



Journal of the Senate

Number 9—Special Session H

Monday, June 22, 1992

CALL TO ORDER

The Senate was called to order by the President at 2:00 p.m. A quorum present—37:

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

Excused: Senators Gordon and Thurman

PRAYER

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

A Listener's Prayer by Sir Paul Reeves at the World Council of Churches' Seventh Assembly held in Canberra, Australia:

God
Grant me to be
silent before you—
that I may hear you;
at rest in you—
that you may work in me;
open to you—
that you may enter;
empty before you—
that you may fill me.
Let me be still
And know you are my God. Amen.

PLEDGE

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

RETURNING MESSAGE ON SENATE BILL

The Honorable Gwen Margolis, President

I am directed to inform the Senate that the House of Representatives has passed with amendment SB 140-H and requests the concurrence of the Senate.

John B. Phelps, Clerk

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 - buildings, and other improvements, and for other specified purposes of the various agencies of State government; providing an effective date.

Pursuant to Rule 7.6, the amendment constituted an entirely new bill and was not published in the Journal.

On motion by Senator Crenshaw, the Senate refused to concur in the House amendment and the House was requested to recede. The action of the Senate was certified to the House.

MOTION TO RECONSIDER

Senator Gardner moved that the Senate reconsider the vote by which the motion by Senator Crenshaw to refuse to concur in the House amendment was adopted. The motion failed. The vote was:

Yeas—17 Nays—20

RECESS

The President declared the Senate in recess at 2:28 p.m. to reconvene at 4:00 p.m.

CALL TO ORDER

The Senate was called to order by the President at 4:23 p.m. A quorum present—32:

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

INTRODUCTION AND REFERENCE OF BILL

On motion by Senator Gardner, by unanimous consent the following bill was introduced:

By Senator Gardner—

SB 268-H—A bill to be entitled An act making appropriations to pay the salaries of public officers and other current expenses of the state; providing for retroactive application; providing an effective date.

—which was referred to the Committee on Appropriations.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Thomas, by two-thirds vote **SB 246-H** was withdrawn from the Committee on Health and Rehabilitative Services.

MOTIONS

On motion by Senator Gardner, the rules were waived and the Committee on Appropriations was granted permission to meet this day upon call of the Chairman.

REPORTS OF COMMITTEES

The Committee on Criminal Justice recommends the following pass: SB 256-H with 1 amendment

The bill was referred to the Committee on Appropriations under the original reference.

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 as amended CS for HB 119-H, CS for HB's 197-H, 19-H and 131-H, HB 267-H, CS for HB 325-H and requests the concurrence of the Senate.

John B. Phelps, Clerk

By the Committee on Vocational/Technical Education and Representative Guber and others—

CS for HB 119-H—A bill to be entitled An act relating to education; amending s. 236.013, F.S.; providing an exemption to enrollment funding calculations for certain students; amending s. 239.117, F.S.; making technical corrections; limiting the applicability of fee exemptions for certain students; revising the assessment of certain fees for community college students; providing for fee maintenance and increases for certain students; amending s. 239.233, F.S., relating to vocational education reporting; providing for annual reports, performance indicators and targets, and longitudinal analyses for vocational programs; providing for confidentiality of certain information; requiring the Department of Education to withhold funds under certain circumstances; amending s. 239.245, F.S., relating to public information on vocational education programs; conforming language; amending s. 455.212, F.S., relating to educational requirements of licensing boards; providing technical revisions; providing for certification of student demonstration of competencies; providing exemption for licensing boards under certain conditions; providing effective dates.

—was referred to the Committees on Education and Appropriations.

