



# Journal of the Senate

Number 11—Special Session H

Wednesday, June 24, 1992

## CALL TO ORDER

The Senate was called to order by the President at 11:00 a.m. A quorum present—38:

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

Excused: Senators Gordon and Thurman

## PRAYER

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

Heavenly Father, good morning. We need to go into the shed. By now, I know that you are probably tired of me. However, I am confused, concerned and crippled that, for the past several sessions, it seems as though you have been ignoring me.

Lord, I know that you are a compromising God and I know that you are gifted with the ability to look beyond our faults and see our needs.

Master, here I stand and I can do no more. If I continue failing to get through to you, time will waive the rules and I will soon become an unemployed reading clerk and chaplain. Lord, do not disappoint me. Please come through this chamber today.

In your name I submit. Amen.

## CONSIDERATION OF RESOLUTIONS

On motion by Senator Girardeau, by two-thirds vote **SR 232-H** was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Girardeau—

**SR 232-H**—A resolution honoring Dr. Walter L. Smith for developing a community college system for the Republic of South Africa and for his many other accomplishments.

WHEREAS, Dr. Walter L. Smith is Project Manager of the Tertiary Education Program Support Project for the United States Agency for International Development and has been working to create a 2-year community college system to solve many education problems of the Republic of South Africa, and

WHEREAS, Dr. Smith's vision for South Africa is to establish community colleges to allow students to attend day or evening classes for credit and later to transfer to universities or to technicians to complete their tertiary education, and

WHEREAS, Dr. Smith sees the creation of community colleges as a means to provide the mathematics, science, and other courses that will allow students to continue their educations or to find employment, and

WHEREAS, Dr. Smith was Professor of Education Administration and Director of the Multi-Cultural Education Center at Florida Agricultural and Mechanical University in Tallahassee, Florida, and Professor and Senior Fulbright Scholar at the University of Malawi in Zomba, Malawi, in Central Africa, and

WHEREAS, Dr. Smith served as President of Florida Agricultural and Mechanical University in Tallahassee, Florida, and of Roxbury Community College in Roxbury, Massachusetts, and

WHEREAS, Dr. Smith served, at different times, as Provost, Dean of Employee and Student Relations, and Collegium Director of Hillsborough Community College in Tampa, Florida, and

WHEREAS, Dr. Smith was Assistant Executive Secretary of the Florida Education Association and was Associate Regional Director for the National Education Association, and

WHEREAS, Dr. Smith was Education Program Officer of the Division of Equal Educational Opportunity and of the Division of Compensatory Education of the United States Office of Education, and

WHEREAS, Dr. Smith taught chemistry and biology and was head of a department of science in Hillsborough County, and

WHEREAS, Dr. Smith received his doctorate in Organization and Management of Higher Education from Florida State University, his master's and bachelor's degrees from Florida Agricultural and Mechanical University, and his associate's degree from Gibbs Junior College and received specialized training in improving teacher competencies from the Northwest Regional Educational Laboratories, and

WHEREAS, Dr. Smith studied African culture and history at the Universities of Legon and Ibadan in Africa and received a certificate in African Culture and History, and

WHEREAS, Dr. Smith is a graduate of the Educational Training Consultants Program of the Institute for Applied Behavioral Science, and

WHEREAS, Dr. Smith was an Education Profession Development Act Fellow, a Kellogg Fellow, and an African-American Institute Scholar, and

WHEREAS, Dr. Smith was a delegate to the United Nations Conference on Science and Technology for Development, and

WHEREAS, Dr. Smith served as educational consultant for the Puerto Rican system of higher education and served as a member of the National Education Task Force to study the Puerto Rican system of education, and

WHEREAS, Dr. Smith served as Education Consultant for the Northwest Regional Education Laboratory, and

WHEREAS, Dr. Smith was the architect and convener of three conferences on the Education of Blacks in Florida, and

WHEREAS, Dr. Smith served as Assistant to the Dean of the School of Education at Florida Agricultural and Mechanical University for the development of cross-cultural programs with the University of Florida, under a Carnegie grant, and

WHEREAS, Dr. Smith received grants from the Southern Education Foundation and the United States Office of Education to develop community and school relations programs, and

WHEREAS, Dr. Smith established the first center for human relations in Florida, and

WHEREAS, Dr. Smith served as consultant for the development of curricula at the Henri Christophe University, Cape Haitian, and International University, Port Au Prince, Haiti, and

WHEREAS, Dr. Smith has traveled extensively, and

WHEREAS, Dr. Smith has received numerous awards for his service to education, NOW, THEREFORE,

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

That the Florida Senate honor Dr. Walter L. Smith for developing a community college system for the Republic of South Africa and for his many other accomplishments.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Dr. Walter L. Smith as a tangible token of the respect of the members of the Florida Senate and in recognition of his many accomplishments in this state and all over the world.

