readopting chs. 655, 657, 658, 660, 661, 662, 663, 664, 665, F.S., relating to the regulation of financial institutions notwithstanding the Regulatory Sunset Act; reviving and readopting ss. 657.026, 657.027, F.S., relating to credit union supervisory committees and credit committees, notwithstanding the Sundown Act; reviving and readopting ss. 655.029, 655.033, 655.057, 655.50, 663.02, 665.048, F.S., relating to records of financial institutions, notwithstanding the Open Government Sunset Review Act; amending ss. 159.602, 159.608, F.S.; authorizing a housing finance authority to own and operate a savings and loan bank; providing a purpose; providing for the reinvestment of proceeds; providing minimum capital requirements; requiring compliance with state and federal banking regulations; amending s. 655.001, F.S.; expanding the scope of the section to specify the purposes and application of the financial institutions codes rather than of ch. 655, F.S.; amending s. 655.005, F.S.; altering and adding definitions applicable to ch. 655, F.S.; amending s. 655.012, F.S., relating to general supervisory powers of the Department of Banking and Finance, to conform; creating s. 655.013, F.S.; providing for the act’s effect on existing financial institutions, creating s. 655.015, F.S.; providing for construction of the act and standards to be observed by the department; transferring, renumbering, and amending s. 655.021, F.S., relating to administrative enforcement guidelines; transferring, renumbering, and amending s. 655.025, F.S., concerning department investigations, subpoenas, hearings, and witnesses; transferring, renumbering, and amending s. 655.029, F.S.; requiring hearings and proceedings to be public except under certain circumstances; providing for future legislative review, under the Open Government Sunset Review Act, of this exemption from public records requirements; creating s. 655.0322, F.S.; prescribing prohibited acts and practices; providing criminal penalties; amending s. 655.033, F.S.; revising the grounds upon which, and the parties against which, the department may issue a cease and desist order; revising an exemption from the public records requirements for emergency cease and desist orders; providing for future legislative review of this exemption under the Open Government Sunset Review Act; amending s. 655.034, F.S., relating to injunctions; inserting the term “members” to conform; amending s. 655.037, F.S., relating to removal of officers, directors, and others by the department; revising the list of persons that may be so removed and revising the grounds upon which such persons may be removed; revising the procedure therefor; creating s. 655.0385, F.S.; providing for the disapproval of directors and executive officers of a state financial institution by the department; creating s. 655.0386, F.S.; restricting conduct of, and transactions by, financial institution-affiliated parties; creating s. 655.0391, F.S.; providing for retention of supervision of financial institutions by the department; creating s. 655.0392, F.S.; allowing a financial institution to rent space from a governmental entity under certain circumstances; authorizing a governmental entity to rent such space at a certain rate; deleting provisions for disposition of fines; amending s. 655.041, F.S.; expanding the department’s authority to impose administrative fines; amending s. 655.044, F.S.; revising record-keeping requirements; providing for recovery of certain costs; amending s. 655.045, F.S.; revising the examination authority of the department; amending s. 655.047, F.S.; clarifying the application period of assess-

ments; allowing proration of assessments but prohibiting refunds of portions of assessments; deleting provisions for disposition of assessments; amending s. 655.049, F.S.; clarifying the types of fees that are required to be deposited into the Financial Institutions' Regulatory Trust Fund; amending s. 655.053, F.S.; revising the annual report requirements; amending s. 655.057, F.S.; revising the restrictions on public access to certain records; providing for future legislative review, under the Open Government Sunset Review Act, of these exemptions from public records requirements; amending s. 655.059, F.S.; providing certain law enforcement agencies access to a financial institution's books and records; amending s. 655.061, F.S., relating to competitive equality with federally organized or chartered financial institutions; providing for the section to take precedence over other state statutes; amending s. 655.41, F.S., relating to cross-industry conversions, mergers, consolidations, and acquisitions; replacing the term "financial institution" with the term "financial entity" with reference thereto; amending s. 655.411, F.S.; revising conversion-of-charter requirements; amending s. 655.412, F.S.; revising merger and consolidation requirements; amending s. 655.414, F.S.; revising the conditions and limitations upon which a financial entity may acquire all or substantially all the assets or liabilities of another financial entity; amending s. 655.416, F.S.; providing for the valuation of assets after an acquisition; amending s. 655.417, F.S.; conforming provisions relating to the effect of merger, consolidation, conversion, or acquisition; amending s. 655.418, F.S.; conforming provisions relating to cessation of nonconforming activities; amending s. 655.419, F.S.; clarifying the applicability of provisions for merger, consolidation, conversion, or acquisition of assets; amending s. 655.50, F.S.; revising the provisions of, and the penalties for violation of, the Florida Control of Money Laundering in Financial Institutions Act; providing for confidentiality of reports and records thereunder; providing for future legislative review, under the Open Government Sunset Review Act, of this exemption from public records requirements; extending the act's penalties to cover violations of ch. 896, F.S., or similar state or federal statutes; amending s. 655.51, F.S.; allowing financial institution regulatory agencies access to certain employment information; amending s. 655.55, F.S., relating to the law applicable to deposits in and contracts related to extensions of credit by financial institutions; replacing the term "financial institution" with the term "deposit or lending institution" and defining that term; creating s. 655.56, F.S.; providing for the collection of fines, interest, or premiums on loans made by financial institutions; creating s. 655.60, F.S.; providing for appraisals of state financial institutions, subsidiaries, or service corporations by the department; creating s. 655.762, F.S.; regulating the sale of assets by a state financial institution; creating s. 655.769, F.S.; providing definitions related to deposits in deposit or lending institutions; creating s. 655.77, F.S.; providing for deposits by minors; creating s. 655.78, F.S.; providing for deposit accounts in two or more names; creating s. 655.79, F.S.; establishing a presumption as to vesting on death when deposits and accounts are in two or more names; creating s. 655.80, F.S.; defining and establishing requirements for convenience accounts; creating s. 655.81, F.S.; providing for deposits in trust; creating s. 655.83, F.S.; providing for adverse claims to deposit or fiduciary accounts; creating s. 655.84, F.S.; establishing a presumption as to correctness concerning statements of account; creating s. 655.85, F.S.; providing for settlement of checks; creating s. 655.86, F.S.; regulating the issuance of postdated checks; creating s. 655.89, F.S.; defining "legal holidays," "business days," and "transactions"; creating s. 655.90, F.S.; providing for the closing of deposit or lending institutions during emergencies and other special days; creating s. 655.91, F.S.; providing recordkeeping requirements for such institutions; creating s. 655.921, F.S.; providing for transaction of business by out-of-state financial institutions; creating s. 655.922, F.S.; prohibiting banking by unauthorized persons; providing penalties; creating s. 655.93, F.S.; providing definitions related to the leasing of safe-deposit boxes; creating s. 655.931, F.S.; authorizing financial institutions to engage in the safe-deposit business; creating s. 655.932, F.S.; authorizing the leasing of a safe-deposit box to a minor; creating s. 655.933, F.S.; providing for access to safe-deposit boxes by fiduciaries; creating s. 655.934, F.S.; specifying the effect of the death or incapacity of the lessee of a safe-deposit box; creating s. 655.935, F.S.; establishing safe-deposit search procedures on the death of the lessee; creating s. 655.936, F.S.; providing for the delivery of safe-deposit box contents or other property to a personal representative; creating s. 655.937, F.S.; providing for access to a safe-deposit box leased in two or more names; creating s. 655.938, F.S.; providing for adverse claims to the contents of a safe-deposit box; creating s. 655.939, F.S.; limiting the right of access to a safe-deposit box for failure to comply with security procedures; creating s. 655.94, F.S.; providing special remedies for the nonpayment of rent for a safe-deposit box; creating s. 655.942, F.S.; specifying standards of conduct for financial institutions;

providing exceptions; creating s. 655.943, F.S.; specifying requirements for certain applications relating to financial institutions; creating s. 655.946, F.S.; providing for single interest insurance by financial institutions; requiring notice of such insurance; providing criteria for issuing such insurance; creating s. 655.949, F.S.; requiring the department to establish qualifications for certain positions in the Office of the Comptroller and in the department; requiring the Department of Banking and Finance to adopt certain rules; requiring the Comptroller to establish and implement a conflict-of-interest policy; providing guidelines; amending s. 657.002, F.S.; providing definitions; amending s. 657.004, F.S.; deleting a penalty; amending s. 657.005, F.S.; providing credit union organizational procedures and forms; creating s. 657.0061, F.S.; requiring the submission of bylaw amendments to the Department of Banking and Finance; amending s. 657.008, F.S.; authorizing armored car services and deleting the requirement that all records be kept at the principal place of business as described within the bylaws; amending s. 657.021, F.S.; defining the duties and powers of the board of directors; amending s. 657.023, F.S.; clarifying certain language; amending s. 657.026, F.S.; authorizing audit committees and defining the duties and responsibilities of these committees; amending s. 657.0265, F.S.; prescribing the liability of audit committee members; amending s. 657.027, F.S.; clarifying certain language; amending s. 657.028, F.S.; prohibiting certain persons from serving as an officer, director, or committee member; deleting provisions specifying certain unlawful activities on the part of an official, director, or employee of a credit union; deleting a penalty; amending s. 657.031, F.S.; clarifying language and deleting language requiring notice to the department concerning certain authorized activities; creating s. 657.0315, F.S.; prohibiting credit unions from entering into certain contracts; limiting the enforceability of these contracts; amending s. 657.033, F.S.; clarifying the definition of dormant accounts; amending s. 657.038, F.S.; deleting reference to an 18-percent usury cap and defining the term "related interest"; amending s. 657.039, F.S.; prescribing conditions for credit union loans to its directors, officers, and employees; defining the term "related interests"; amending s. 657.042, F.S.; increasing the allowable percentage of certain types of investments and clarifying the authority to invest in mutual funds; amending s. 657.043, F.S.; replacing the term "gross earnings" with the term "all income for the period"; modifying the definition of "risk assets" and increasing the amount of reserve amounts; amending s. 657.053, F.S.; revising the amounts of the semiannual assessments collected from credit unions; amending s. 657.055, F.S.; mandating the type and length of time certain records must be maintained; amending s. 657.062, F.S.; providing procedures for assumption of control of an insolvent credit union; amending s. 657.063, F.S.; authorizing the department to appoint a liquidator; limiting the enforceability of certain contracts; modifying procedures for involuntary liquidation; amending s. 657.064, F.S.; altering the procedures for undertaking a voluntary liquidation; amending s. 657.065, F.S.; prescribing voting requirements and procedures of a credit union merger; amending s. 657.068, F.S.; removing certain limitations on membership in a central credit union; amending s. 658.12, F.S.; providing definitions; amending s. 658.165, F.S.; correcting a cross-reference and inserting the term "financial institutions codes"; amending s. 658.20, F.S.; providing for prior approval of certain directors and executive officers of a failing bank or trust company; providing a filing fee for approval; amending s. 658.21, F.S.; altering the approval criteria of an application; amending s. 658.22, F.S.; revising requirements for coordinating state and federal applications to organize a state bank; amending s. 658.23, F.S.; requiring prior Department of Banking and Finance authorization for a change in the articles of incorporation; amending ss. 658.24, 658.25, F.S.; substituting the term "bank" for "banking corporation"; amending s. 658.26, F.S.; altering the locations where banks and trust companies may transact business; amending s. 658.27, F.S.; altering the definition of control over a bank or other business organization; amending s. 658.28, F.S.; providing an exception to the requirement that the department be given prior notice of any acquisition of voting securities; amending s. 658.29, F.S.; altering certain prohibitions concerning ownership and control of a bank or trust company; amending s. 658.30, F.S.; incorporating changes concerning the application of the Florida Business Corporation Act; deleting a limitation on certain offices that may be established within a bank; amending s. 658.32, F.S.; allowing the department to approve an annual meeting date which is not within the first 4 months of a given year; amending s. 658.33, F.S.; inserting the term "financial institutions codes"; requiring director's oath of office to be filed within 30 days of election; amending s. 658.34, F.S.; requiring shares of capital stock to be issued with a minimum par value and to be paid for in cash; amending s. 658.35, F.S.; requiring board and stockholder approval for the issuance of share options or warrants; providing for expiration of such options and warrants; amending s. 658.36, F.S.;

requiring department approval for banks and trust companies to reduce outstanding common stock; amending s. 658.37, F.S.; clarifying that a stock split does not constitute a dividend; amending s. 658.38, F.S.; clarifying that a state bank must have and maintain Federal Deposit Insurance; amending s. 658.39, F.S.; restricting the right of stockholders to examine certain records; amending s. 658.40, F.S.; deleting the term "conversion"; amending s. 658.42, F.S.; providing a technical clarification; amending s. 658.43, F.S.; modifying the department's authority to issue emergency rules concerning a failing institution; amending s. 658.44, F.S., relating to approval by stockholders; revising cross-references; amending s. 658.45, F.S.; providing a technical clarification; amending s. 658.48, F.S.; altering the loan and credit authority of a state bank; amending s. 658.53, F.S.; altering limits of indebtedness; prohibiting a bank or trust company from dealing in subordinated debt; amending s. 658.60, F.S.; deleting the term "reserves"; amending s. 658.65, F.S.; altering the provisions related to remote financial service units, amending s. 658.67, F.S.; altering the investment powers of a bank and trust company; amending s. 658.68, F.S.; altering the liquidity requirements of a state bank; amending s. 658.73, F.S.; increasing examination fees and assessments; amending s. 658.79, F.S.; allowing the department to take possession of an imminently insolvent state bank or trust company; deleting the conditions for determining insolvency; amending ss. 658.80, 658.82, 658.83, F.S.; providing a technical clarification; creating s. 658.995, F.S.; creating the Credit Card Bank Act; authorizing the creation of and providing for the regulation of credit card banks by the Department of Banking and Finance; amending s. 660.25, F.S.; redefining the term "commercial department"; providing for the use of terms defined in other chapters of the Florida Statutes; creating s. 660.265, F.S.; requiring certain financial institutions to pay the costs of examination by the Department of Banking and Finance; amending s. 660.27, F.S.; deleting references to state mutual associations with respect to deposits of securities with the Treasurer; clarifying the term "bank" to include state banks and national banks; amending s. 660.33, F.S.; prescribing when an association is "affiliated" or a "successor"; correcting a cross-reference; amending s. 660.37, F.S.; deleting references to the Federal Savings and Loan Insurance Corporation; permitting the deposit of fiduciary funds in amounts exceeding insurance in specified circumstances; amending s. 660.415, F.S.; authorizing trust companies and trust departments to invest in certain common trust funds; creating s. 660.417, F.S.; authorizing the investment of fiduciary funds into a mutual fund; providing for the charging of reasonable fees associated with such mutual fund investments; amending s. 660.42, F.S.; clarifying language defining the term "trust company or trust department"; amending s. 660.44, F.S.; authorizing a bank, association, or trust company to manage common trust funds; amending s. 663.01, F.S.; providing definitions; amending s. 663.02, F.S.; expanding the applicability of domestic bank powers to international banking corporations; deleting reference to a clarification concerning branching authority of bank holding companies located outside the state; providing for future legislative review, under the Open Government Sunset Review Act, of certain exemptions provided from public disclosure requirements; amending s. 663.03, F.S.; providing that ch. 607, F.S., regulating corporations applies to international banking corporations unless it conflicts with the banking code; amending s. 663.04, F.S.; prescribing conditions under which a license may be issued to an international banking corporation to operate an international bank agency or an international branch; deleting application fee; amending s. 663.05, F.S.; modifying the application requirements for an international banking corporation to maintain an office in this state; creating s. 663.055, F.S.; prescribing certain capital requirements as a condition of licensing; providing alternative requirements for licensing; amending s. 663.06, F.S.; expanding the permissible activities of an international banking corporation and allowing the department to prescribe by rule the procedures for surrendering a license; creating s. 663.061, F.S.; defining the permissible activities of international bank agencies; creating s. 663.062, F.S.; defining the permissible activities of an international representative office; amending s. 663.063, F.S.; altering the purposes and powers of an international administrative office; creating s. 663.064, F.S.; defining the permissible activities of an international branch; creating s. 663.065, F.S.; defining the permissible activities of a state investment company; creating s. 663.066, F.S.; authorizing, under certain conditions, the acquisition of state banks by international banking corporations; amending s. 663.07, F.S.; modifying the asset maintenance requirements of an international bank agency and international branch; amending s. 663.08, F.S.; providing for the certification of capital accounts of an international banking corporation; amending s. 663.083, F.S.; adding the term "international branch" and deleting language allowing capital debentures and notes to be treated as capital in computing capital limitations; amending s. 663.09, F.S.; providing for the consolida-