By the Committee on Corrections and Representative Logan and others—

CS for HB's 197-H, 19-H and 131-H—A bill to be entitled An act relating to corrections; amending s. 944.275, F.S.; prohibiting grants of basic or incentive gain-time to offenders convicted under chapter 794, F.S.; amending s. 775.084, F.S., relating to habitual and habitual violent felony offenders; establishing ineligibility of offenders convicted under chapter 794, F.S., for basic or incentive gain-time; 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; repealing an obsolete provision; 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. 922.10, F.S.; relating to Department of Corrections records identifying executioners; repealing the department's authority to adopt rules regulating privacy or privilege of information contained in such records; repealing s. 945.25(4), F.S., relating to departmental rulemaking authority with respect to privacy of information; amending s. 944.702, F.S.; revising intent relating to the Transition Assistance Program Act; amending s. 944.703, F.S.; revising 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 certain provisions relating to 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; requiring certain recommendations for advancement or extension; 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 rulemaking authority; requiring a study by the Department of Corrections concerning older inmates and long-term adult inmates with extensive 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; authorizing the department to adopt rules; providing for substance abuse treatment programs for inmates testing positive, if available; providing reporting requirements; amending s. 242.68, F.S.; 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 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 who provide education services through a federal Pell Grant program to inmate students to charge the full educational cost; authorizing in-kind contributions as partial payment; 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 chapter 893, from applying for state employment, licenses, and other benefits unless specified conditions are met; amending s. 794.011, F.S.; creating the "Junny Rios Martinez, Jr., Act of 1992"; prohibiting eligibility for basic gain-time for persons convicted of sexual battery against victims under 18 years of age; 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 a definition; creating ss. 945.71-945.74, F.S.; providing legislative intent and purpose as to inmate training programs; providing eligibility and screening of inmates; providing for program operation; requiring the department to adopt certain rules; requiring the department to report to the Legislature; creating s. 766.317, F.S., relating to applicability of medical malpractice provisions to prisoners; providing that the medical negligence provisions of ch. 766, F.S., do not apply to prisoners in state, county, or municipal detention facilities; providing that ss. 766.303-766.316, F.S., which provide the no-fault remedy for infants who meet the definition under the Florida Birth-Related Neurological Injury Compensation Plan, are applicable; creating s. 946.5026, F.S.; extending sovereign immunity to the corporation established pursuant to s. 946.504(1); providing for a study of prison industries by a committee of the House of Representatives; amending s. 944.026, F.S.; revising requirements for community-based residential drug treatment facilities; authorizing commitment of certain drug offenders to such facilities; amending s. 948.001, F.S.; revising certain caseload restrictions for supervision of drug offenders; amending s. 948.51, F.S.; requiring community corrections programs and plans to include provisions for public safety; revising county eligibility provisions and departmental responsibility; expanding purposes of community corrections funds; amending s. 950.002, F.S.; authorizing nonsentenced and pretrial detainees to be housed in county work camps; authorizing two or more counties to provide for the operation of work camps; amending s. 951.26, F.S.; redesignating the county correctional planning committees as county public safety coordinating councils; creating the Community Corrections

Operating Trust Fund for purposes of funding the operating expenses of county work camps; requiring meetings and records of the councils to be open to the public; amending s. 921.187, F.S.; conforming terminology; providing effective dates.

—was referred to the Committees on Corrections, Probation and Parole; Governmental Operations; Community Affairs; and Appropriations.