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

On motion by Senator Girardeau, by two-thirds vote **SR 230-H** was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Girardeau—

**SR 230-H**—A resolution honoring Dr. Leonard H. O. Spearman, native of Tallahassee and graduate of Florida Agricultural and Mechanical University, who is the United States Ambassador to Lesotho.

WHEREAS, Dr. Leonard H. O. Spearman was sworn in on December 14, 1990, as U.S. Ambassador to Lesotho, and

WHEREAS, he previously completed a successful tour as U.S. Ambassador to Rwanda, where he was instrumental in maintaining strong bilateral relations between the United States Government and the Government of Rwanda, and

WHEREAS, prior to his entry into the diplomatic corps, Dr. Spearman served as Distinguished Professor of Psychology and President of Texas Southern University of Houston, and

WHEREAS, Dr. Spearman also served, from 1970-1980, in the Department of Health, Education, and Welfare as Associate Deputy Secretary for Higher Education, in which capacity he was responsible for administering student aid programs, including the Pell Grants, and a wide array of discretionary grant programs, and

WHEREAS, he has been Martin Luther King Lecturer at Rutgers University, Lecturer at Howard University, Guest Professor at Queens College, New York, and Professor of Psychology and Dean at Southern University, Baton Rouge, and

WHEREAS, Dr. Spearman was born in Tallahassee on July 8, 1929, the youngest of six children of the Late Rev. and Mrs. E. W. Spearman, and

WHEREAS, he earned the B.S. degree in 1947 from Florida Agricultural and Mechanical University and received the M.A. and Ph.D. degrees from the University of Michigan, and

WHEREAS, in addition, he holds five honorary doctorate degrees and has written many articles, and

WHEREAS, President Reagan appointed Dr. Spearman as Chairman of the Advisory Committee on International Education Programs (1984-1985) and appointed him to the Board of International Food and Agriculture Development (1986-1988), and

WHEREAS, he was a member of the U.S. Presidential delegation to Kenya's 20th Anniversary in 1983 and to Ghana's 30th Anniversary of Independence in 1988, and

WHEREAS, Dr. Spearman will have been married to Valeria Benkow Spearman for 40 years on December 21, and

WHEREAS, the Spearmans have three children, Attorney Leonard Spearman, Jr., of the Federal Housing Finance Board, Attorney Charles Spearman, Department of Commerce, and Lynn Spearman McKenzie, Department of Justice, and three granddaughters, Crystal, Ashley, and Katherine, NOW, THEREFORE,

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

That the Florida Senate honors Dr. Leonard H. O. Spearman, United States Ambassador to Lesotho, for his long and distinguished career in diplomacy and academia and expresses its pride in the accomplishments of this native son of our state.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be transmitted to Dr. and Mrs. Leonard H. O. Spearman, as a tangible token of the sentiments of the Florida Senate and a lasting symbol of the respect of its members.

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

On motion by Senator Walker, by two-thirds vote **SR 260-H** was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Walker—

**SR 260-H**—A resolution commending Patricia Seitz for her accomplishments in being chosen as President-elect of The Florida Bar for 1992-1993 and as President of The Florida Bar for 1993-1994.