tion of reports under certain circumstances; requiring loan documentation to be in the English language; amending s. 663.10, F.S.; modifying the provisions related to license conversion; amending s. 663.11, F.S.; replacing the term "international bank agency" with the term "office"; amending s. 663.12, F.S.; providing for filing fees, semiannual assessments, and examination fees; amending s. 663.13, F.S., relating to rule-making respecting international banking corporations; conforming a cross-reference; amending s. 663.14, F.S.; providing for the reimbursement to the Department of Banking and Finance of certain domestic travel expenses; amending s. 663.302, F.S., relating to the applicability of state banking laws to international development banks, to conform cross-references in that section to renumbering by this act; amending s. 663.309, F.S., relating to prohibited activities; deleting an obsolete cross-reference; amending s. 663.319, F.S., relating to rulemaking respecting regional development banks; conforming a cross-reference; amending s. 665.012, F.S.; altering and deleting certain definitions; creating s. 665.013, F.S.; outlining the applicability of ch. 658, F.S., to ch. 665, F.S.; amending s. 665.0211, F.S.; deleting exclusiveness-of-name provisions; amending s. 665.0315, F.S.; correcting a cross-reference and incorporating a nonrefundable filing fee; amending s. 665.033, F.S.; inserting reference to the financial institutions codes and permitting denial of an application due to the existence of a state-imposed order; increasing the fee for converting from a federal mutual to a state capital stock association and authorizing examination fees for conversions; revising a cross-reference; amending s. 665.0335, F.S.; removing the specific reference to the Federal Savings and Loan Insurance Corporation; amending s. 665.034, F.S.; changing certain requirements concerning acquisition of assets of, or control over, an association; amending s. 665.0501, F.S.; altering the general powers of an association organized under ch. 665, F.S.; amending s. 665.0711, F.S.; limiting the association's power to invest in loans; amending s. 665.074, F.S.; deleting the requirement that a settlement statement be furnished to each borrower; amending s. 665.1001, F.S.; clarifying the definition of a "foreign association"; deleting reference to the term "savings"; deleting a requirement relating to references to insurance or guaranty of accounts in advertising, solicitations, or representations; amending s. 665.1011, F.S.; deleting the term "savings and loan"; repealing s. 665.081, F.S., relating to disclosure of practices with respect to availability of funds; repealing s. 665.413, F.S., relating to acquisition of stock by a financial institution in another financial institution; repealing ch. 88-113, Laws of Florida, relating to a contingent amendment to s. 665.061, F.S.; repealing ss. 667.004, 667.029, 667.032, 667.034, 667.035, 667.036, 667.037, F.S., relating to credit unions; repealing ss. 658.1101, 658.13, 658.14, 658.15, 658.46, 658.47, 658.54, 658.55, 658.56, 658.57, 658.58, 658.59, 658.61, 658.62, 658.63, 658.64, 658.66, 658.69, 658.70, 658.71, 658.72, 658.74, 658.75, 658.76, 658.77, 658.78, 658.85, 658.86, 658.87, 658.88, 658.89, 658.91, 658.92, 658.93, 658.97, 658.98, 658.99, F.S., relating to the regulation of banks and trust companies; repealing s. 660.32, F.S., relating to the place of transacting trust business and trust company branches; repealing ss. 661.45-661.55, F.S., relating to regulating the safe-deposit business, in accordance with the Regulatory Sunset Act; repealing ss. 662.01-662.08, F.S., relating to bank service corporations, in accordance with the Regulatory Sunset Act; repealing ss. 664.01-664.12, F.S., relating to industrial savings banks, in accordance with the Regulatory Sunset Act; repealing ss. 665.011, 665.0201, 665.022, 665.023, 665.024, 665.025, 665.027, 665.028, 665.0301, 665.0311, 665.038, 665.0401, 665.044, 665.045, 665.047, 665.048, 665.0601, 665.0611, 665.062, 665.063, 665.064, 665.065, 665.066, 665.067, 665.068, 665.069, 665.0701, 665.0731, 665.076, 665.077, 665.0801, 665.082, 665.083, 665.093, 665.096, 665.097, 665.099, 665.102, 665.1021, 665.103, 665.104, F.S., relating to the regulation of savings associations; amending s. 154.238, F.S., relating to the authority of a health facilities authority to deal with a bank that employs a member of the authority, to conform terminology to that used in this act; amending s. 159.414, F.S., relating to the authority of a board of a local agency, under the Florida Industrial Development Financing Act, to deal with a bank that employs a board member, to conform terminology to that used in this act; amending s. 159.494, F.S., relating to the authority of an industrial development authority to deal with a bank that employs a member of the authority; amending s. 240.488, F.S., relating to the investment of funds of a county education loan authority, to conform terminology to that used in this act; amending s. 288.753, F.S., relating to examination of the Florida Export Finance Corporation by the Department of Banking and Finance, to conform terminology to that used in this act; amending s. 289.121, F.S., relating to examination of the Florida Industrial Development Corporation, to conform terminology to that used in this act; amending s. 420.141, F.S., relating to examination of the Housing Development Corporation of Florida, to conform terminology to that used in this act; amending s. 533.03, F.S., relating to definitions applicable to secondhand dealers, to conform

a cross-reference made obsolete by this act; amending s. 607.0501, F.S., relating to registered offices and agents of corporations, to conform terminology to that used in this act; amending s. 627.826, F.S., relating to insurance premium finance companies, to delete a cross-reference to a law repealed by this act; amending s. 671.304, F.S., relating to laws not repealed by the enactment of the Uniform Commercial Code, to delete cross-references to laws repealed by this act; amending s. 687.12, F.S., relating to interest rates of licensed lenders and creditors, to revise a cross-reference to a law repealed by this act; amending s. 896.101, F.S., relating to the conduct of financial transactions involving the proceeds of unlawful activity, revising a definition to conform with this act; creating a community bank pilot program; authorizing the investment of specified state funds; providing for the selection of participating financial institutions; requiring matching funds; requiring the establishment of guidelines for the pilot program; requiring an annual report; amending s. 494.0019, F.S.; clarifying the issue of liability in the case of an unlawful mortgage transaction; amending s. 494.006, F.S.; exempting insurance companies from ss. 494.006-494.0077, F.S.; transferring, renumbering, and amending s. 658.50, F.S., relating to loans or extensions of credit; improving clarity; amending s. 658.84, F.S.; prohibiting the enforcement of certain judicial actions; providing priorities for payment of unsecured claims against a financial institution; amending s. 660.41, F.S.; revising powers of corporations other than banks, associations, and trust companies with respect to fiduciary functions; amending s. 697.04, F.S.; providing for a secured interest on a future advance when related to an interest in a leasehold upon real property; providing for severability; providing an effective date.

—was referred to the Committees on Commerce and Appropriations.

By Senator Kiser—

**SB 212-H**—A bill to be entitled An act relating to the Department of Insurance; amending s. 527.01, F.S., relating to liquefied petroleum gas; revising a definition of the term “installer C”; providing a definition of the term “pipeline system operator”; amending s. 527.02, F.S.; providing and revising license fees for persons engaged in providing liquefied petroleum gas; requiring pipeline system operators to be licensed; amending s. 527.021, F.S.; providing for registration fees for persons who deliver liquefied petroleum gas in bulk; providing for inspection decals; amending s. 527.0605, F.S.; providing a fee for certain inspections of liquefied petroleum gas facilities; amending ss. 624.501, 624.5015, F.S.; revising fees related to engaging in the business of providing insurance; amending s. 624.5091, F.S.; revising the distribution of retaliatory taxes; amending s. 624.515, F.S.; requiring a policy surcharge for fire insurance insuring commercial property in this state; amending s. 624.516, F.S.; providing for deposit of that surcharge; amending s. 624.518, F.S.; requiring tax returns with respect to that surcharge; amending s. 626.989, F.S.; deleting a provision providing that certain investigators are not eligible for membership in the Special Risk Class of the Florida Retirement System; amending s. 648.31, F.S., relating to appointment taxes and fees for bail bondsmen and runners; deleting the provision providing for the deposit of such taxes and fees into the same funds and for the same uses as those of general lines agents; providing for retroactive effect; providing an effective date.

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

By Senator Wexler—

**SB 214-H**—A bill to be entitled An act relating to Palm Beach County; amending chapter 87-450, Laws of Florida, as amended, relating to the Palm Beach County Health Care Act; providing for the reorganization of the Palm Beach County Health Care District; establishing qualifications and terms of office of commissioners; providing severability; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Kiser—

**SB 216-H**—A bill to be entitled An act relating to sales tax distributions to sports franchise facilities; amending ss. 212.20, 288.1162, F.S.; revising the amount of sales tax revenues distributed to certified new professional sports franchise facilities and new spring training franchise facilities; revising certification requirements; providing conditions under which a facility's right to receive such funds ceases; providing conditions

for revocation of certification and recovery of funds; providing an effective date.

—was referred to the Committees on International Trade, Economic Development and Tourism; Community Affairs; Finance, Taxation and Claims; and Appropriations.

## COMMITTEE SUBSTITUTES

### FIRST READING

By the Committee on Health and Rehabilitative Services; and Senator Weinstock—

**CS for SB 50-H**—A bill to be entitled An act relating to medical practice; amending s. 7, ch. 92-178, Laws of Florida; providing definitions; providing for disciplinary proceedings and penalties against certain hospitals; amending s. 8, ch. 92-178, Laws of Florida; prohibiting kickbacks; providing for administrative penalties and disciplinary actions; amending s. 9, ch. 92-178, Laws of Florida; prohibiting markups; providing for administrative penalties and disciplinary actions; amending s. 10, ch. 92-178, Laws of Florida; providing for licensure of facilities providing specified health care services; exempting certain licensed facilities and certain licensed professionals; amending s. 455.25, F.S., as amended by s. 13, ch. 92-178, Laws of Florida; prohibiting health care providers from referring patients to certain entities under certain conditions; amending s. 15, ch. 92-178, Laws of Florida; providing for applicability of ss. 7-16, ch. 92-178, Laws of Florida, to certain referrals for designated health services; directing the Agency for Health Care Administration to conduct annual studies relating to fees charged by certain health care professionals for certain services; requiring a report on the agency's findings and recommendations; imposing a fee schedule on investor providers of certain services; imposing a fee schedule on all providers of certain services under certain specified conditions; revising the priority for adoption of practice parameters developed pursuant to ch. 92-178, Laws of Florida, for providers of certain services; exempting hospitals licensed under ch. 395, F.S., from this act and from ch. 92-178, Laws of Florida, providing certain services as specified; requiring a study of physician ownership of hospitals and related issues pursuant to s. 408.061, F.S.; repealing s. 16, ch. 92-178, Laws of Florida, which imposes a fee schedule for certain designated health services; prescribing duties of the Agency for Health Care Administration with respect to the act; directing the Agency for Health Care Administration to conduct annual study of charges by certain radiation therapy providers; requiring the Agency for Health Care Administration to establish fees for radiation therapy procedures performed by certain radiation therapy providers upon a finding that charges for such procedures exceed a specified amount; establishing a maximum fee schedule for radiation therapy procedures for certain radiation therapy providers; providing penalties for charging fees that exceed fees contained in the established fee schedule; providing for severability; providing an effective date.

By the Committee on Corrections, Probation and Parole; and Senators Dantzer, Bankhead, Dudley, Crotty and Childers—

**CS for SB 66-H**—A bill to be entitled An act relating to corrections; amending s. 20.315, F.S.; transferring legal services in the Department of Corrections from the Office of Management and Budget to the secretary; renaming the Community Services Program Office the Probation and Parole Program Office; transferring program evaluation responsibilities from the Office of Management and Budget to the Assistant Secretary for Programs; transferring staff development from the Office of Programs to the Office of Management and Budget; deleting authorization for the Governor to appoint an advisory council to the program offices; amending s. 922.10, F.S.; exempting information identifying an executioner from public records requirements; providing for future legislative review of this exemption under the Open Government Sunset Review Act; amending s. 944.17, F.S.; requiring agencies to release records relating to inmate custody classification to the Department of Corrections under certain circumstances; amending s. 944.702, F.S.; revising intent relating to the Transition Assistance Program Act; amending s. 944.703, F.S.; amending the time period within which the department must confirm certain information; amending s. 944.704, F.S.; deleting the title of transition assistance coordinator and specifying the duties of staff who provide such assistance; amending s. 944.705, F.S.; deleting requirements relating to the release orientation program; amending s. 944.706, F.S.; eliminating provisions of basic release assistance; amending s. 944.707, F.S.; eliminating certain postrelease services; amending s. 944.277, F.S.; expanding exceptions to eligibility for grants of provisional credits and authorizing