By Representatives Simon and Hargrett—

HB 267-H—A bill to be entitled An act relating to workers' compensation; creating "The Workers' Compensation Reform Act of 1992"; creating s. 287.044, F.S.; providing for compliance with chapter 440, F.S.; providing definitions; requiring a sworn statement prior to bidding on a contract under certain circumstances; amending s. 287.058, F.S.; requiring certain contract documents to contain certain payment security provisions; amending ss. 350.0611 and 350.0613, F.S.; providing additional responsibilities of representation for the Public Counsel; amending s. 440.02, F.S.; providing definitions; amending s. 440.05, F.S.; providing for election of exemption; providing for revocation of an election; amending s. 440.055, F.S.; deleting the requirement that employer affidavits be made annually; amending s. 440.09, F.S.; revising coverage provisions related to injuries due to alcohol or drug abuse; amending s. 440.10, F.S.; deleting a penalty; authorizing the Division of Workers' Compensation of the Department of Labor and Employment Security to assess a penalty against certain employers; amending s. 440.101, F.S.; revising legislative intent; amending s. 440.102, F.S.; revising provisions related to the drug-free workplace program; providing certain employers are ineligible for certain discounts; providing additional requirements for followup testing; providing for payment of medical treatments; providing a penalty; providing that certain screening and testing need not comply with certain rules; providing additional employer protection provisions; creating s. 440.103, F.S.; requiring proof of secured compensation as a condition to receiving a building permit; creating s. 440.104, F.S.; providing for civil actions for competitive bidders; creating s. 440.105, F.S.; prohibiting certain activities; providing penalties; creating s. 440.106, F.S.; providing for civil remedies, stop-work orders, and liens under certain circumstances; authorizing the division to bring certain actions; amending s. 440.11, F.S.; extending to county governments certain immunity from liability; amending s. 440.13, F.S.; requiring employers to provide certain medical services and supplies; providing for eligibility of providers; requiring notice of treatment to carriers; providing for independent medical examinations; providing for utilization review; providing for resolving utilization and reimbursement disputes; providing for certification of expert medical advisors; providing for witness fees; providing for audits by the division; providing for creation of a three-member panel; providing duties; providing for managed care; amending s. 440.135, F.S.; providing legislative intent regarding certain pilot programs; providing for additional pilot programs; amending s. 440.15, F.S.; requiring the three-member panel to establish and use a uniform permanent impairment guide; specifying a basis for the guide; requiring certain forms to be filed for temporary partial disability; providing for repayment of certain benefits under certain circumstances; amending s. 440.16, F.S.; revising certain provisions related to compensation for death; amending s. 440.185, F.S.; revising certain provisions related to notice of injury or death; deleting a requirement that the division forward certain files to a judge of compensation claims; amending s. 440.19, F.S.; providing additional claim filing requirements; amending s. 440.20, F.S.; requiring the division to monitor the timely payment of compensation benefits; providing additional permissible condition for lump-sum payment; amending s. 440.21, F.S.; deleting a penalty; amending s. 440.25, F.S.; revising provisions related to certain hearings held by a judge of compensation claims; revising procedures related to such hearings, authorizing the division to adopt rules; amending s. 440.29, F.S.; requiring receipt of certain medical reports into evidence; amending s. 440.34, F.S.; deleting a penalty; amending s. 440.37, F.S.; deleting provisions relating to misrepresentation, fraudulent activities, and penalties; amending s. 440.38, F.S.; revising provisions related to securing the payment of compensation by employers; requiring the division to adopt rules; permitting employers to obtain coverage by use of a 24-hour health insurance policy; specifying certain coverages; deleting a penalty; amending s. 440.381, F.S.; requiring updating of certain insurance applications; amending s. 440.45, F.S.; revising provisions relating to membership of the statewide nominating commission; amending s. 440.48, F.S.; requiring the department annually report to the Governor and the Legislature on administration of chapter 440, F.S.; requiring the division to complete a quarterly analysis of injuries resulting in claims; requiring the division to submit an annual closed