WHEREAS, women have been striving for equality under the law for over 200 years, and

WHEREAS, Patricia Seitz, who began as an associate of the firm of Steel, Hector, and Davis in 1974, became a partner in 1980, and remains the only woman partner in the firm, and

WHEREAS, among her many accomplishments, Patricia Seitz has served three terms on The Florida Bar Board of Governors, chaired numerous committees and programs relating to the education and competency of members of her profession, held a number of leadership positions in community-service endeavors such as the Miami City Ballet, United Way, Dade-Monroe Mental Health Board, and the Greater Miami Chamber of Commerce, and

WHEREAS, Patricia Seitz has been a frequent lecturer and writer on behalf of The Florida Bar, the American Bar Association, and other professional associations, as well as having served as an Adjunct Professor in the University of Miami Trial Advocacy Program, and

WHEREAS, Patricia Seitz, after conducting a well-organized grass roots campaign, was recently elected as the first woman ever to serve as President of The Florida Bar, and

WHEREAS, it is both fitting and proper that this body pause in its deliberations to recognize and commend the accomplishments of the newly chosen President-elect of The Florida Bar, NOW, THEREFORE,

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

That the Florida Senate commends Patricia Seitz and recognizes her for her outstanding accomplishments in being chosen as the President-elect of The Florida Bar for 1992-1993 and as President of The Florida Bar for 1993-1994.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Patricia Seitz as a tangible token of the sentiments of the Florida Senate.

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

## MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Thomas, by two-thirds vote **HB 187-H** was withdrawn from the Committee on Finance, Taxation and Claims; **SB 224-H** was withdrawn from the Committees on Community Affairs; International Trade, Economic Development and Tourism; and Finance, Taxation and Claims; **CS for SB 248-H** was withdrawn from the Committees on Community Affairs; Finance, Taxation and Claims; and Appropriations.

On motions by Senator Thomas, by two-thirds vote **HB 187-H**, **SB 224-H** and **CS for SB 248-H** were established as the Special Order Calendar this day.

On motions by Senator Gardner, by two-thirds vote **SB 246-H**, **HB 107-H**, **HB 423-H**, **SB 240-H** and **HB 277-H** were withdrawn from the Committee on Appropriations.

## 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.

On motions by Senator Thomas, by two-thirds vote, **CS for SB 268-H** and **CS for HB 325-H** were placed on the Special Order Calendar this day.

**SPECIAL ORDER**

**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 read the second time by title. On motion by Senator Forman, by two-thirds vote **HB 187-H** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35      Nays—1

**SB 224-H**—A bill to be entitled An act relating to enterprise zones; 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; providing an effective date.

—was read the second time by title.

**POINT OF ORDER**

Senator Jenne raised a point of order that pursuant to Rule 2.14, **SB 224-H** should be referred to the Committee on Finance, Taxation and Claims.

**RULING ON POINT OF ORDER**

On recommendation of Senator Thomas, Chairman of the Committee on Rules and Calendar, the President ruled the point well taken.

**POINT OF ORDER**

Senator Grizzle raised a point of order that pursuant to Rule 2.14, **SB 224-H** should be rereferred to the Committee on Community Affairs.

**RULING ON POINT OF ORDER**

On recommendation of Senator Thomas, Chairman of the Committee on Rules and Calendar, the President ruled the point well taken.

**MOTIONS**

On motion by Senator Jenne, the rules were waived and the Committee on Finance, Taxation and Claims was granted permission to meet this day at 2:00 p.m. to consider **SB 224-H**.

On motions by Senator Grizzle, the rules were waived and the Committee on Community Affairs was granted permission to meet this day at 2:15 p.m., or upon adjournment of the meeting of the Committee on Finance, Taxation and Claims to consider **SB 174-H** and **SB 224-H**.

**SENATOR CHILDERS PRESIDING**

On motion by Senator Forman, consideration of **CS for SB 248-H** was deferred.

**RECESS**

On motion by Senator Thomas, the Senate recessed at 12:17 p.m. to reconvene at 3:00 p.m.

**CALL TO ORDER**

**AFTERNOON SESSION**

The Senate was called to order by the President at 4:33 p.m. A quorum present—38:

Madam President	Casas	Davis	Girardeau
Bankhead	Childers	Diaz-Balart	Grant
Beard	Crenshaw	Dudley	Grizzle
Bruner	Crotty	Forman	Jenne
Burt	Dantzler	Gardner	Jennings

Johnson	Malchon	Scott	Weinstock
Kirkpatrick	McKay	Souto	Wexler
Kiser	Meek	Thomas	Yancey
Kurth	Myers	Walker	
Langley	Plummer	Weinstein	

**SPECIAL ORDER, continued**

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

By Senator Gardner—

**SB 272-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.

—which was referred to the Committee on Appropriations.