use of certain information in determining eligibility for provisional credits; requiring the Department of Corrections to deliver a report to the Legislature; specifying what is to be considered in the report; authorizing the department to use sole-source contracted services; amending s. 947.1405, F.S.; requiring maximum level and length of supervision of offenders convicted of certain offenses; amending s. 947.146, F.S.; limiting control release to in-state inmates; providing requirements for the Control Release Authority in determining eligibility for control release; requiring certain recommendations; requiring a review process for certain inmates; creating s. 947.149, F.S.; requiring a conditional medical release program for inmates determined to be permanently incapacitated or terminally ill; providing procedure; providing rulemaking authority; requiring a study by the Department of Corrections concerning the treatment of adult inmates with chronic health care needs; creating s. 944.471, F.S.; providing a short title; creating s. 944.472, F.S.; providing legislative findings and purposes; creating s. 944.473, F.S.; providing for the establishment of a program for random drug and alcohol testing for inmates in the correctional system; requiring the department to adopt rules; providing for substance abuse treatment programs; providing reporting requirements; amending s. 242.68, F.S.; expanding the contract monitoring functions of the Board of Correctional Education; expanding and setting priorities for the goals of correctional education; eliminating the appointment process and designation of the education program manager; expanding the responsibility of the Director of Correctional Education for the solicitation of entitlement funds and private donations; authorizing the Board of Correctional Education to contract with state-licensed independent postsecondary schools for educational services; providing contract requirements; requiring the board to adopt rules governing the contracts; authorizing the State Board of Independent Postsecondary Vocational, Technical, Trade, and Business Schools to investigate violations of rules adopted by the Board of Correctional Education; requiring each independent postsecondary school operating under a contract with the Board of Correctional Education to document its compliance with rules; providing for termination of contracts by the Board of Correctional Education; authorizing school districts and community colleges to provide education services to inmates under the federal Pell Grant program; providing for in-kind contributions as partial payment for inmate education; requiring the Correctional Education School Authority to adopt rules; requiring the authority to award contracts; providing requirements for legislative appropriations for correctional education; amending s. 246.203, F.S.; revising the definition of the term "school" for purposes of ss. 246.201-246.231, F.S.; amending s. 246.213, F.S.; requiring the State Board of Education to adopt certain licensing requirements for independent postsecondary schools that operate within state correctional facilities; requiring the State Board of Independent Postsecondary Vocational, Technical, Trade, and Business Schools to make certain recommendations to the Board of Correctional Education; amending s. 246.215, F.S.; providing licensing requirements for independent postsecondary schools that operate within state correctional facilities; amending s. 246.228, F.S.; authorizing the Board of Independent Postsecondary Vocational, Technical, Trade, and Business Schools to take certain disciplinary actions against schools that violate rules adopted by the Board of Correctional Education; amending s. 246.229, F.S.; authorizing the Department of Legal Affairs and the state attorney to enforce rules adopted by the Board of Correctional Education; amending s. 246.231, F.S.; providing penalties; amending s. 775.16, F.S.; disqualifying persons convicted of a drug offense under the laws of other states or countries, if such offense would be a felony under ch. 893, F.S., from applying for state employment, licenses, and other benefits unless specified conditions are met; creating s. 766.317, F.S., relating to medical malpractice; providing that ch. 766, F.S., does not apply to prisoners in state, county, or municipal detention facilities; amending s. 794.011, F.S.; prohibiting grants of basic gain-time to persons convicted of sexual battery; designating s. 794.011(7), F.S.; as the Junny Rios-Martinez, Jr. Act of 1992; amending s. 921.187, F.S.; authorizing the court to require an offender on community control, probation, or probation following incarceration to make a good-faith effort toward completion of basic or functional literacy skills or a high school equivalency diploma; amending s. 948.03, F.S.; requiring an offender, as a condition of his probation or community control, to make a good-faith effort toward completion of basic or functional literacy skills or a high school equivalency diploma; providing legislative intent and purpose; providing guidelines for regulating inmate behavior at state correctional institutions; requiring the Department of Corrections to adopt certain rules; requiring the department to report to the Legislature; requiring the Department of Health and Rehabilitative Services to review and recommend services for certain juvenile offenders; requiring a report; amending s. 39.052, F.S.; providing for arraignment at an adjudicatory

hearing; amending s. 39.044, F.S.; amending detention criteria, and reenacting ss. 39.037(1), 39.042(3)(b), 39.049(5), 39.064(1), 39.402(4), F.S., relating to taking a child into custody, use of detention, process and service, detention of escaped child, and placement in a shelter, to incorporate said amendment in references thereto; amending s. 39.038, F.S.; requiring the child to join in the release agreement; amending s. 39.047 F.S.; amending the responsibilities of the case manager; creating s. 39.0445, F.S.; providing for placement of juvenile domestic violence offenders; amending s. 39.054, F.S.; revising powers of disposition; providing for the conversion of certain orders of restitution into judgment liens; amending ss. 960.001, 960.002, 960.003, 960.01, 960.02, 960.03, 960.07, 960.17, 960.20, 960.28, F.S., relating to victim assistance, to provide that victims and witnesses in juvenile delinquency cases have the same rights as those afforded to victims and witnesses in adult criminal cases; providing for the removal of the disabilities of nonage for certain minors; providing for a separate program for young offenders; creating s. 39.0215, F.S.; providing for administering county and municipal juvenile delinquency programs and facilities, including secure detention facilities; providing for transfers of children; providing for payment of children performing services in work programs; requiring that county and municipal programs comport with state law and department rules and coordinate with other services; requiring quarterly inspections and evaluations by the department; requiring a monitoring fee; ensuring the training of personnel; providing enforcement powers to the Department of Health and Rehabilitative Services; amending s. 39.057, F.S.; authorizing county and municipal boot camps; providing for enforcement, including injunctive relief and proceedings to terminate facility operation; providing for a study of prison industries by a committee of the Senate; amending s. 39.061, F.S.; eliminating reference to restrictiveness levels in the definition of escape; amending s. 39.01, F.S.; specifying the programs by restrictiveness and risk levels; amending s. 944.026, F.S.; revising requirements for community-based residential drug treatment facilities; providing for commitment of certain drug offenders to such facilities; amending s. 946.504, F.S.; providing for a certain portion of the profits of the non-profit corporation established under part II, ch. 946, F.S., to be deposited into the Community Corrections Construction Trust Fund; amending s. 948.001, F.S.; revising certain caseload restrictions for supervision of drug offenders; amending s. 948.09, F.S.; providing for deposit and use of funds collected from felony offenders by the Department of Corrections; amending s. 948.51, F.S.; requiring community corrections programs and plans to include provisions for public safety; amending s. 950.002, F.S.; deleting a requirement that certain beds in a county work camp be reserved for offenders who are sentenced to a term of incarceration; providing for two or more counties to provide for the operation of work camps; providing for the operation of county work camps to be funded from the Community Corrections Operating Trust Fund; amending s. 951.26, F.S.; redesignating the county correctional planning committees as county public safety coordinating councils; requiring meetings and records of the councils to be open to the public; repealing s. 945.25(4), F.S., relating to the rulemaking authority of the department with respect to the privacy or privilege of certain information; providing effective dates.

By the Committee on Finance, Taxation and Claims; and Senators Johnson, Forman, Gardner and Souto—

**CS for CS for SB 68-H**—A bill to be entitled An act relating to taxation; requiring the Department of Revenue to develop and implement a limited-duration tax amnesty program for certain state taxes; providing definitions; providing conditions for participation in such program; amending s. 72.011, F.S.; providing conditions for filing an action to contest assessment or denial of refund; amending s. 196.011, F.S.; requiring that forms prescribed by the Department of Revenue include specific information; requiring homestead exemption applications to include the social security numbers of the property owner and spouse before a property appraiser may issue or renew the homestead exemption; providing a time period for compliance; providing requirements for homestead exemption renewal applications; amending ss. 198.15, 198.18, F.S.; increasing penalties and interest for estate taxes due; amending s. 199.062, F.S.; requiring security dealers and investment advisers to file certain statements regarding customers' securities; allowing the department to require property appraisers to send intangible tax brochures to property owners; authorizing the department to require state-registered security dealers and investment advisers to transmit once every 2 years a copy of the department's intangible tax brochure to certain clients; amending s. 199.282, F.S.; increasing penalties and interest for intangible taxes due; requiring a person applying upon initial application or annual renewal for homestead exemption to certify in writing whether such person is required to file an annual intangible tax return in this state;

providing a penalty; amending ss. 201.17, 203.01, 203.06, F.S., relating to the documentary stamp tax and the gross receipts tax on utility services, to increase the interest and penalties on those taxes due; amending ss. 206.06, 206.08, 206.09, 206.44, 206.87, 207.007, 211.076, 211.33, F.S., relating to motor and special fuel taxes, motor and special fuel use tax, and the severance tax, to increase the interest and penalties on those taxes due; amending s. 212.03, F.S.; requiring condominium associations or other persons responsible for the rental of condominium units to annually submit to the department certain information on rental units; providing a penalty; amending ss. 212.04, 212.085, F.S.; providing for increases in penalties on sales and use taxes due; amending s. 212.12, F.S.; providing for increases in interest and penalties on sales and use taxes due; amending s. 212.18, F.S.; providing that a state or local agency, board, or commission may not issue a license to any person engaged in any business without first ensuring that such person possesses a valid state sales tax registration certificate; providing an additional registration fee under certain circumstances; amending s. 213.051, F.S.; authorizing the department to issue subpoenas or subpoenas duces tecum under certain circumstances; amending s. 213.29, F.S.; increasing the penalty for failure to collect certain taxes; amending s. 213.30, F.S.; providing for compensation by the department to persons who provide information regarding a taxpayer not in compliance with registration requirements; creating s. 213.36, F.S.; requiring in-state manufacturer's or distributor's representatives to register annually with the department; providing definitions; requiring representatives to submit annually a current list of their clients and certain information to the department; providing a penalty; creating s. 213.50, F.S.; providing for the revocation of a corporate charter under certain circumstances; prohibiting the Division of Corporations of the Department of State from issuing or reinstating a corporate charter under certain circumstances; creating s. 213.67, F.S.; authorizing the Department of Revenue to garnish property under certain circumstances; creating s. 213.69, F.S.; authorizing the department, upon final determination of unpaid taxes, to issue warrants for unpaid taxes; creating s. 213.70, F.S.; authorizing the department to require persons who are registered to submit certain state taxes to place them in escrow; creating s. 213.71, F.S.; providing that a person may not be issued a license to practice any profession regulated by the Department of Professional Regulation if that person has an outstanding tax warrant that has existed for a specified period of time; amending ss. 220.181, 220.211, 220.801, 220.803, 220.901, F.S.; increasing penalties for corporate income taxes due; amending s. 895.02, F.S., providing additional definitions for the term "racketeering activity" as used in the Florida RICO (Racketeer Influenced and Corrupt Organization) Act; authorizing the Department of Revenue to adopt emergency rules; creating s. 213.0535, F.S.; establishing the Registration Information Sharing and Exchange Program; requiring certain local governments and state agencies to share specified tax and licensing information; providing duties of the department; providing for application of confidentiality and penalty provisions; providing for the exemption to be subject to the Open Government Sunset Review Act; restricting use of such information; amending s. 125.0104, F.S.; providing for the payment of interest on local option tourist development taxes remitted to the department; requiring state and local governmental entities administering specified local option taxes to make certain reports regarding the amounts and purposes for which moneys are withheld from tax proceeds; providing for expiration of that requirement; amending s. 216.262, F.S.; providing an additional condition under which the Administration Commission may authorize an increase in the number of positions that were provided in an appropriations act; amending s. 213.053, F.S.; authorizing the department to provide certain information to eligible participants in the Registration Information Sharing and Exchange Program; establishing positions; providing for pilot projects to improve the collection and enforcement of taxes; providing applicability of increased penalty and interest provisions; providing effective dates.

By the Committee on Health and Rehabilitative Services; and Senators Dantzer, Dudley and Bankhead—

**CS for SB 82-H**—A bill to be entitled An act relating to juvenile offenders; requiring the Department of Health and Rehabilitative Services to review and evaluate standards and procedures for assessment and treatment services for certain juvenile offenders and to make recommendations with respect thereto; amending s. 39.052, F.S.; providing for arraignment at an adjudicatory hearing; amending s. 39.044, F.S.; amending detention criteria, and reenacting ss. 39.037(1), 39.042(3)(b), 39.049(5), 39.064(1), 39.402(4), F.S., relating to taking a child into custody, use of detention, process and service, detention of escaped child, and placement in a shelter, to incorporate said amendment in references thereto; amending s. 39.038, F.S.; requiring the child to join in the release

agreement; amending s. 39.047, F.S.; amending the responsibilities of the case manager; creating s. 39.0445, F.S.; providing for placement of juvenile domestic violence offenders; amending s. 39.054, F.S.; revising powers of disposition; providing for the conversion of certain orders of restitution into judgment liens; amending ss. 960.001, 960.002, 960.003, 960.01, 960.02, 960.03, 960.07, 960.17, 960.20, 960.28, F.S., relating to victim assistance, to provide that victims and witnesses in juvenile delinquency cases have the same rights as those afforded to victims and witnesses in adult criminal cases; providing for the removal of the disabilities of nonage for certain minors; providing for a separate program for young offenders; creating s. 39.0215, F.S.; providing for administering county and municipal juvenile delinquency programs and facilities, including secure detention facilities; providing for transfers of children; providing for payment of children performing services in work programs; requiring that county and municipal programs comport with state law and department rules and coordinate with other services; requiring quarterly inspections and evaluations by the department; requiring a monitoring fee; ensuring the training of personnel; providing enforcement powers to the Department of Health and Rehabilitative Services; amending s. 39.057, F.S.; authorizing county and municipal boot camps; providing for enforcement, including injunctive relief and proceedings to terminate facility operation; providing an effective date.

By the Committee on Health and Rehabilitative Services; and Senators Weinstock, Malchon and Forman—

**CS for SB 118-H**—A bill to be entitled An act relating to health care and human services; amending s. 400.23, F.S.; revising legislative intent under part I, ch. 400, F.S.; providing additional requirements for rules adopted by the Department of Health and Rehabilitative Services; creating the Nursing Home Advisory Committee; providing membership of the committee; providing duties of the committee; revising evaluation requirements for nursing home facilities; revising requirements for rating such facilities; amending s. 400.063, F.S.; conforming a cross-reference to changes made by the act; amending s. 400.401, F.S., revising purposes of part II, ch. 400, F.S.; providing legislative findings regarding the significance of a license under part II, ch. 400, F.S.; amending s. 400.402, F.S.; adding and amending definitions of terms used in that part; amending s. 651.011, F.S.; conforming a cross-reference to changes made by the act; amending s. 400.407, F.S.; revising a violation relating to failure to obtain a license after receiving notification; creating a violation and penalties relating to failure to obtain a license and the maintenance of a threatening condition; revising the provisions relating to the issuance of licenses; amending s. 400.408, F.S.; deleting certain responsibilities of the Agency for Health Care Administration with respect to adult congregate living facilities; amending s. 400.412, F.S., relating to sale or transfer of ownership of a facility; revising the penalties and responsibilities of the transferor and the transferee of certain facilities; requiring a plan of correction or the correction of the condition before issuance of a license or lifting of a moratorium on admissions. amending s. 400.414, F.S.; listing the categories of licenses that the department may deny, revoke, or suspend; revising the actions that may result in license denial, revocation, or suspension or the imposition of a fine; prohibiting certain actions; providing for applicability to a part owner of a facility; providing for denial of licenses to certain applicants who had licenses denied or suspended, facilities closed under certain circumstances, or unpaid fines; providing a time period for a hearing under ch. 120, F.S., by the Division of Administrative Hearings; amending s. 400.415, F.S.; providing for immediate imposition of a moratorium on admissions under certain circumstances; amending s. 400.419, F.S.; revising provisions requiring the department to list facilities cited for violations of part II, ch. 400, F.S.; amending s. 400.616, F.S.; redesignating the Adult Foster Home Care Act as the Adult Family-Care Home Act; amending s. 400.617, F.S.; revising legislative intent; amending s. 400.618, F.S.; providing definitions; amending s. 400.619, F.S.; providing for licensure; providing license fees; providing access for the nursing home and long-term care facility ombudsman council; prohibiting the transfer of licenses; providing for conditional licenses; providing circumstances under which the department may deny, suspend, or revoke a license; creating s. 400.6196, F.S.; authorizing the department to impose penalties and require corrective action for certain violations; creating a civil cause of action for abuse or neglect of residents of adult family-care homes; creating s. 400.6197, F.S.; requiring certain adult congregate living facilities to become licensed as adult family-care homes within a specified time; amending s. 400.621, F.S.; providing for rules; providing for placement of clients; creating s. 400.6211, F.S.; requiring the department to provide training and education for persons who operate adult family-care homes; amending s. 400.622, F.S.; providing for injunctive proceedings; amending s. 400.623, F.S.; requiring the department to recruit and license

adult family-care homes; deleting obsolete provisions; creating s. 400.625, F.S.; providing contract requirements for residents of adult family-care homes; creating s. 400.455, F.S.; prescribing duties of the Department of Health and Rehabilitative Services with respect to coordinating certain safety and other matters with the Department of Business Regulation; amending ss. 410.033, 410.035, F.S.; providing for subsidy payments to providers of goods and services under the home care program for disabled adults and elderly persons; authorizing payment for goods and extraordinary medical, dental, or pharmaceutical expenses as a special supplement; amending s. 196.012, F.S.; deleting obsolete terminology with respect to certain tax exemptions allowed for homes for the aged; amending s. 509.241, F.S.; clarifying that the division may defer disposition of an application for licensure of facilities previously licensed under part II of ch. 400, F.S., in certain circumstances; preserving rulemaking authority of the Department of Health and Rehabilitative Services with respect to licensure of intermediate care facilities for the developmentally disabled, crisis stabilization units and residential treatment facilities, adult congregate living facilities, and adult day care centers, notwithstanding ch. 92-33, Laws of Florida; directing the Division of Statutory Revision of the Joint Legislative Management Committee to prepare a reviser's bill to make certain changes consistent with the intent and purposes of ch. 92-33, Laws of Florida, as amended; repealing s. 11, ch. 92-33, Laws of Florida, relating to directions for preparing the official edition of the Florida Statutes; providing effective dates.