claim report to the Governor and the Legislature; requiring the division to engage in certain continuous studies; creating a premium data collection office in the Department of Labor and Employment Security; amending s. 440.49, F.S.; revising provisions related to reemployment and rehabilitation of injured workers; providing for reemployment status review and reports; providing for reemployment assessments; providing for medical care coordination and reemployment services; providing for training and education; specifying provider qualifications; providing for cost analysis; providing for permanent disability settlements; providing for a study of the reimbursement levels to employers for employment of the disabled; amending s. 440.57, F.S.; revising provisions related to employer liability pooling; providing for pool formation, organization and responsibilities, and membership; providing procedures for failing to maintain adequate funds; providing for assessments against fund members; providing penalties; providing for dividends; creating s. 440.570, F.S.; providing for application of certain provisions to rate filings and applications of group self-insurer's funds; providing for deviations and discounts; creating s. 440.573, F.S.; authorizing the Board of Regents to provide coverage as a self-insurer under certain circumstances; creating s. 440.574, F.S.; authorizing a group self-insurer's fund to become an assessable mutual insurer; providing requirements; creating s. 440.576, F.S.; providing for venue in certain assessment actions; creating s. 440.577, F.S.; creating the "Florida Self-Insurer's Fund Guaranty Association"; providing definitions; providing purposes; providing for a board of directors; providing powers and duties of the association; requiring the association to submit a plan of operation to the division; providing for preventing self-insurer's fund insolvencies or impairments; providing for public disclosure of certain records of the association; providing for confidentiality of certain reports and information of the association; providing for liability for unpaid claims; providing immunity; prohibiting certain advertisements or solicitations; creating s. 440.592, F.S.; exempting certain records, information, or reports of the division from public disclosure; providing exceptions; creating s. 440.593, F.S.; providing for data collection by the division; creating s. 440.595, F.S.; providing for establishment of a pilot program for legal assistance to injured workers; providing requirements of the program; creating part I of chapter 442, F.S.; creating the "Florida Workplace Safety and Health Act"; providing objectives; providing definitions; providing duties and responsibilities of employers; providing powers and jurisdiction of the division; providing for compensation of injured division employees; providing duties of carriers; requiring the division to conduct certain studies and investigations; providing penalties and sanctions; providing for enforcement; providing for notice of death; creating the Occupational Safety and Health Enhancement Trust Fund; specifying uses of the fund; providing for deposit of moneys into the fund; requiring carriers to file certified statements with the division; specifying employee rights, obligations, and responsibilities; designating ss. 442.102-442.127, F.S., as part II of chapter 442, F.S.; amending s. 442.102, F.S.; providing definitions; amending ss. 442.103, 442.104, 442.105, 442.106, 442.107, 442.108, 442.109, 442.111, and 442.112, F.S.; placing the provisions relating to the Florida Substance List and regulation of toxic substances under the authority of the division; creating s. 442.110, F.S.; requiring labelling of toxic substance containers; providing exceptions; amending s. 442.118, F.S.; exempting certain employers from certain reporting requirements; amending s. 442.123, F.S.; deleting certain civil penalty and judicial restraint provisions; amending s. 624.488, F.S.; providing for application of certain laws; amending s. 627.091, F.S.; authorizing the Department of Insurance to combine certain filing information in determining rates; amending s. 627.101, F.S.; requiring the department to publish certain approved filings; providing for effect and operation of certain filings; repealing s. 627.111(2), F.S., relating to effectiveness of certain filings; creating s. 627.212, F.S.; authorizing the department to approve certain workers' compensation coverage insurance rating plans; amending s. 627.311, F.S., relating to self-insurer participation in equitable apportionment; amending s. 627.4133, F.S.; excluding workers' compensation insurance from certain notice provisions; appropriating sums to the Office of Public Counsel, the Division of Workers' Compensation and the Department of Insurance to implement provisions of the act; requiring economic study of indemnity benefit calculation method; creating a commission to study licensing of laboratories and drug testing procedures; providing for membership; requiring a report; repealing ss. 440.152, 440.43, 440.46, 440.56, 440.59, 442.116, 442.119, 442.125, 442.20, and 627.0915, F.S., relating to division study of occupational diseases, penalty for failure to secure compensation, investigations of the division, safety rules, a risk management report, employee rights, contractor liability and responsibility, annual evaluation reports, workplace safety, and rate filings for workers' com-

pensation insurance and drug-free workplace employers, respectively; providing effective dates.