On motions by Senator Gardner, by two-thirds vote **SB 272-H** was withdrawn from the Committee on Appropriations and by unanimous consent taken up out of order.

On motion by Senator Gardner, by two-thirds vote **SB 272-H** was read the second time by title.

Senator Weinstein moved the following amendment which was adopted:

**Amendment 1—**

SECTION 01	STRIKE:	INSERT:
PAGE 28		
ITEM 283		

COMMUNITY AFFAIRS, DEPARTMENT OF  
EMERGENCY MANAGEMENT, DIVISION OF

Insert new Specific Appropriation as follows:

283A	SPECIAL CATEGORIES	
	GRANTS AND AIDS - PAYMENT FLORIDA	
	WING/CIVIL AIR PATROL	
	FROM GENERAL REVENUE FUND	55,000

Senator Forman moved the following amendment which was adopted:

**Amendment 2—**

SECTION 1A  
PAGE 238  
ITEM

SECTION 1A - SALARIES AND BENEFITS  
2. BENEFITS

On page 238, strike all of paragraph 2) and insert the following language:

2) The Department of Administration or its successor agency shall amend any existing pharmaceutical contracts, including any necessary payment provisions thereof, to provide for a prescription drug reimbursement level at average wholesale price minus 12 percent for brand name drugs. All pharmaceutical contracts shall provide provisions for an open network that allows the participation of any pharmacy licensed under Chapter 465, Florida Statutes, that desires to participate pursuant to the reimbursement provisions of this section. The Department of Administration or its successor agency shall incorporate additional cost savings and adjustments required to balance the budget within the appropriations provided for the drug program within the State Health Self-Insurance Plan, including, but not limited to, the provisions contained in section 53, Chapter 92-69, Laws of Florida. The provisions of this section providing for a reimbursement level shall not be construed as affecting the mail order prescription drug program. This section does not authorize a reduction in the existing benefit configuration or allow premiums, deductions, or copayments to be raised above the levels specified in this section.

Senator Johnson moved the following amendments which were adopted:

**Amendment 3—**

SECTION 01  
PAGE 89  
ITEM 588

588 SPECIAL CATEGORIES  
CHALLENGE GRANTS

On page 89, after the first paragraph following line Item 588 insert:

From the funds in Specific Appropriation 588, the Board of Regents is authorized to transfer \$150,000 to the New College Foundation to match no less than \$300,000 in private donations for the purpose of creating an endowment for a faculty development program.

**Amendment 4—**

SECTION 01  
PAGE 207  
ITEM 1344

NATURAL RESOURCES, DEPARTMENT OF  
MARINE RESOURCES, DIVISION OF

1344 OTHER PERSONAL SERVICES FROM MARINE RESOURCES CONSERVATION TRUST FUND	STRIKE:  1,553,272	INSERT:  1,949,939
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Senators Kirkpatrick and Walker offered the following amendment which was moved by Senator Kirkpatrick and adopted:

**Amendment 5—**

SECTION 01  
PAGE 96  
ITEM 637

ENVIRONMENTAL REGULATION,  
DEPARTMENT OF

Insert the following proviso language immediately following Specific Appropriation 637:

From funds provided in Specific Appropriation 637, \$1,500,000 shall be used to match \$7,500,000 in Federal Farmers Home Administration Funds for the construction of a central sewage system.

Senator Gardner moved the following amendments which were adopted:

**Amendment 6—**

SECTION 01  
PAGE 63  
ITEM 516

PUBLIC SCHOOLS, DIVISION OF

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

In the last line of the fourth paragraph of proviso following Specific Appropriation 516 strike "2,346.99" and insert: 2,346.98

**Amendment 7—**

SECTION 01  
PAGE 142  
ITEM 989A

On line 1 of first paragraph of proviso on page 142, strike "have accrued" and insert: projected

and on line 6 of the same paragraph, strike "available" and insert: projected

**Amendment 8—**

SECTION 01  
PAGE 162  
ITEM 1140C

Strike the third paragraph immediately after Specific Appropriation 1140C.

**Amendment 9—**

SECTION 01  
PAGE 163  
ITEM 1140I

Strike the second paragraph immediately after Specific Appropriation 1140I.