By the Committee on Education and Senators Kirkpatrick, Thomas, Scott, Childers, Grizzle, Thurman, Malchon, Dudley, Kiser, Gardner, Myers, Walker, Girardeau, Casas, Grant, Jenne, Souto, Diaz-Balart, Davis, Meek, Weinstock, Wexler, Kurth, McKay, Forman, Beard, Crenshaw, Yancey, Weinstein and Johnson—

**CS for SB 130-H**—A bill to be entitled An act relating to higher education; creating the State University System equity accountability program; requiring the development of a plan by each state university; providing for the submission of reports; providing for administrative evaluations; creating pools of vacant positions to be used to reward managers who attain equity goals; requiring the establishment of a similar equity accountability program in the Community College System; establishing educational leadership enhancement grants; amending s. 240.1201, F.S.; adding certain persons to the classification of residents for tuition purposes; amending s. 240.2011, F.S.; revising the State University System to include the two partner campuses of Florida Atlantic University; amending s. 240.528, F.S., relating to the Broward County branch of Florida Atlantic University; adding references to and requirements for Florida Atlantic University, Boca Raton; amending s. 240.213, F.S.; revising provisions relating to a Board of Regents self-insurance program; amending s. 240.277, F.S.; revising provisions relating to certain expenditures and moneys received by universities; providing an effective date.

By the Committee on Education and Senator Johnson—

**CS for SB 132-H**—A bill to be entitled An act relating to education; amending s. 228.041, F.S.; revising terminology in definitions of the terms "school day" and "exceptional student" and defining the term "year-round school"; amending s. 228.053, F.S.; conforming a cross-reference to changes made by the act; amending s. 228.195, F.S.; providing for school breakfast programs for prekindergarten students; amending s. 229.555, F.S.; requiring school improvement plans to meet certain planning and budgeting requirements; amending s. 229.58, F.S.; revising provisions for establishing school advisory councils; defining the term "education support employee"; amending s. 229.591, F.S.; adding the arts to the state education goals; amending s. 229.592, F.S.; conforming cross-references to changes made by the act; amending s. 229.808, F.S.; providing for biennial nonpublic school surveys; amending s. 229.8341, F.S.; revising terminology relating to services for infants and preschool children; amending s. 230.23, F.S.; revising provisions relating to district school board powers and duties for provision of special instruction and services for exceptional students; amending and renumbering s. 235.439, F.S.; revising provisions relating to program monitoring and evaluation of full school utilization programs; amending s. 230.2303, F.S.; revising terminology relating to the Florida First Start Program; amending s. 230.2305, F.S., relating to prekindergarten early intervention program plan approval; revising terminology; revising requirements for plans and plan approval; requiring certain guidelines; amending s. 230.2316, F.S.; revising provisions relating to dropout prevention programs and program plans; deleting provisions relating to dropout retrieval assistance programs, a dropout prevention manual, community-based dropout prevention program grants, grants for mini-schools as educational alternatives, and grants for alternatives to

out-of-school suspension; amending s. 230.2318, F.S.; conforming provisions to changes made by the act; amending s. 230.33, F.S.; revising provisions relating to planned school programs with respect to duties of the superintendent; providing for extension of a suspension if additional time is required by the school board to provide for a fair hearing; providing conditions to be met prior to the extension of a suspension; amending s. 239.117, F.S.; providing for certain fee waivers; limiting the addition of extra full-time-equivalent calculations to certain community college students; providing that calculation of state funding for lifelong-learning programs be based on expenditures rather than costs; revising the assessment of certain fees for community college students; amending s. 231.15, F.S.; revising provisions relating to fees for certification; amending s. 231.17, F.S.; revising provisions relating to issuance of certificates, application procedures, the professional orientation program, and application of rules; requiring the state board to adopt rules under which applicants who have failed certain test requirements may be awarded a teaching certificate; amending s. 231.1711, F.S.; revising provisions relating to the statement of eligibility for certification; amending s. 231.173, F.S.; providing for qualification for certification of out-of-state administrators; amending s. 231.24, F.S.; revising provisions relating to certificate renewal; creating s. 231.263, F.S.; creating a recovery network program for educators who are impaired as a result of alcohol abuse, drug abuse, or a mental condition; providing an implementation date; providing eligibility for participation; providing for staff; providing for treatment contracts; providing procedures; providing an exemption from public records requirements for certain disclosed information and providing for review and repeal of the exemption; providing for determination of ineligibility for further assistance; providing for funds to implement this act; providing for rules; providing for review and repeal; amending s. 231.603, F.S.; revising provisions relating to teacher education center inservice plans; amending s. 231.606, F.S.; revising teacher education center council duties; amending s. 231.609, F.S.; deleting college and university funding for teacher education centers; amending s. 231.613, F.S.; revising provisions relating to inservice training institutes; deleting requirements for plan approval; amending s. 231.62, F.S.; conforming a cross-reference to changes made by the act; creating s. 231.66, F.S.; providing for tuition-free courses for instructional personnel and teacher aides; amending s. 232.01, F.S., relating to school attendance; revising terminology; amending s. 232.032, F.S.; providing for automated transfer of immunization certification; amending s. 232.246, F.S.; revising provisions relating to funding for special instruction for certain high school students; amending s. 232.2462, F.S.; revising provisions relating to attendance requirements for receipt of credit; creating s. 232.259, F.S.; authorizing rules to assist schools and school districts in implementing driver's license requirements; amending s. 233.056, F.S.; revising terminology relating to certain instructional programs; amending s. 233.07, F.S.; revising definition of the term "instructional materials"; amending s. 233.16, F.S.; authorizing cash deposits in lieu of bonds for instructional materials contracts; amending s. 233.18, F.S.; revising provisions relating to copies of bids, contracts, and books; amending s. 233.25, F.S.; revising provisions relating to publishers and manufacturers of instructional materials; amending s. 234.01, F.S.; authorizing the provision of certain transportation; amending s. 234.02, F.S.; revising terminology relating to transportation of certain students; including participants in teenage parent programs in student transportation requirements; amending s. 234.041, F.S.; revising terminology relating to transportation of certain students; amending s. 235.014, F.S., and repealing subsection (3), relating to off-site hazards; revising provisions relating to functions of the Office of Educational Facilities; providing Department of General Services' duties; amending s. 235.19, F.S.; providing for waiver of site standards; providing for request relating to off-site hazards; amending s. 235.196, F.S.; revising conditions with respect to requests for funds to construct a community educational facility; requiring the Office of Educational Facilities through an independent appraiser to determine the value of sites for purposes of developing community education facilities; amending s. 235.211, F.S.; providing exceptions from requirements for architect services in certain educational facility plans; amending s. 235.26, F.S.; revising provisions relating to conformance to the state uniform building code; amending s. 235.31, F.S.; providing for purchase of maintenance, repair, and site improvement services by district school boards from other governmental contracts; amending s. 236.013, F.S., relating to definitions; revising requirements for summer school programs; amending s. 236.081, F.S.; revising provisions relating to a program membership survey of schools and year-round schools; limiting the required local effort under the Florida Education Finance Program; amending s. 236.0815, F.S.; revising provisions relating to funding of additional educational services to certain high school students; amending s. 236.083, F.S.; providing for funding for

transportation to year-round schools; amending s. 236.0835, F.S.; revising terminology; amending s. 236.13, F.S.; conforming a cross-reference to changes made by the act; amending s. 236.145, F.S., relating to residential nonpublic school contract reimbursement; revising terminology; amending s. 237.041, F.S.; revising provisions relating to the examination of annual budgets; amending s. 237.081, F.S.; revising provisions relating to submission of budgets; amending s. 240.405, F.S.; revising provisions relating to grants for teachers for training in exceptional student education; amending s. 242.332, F.S.; revising terminology; amending ss. 200.065, 236.25, 237.161, F.S.; permitting the purchase of instructional materials and equipment, including software; amending s. 318.21, F.S.; providing for funding crossing guard training programs from civil penalties for certain traffic infractions; authorizing community college boards of trustees to grant certain fee waivers; authorizing the Department of Education to purchase annuities to be used as reduction-in-force bonuses for eligible employees; amending s. 236.013, F.S.; exempting certain students from the maximum full-time equivalent limitation; amending s. 240.118, F.S.; revising the procedures for providing postsecondary feedback reports; repealing ss. 229.565(5), 231.532, 233.0615, 236.022, 236.1227, 236.135, F.S., relating to evaluation of prekindergarten early intervention programs, district quality instruction incentives programs, law education, study of alternative methods of school finance, quality instruction incentive categorical program, and equipment purchasing or leasing; providing an effective date.

By the Committee on Finance, Taxation and Claims; and Senators Kirkpatrick, Johnson, Gardner and Casas—

**CS for SB 154-H**—A bill to be entitled An act relating to public libraries; amending s. 257.171, F.S.; providing for multicounty libraries rather than regional libraries; amending s. 257.172, F.S.; revising provisions relating to state grants to libraries; providing for use of funds and computation and adjustment of grants; amending s. 257.18, F.S.; revising provisions relating to the computation of equalization grants; creating s. 257.195, F.S.; providing procedures in the event of revenue shortfalls; amending s. 24.121, F.S.; requiring a specified sum from the Administrative Trust Fund under the Department of Lottery to be transferred annually to the Library Services Trust Fund and used for state aid to libraries; providing an effective date.

## MESSAGES FROM THE HOUSE OF REPRESENTATIVES

### FIRST READING

*The Honorable Gwen Margolis, President*

I am directed to inform the Senate that the House of Representatives has passed CS for HB 11-H, HB 55-H, CS for HB 67-H, HB 153-H, HB 157-H, HB 159-H, HB 225-H, CS for HB 257-H; has passed as amended HB 13-H, CS for HB 57-H, HB 81-H, HB 99-H, HB 107-H, HB 171-H, HB 187-H, CS for HB 241-H, HB 297-H, HB 327-H and requests the concurrence of the Senate.

*John B. Phelps, Clerk*

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

**CS for HB 11-H**—A bill to be entitled An act relating to delinquent children; creating s. 39.0215, F.S.; providing for administering county and municipal juvenile delinquency programs and facilities, including secure detention facilities; providing for transfers of children; providing for payment of children performing services in work programs; requiring that county and municipal programs comport with state law and department rules and coordinate with other services; requiring quarterly inspections and evaluations by the Department of Health and Rehabilitative Services; authorizing a monitoring fee ensuring the training of personnel; providing enforcement powers to the department; providing for injunctions and termination proceedings; amending s. 39.057, F.S.; authorizing county and municipal boot camps; providing for injunctions and termination proceedings; requiring quarterly inspections and evaluations; amending s. 39.054, F.S.; providing for the conversion of certain orders of restitution into judgment liens; providing for construction of laws enacted at the 1992 Regular Session in relation to this act; providing an effective date.

—was referred to the Committees on Community Affairs and Appropriations.

By Representative Simon and others—

**HB 55-H**—A bill to be entitled An act relating to financial institutions and matters connected therewith; providing a short title; amending s. 655.001, F.S.; expanding the scope of the section to specify the purposes and application of the financial institutions codes rather than of ch. 655, F.S.; amending s. 655.005, F.S.; altering and adding definitions applicable to ch. 655, F.S.; amending s. 655.012, F.S., relating to general supervisory powers of the Department of Banking and Finance, to conform; creating s. 655.013, F.S.; providing for the act's effect on existing financial institutions; creating s. 655.015, F.S.; providing for construction of the act and standards to be observed by the department; transferring, renumbering, and amending s. 655.021, F.S., relating to administrative enforcement guidelines; transferring, renumbering, and amending s. 655.025, F.S., concerning department investigations, subpoenas, hearings, and witnesses; creating s. 655.0322, F.S.; prescribing prohibited acts and practices; providing criminal penalties; amending s. 655.034, F.S., relating to injunctions; inserting the term "members" to conform; amending s. 655.037, F.S., relating to removal of officers, directors, and others by the department; revising the list of persons that may be so removed and revising the grounds upon which such persons may be removed; revising the procedure therefor; creating s. 655.0385, F.S.; providing for the disapproval of directors and executive officers of a financial institution by the department; creating s. 655.0386, F.S.; restricting conduct of, and transactions by, financial institution-affiliated parties; creating s. 655.0391, F.S.; providing for retention of supervision of financial institutions by the department; creating s. 655.0392, F.S.; allowing a financial institution to rent space from a governmental entity under certain circumstances; authorizing a governmental entity to rent such space at a certain rate; deleting provisions for disposition of fines; amending s. 655.041, F.S.; expanding the department's authority to impose administrative fines; amending s. 655.044, F.S.; revising recordkeeping requirements; providing for recovery of certain costs; amending s. 655.045, F.S.; revising the examination authority of the department; requiring the department to adopt rules, requiring certain audits under certain circumstances; amending s. 655.047, F.S.; clarifying the application period of assessments; allowing prororation of assessments but prohibiting refunds of portions of assessments; deleting provisions for disposition of assessments; amending s. 655.049, F.S.; clarifying the types of fees that are required to be deposited into the Financial Institutions' Regulatory Trust Fund; amending s. 655.053, F.S.; revising the annual report requirements; amending s. 655.029, F.S., which provides exemptions from public meeting and records requirements for hearings and documents relating to cease and desist orders and suspension or removal orders, pursuant to a determination by the Department of Banking and Finance; revising the exemption; amending s. 655.033, F.S., which provides an exemption from public records requirements for emergency cease and desist orders; amending s. 655.057, F.S., which provides exemptions from public records requirements for information relating to investigations by the department, examination reports and papers, confidential information supplied to other agencies by the department, confidential information supplied to the department, lists of members of credit unions and mutual associations, and lists of shareholders of banks, trust companies, and stock associations; revising the exemptions; amending s. 119.07, F.S.; correcting references and deleting duplicative references; repealing s. 665.048(9), F.S., which provides requirements relating to maintenance of stockholder records by capital stock associations; amending s. 655.059, F.S.; providing certain law enforcement agencies access to a financial institution's books and records; amending s. 655.061, F.S., relating to competitive equality with federally organized or chartered financial institutions; providing for the section to take precedence over other state statutes; amending s. 655.41, F.S., relating to cross-industry conversions, mergers, consolidations, and acquisitions; replacing the term "financial institution" with the term "financial entity" with reference thereto; amending s. 655.411, F.S.; revising conversion-of-charter requirements; amending s. 655.412, F.S.; revising merger and consolidation requirements; amending s. 655.414, F.S.; revising the conditions and limitations upon which a financial entity may acquire all or substantially all the assets or liabilities of another financial entity; amending s. 655.416, F.S.; providing for the valuation of assets after an acquisition; amending s. 655.417, F.S.; conforming provisions relating to the effect of merger, consolidation, conversion, or acquisition; amending s. 655.418, F.S.; conforming provisions relating to cessation of nonconforming activities; amending s. 655.419, F.S.; clarifying the applicability of provisions for merger, consolidation, conversion, or acquisition of assets; amending s. 655.50, F.S.; revising the provisions of, and the penalties for violation of, the Florida Control of Money Laundering in Financial Institutions Act; providing for confidentiality of reports and