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

By the Committee on Finance and Taxation; and Representative Abrams and others—

CS for HB 325-H—A bill to be entitled An act relating to taxation; creating s. 213.015, F.S.; providing requirements with respect to the rights, safeguards, and protections afforded taxpayers during tax assessment, collection, and enforcement processes; creating s. 213.018, F.S.; providing for a taxpayer problem resolution program; providing for a taxpayers' rights advocate with authority to issue taxpayer assistance orders; amending s. 213.21, F.S.; providing a taxpayer's right to have representation and record informal conferences; creating s. 213.025, F.S.; requiring the Department of Revenue to conduct its audits, inspections, and interviews at reasonable times and places, with exceptions; amending s. 213.34, F.S.; directing the department to offset overpayments against deficiencies; creating s. 213.731, F.S.; requiring notice before collection action is taken; providing a taxpayer's right to protest and seek a review; creating s. 213.732, F.S.; providing procedural requirements, taxpayers' rights, and venue for certain legal actions with respect to jeopardy findings and assessments; creating s. 213.733, F.S.; providing for cancellation, amendment, or modification of warrants; amending ss. 199.262, 206.075, 211.125, 211.33, 212.14, 212.15, 220.719, and 220.815, F.S.; specifying procedures applicable if jeopardy to the revenue exists and is asserted in or with an assessment; repealing s. 220.719(4), F.S., relating to taxpayer protest regarding a jeopardy assessment lien; amending s. 20.21, F.S.; creating within the department the position of taxpayers' rights advocate and providing his responsibilities; amending s. 72.011, F.S.; prohibiting certain legal actions when an action has been initiated under s. 120.575, F.S.; amending s. 95.091, F.S.; requiring the department to commence an audit within a specified period of time after it issues a notice of intent to conduct an audit; amending s. 120.575, F.S., which provides procedures and requirements applicable when a taxpayer contests specified taxes, interest, penalties, or denials of refund; removing provisions which specify requirements applicable to proceedings involving tax on the sale or use of services; specifying conditions under which collection and enforcement of contested amounts is stayed; providing for recovery of legal costs, including attorney's fees; amending ss. 57.111 and 120.57, F.S., to conform; repealing s. 120.65(5), F.S., which provides for hearing officer panels for proceedings involving tax on the sale or use of services; amending s. 199.032, F.S.; increasing the rate of the annual intangible personal property tax; repealing s. 199.104, F.S., which provides for a credit against the annual tax for banks and savings associations; amending s. 199.185, F.S.; revising the amount of exemptions from the annual tax and providing an exemption for banks and savings associations; amending s. 199.292, F.S.; revising the disposition of such taxes; repealing s. 220.68, F.S., which provides a credit against the franchise tax based on intangible tax paid; amending s. 220.02, F.S., to conform; creating s. 199.106, F.S.; providing a credit against the annual tax on certain intangible personal property in the amount of any like tax paid on such property in another state or territory or the District of Columbia; providing for retroactive application; creating s. 199.303, F.S.; providing legislative intent regarding application of such taxes and severability; amending s. 220.13, F.S.; revising the definition of "adjusted federal income" for corporate income tax purposes to include a portion of interest deducted in computing federal taxable income; providing transitional provisions regarding estimated tax payments; amending s. 220.02, F.S.; revising legislative intent with respect to corporate income tax; amending s. 220.03, F.S.; including limited partnerships within the definition of "corporation" for purposes of said tax; amending s. 220.13, F.S.; providing for an additional adjustment in taxable income for limited partnerships; revising the definition of "taxable income" as applied to certain corporations; defining "taxable income" for purposes of limited partnerships; providing a limitation on acquisitions that may be deemed property by limited partnerships or S corporations after a specified date; providing for taxation of all income realized by limited partnerships or S corporations after a specified date; providing transitional provisions regarding estimated tax payments; creating s. 212.056, F.S.; amending s. 220.131, F.S.; providing for consolidated returns for certain limited partnerships; providing for levy of the tax on sales, use, and other transactions on the sale and use of certain services; providing for collecting and remitting thereof; requiring multistate purchasers that self-accrue the tax to file an annual supplementary tax return; creating s. 212.0561, F.S.; providing rules of construction with respect to said tax; creating s. 212.0562, F.S.; providing exemptions from said tax; creating s.