**Amendment 10—**

SECTION 01  
PAGE 165  
ITEM 1142T

Strike the second paragraph immediately after Specific Appropriation 1142T.

**Amendment 11—**

SECTION 01  
PAGE 166  
ITEM 1142U

Strike the second paragraph immediately after Specific Appropriation 1142U.

**Amendment 12—**

SECTION 1C  
PAGE 256  
ITEM 1627CV

Insert proviso following Specific Appropriation 1627CV:

Of the funds provided in Specific Appropriation 1627CV, \$12,235,030 from General Revenue Fund is contingent upon SB 246-H or similar legislation becoming law.

Senator Myers moved the following amendments which were adopted:

**Amendment 13—**

SECTION 01  
ITEM 1074

STRIKE:                      INSERT:

INSURANCE, DEPARTMENT OF,  
OFFICE OF THE TREASURER  
DIVISION OF ADMINISTRATION

Following Item 1074 insert:

SPECIAL CATEGORIES FLORIDA HEALTHY KIDS PROGRAM FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND	0	350,000
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**Amendment 14—**

SECTION 01  
PAGE 149  
ITEM 1019

Insert proviso following Item 1019:

The prior authorization component shall be limited to all and related drugs in the H<sub>2</sub> antagonist, nonsteroidal anti-inflammatory and benzodiazepines therapeutic categories.

Prior authorization shall be approved by the department if the requesting practitioner certifies that the drug is medically indicated.

The department shall not require prior authorization for any drugs not authorized by this section.

The department shall report back to the Legislature by February 1, 1993 the net economic savings or loss realized by prior authorizing these drug categories as compared to increased utilization of other medical services.

This proviso shall stand repealed on June 30, 1993 unless re-enacted by the Legislature.

The vote was:

Yeas—20      Nays—15

On motion by Senator Gardner, the rules were waived and staff of the Committee on Appropriations was instructed to make title amendments and technical changes in **SB 272-H** as necessary.

On motion by Senator Gardner, by two-thirds vote **SB 272-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—32      Nays—6

On motion by Senator Dudley, by two-thirds vote **HB 355-H** was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Dudley, by unanimous consent—

**HB 355-H**—A bill to be entitled An act relating to Collier County; amending ch. 90-465, Laws of Florida, which prohibits the taking of saltwater fish, except by hook and line, hand-held cast nets, and with no more than five (5) crab traps, in the residential man-made saltwater canals in the unincorporated area of Collier County, to define those man-made saltwater canals within Collier County subject to the jurisdiction of the act; providing an effective date.

—was taken up out of order and read the second time by title. On motion by Senator Dudley, by two-thirds vote **HB 355-H** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38      Nays—None

On motion by Senator Thomas, by two-thirds vote **HB 7-H** was placed next on the Special Order Calendar.

**RECESS**

On motion by Senator Thomas, the Senate stood in informal recess at 6:38 p.m.

**CALL TO ORDER**

The Senate was called to order by the President at 6:43 p.m. A quorum present.

On motion by Senator Thomas, by two-thirds vote—

**HB 7-H**—A bill to be entitled An act relating to ad valorem taxation; amending s. 197.162, F.S.; extending the time periods during which a taxpayer may make early payment of taxes and qualify for a discount; amending s. 197.222, F.S.; extending the time periods during which a taxpayer may prepay estimated taxes by installment and qualify for a discount; amending s. 197.254, F.S.; revising requirements relating to the notice to taxpayers of the right to defer taxes; amending s. 197.262, F.S.; deleting the requirement for a separate deferred payment tax certificate

sale, and the requirement that unsold certificates be purchased by the State Board of Administration, and providing that such certificates be struck off to the county; amending s. 197.263, F.S.; providing for the sale of tax certificates for delinquencies of deferred taxes; amending s. 197.482, F.S.; excepting deferred payment tax certificates from the limitation upon lien of tax certificates; amending s. 197.502, F.S.; providing that provisions which require counties to make application for tax deeds do not apply to deferred payment tax certificates; repealing s. 215.47(2)(d), F.S., relating to investment by the State Board of Administration in deferred payment tax certificates; providing an effective date.

—was read the second time by title.