records thereunder; extending the act's penalties to cover violations of ch. 896, F.S., or similar state or federal statutes; amending s. 655.51, F.S.; allowing state and federal regulatory agencies access to certain employment information; amending s. 655.55, F.S., relating to the law applicable to deposits in and contracts related to extensions of credit by financial institutions; replacing the term "financial institution" with the term "deposit or lending institution" and defining that term; creating s. 655.56, F.S.; providing for the collection of fines, interest, or premiums on loans made by financial institutions; creating s. 655.60, F.S.; providing for appraisals of financial institutions, subsidiaries, or service corporations by the department; creating s. 655.762, F.S.; regulating the sale of assets by a financial institution; creating s. 655.769, F.S.; providing definitions related to deposits in deposit or lending institutions; creating s. 655.77, F.S.; providing for deposits by minors; creating s. 655.78, F.S.; providing for deposit accounts in two or more names; creating s. 655.79, F.S.; establishing a presumption as to vesting on death when deposits and accounts are in two or more names; creating s. 655.80, F.S.; defining and establishing requirements for convenience accounts; creating s. 655.81, F.S.; providing for deposits in trust; creating s. 655.83, F.S.; providing for adverse claims to deposit or fiduciary accounts; creating s. 655.84, F.S.; establishing a presumption as to correctness concerning statements of account; renumbering and amending s. 658.63, F.S.; providing that, prior to the settlement of any check or draft, the financial institution shall obtain written authorization from the account holder in compliance with the Uniform Commercial Code; creating a community bank pilot program; authorizing the investment of specified state funds; providing for the selection of participating financial institutions; requiring matching funds; requiring the establishment of guidelines for the pilot program; requiring an annual report; providing for expiration of the pilot program; creating s. 655.86, F.S.; regulating the issuance of postdated checks; creating s. 655.89, F.S.; defining "legal holidays," "business days," and "transactions"; creating s. 655.90, F.S.; providing for the closing of deposit or lending institutions during emergencies and other special days; creating s. 655.91, F.S.; providing recordkeeping requirements for such institutions; creating s. 655.921, F.S.; providing for transaction of business by out-of-state financial institutions; creating s. 655.922, F.S.; prohibiting banking by unauthorized persons; providing penalties; creating s. 655.93, F.S.; providing definitions related to the leasing of safe-deposit boxes; creating s. 655.931, F.S.; authorizing financial institutions to engage in the safe-deposit business; creating s. 655.932, F.S.; authorizing the leasing of a safe-deposit box to a minor; creating s. 655.933, F.S.; providing for access to safe-deposit boxes by fiduciaries; creating s. 655.934, F.S.; specifying the effect of the death or incapacity of the lessee of a safe-deposit box; creating s. 655.935, F.S.; establishing safe-deposit search procedures on the death of the lessee; creating s. 655.936, F.S.; providing for the delivery of safe-deposit box contents or other property to a personal representative; creating s. 655.937, F.S.; providing for access to a safe-deposit box leased in two or more names; creating s. 655.938, F.S.; providing for adverse claims to the contents of a safe-deposit box; creating s. 655.939, F.S.; limiting the right of access to a safe-deposit box for failure to comply with security procedures; creating s. 655.94, F.S.; providing special remedies for the nonpayment of rent for a safe-deposit box; creating s. 655.941, F.S.; establishing the Joint Select Committee on Financial Institutions; providing powers and duties of the committee; providing for meetings; requiring the annual transfer of a sum of money from the Financial Institutions Regulatory Trust Fund to the committee for certain costs; creating s. 655.942, F.S.; specifying standards of conduct for financial institutions; providing exceptions; creating s. 655.943, F.S.; specifying requirements for certain applications relating to financial institutions; creating s. 655.944, F.S.; providing for calculation of interest on certain accounts; creating s. 655.945, F.S.; providing procedures for recovering certain amounts of fees; providing for interest on certain fee overcharges or undercharges; creating s. 655.946, F.S.; providing for single interest insurance by financial institutions; requiring notice of such insurance; providing criteria for issuing such insurance; creating s. 655.947, F.S.; providing for credit reports; creating s. 655.948, F.S.; requiring notice of certain specified events; creating s. 655.949, F.S.; requiring the department to establish qualifications for certain positions in the Office of the Comptroller and in the department; creating s. 655.951, F.S.; requiring the department to maintain a regulatory decision register; specifying contents of the register; creating s. 655.953, F.S.; providing for consumer protection powers of the Comptroller; requiring the Department of Banking and Finance to adopt certain rules; creating s. 655.018, F.S.; establishing standards and guidelines for department personnel and operations; providing certain limitations on certain lobbying activities; limiting certain employment activities; requiring the Comptroller to establish and implement a conflict-of-interest policy; providing

guidelines; creating s. 655.019, F.S.; limiting certain campaigning activities; amending s. 657.002, F.S.; providing definitions; amending s. 657.005, F.S.; providing credit union organizational procedures and forms; creating s. 657.0061, F.S.; requiring the submission of bylaw amendments to the Department of Banking and Finance; amending s. 657.008, F.S.; authorizing armored car services and deleting the requirement that all records be kept at the principal place of business as described within the bylaws; amending s. 657.021, F.S.; defining the duties and powers of the board of directors; amending s. 657.023, F.S.; clarifying certain language; amending s. 657.026, F.S.; authorizing audit committees and defining the duties and responsibilities of these committees; amending s. 657.0265, F.S.; prescribing the liability of audit committee members; amending s. 657.027, F.S.; clarifying certain language; amending s. 657.028, F.S.; prohibiting certain persons from serving as an officer, director, or committee member; amending s. 657.031, F.S.; clarifying language and deleting language requiring notice to the department concerning certain authorized activities; creating s. 657.0315, F.S.; prohibiting credit unions from entering into certain contracts; limiting the enforceability of these contracts; amending s. 657.033, F.S.; clarifying the definition of dormant accounts; amending s. 657.038, F.S.; deleting reference to an 18-percent usury cap and defining the term "related interest"; amending s. 657.039, F.S.; prescribing conditions for credit union loans to its directors, officers, and employees; defining the term "related interests"; amending s. 657.042, F.S.; increasing the allowable percentage of certain types of investments and clarifying the authority to invest in mutual funds; amending s. 657.043, F.S.; replacing the term "gross earnings" with the term "all income for the period"; modifying the definition of "risk assets" and increasing the amount of reserve amounts; amending s. 657.053, F.S.; revising the amounts of the semiannual assessments collected from credit unions; amending s. 657.055, F.S.; mandating the type and length of time certain records must be maintained; amending s. 657.062, F.S.; providing procedures for assumption of control of an insolvent credit union; amending s. 657.063, F.S.; authorizing the department to appoint a liquidator; limiting the enforceability of certain contracts; modifying procedures for involuntary liquidation; amending s. 657.064, F.S.; altering the procedures for undertaking a voluntary liquidation; amending s. 657.065, F.S.; prescribing voting requirements and procedures of a credit union merger; amending s. 657.068, F.S.; removing certain limitations on membership in a central credit union; amending s. 658.12, F.S.; providing definitions; amending s. 658.165, F.S.; correcting a cross-reference and inserting the term "financial institutions codes"; amending s. 658.20, F.S.; providing for prior approval of certain directors and executive officers of a failing bank or trust company; providing a filing fee for approval; amending s. 658.21, F.S.; altering the approval criteria of an application; amending s. 658.22, F.S.; requiring orders approving applications to organize a state bank be sent to the "Federal Home Loan Bank of Atlanta"; amending s. 658.23, F.S.; requiring prior Department of Banking and Finance authorization for a change in the articles of incorporation; amending ss. 658.24, 658.25, F.S., substituting the term "bank" for "banking corporation"; amending s. 658.26, F.S.; altering the locations where banks and trust companies may transact business; amending s. 658.27, F.S.; altering the definition of control over a bank or trust company; amending s. 658.28, F.S.; providing an exception to the requirement that the department be given prior notice of any acquisition of voting securities; amending s. 658.29, F.S.; altering certain prohibitions concerning ownership and control of a bank or trust company; amending s. 658.30, F.S.; incorporating changes concerning the application of the Florida Business Corporation Act; amending s. 658.32, F.S.; allowing the department to approve an annual meeting date which is not within the first 4 months of a given year; amending s. 658.33, F.S.; inserting the term "financial institutions codes"; requiring director's oath of office to be filed within 30 days of election; amending s. 658.34, F.S.; requiring shares of common stock to be issued with a minimum par value and to be paid for in cash; amending s. 658.35, F.S.; requiring certain approval for providing share options to stockholders; amending s. 658.36, F.S.; requiring department approval for banks and trust companies to reduce outstanding common stock; amending s. 658.37, F.S.; clarifying that a stock split does not constitute a dividend; amending s. 658.38, F.S.; clarifying that a state bank must have and maintain Federal Deposit Insurance; amending s. 658.39, F.S.; restricting the right of stockholders to examine certain records; amending s. 658.40, F.S.; deleting the term "conversion"; amending s. 658.42, F.S.; providing a technical clarification; amending s. 658.43, F.S.; modifying the department's authority to issue emergency rules concerning a failing institution; amending s. 658.44, F.S., relating to approval by stockholders; revising cross-references; amending s. 658.45, F.S.; providing a technical clarification; amending s. 658.48, F.S.; altering the loan and credit authority of a state bank; amending s.

658.50, F.S., relating to loans or extensions of credit; removing interest rate limitations on credit cards or overdraft financing arrangements; improving clarity; amending s. 658.53, F.S.; altering limits of indebtedness; amending s. 658.60, F.S.; deleting the term "reserves"; amending s. 658.65, F.S.; altering the provisions related to remote financial service units; amending s. 658.67, F.S.; altering the investment powers of a bank and trust company; amending s. 658.68, F.S.; altering the liquidity requirements of a state bank; amending s. 658.73, F.S.; increasing examination fees and assessments; amending s. 658.79, F.S.; allowing the department to take possession of an imminently insolvent state bank or trust company; deleting the conditions for determining insolvency; amending ss. 658.80, 658.82, 658.83, F.S.; providing a technical clarification; amending s. 658.84, F.S.; providing priorities for unsecured claims for payment against financial institutions; prohibiting the enforcement of certain judicial actions; creating ss. 659.70, 659.71, 659.72, 659.73, and 659.74, F.S.; providing definitions; providing for organization of credit card banks; imposing requirements; authorizing credit card banks to assess certain charges and fees; providing for regulation of credit card banks; providing for enforcement; authorizing the department to adopt rules; providing for applicability of certain banking laws; amending s. 660.25, F.S.; redefining the term "commercial department"; providing for the use of terms defined in other chapters of the Florida Statutes; creating s. 660.265, F.S.; requiring certain financial institutions to pay the costs of examination by the Department of Banking and Finance; amending s. 660.27, F.S.; deleting references to state mutual associations with respect to deposits of securities with the Treasurer; clarifying the term "bank" to include state banks and national banks; amending s. 660.33, F.S.; prescribing when an association is "affiliated" or a "successor"; correcting a cross reference; amending s. 660.37, F.S.; deleting references to the Federal Savings and Loan Insurance Corporation; permitting the deposit of fiduciary funds in amounts exceeding insurance in specified circumstances; amending s. 660.41, F.S.; revising powers of corporations other than banks, associations, and trust companies with respect to fiduciary functions; creating s. 660.417, F.S.; authorizing certain banks or trust companies to invest or reinvest securities of certain investment companies or investment trusts under certain circumstances; providing guidelines; amending s. 660.44, F.S.; authorizing a bank, association, or trust company to charge reasonable management expenses for managing common trust funds; amending s. 663.01, F.S.; providing definitions; amending s. 663.02, F.S.; expanding the applicability of domestic bank powers to international banking corporations; deleting reference to a clarification concerning branching authority of bank holding companies located outside the state; amending s. 663.03, F.S.; providing that ch. 607, F.S., regulating corporations applies to international banking corporations unless it conflicts with the banking code; amending s. 663.04, F.S.; prescribing conditions under which a license may be issued to an international banking corporation to operate an international bank agency or an international branch; deleting application fee; amending s. 663.05, F.S.; modifying the application requirements for an international banking corporation to maintain an office in this state; creating s. 663.055, F.S.; prescribing certain capital requirements as a condition of licensing; providing alternative requirements for licensing; amending s. 663.06, F.S.; expanding the permissible activities of an international banking corporation and allowing the department to prescribe by rule the procedures for surrendering a license; creating s. 663.061, F.S.; defining the permissible activities of international bank agencies; creating s. 663.062, F.S.; defining the permissible activities of an international representative office; amending s. 663.063, F.S.; altering the purposes and powers of an international administrative office; creating s. 663.064, F.S.; defining the permissible activities of an international branch; creating s. 663.065, F.S.; defining the permissible activities of a state investment company; creating s. 663.066, F.S.; authorizing, under certain conditions, the acquisition of state banks by international banking corporations; amending s. 663.07, F.S.; modifying the asset maintenance requirements of an international bank agency and international branch; amending s. 663.08, F.S.; providing for certification of capital accounts of an international banking corporation; amending s. 663.083, F.S.; adding the term "international branch" and deleting language allowing capital debentures and notes to be treated as capital in computing capital limitations; amending s. 663.09, F.S.; providing for the consolidation of reports under certain circumstances; requiring loan documentation to be in the English language; amending s. 663.10, F.S.; modifying the provisions related to license conversion; amending s. 663.11, F.S.; replacing the term "international bank agency" with the term "office"; amending s. 663.12, F.S.; providing for filing fees, semiannual assessments, and examination fees; amending s. 663.13, F.S., relating to rulemaking respecting international banking corporations; conforming a cross reference; amending s. 663.14, F.S.; including domes-