212.0563, F.S.; providing for administration of the exemption for services sold in this state for use outside this state; providing for exempt purchase permits and affidavits; requiring dealers to maintain monthly logs; providing a penalty; providing for refunds; amending s. 212.02, F.S.; providing definitions applicable to the tax on services; specifying conditions under which sale of a service is considered a sale for resale; specifying those activities included within the meaning of "services"; amending s. 212.05, F.S.; imposing a tax on the sale, use, consumption, or storage of certain coins and currency; amending ss. 212.03, 212.61, 203.01, and 790.0655, F.S.; correcting references; amending ss. 212.054, 212.0598, 212.06, 212.07, 212.12, and 212.21, F.S., relating to discretionary sales surtaxes, special provisions relating to air carriers, dealers and collection of tax, penalties for violation, enforcement, and intent regarding exemptions, to include the tax on services; amending s. 212.08, F.S.; including the sale of services in the exemption for churches; amending s. 212.11, F.S.; revising provisions relating to quarterly returns and authorizing quarterly returns for dealers registered as service providers under certain circumstances; amending s. 212.183, F.S.; authorizing the Department of Revenue to provide by rule for self-accrual of tax for purchasers of services; amending s. 212.20, F.S.; revising distribution of sales tax proceeds; amending s. 212.08, F.S.; revising qualifications for the sales tax exemptions for business property and electrical energy used in an enterprise zone; amending s. 220.182, F.S.; revising qualifications for the enterprise zone property tax credit; amending s. 290.0055, F.S.; revising the calculation for the determination of the total population of all areas authorized to be enterprise zones in certain counties; amending s. 212.055, F.S.; extending the authority of counties to levy the local government infrastructure sales surtax for an additional period, contingent on the rejection of a specified constitutional amendment; amending s. 212.02, F.S.; defining "sea trial"; amending s. 212.05, F.S.; revising requirements and conditions relating to the sales tax exemption provided for boats and airplanes removed from the state after purchase; amending s. 212.08, F.S.; revising requirements and conditions relating to the sales tax exemption provided for boats temporarily docked in the state; amending s. 212.06, F.S.; providing a presumption with respect to when boats are considered commingled with the general mass of property of the state; amending s. 561.025, F.S.; providing for the deposit of proceeds of the surtax on beverage license fees into the Alcoholic Beverage and Tobacco Trust Fund; amending s. 561.342, F.S.; providing for deduction of a service charge from county and municipal beverage license tax revenues; amending ss. 563.02, 564.02, and 565.02, F.S.; increasing the license fees for vendors of alcoholic beverages sold for consumption on the premises; increasing the license fees for certain clubs and pari-mutuel facilities; amending ss. 563.025 and 564.025, F.S.; increasing the surtax imposed on license fees for vendors of certain alcoholic beverages and wines; creating s. 565.025, F.S.; imposing a surtax on the license fees of vendors of alcoholic beverages licensed under ch. 565, F.S., including certain clubs and pari-mutuel facilities; creating s. 400.34, F.S.; imposing an assessment on nursing home facilities; providing definitions, exemptions, and fines; providing for the responsibility when ownership is transferred; amending s. 206.9855, F.S., providing for refund on aviation fuel used on international flights; providing for procedures and penalty; amending s. 206.9825, F.S., disallowing refunds to air carriers making certain elections; providing for an appropriation; providing for emergency rules; specifying administrative provisions applicable to other implementing rules; exempting the department from provisions regulating the procurement of property and services for a specified period; providing effective dates.

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

RETURNING MESSAGES—FINAL ACTION

The Honorable Gwen Margolis, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 48-H, SB 78-H, SB 152-H, SB 166-H, SB 180-H, SB 214-H; has admitted for introduction by the required Constitutional two-thirds vote and passed SB 134-H, SB 200-H, SB 226-H and SB 266-H.

John B. Phelps, Clerk

The bills contained in the foregoing message were ordered enrolled.

ROLL CALLS ON SENATE BILLS

**SB 140-H
Motion to Reconsider**

Yeas—17

Madam President	Gardner	Malchon	Wexler
Childers	Girardeau	Meek	Yancey
Dantzler	Jenne	Thomas	
Davis	Kirkpatrick	Weinstein	
Forman	Kurth	Weinstock	

Nays—20

Bankhead	Crenshaw	Grizzle	Myers
Beard	Crotty	Jennings	Plummer
Bruner	Diaz-Balart	Johnson	Scott
Burt	Dudley	Kiser	Souto
Casas	Grant	McKay	Walker

ENROLLING REPORTS

SJR 264-H has been enrolled, signed by the required Constitutional Officers and filed with the Secretary of State on June 19, 1992.

Senate Bills 28-H and 156-H have been enrolled, signed by the required Constitutional Officers and presented to the Governor on June 22, 1992.

Joe Brown, Secretary

CORRECTION AND APPROVAL OF JOURNAL

The Journal of June 18 was corrected and approved.

RECESS

On motion by Senator Thomas, the Senate recessed at 4:25 p.m. to reconvene upon call of the President.