Senator Jenne moved the following amendment:

**Amendment 1 (with Title Amendment)**—Strike everything after the enacting clause and insert:

Section 1. Section 199.032, Florida Statutes, is amended to read:

199.032 Levy of annual tax.—An annual tax of 2 ~~1.5~~ mills is hereby imposed on each dollar of the just valuation of all intangible personal property which has a taxable situs in this state, except for notes and other obligations for the payment of money, other than bonds, which are secured by mortgage, deed of trust, or other lien upon real property situated in the state. This tax shall be assessed and collected as provided in this chapter.

Section 2. Effective December 31, 1992, subsections (2) and (4) of section 199.185, Florida Statutes, are amended, and subsection (5) is added to that section, to read:

199.185 Property exempted from annual and nonrecurring taxes.—

(2)(a) With respect to the first mill of the annual tax, every natural person is entitled each year to an exemption of the first \$20,000 of the value of property otherwise subject to said tax. A husband and wife filing jointly shall have an exemption of \$40,000.

(b) With respect to the last ~~.5~~ mill of the annual tax, every natural person is entitled each year to an exemption of the first \$100,000 of the value of property otherwise subject to said tax. A husband and wife filing jointly shall have an exemption of \$200,000.

Agents and fiduciaries, other than guardians and custodians under a gifts-to-minors act, filing as such may not claim this exemption on behalf of their principals or beneficiaries; however, if the principal or beneficiary returns the property held by the agent or fiduciary and is a natural person, the principal or beneficiary may claim the exemption. No taxpayer shall be entitled to more than one exemption under paragraph (a) and one exemption under paragraph (b). This exemption shall not apply to that intangible personal property described in s. 199.023(1)(d).

(4) Charitable trusts, 95 percent of the income of which is paid to organizations exempt from federal income tax pursuant to s. 501(c)3 of the Internal Revenue Code, shall be exempt from 1 ~~.5~~ mill of the tax imposed in s. 199.032

(5) A bank or savings association, as defined in s. 220.62, is exempt from 0.5 mill of the tax imposed by s. 199.032.

Section 3. Effective December 31, 1992, subsection (3) of section 199.292, Florida Statutes, is amended to read:

199.292 Disposition of intangible personal property taxes.—All intangible personal property taxes collected pursuant to this chapter shall be placed in a special fund designated as the "Intangible Tax Trust Fund." The fund shall be disbursed as follows:

(3) An amount equal to 33.5 ~~41.3~~ percent of the remaining intangible personal property taxes collected shall be transferred to the Revenue Sharing Trust Fund for Counties. An amount equal to 66.5 ~~58.7~~ percent of the remaining taxes collected shall be transferred to the General Revenue Fund of the state.

Section 4. Effective August 1, 1992, paragraph (e) of subsection (1) of section 212.05, Florida Statutes, is amended, and paragraph (k) is added to that subsection, to read:

212.05 Sales, storage, use tax.—It is hereby declared to be the legislative intent that every person is exercising a taxable privilege who engages in the business of selling tangible personal property at retail in this state, including the business of making mail order sales, or who rents or fur-

nishes any of the things or services taxable under this chapter, or who stores for use or consumption in this state any item or article of tangible personal property as defined herein and who leases or rents such property within the state.

(1) For the exercise of such privilege, a tax is levied on each taxable transaction or incident, which tax is due and payable as follows:

(e)1. At the rate of 6 percent on charges for all telegraph messages and long distance telephone calls beginning and terminating in this state; on charges for telecommunication service as defined in s. 203.012 and for those services described in s. 203.012(2)(a), *except that the tax rate for charges for nonresidential telecommunication services is 7 percent*; on all charges for any television system program service; on all charges for the installation of telecommunication and telegraphic equipment; and on all charges for electrical power or energy. For purposes of this part, "television system program service" means the transmitting, by any means, of any audio or video signal to a subscriber for other than retransmission, or the installing, connecting, reconnecting, disconnecting, moving, or changing of any equipment related to such service. For purposes of this part, the term "telecommunication service" does not include local service provided through a pay telephone. The provisions of s. 212.17(3), regarding credit for tax paid on charges subsequently found to be worthless, shall be equally applicable to any tax paid under the provisions of this section on charges for telecommunication or telegraph services or electric power subsequently found to be uncollectible. The word "charges" in this paragraph does not include any excise or similar tax levied by the Federal Government, any political subdivision of the state, or any municipality upon the purchase or sale of telecommunication, television system program, or telegraph service or electric power, which tax is collected by the seller from the purchaser.