tic travel in provisions providing for travel expenses; amending s. 663.302, F.S., relating to the applicability of state banking laws to international development banks, to conform cross references in that section to renumbering by this act; amending s. 663.309, F.S., relating to prohibited activities; deleting an obsolete cross reference; amending s. 663.319, F.S., relating to rulemaking respecting regional development banks; conforming a cross reference; amending s. 665.012, F.S.; altering and deleting certain definitions; creating s. 665.0125, F.S.; providing a moratorium on charters; creating s. 665.013, F.S.; outlining the applicability of ch. 658, F.S., to ch. 665, F.S.; amending s. 665.0211, F.S.; deleting exclusiveness-of-name provisions; amending s. 665.0315, F.S.; correcting a cross reference and incorporating a nonrefundable filing fee; amending s. 665.033, F.S.; inserting reference to the financial institutions codes and permitting denial of an application due to the existence of a state-imposed order; increasing the fee for converting from a federal mutual to a state capital stock association and authorizing examination fees for conversions; revising a cross reference; amending s. 665.0335, F.S.; deleting a reference to the Federal Savings and Loan Insurance Corporation; amending s. 665.034, F.S.; changing certain requirements concerning acquisition of assets of, or control over, an association; amending s. 665.0501, F.S.; altering the general powers of an association organized under ch. 665, F.S.; amending s. 665.0711, F.S.; limiting the association's power to invest in loans; amending s. 665.074, F.S.; deleting the requirement that a settlement statement be furnished to each borrower; amending s. 665.1001, F.S.; clarifying the definition of a "foreign association"; deleting reference to the term "savings"; deleting a requirement relating to references to insurance or guaranty of accounts in advertising, solicitations, or representations; amending s. 665.1011, F.S.; deleting the term "savings and loan"; amending s. 697.04, F.S.; providing for interests in leaseholds on real property as security for future advances; repealing s. 655.081, F.S., relating to disclosure of practices with respect to availability of funds; repealing s. 655.413, F.S., relating to acquisition of stock by a financial institution in another financial institution; reviving and readopting ss. 655.001, 655.005, 655.012, 655.016, 655.021, 655.025, 655.029, 655.033, 655.034, 655.037, 655.041, 655.043, 655.044, 655.045, 655.049, 655.053, 655.057, 655.059, 655.061, 655.071, 655.41, 655.411, 655.412, 655.414, 655.416, 655.417, 655.418, 655.419, 655.50, 655.51, and 655.55, F.S., as renumbered and amended by this act, notwithstanding their scheduled termination July 1, 1992, pursuant to the Regulatory Sunset Act and other laws; terminating ss. 655.001-655.953, F.S., effective October 1, 2002, and providing for legislative review of such sections before that date; repealing ch. 88-113, Laws of Florida, relating to a contingent amendment to s. 655.061, F.S.; repealing ss. 657.004, 657.029, 657.032, 657.034, 657.035, 657.036, and 657.037, F.S., relating to regulation of credit unions; reviving and readopting ss. 657.001, 657.002, 657.003, 657.005, 657.008, 657.021, 657.022, 657.023, 657.024, 657.026, 657.027, 657.028, 657.031, 657.033, 657.035, 657.038, 657.039, 657.041, 657.042, 657.043, 657.051, 657.053, 657.055, 657.062, 657.063, 657.064, 657.065, 657.066, 657.068, F.S., as amended by this act, notwithstanding their scheduled termination July 1, 1992, pursuant to the Regulatory Sunset Act and other laws; terminating ss. 657.001-657.068, F.S., effective October 1, 2002, and providing for legislative review of such sections before that date; repealing ss. 658.1101, 658.13, 658.14, 658.15, 658.46, 658.47, 658.54, 658.55, 658.56, 658.57, 658.58, 658.59, 658.61, 658.62, 658.63, 658.64, 658.66, 658.69, 658.70, 658.71, 658.72, 658.74, 658.75, 658.76, 658.77, 658.78, 658.85, 658.86, 658.87, 658.88, 658.89, 658.91, 658.92, 658.93, 658.97, 658.98, 658.99, F.S., relating to the regulation of banks and trust companies; reviving and readopting ss. 658.12, 658.16, 658.19, 658.20, 658.21, 658.22, 658.23, 658.235, 658.24, 658.25, 658.26, 658.27, 658.28, 658.29, 658.295, 658.30, 658.32, 658.33, 658.34, 658.35, 658.36, 658.37, 658.38, 658.39, 658.40, 658.41, 658.42, 658.43, 658.44, 658.45, 658.48, 658.49, 658.491, 658.50, 658.51, 658.53, 658.60, 658.65, 658.67, 658.68, 658.73, 658.79, 658.80, 658.81, 658.82, 658.83, 658.84, 658.90, 658.94, 658.95, and 658.96, F.S., notwithstanding their scheduled termination July 1, 1992, pursuant to the Regulatory Sunset Act and other laws; terminating ss. 658.12-658.96, F.S., effective October 1, 2002, and providing for legislative review of such sections before that date; repealing s. 660.32, F.S., relating to the place of transacting trust business and trust company branches; reviving and readopting ss. 660.25, 660.26, 660.27, 660.28, 660.29, 660.30, 660.31, 660.33, 660.34, 660.35, 660.36, 660.37, 660.38, 660.39, 660.40, 660.41, 660.415, 660.42, 660.43, 660.44, 660.45, 660.46, 660.47, and 660.48, F.S., as amended by this act, notwithstanding their scheduled termination July 1, 1992, pursuant to the Regulatory Sunset Act and other laws; terminating ss. 660.25-660.48, F.S., effective October 1, 2002, and providing for legislative review of such sections before that date; repealing ss. 661.45-661.55, F.S., relating to regulating the safe-deposit business, in accordance with the Regulatory

Sunset Act; repealing ss. 662.01-662.08, F.S., relating to bank service corporations, in accordance with the Regulatory Sunset Act; reviving and readopting ss. 663.01, 663.02, 663.03, 663.04, 663.05, 663.06, 663.07, 663.08, 663.09, 663.10, 663.11, 663.12, 663.13, 663.14, 663.301, 663.302, 663.303, 663.304, 663.305, 663.306, 663.307, 663.308, 663.309, 663.310, 663.311, 663.312, 663.313, 663.314, 663.315, 663.316, 663.317, 663.318, and 663.319, F.S., as amended by this act, notwithstanding their scheduled termination July 1, 1992, pursuant to the Regulatory Sunset Act and other laws; terminating ss. 663.01-663.319, F.S., effective October 1, 2002, and providing for legislative review of such sections before that date; repealing ss. 664.01-664.12, F.S., relating to industrial savings banks, in accordance with the Regulatory Sunset Act; repealing ss. 665.011, 665.0201, 665.022, 665.023, 665.024, 665.025, 665.027, 665.028, 665.0301, 665.0311, 665.038, 665.0401, 665.044, 665.045, 665.047, 665.048, 665.0601, 665.0611, 665.062, 665.063, 665.064, 665.065, 665.066, 665.067, 665.068, 665.069, 665.0701, 665.0731, 665.076, 665.077, 665.0801, 665.082, 665.083, 665.093, 665.096, 665.097, 665.099, 665.102, 665.1021, 665.103, and 665.104, F.S., relating to the regulation of savings associations; reviving and readopting ss. 665.012, 665.0211, 665.0315, 665.033, 665.0335, 665.034, 665.0345, 665.0501, 665.0711, 665.074, 665.075, 665.1001, and 665.1011, F.S., as amended by this act, notwithstanding their scheduled termination July 1, 1992, pursuant to the Regulatory Sunset Act and other laws; terminating ss. 665.012-665.1011, F.S., effective October 1, 2002, and providing for legislative review of such sections before that date; amending s. 154.238, F.S., relating to the authority of a health facilities authority to deal with a bank that employs a member of the authority, to conform terminology to that used in this act; amending s. 159.414, F.S., relating to the authority of a board of a local agency, under the Florida Industrial Development Financing Act, to deal with a bank that employs a board member, to conform terminology to that used in this act; amending s. 159.494, F.S., relating to the authority of an industrial development authority to deal with a bank that employs a member of the authority; amending s. 240.488, F.S., relating to the investment of funds of a county education loan authority, to conform terminology to that used in this act; amending s. 288.753, F.S., relating to examination of the Florida Export Finance Corporation by the Department of Banking and Finance, to conform terminology to that used in this act; amending s. 289.121, F.S., relating to examination of the Florida Industrial Development Corporation, to conform terminology to that used in this act; amending s. 420.141, F.S., relating to examination of the Housing Development Corporation of Florida, to conform terminology to that used in this act; amending s. 538.03, F.S., relating to definitions applicable to secondhand dealers, to conform a cross reference made obsolete by this act; amending s. 607.0501, F.S., relating to registered offices and agents of corporations, to conform terminology to that used in this act; amending s. 627.826, F.S., relating to insurance premium finance companies, to delete a cross reference to a law repealed by this act; amending s. 671.304, F.S., relating to laws not repealed by the enactment of the Uniform Commercial Code, to delete cross references to laws repealed by this act; amending s. 687.12, F.S., relating to interest rates of licensed lenders and creditors, to revise a cross reference to a law repealed by this act; amending s. 896.101, F.S., relating to the conduct of financial transactions involving the proceeds of unlawful activity, to revise cross references to conform with this act; providing an appropriation; providing an effective date.

—was referred to the Committees on Commerce and Appropriations.

By the Committee on Health Care and Representative Bloom—

**CS for HB 67-H**—A bill to be entitled An act relating to the licensure and recruitment of adult foster homes; canceling transfer of regulation of adult foster homes to the Agency for Health Care Administration; repealing s. 30 of ch. 92-33, Laws of Florida; canceling transfer of recruitment and licensure authority for adult foster homes to the agency; providing an effective date.

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

By Representative Crady—

**HB 153-H**—A bill to be entitled An act relating to the Consolidated City of Jacksonville; enlarging the boundaries of the Town of Baldwin by adding certain properties to Urban Services District 5; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Representative Lippman and others—

**HB 157-H**—A bill to be entitled An act relating to unemployment compensation; amending s. 443.111, F.S.; modifying the maximum weekly benefit amount that may be paid to an individual from the Unemployment Compensation Trust Fund; providing an effective date.

—was referred to the Committees on Commerce and Appropriations.

By Representative Bo Johnson—

**HB 159-H**—A bill to be entitled An act for the relief of Cecil S. Head; providing an appropriation; requiring the Comptroller to draw a warrant upon funds in the General Revenue Fund; providing an effective date.

—was referred to the Special Master; and the Committee on Finance, Taxation and Claims.

By Representative Langton—

**HB 225-H**—A bill to be entitled An act for the relief of Mr. and Mrs. Darriel Swindell; providing an appropriation to compensate them for injuries caused by the negligence of Prison Rehabilitative Industries and Diversified Enterprises, Inc., (PRIDE); providing an effective date.

—was referred to the Special Master; and the Committees on Corrections, Probation and Parole; and Finance, Taxation and Claims.

By the Committee on Claims and Representative Daryl Jones—

**CS for HB 257-H**—A bill to be entitled An act for the relief of Mary Theresa Boyle, widow, and Brian Boyle and Amy Boyle, children, of Edward Boyle to compensate them for damages sustained from the wrongful death of Edward Boyle; providing an appropriation; providing an effective date.

—was referred to the Special Master; and the Committees on Finance, Taxation and Claims; and Appropriations.

By Representative Brown—

**HB 13-H**—A bill to be entitled An act relating to the City of Jacksonville; adopting the Charter of the City of Jacksonville, chapter 67-1320, Laws of Florida, as amended; repealing certain special acts of the Legislature relating to the Charter of the City of Jacksonville; providing directions to the Council of the City of Jacksonville, in the event of home rule or referendum revisions or amendments to the Charter of the City of Jacksonville; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By the Committee on Criminal Justice and Representative Martinez—

**CS for HB 57-H**—A bill to be entitled An act relating to fiscal matters; amending s. 215.322, F.S.; providing for payment of fines, penalties, court-ordered payments, and court costs by credit card or bank debit card; amending s. 218.31, F.S.; applying a definition; amending s. 27.702, F.S.; requiring the capital collateral representative to file certain motions for compensation and reimbursement and providing for deposit of funds into a trust fund; repealing s. 27.3455(9), F.S., relating to the future repeal of provisions regarding additional court costs; amending ss. 27.38 and 27.60, F.S.; authorizing expenditure of appropriated state funds for items enumerated in ss. 27.34 and 27.54, F.S.; providing for reporting requirements; amending s. 939.01, F.S.; providing requirements for the deposit and use of funds received by a state attorney in a criminal proceeding; providing an effective date.

—was referred to the Committee on Appropriations.

By Representative Liberti—

**HB 81-H**—A bill to be entitled An act relating to the Acme Improvement District, Palm Beach County; amending chapter 28557, Laws of Florida, 1953, as amended; clarifying the election of supervisors by a majority vote of the electorate; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Representative Mitchell—

**HB 99-H**—A bill to be entitled An act relating to public libraries; amending s. 257.171, F.S.; providing for multicounty libraries rather than regional libraries; amending s. 257.172, F.S.; revising provisions relating to state grants to libraries; providing for use of funds and computation and adjustment of grants; amending s. 257.18, F.S.; revising provisions relating to the computation of equalization grants; creating s. 257.195, F.S.; providing procedures in the event of revenue shortfalls; providing an effective date.

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

By Representative Ascherl—

**HB 107-H**—A bill to be entitled An act relating to the Department of Natural Resources; amending s. 212.69, F.S.; revising the portion of the revenues from the tax on the sale of motor and special fuels that is distributed to the department and the uses thereof; providing an effective date.

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

By Representative Davis and others—

**HB 171-H**—A bill to be entitled An act relating to natural gas transmission pipelines; creating ss. 403.9401-403.9425, F.S.; creating the Natural Gas Transmission Pipeline Siting Act to establish a certification process for siting natural gas transmission pipelines; providing legislative intent; providing definitions; providing powers and duties of the Department of Environmental Regulation; providing applicability, certification, and exemptions; providing for applications; specifying pipeline corridor requirements; providing for appointment of a hearing officer; providing for distribution of applications and schedules; providing for determination of completeness of application; providing for determination of sufficiency of application; providing for preliminary statements of issues, reports, and studies by affected agencies; providing for notice, proceedings, parties, and participants; providing for the proposal of alternate corridors; providing for amendment of an application; providing for alteration of time limits; providing for final disposition of the application; providing for certification as the sole license for natural gas transmission pipeline siting; providing for use of a corridor by other applicants; providing for notice of certified corridor routes; providing for modification of certification; providing for enforcement; providing for superseding of laws, rules, and ordinances; establishing fees; providing for applicability to existing natural gas transmission pipelines or applications; providing for determination of need by the Florida Public Service Commission; providing for admissibility of certification in eminent domain proceedings; prohibiting the requesting of certain attorney's fees and costs; providing for local government informational meetings; providing for revocation or suspension of certification; creating the Natural Gas Transmission Pipeline Intrastate Regulatory Act; providing legislative declaration; providing definitions; providing powers and duties of the Florida Public Service Commission to regulate rates and services of natural gas transmission companies; providing for the setting of rates; providing for a statement of intent to revise rates, a hearing on revised rates, and determination of rate level; providing for determination of rates as unreasonable or violative; providing for confidentiality and discovery; providing for Open Government Sunset review and repeal; providing for regulatory assessment fees; providing for administrative fines; providing for judicial review; amending s. 361.05, F.S.; giving natural gas transmission pipeline companies the power of eminent domain; amending s. 366.02, F.S.; excluding certain natural gas sales companies from the definition of the term "public utility" for the purposes of ch. 366, F.S.; providing appropriations and positions; providing an effective date.

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

By Representative Reddick—

**HB 187-H**—A bill to be entitled An act relating to private activity bonds; amending s. 159.807, F.S.; revising provisions related to eligibility for, and availability of, allocations from the state allocation pool for private activity bonds; amending s. 7, ch. 92-127, Laws of Florida, which establishes a manufacturing facility bond pool, to specify the manner in which written confirmations of allocations for manufacturing projects are to be made when allocation is not available from that pool; providing an effective date.

—was referred to the Committee on Finance, Taxation and Claims.

By the Committee on Agriculture and Representatives Harris and K. Smith—

**CS for HB 241-H**—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending ss. 20.14 and 570.29, F.S.; revising administrative structure of the department; amending ss. 570.02 and 570.242, F.S.; modifying definitions; amending s. 570.07, F.S.; modifying department powers and duties; creating s. 570.073, F.S.; authorizing establishment of an Office of Agricultural Law Enforcement within the department; providing duties and authority of officers; creating s. 570.091, F.S.; providing for deputy commissioners of agriculture; creating s. 570.092, F.S.; providing for an inspector general and providing duties; amending s. 570.30, F.S.; transferring certain responsibilities relating to public fairs and expositions from the Division of Administration to the Division of Standards and the Division of Marketing and Development; amending s. 570.33, F.S.; deleting qualifications for director of the Division of Plant Industry; amending s. 570.37, F.S.; revising qualifications for director of the Division of Animal Industry; amending s. 570.41, F.S.; deleting qualifications for director of the Division of Dairy Industry; amending s. 570.44, F.S.; renaming the Division of Inspections as the Division of Agricultural Environmental Services; transferring various duties to the Division of Food Safety, the Division of Dairy Industry, and the Office of Agricultural Law Enforcement; providing additional duties relating to soil and water conservation; transferring responsibilities for analysis of fertilizers, pesticides, commercial feed, and seed to the Division of Agricultural Environmental Services from the Division of Chemistry; amending s. 570.45, F.S.; revising duties of division director; amending s. 570.46, F.S.; transferring responsibility for testing certain samples for conformity with state specifications to the Division of Standards from the Division of Chemistry; amending s. 570.47, F.S.; deleting qualifications for division director; amending s. 570.48, F.S.; renaming the Division of Fruit and Vegetable Inspection as the Division of Fruit and Vegetables; amending s. 570.50, F.S.; renaming the Division of Chemistry as the Division of Food Safety; providing additional duties relating to inspection of meat and poultry, and food and food products; amending s. 570.51, F.S.; deleting qualifications for division director; amending s. 570.53, F.S.; renaming the Division of Marketing as the Division of Marketing and Development; providing additional responsibilities relating to public fairs and expositions; amending s. 570.544, F.S.; providing procedure for resolution of complaints by the Division of Consumer Services; amending s. 570.549, F.S.; deleting qualifications for director of the Division of Forestry; amending s. 570.55, F.S.; renaming the Florida Avocado, Mango, and Lime Sales Law as the "Florida Avocado, Mango, Lime, and Tomato Sales Law"; transferring from the Division of Inspection to the Office of Agricultural Law Enforcement enforcement duties relating to sale of avocados, mangoes, limes, and tomatoes; revising definitions; amending ss. 585.001, 585.002, and 585.01, F.S.; conforming provisions relating to the Division of Animal Industry; amending s. 585.21, F.S.; clarifying responsibilities; amending s. 585.715, F.S.; providing that the Division of Food Safety enforce part II of chapter 585, F.S.; amending ss. 616.001, 616.21, and 616.28, F.S.; deleting references to the Bureau of Public Fairs and Expositions; creating s. 932.708, F.S.; creating the Law Enforcement Trust Fund within the department; providing for deposit therein of revenues from certain criminal or forfeiture proceedings; amending ss. 235.014 and 468.382, F.S.; correcting cross references; amending ss. 487.159, 570.09, 570.23, 570.244, 570.248, 570.31, 570.34, 570.38, 570.42, 570.49, 570.531, 570.54, 570.541, 570.543, 571.23, 573.111, 574.01, 574.03, 601.28, 601.58, and 601.66, F.S.; conforming terminology; directing the Division of Statutory Revision to make changes in terminology; repealing ss. 534.081(3), 570.36(6), and 590.02(4), F.S., relating to enforcement of agricultural provisions by law enforcement officers, special officers, the Division of Animal Industry, and special officers of the Division of Forestry; amending s. 501.015, F.S.; requiring health studios to post a certificate; providing requirements with respect to occupational licenses; requiring that moneys collected under the section be deposited into the General Inspection Trust Fund; amending s. 501.016, F.S.; revising language with respect to health studio security requirements; amending s. 501.019, F.S.; revising language with respect to administrative penalties for health studios; requiring that moneys collected under the section be deposited into the General Inspection Trust Fund; amending s. 501.059, F.S.; revising definitions; revising language with respect to telephone solicitation to conform to the act; providing for the deposit of civil penalties with respect to telephone solicitation into the General Inspection Trust Fund; amending s. 501.604, F.S.; revising language with respect to exemptions; amending s. 501.912, F.S.; revising definitions; amending s. 501.913, F.S.; revising registration provisions under the Antifreeze Act of 1978; amending s. 501.917, F.S.; clarifying

language with respect to inspections by the department; amending s. 501.918, F.S.; clarifying language with respect to prohibited activities; amending s. 501.919, F.S.; revising language with respect to stop-sale orders; amending s. 501.922, F.S.; increasing timeframes for revocation or suspension of registration under the act; providing for deposit of funds into the General Inspection Trust Fund; amending s. 525.01, F.S.; providing definitions with respect to gasoline and oil inspections by the Department of Agriculture and Consumer Services; amending s. 525.02, F.S.; revising language with respect to analysis of petroleum fuel; repealing s. 525.03, F.S., relating to the submission of samples of gasoline or oil to the department; creating s. 525.035, F.S., relating to mislabeled petroleum fuel being subject to stop sale; creating s. 525.037, F.S.; providing for stop sale with respect to petroleum fuel which is below standard; amending s. 525.07, F.S.; revising language with respect to the power of the department to make inspections; revising penalties; providing for registration of persons who repair or install certain pump meter devices; amending s. 525.08, F.S.; revising language with respect to the access of the department; amending s. 525.09, F.S.; revising language with respect to inspection fees; amending s. 525.10, F.S.; revising language with respect to the payment of expenses; amending s. 525.14, F.S.; revising language with respect to rules; amending s. 525.15, F.S.; clarifying language with respect to inspectors; amending s. 525.16, F.S.; providing for administrative fines and penalties; amending s. 526.50, F.S.; revising definitions with respect to the law governing the sale of brake fluid; amending s. 526.53, F.S.; revising language with respect to enforcement, inspection, and analysis, stop sale and disposition, and regulations; amending s. 531.41, F.S.; revising language with respect to the powers and duties of the department under the Weights and Measures Act of 1971; amending ss. 559.801, 559.803, 559.805, 559.807, and 559.815, F.S.; changing the term "division" to "department"; increasing a fee in s. 559.805, F.S.; amending s. 559.813, F.S.; authorizing the Department of Agriculture and Consumer Services to bring an action for injunction or civil relief; amending s. 559.927, F.S.; revising language with respect to regulation of sellers of travel; revising provisions relating to registration and fees; requiring that registration fees be used for the sole purpose of administering the section; amending s. 501.143, F.S.; requiring deposit of certain moneys collected pursuant to the Dance Studio Act into the General Inspection Trust Fund; repealing s. 570.5441, F.S., relating to the Consumer Protection Trust Fund; amending s. 616.091, F.S.; revising language with respect to safety standards for the operation of amusement devices; providing permitting and inspection procedures for amusement rental companies; providing an exemption from requirements of chapter 616, F.S., under certain conditions; prohibiting the operation of certain amusement attractions; repealing s. 525.06, F.S., relating to gasoline or oil which is below standard and subject to confiscation; repealing s. 525.11, F.S., relating to the requirement that the Comptroller must pay certain expenses of the Department of Agriculture and Consumer Services; repealing s. 525.13, F.S., relating to a report of the department; repealing s. 525.17, F.S., relating to penalties for violation of law relating to gasoline and oil inspection; repealing s. 525.18, F.S., relating to injunctions; repealing s. 559.925, F.S., relating to receptive tour operators; repealing s. 570.151, F.S., relating to appointment and duties of road guard inspection special officers; redesignating s. 616.091(2), F.S., as s. 616.0915, F.S.; saving ss. 500.12 and 500.121, F.S., from repeal and providing for future review and repeal; providing effective dates.

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

By Representative Burke—

**HB 297-H**—A bill to be entitled An act for the relief of Christopher King, Christopher King, Jr., a minor, and David King, a minor, for injuries they sustained through the failure of the Department of Health and Rehabilitative Services to provide appropriate services to the King family; providing an appropriation; providing an effective date.

—was referred to the Special Master; and the Committee on Finance, Taxation and Claims.

By the Committee on Natural Resources and Representative Rudd and others—

**HB 327-H**—A bill to be entitled An act relating to environmental protection; amending ss. 125.01, 166.021, 381.0098, 395.002, 395.0101, 403.702, 403.704, 403.7084, 403.727, and 483.615, F.S.; redesignating "bio-hazardous waste" as "biomedical waste"; prohibiting state agencies from requiring certain labels relating to biomedical wastes; amending s. 212.055, F.S.; providing additional uses for the local government infra-

structure surtax; amending s. 287.045, F.S.; providing for purchase of materials with recycled content by agencies that use state contracts; allowing an additional price preference to bidders using certain materials relative to purchase of products or materials by the state; providing limitations on renewing certain contracts; providing an exception; requiring agencies to use certain contracts; requiring agencies to consider the life-cycle of products in making purchases; authorizing the Division of Purchasing of the Department of General Services to adopt rules; creating s. 288.118, F.S.; creating the Recycled Materials Market Development Board; providing purposes; providing for membership; providing duties and responsibilities; authorizing the board to adopt rules; providing for future repeal; amending s. 403.703, F.S.; revising certain definitions; providing additional definitions; creating s. 403.7031, F.S.; limiting the content of certain local ordinances; amending s. 403.7045, F.S.; deleting provisions providing for regulation of recovered materials; creating s. 403.7046, F.S.; providing for regulation of recovered materials; authorizing the Department of Environmental Regulation to adopt rules; authorizing the department to appoint a technical advisory committee; providing for membership; providing for the duties and responsibilities of the committee; providing for an exception; providing confidentiality for certain trade secrets; prohibiting local governments from imposing certain registration or reporting requirements; excepting certain recovered materials processing facilities from regulation under certain circumstances; providing an exception; amending s. 403.7049, F.S.; encouraging counties and municipalities to charge certain fees; providing for grants to such local governments under certain circumstances; amending s. 403.705, F.S.; changing the date for preparation of a report on solid waste management; amending s. 403.706, F.S.; revising certain local government solid waste responsibilities; including composting plans under such responsibilities; authorizing certain counties to provide alternate recycling programs; requiring counties to include in certain reports progress on composting programs; providing credits toward the county waste reduction goal; authorizing local governments to enact ordinances to require separation of recyclable materials; amending s. 403.7065, F.S.; providing additional criteria for procurement of products or materials with recycled content; amending s. 403.707, F.S.; changing a reference from "clean debris" to "construction and demolition debris"; exempting certain composting operations from certain permit requirements; prohibiting the department from permitting expansions of certain landfills; amending s. 403.708, F.S.; modifying the required coding design for certain plastic bottles and containers; amending s. 403.709, F.S.; prescribing research projects for which Solid Waste Management Trust Fund moneys may be used; authorizing the secretary of the department to reserve certain portions of appropriations to fund certain solid waste projects; amending s. 403.7095, F.S.; providing requirements to be considered in continuing grants to local governments; revising the criteria for certain grants; amending s. 403.7125, F.S.; requiring audit of landfill escrow accounts by independent certified public accountants; amending s. 403.713, F.S.; excluding recovered materials from local government authority to regulate the flow of solid waste across certain boundaries; specifying restrictions on local government regulation of recovered materials; amending s. 403.714, F.S.; requiring state institutions to participate in certain recycling programs; requiring the Department of Agriculture and Consumer Services to coordinate the development of specifications for use of compost by the state; requiring certain entities and persons to report to the department on expenditures and use of compost; requiring the department to report compost use summaries to the Governor and the Legislature; authorizing the Legislature, each state agency, the judicial branch, and the State University System to use the proceeds from state recycling programs for employee benefits and to offset the costs of recycling programs; repealing s. 403.7145, F.S., relating to the Capitol recycling demonstration area; amending s. 403.716, F.S.; providing for training of operators of waste-to-energy facilities, biohazardous waste incinerators, and mobile soil thermal treatment units or facilities; amending s. 403.718, F.S.; transferring a portion of the proceeds from the waste tire fee to the Department of Agriculture and Consumer Services for mosquito and arthropod control and research; creating s. 403.7191, F.S.; regulating the use of certain materials in packaging; prohibiting the use of certain elements in packaging; providing exemptions; requiring certificates of compliance; prohibiting certain activities; providing a penalty; providing for review and a report; providing rulemaking authority; creating s. 403.7192, F.S.; regulating the manufacture and disposition of certain batteries; prohibiting the sale or distribution of certain batteries; providing criteria for selling or distributing products containing rechargeable batteries; providing a penalty; providing rulemaking authority; creating s. 403.7193, F.S.; prohibiting certain environmental representations on consumer products; providing a penalty; creating s. 403.7194, F.S.; creating the Florida Pack-

aging Waste Reduction Council; providing duties; amending s. 403.7195, F.S.; providing for minimum recycled content for newsprint; specifying certain content by certain dates; providing criteria for such newsprint; amending s. 403.7197, F.S.; revising provisions of the advance disposal fee program; providing definitions; requiring the department to consider certain proposals for designation of additional containers; requiring the department to determine the recycling rates of container types; providing criteria for an advance disposal fee; authorizing a collection allowance; excluding the advance disposal fee from estimated tax payments; authorizing the Department of Revenue to recover administrative costs, penalties, and interest; authorizing the department to adopt emergency rules; requiring the Department of Environmental Regulation to adopt certain rules; providing for confidentiality of certain taxpayer information; revising allocations of moneys in the Container Recycling Trust Fund; requiring the department to develop a grant program for recycling and litter prevention; providing requirements of the program; providing legislative intent with respect to uses of the advance disposal fee; specifying uses; requiring the department to evaluate establishing certain advance disposal fees; requiring a report; repealing subsection (8) of section 72 of chapter 88-130, Laws of Florida, relating to repeal of ss. 403.7197-403.7198, F.S.; prohibiting incinerating or disposing of certain mercury-containing devices; prohibiting incineration of spent lamps; establishing the Mercury Recycling Trust Fund; specifying uses of the trust fund; specifying moneys to be deposited into the trust fund; requiring the department to adopt rules; requiring certain public information and warning signs related to mercury contamination; providing a penalty; requiring the department to organize and coordinate a public-private demonstration project for collecting and recycling mercury-containing devices and spent lamps; providing an appropriation; providing requirements for review of new incinerator capacity by the Department of Environmental Regulation; providing a more stringent review process, for a limited period of time, for certain incinerator facilities; providing appropriations; providing for legislative review; creating s. 403.4133, F.S.; creating the Adopt-a-Shore Program; providing purposes; amending s. 316.2045, F.S.; providing an exception to the prohibition on obstruction of public streets, highways, and roads for solid waste or recyclable or recovered materials collection vehicles; amending s. 72.011, F.S.; authorizing taxpayers to contest the assessment of a certain fee, penalties, and interest; amending s. 213.05, F.S.; authorizing the Department of Revenue to collect the advance disposal fee; amending s. 213.053, F.S.; providing for confidentiality of information obtained by the Department of Revenue pursuant to collecting the advance disposal fee; providing a finding of important state interest; appropriating moneys from the Land Acquisition Trust Fund to fund the debt service on the Preservation 2000 bonds; providing effective dates.

—was referred to the Committees on Natural Resources and Conservation; Finance, Taxation and Claims; and Appropriations.

## RETURNING MESSAGES ON HOUSE BILLS

*The Honorable Gwen Margolis, President*

I am directed to inform the Senate that the House of Representatives requests the return of CS for HB 241-H.

*John B. Phelps, Clerk*

**CS for HB 241-H**—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending ss. 20.14 and 570.29, F.S.; revising administrative structure of the department; amending ss. 570.02 and 570.242, F.S.; modifying definitions; amending s. 570.07, F.S.; modifying department powers and duties; creating s. 570.073, F.S.; authorizing establishment of an Office of Agricultural Law Enforcement within the department; providing duties and authority of officers; creating s. 570.091, F.S.; providing for deputy commissioners of agriculture; creating s. 570.092, F.S.; providing for an inspector general and providing duties; amending s. 570.30, F.S.; transferring certain responsibilities relating to public fairs and expositions from the Division of Administration to the Division of Standards and the Division of Marketing and Development; amending s. 570.33, F.S.; deleting qualifications for director of the Division of Plant Industry; amending s. 570.37, F.S.; revising qualifications for director of the Division of Animal Industry; amending s. 570.41, F.S.; deleting qualifications for director of the Division of Dairy Industry; amending s. 570.44, F.S.; renaming the Division of Inspections as the Division of Agricultural Environmental Services; transferring various duties to the Division of Food Safety, the Division of Dairy Industry, and the Office of Agricultural Law Enforcement; providing additional duties relating to soil and water conservation; transferring

responsibilities for analysis of fertilizers, pesticides, commercial feed, and seed to the Division of Agricultural Environmental Services from the Division of Chemistry; amending s. 570.45, F.S.; revising duties of division director; amending s. 570.46, F.S.; transferring responsibility for testing certain samples for conformity with state specifications to the Division of Standards from the Division of Chemistry; amending s. 570.47, F.S.; deleting qualifications for division director; amending s. 570.48, F.S.; renaming the Division of Fruit and Vegetable Inspection as the Division of Fruit and Vegetables; amending s. 570.50, F.S.; renaming the Division of Chemistry as the Division of Food Safety; providing additional duties relating to inspection of meat and poultry, and food and food products; amending s. 570.51, F.S.; deleting qualifications for division director; amending s. 570.53, F.S.; renaming the Division of Marketing as the Division of Marketing and Development; providing additional responsibilities relating to public fairs and expositions; amending s. 570.544, F.S.; providing procedure for resolution of complaints by the Division of Consumer Services; amending s. 570.549, F.S.; deleting qualifications for director of the Division of Forestry; amending s. 570.55, F.S.; renaming the Florida Avocado, Mango, and Lime Sales Law as the "Florida Avocado, Mango, Lime, and Tomato Sales Law"; transferring from the Division of Inspection to the Office of Agricultural Law Enforcement enforcement duties relating to sale of avocados, mangoes, limes, and tomatoes; revising definitions; amending ss. 585.001, 585.002, and 585.01, F.S.; conforming provisions relating to the Division of Animal Industry; amending s. 585.21, F.S.; clarifying responsibilities; amending s. 585.715, F.S.; providing that the Division of Food Safety enforce part II of chapter 585, F.S.; amending ss. 616.001, 616.21, and 616.28, F.S.; deleting references to the Bureau of Public Fairs and Expositions; creating s. 932.708, F.S.; creating the Law Enforcement Trust Fund within the department; providing for deposit therein of revenues from certain criminal or forfeiture proceedings; amending ss. 235.014 and 468.382, F.S.; correcting cross references; amending ss. 487.159, 570.09, 570.23, 570.244, 570.248, 570.31, 570.34, 570.38, 570.42, 570.49, 570.531, 570.54, 570.541, 570.543, 571.23, 573.111, 574.01, 574.03, 601.28, 601.58, and 601.66, F.S.; conforming terminology; directing the Division of Statutory Revision to make changes in terminology; repealing ss. 534.081(3), 570.36(6), and 590.02(4), F.S., relating to enforcement of agricultural provisions by law enforcement officers, special officers, the Division of Animal Industry, and special officers of the Division of Forestry; amending s. 501.015, F.S.; requiring health studios to post a certificate; providing requirements with respect to occupational licenses; requiring that moneys collected under the section be deposited into the General Inspection Trust Fund; amending s. 501.016, F.S.; revising language with respect to health studio security requirements; amending s. 501.019, F.S.; revising language with respect to administrative penalties for health studios; requiring that moneys collected under the section be deposited into the General Inspection Trust Fund; amending s. 501.059, F.S.; revising definitions; revising language with respect to telephone solicitation to conform to the act; providing for the deposit of civil penalties with respect to telephone solicitation into the General Inspection Trust Fund; amending s. 501.604, F.S.; revising language with respect to exemptions; amending s. 501.912, F.S.; revising definitions; amending s. 501.913, F.S.; revising registration provisions under the Antifreeze Act of 1978; amending s. 501.917, F.S.; clarifying language with respect to inspections by the department; amending s. 501.918, F.S.; clarifying language with respect to prohibited activities; amending s. 501.919, F.S.; revising language with respect to stop-sale orders; amending s. 501.922, F.S.; increasing timeframes for revocation or suspension of registration under the act; providing for deposit of funds into the General Inspection Trust Fund; amending s. 525.01, F.S.; providing definitions with respect to gasoline and oil inspections by the Department of Agriculture and Consumer Services; amending s. 525.02, F.S.; revising language with respect to analysis of petroleum fuel; repealing s. 525.03, F.S., relating to the submission of samples of gasoline or oil to the department; creating s. 525.035, F.S., relating to mislabeled petroleum fuel being subject to stop sale; creating s. 525.037, F.S.; providing for stop sale with respect to petroleum fuel which is below standard; amending s. 525.07, F.S.; revising language with respect to the power of the department to make inspections; revising penalties; providing for registration of persons who repair or install certain pump meter devices; amending s. 525.08, F.S.; revising language with respect to the access of the department; amending s. 525.09, F.S.; revising language with respect to inspection fees; amending s. 525.10, F.S.; revising language with respect to the payment of expenses; amending s. 525.14, F.S.; revising language with respect to rules; amending s. 525.15, F.S.; clarifying language with respect to inspectors; amending s. 525.16, F.S.; providing for administrative fines and penalties; amending s. 526.50, F.S.; revising definitions with respect to the law governing the sale of brake fluid; amending s. 526.53, F.S.;

revising language with respect to enforcement, inspection, and analysis, stop sale and disposition, and regulations; amending s. 531.41, F.S.; revising language with respect to the powers and duties of the department under the Weights and Measures Act of 1971; amending ss. 559.801, 559.803, 559.805, 559.807, and 559.815, F.S.; changing the term "division" to "department"; increasing a fee in s. 559.805, F.S.; amending s. 559.813, F.S.; authorizing the Department of Agriculture and Consumer Services to bring an action for injunction or civil relief; amending s. 559.927, F.S.; revising language with respect to regulation of sellers of travel; revising provisions relating to registration and fees; requiring that registration fees be used for the sole purpose of administering the section; amending s. 501.143, F.S.; requiring deposit of certain moneys collected pursuant to the Dance Studio Act into the General Inspection Trust Fund; repealing s. 570.5441, F.S., relating to the Consumer Protection Trust Fund; amending s. 616.091, F.S.; revising language with respect to safety standards for the operation of amusement devices; providing permitting and inspection procedures for amusement rental companies; providing an exemption from requirements of chapter 616, F.S., under certain conditions; prohibiting the operation of certain amusement attractions; repealing s. 525.06, F.S., relating to gasoline or oil which is below standard and subject to confiscation; repealing s. 525.11, F.S., relating to the requirement that the Comptroller must pay certain expenses of the Department of Agriculture and Consumer Services; repealing s. 525.13, F.S., relating to a report of the department; repealing s. 525.17, F.S., relating to penalties for violation of law relating to gasoline and oil inspection; repealing s. 525.18, F.S., relating to injunctions; repealing s. 559.925, F.S., relating to receptive tour operators; repealing s. 570.151, F.S., relating to appointment and duties of road guard inspection special officers; redesignating s. 616.091(2), F.S., as s. 616.0915, F.S.; saving ss. 500.12 and 500.121, F.S., from repeal and providing for future review and repeal; providing effective dates.

On motions by Senator Thomas, by two-thirds vote **CS for HB 241-H** was withdrawn from the Committees on Agriculture; Finance, Taxation and Claims; and Appropriations.

On motion by Senator Thomas, **CS for HB 241-H** was returned to the House as requested.

**RETURNING MESSAGES—FINAL ACTION**

*The Honorable Gwen Margolis, President*

I am directed to inform the Senate that the House of Representatives has passed SB 16-H, SB 44-H and SB 104-H.

*John B. Phelps, Clerk*

The bills contained in the foregoing message were ordered enrolled.

**ROLL CALLS ON SENATE BILLS**

**SB 140-H—Amendment 19**

Yeas—14

Bankhead	Crenshaw	Grant	McKay
Beard	Crotty	Jennings	Weinstock
Bruner	Davis	Kiser	
Burt	Dudley	Langley	

Nays—25

Madam President	Girardeau	Meek	Walker
Casas	Grizzle	Myers	Weinstein
Childers	Jenne	Plummer	Wexler
Dantzler	Johnson	Scott	Yancey
Diaz-Balart	Kirkpatrick	Souto	
Forman	Kurth	Thomas	
Gardner	Malchon	Thurman	

**SB 140-H—Amendment 20**

Yeas—24

Bankhead	Crotty	Jennings	Plummer
Beard	Diaz-Balart	Kirkpatrick	Scott
Bruner	Dudley	Kiser	Souto
Casas	Grant	Langley	Thurman
Childers	Grizzle	McKay	Weinstein
Crenshaw	Jenne	Myers	Wexler

Nays—13

Madam President	Gardner	Meek	Yancey
Burt	Girardeau	Thomas	
Dantzler	Kurth	Walker	
Davis	Malchon	Weinstock	

Vote after roll call:

Yea—Johnson

**SB 140-H—Amendment 22**

Yeas—20

Bankhead	Crenshaw	Grizzle	Langley
Beard	Crotty	Jennings	Malchon
Bruner	Davis	Kirkpatrick	McKay
Burt	Gardner	Kiser	Plummer
Childers	Grant	Kurth	Weinstock

Nays—14

Dantzler	Girardeau	Scott	Wexler
Diaz-Balart	Johnson	Thurman	Yancey
Dudley	Meek	Walker	
Forman	Myers	Weinstein	

**SB 140-H—Amendment 36**

Yeas—20

Bankhead	Crenshaw	Grant	Langley
Beard	Crotty	Grizzle	McKay
Bruner	Diaz-Balart	Jennings	Myers
Burt	Dudley	Johnson	Scott
Childers	Gardner	Kiser	Wexler

Nays—16

Casas	Girardeau	Plummer	Walker
Dantzler	Kurth	Souto	Weinstein
Davis	Malchon	Thomas	Weinstock
Forman	Meek	Thurman	Yancey

**SB 140-H**

Yeas—38

Madam President	Davis	Johnson	Scott
Bankhead	Diaz-Balart	Kirkpatrick	Souto
Beard	Dudley	Kiser	Thomas
Bruner	Forman	Kurth	Thurman
Burt	Gardner	Langley	Walker
Casas	Girardeau	Malchon	Weinstein
Childers	Grant	McKay	Wexler
Crenshaw	Grizzle	Meek	Yancey
Crotty	Jenne	Myers	
Dantzler	Jennings	Plummer	

Nays—1

Weinstock

**SB 142-H—Amendment 30**

Yeas—25

Bankhead	Dantzler	Kiser	Thurman
Beard	Dudley	Langley	Walker
Bruner	Grant	McKay	Wexler
Burt	Grizzle	Myers	Yancey
Childers	Jenne	Plummer	
Crenshaw	Jennings	Souto	
Crotty	Johnson	Thomas	

Nays—10

Madam President	Forman	Kurth	Weinstein
Casas	Gardner	Malchon	
Davis	Girardeau	Meek	

**SB 142-H**

Yeas—34

Madam President	Dantzler	Johnson
Bankhead	Dudley	Kirkpatrick
Beard	Forman	Kiser
Bruner	Gardner	Kurth
Burt	Girardeau	Langley
Casas	Grant	Malchon
Childers	Grizzle	McKay
Crenshaw	Jenne	Myers
Crotty	Jennings	Plummer

Nays—1

Davis

Vote after roll call:

Yea—Scott

**SR 190-H**

Yeas—27

Madam President	Crotty	Grizzle	Plummer
Bankhead	Dantzler	Jenne	Souto
Beard	Diaz-Balart	Jennings	Thurman
Bruner	Dudley	Kurth	Walker
Burt	Forman	Malchon	Wexler
Casas	Gardner	McKay	Yancey
Childers	Grant	Myers	

Nays—None

Vote after roll call:

Yea—Kiser

**SR 222-H**

Yeas—36

Madam President	Dantzler	Jennings	Plummer
Bankhead	Davis	Johnson	Scott
Beard	Diaz-Balart	Kirkpatrick	Souto
Bruner	Dudley	Kurth	Thomas
Burt	Forman	Langley	Thurman
Casas	Gardner	Malchon	Walker
Childers	Grant	McKay	Weinstein
Crenshaw	Grizzle	Meek	Wexler
Crotty	Jenne	Myers	Yancey

Nays—None

**ENROLLING REPORTS**

SB 16-H, SB 44-H and SB 104-H have been enrolled, signed by the required Constitutional Officers and presented to the Governor on June 8, 1992.

*Joe Brown, Secretary*

**CORRECTION AND APPROVAL OF JOURNAL**

The Journal of June 4 was corrected and approved.

**CO-SPONSORS**

Senator Thurman—CS for CS for SB 94-H

**RECESS**

On motion by Senator Thomas, the Senate recessed at 6:04 p.m. to reconvene 15 minutes after adjournment of the meeting of the Committee on Appropriations or 2:00 p.m., Thursday, June 11, whichever occurs first.