2. Telegraph messages and telecommunication services which originate or terminate in this state, other than interstate private communication services, and are billed to a customer, telephone number, or device located within this state are taxable under this paragraph. Interstate private communication services are taxable under this paragraph as follows:

a. One hundred percent of the charge imposed at each channel termination point within this state;

b. One hundred percent of the charge imposed for the total channel mileage between each channel termination point within this state; and

c. The portion of the interstate interoffice channel mileage charge as determined by multiplying said charge times a fraction, the numerator of which is the air miles between the last channel termination point in this state and the vertical and horizontal coordinates, 7856 and 1756, respectively, and the denominator of which is the air miles between the last channel termination point in this state and the first channel termination point outside this state. The denominator of this fraction shall be adjusted, if necessary, by adding the numerator of said fraction to similarly determined air miles in the state in which the other channel termination point is located, so that the summation of the apportionment factor for this state and the apportionment factor for the other state is not greater than one, to ensure that no more than 100 percent of the interstate interoffice channel mileage charge can be taxed by this state and another state.

3. The tax imposed pursuant to this paragraph shall not exceed \$50,000 per calendar year on charges to any person for interstate telecommunication services defined in s. 203.012(4) and (7)(b), if the majority of such services used by such person are for communications originating outside of this state and terminating in this state. This exemption shall only be granted to holders of a direct pay permit issued pursuant to this subparagraph. No refunds shall be given for taxes paid prior to receiving a direct pay permit. Upon application, the department may issue a direct pay permit to the purchaser of telecommunication services authorizing such purchaser to pay tax on such services directly to the department. Any vendor furnishing telecommunication services to the holder of a valid direct pay permit shall be relieved of the obligation to collect and remit the tax on such service. Tax payments and returns pursuant to a direct pay permit shall be monthly. For purposes of this subparagraph, the term "person" shall be limited to a single legal entity and shall not be construed as meaning a group or combination of affiliated entities or entities controlled by one person or group of persons. For purposes of this subparagraph, for calendar year 1986, the term "calendar year" means the last 6 months of 1986.

(k) *At the rate of 7 percent for charges for nonresidential electric power service.*

Section 5. With respect to nonresidential telecommunication services and electric power services regularly billed on a monthly cycle basis, the sales taxes provided for in section 4 of this act apply to any bill dated on or after August 1, 1992.

Section 6. Effective August 1, 1992, paragraph (g) of subsection (6) of section 212.20, Florida Statutes, is amended to read:

212.20 Funds collected, disposition; additional powers of department; operational expense; refund of taxes adjudicated unconstitutionally collected.—

(6) Distribution of all proceeds under this part shall be as follows:

(g) The proceeds of all other taxes and fees imposed pursuant to this part shall be distributed as follows:

1. In any fiscal year, the greater of \$500 million, minus an amount equal to 4.6 percent of the proceeds of the taxes collected pursuant to chapter 201, or 5 percent of all other taxes and fees imposed pursuant to this part shall be deposited in monthly installments into the General Revenue Fund.

2. Two-tenths of one percent shall be transferred to the Solid Waste Management Trust Fund.

3. After the distribution under subparagraphs 1. and 2., *the following percentages 9.888 percent* of the amount remitted by a sales tax dealer located within a participating county pursuant to s. 218.61 shall be transferred into the Local Government Half-cent Sales Tax Clearing Trust Fund.:

a. *In the 1992-1993 state fiscal year, 9.801 percent.*

b. *In the 1993-1994 state fiscal year and thereafter, 9.793 percent.*

4. Beginning July 1, 1992, of the remaining proceeds, \$166,667 shall be distributed monthly by the department to each applicant that has been certified by the Department of Commerce as a "facility for a new professional sports franchise" pursuant to s. 288.1162 and \$41,667 shall be distributed monthly by the department to each applicant that has been certified by the Department of Commerce as a "new spring training franchise facility" pursuant to s. 288.1162. Distributions shall begin 60 days following such certification and shall continue for 30 years.

5. All other proceeds shall remain with the General Revenue Fund.

Section 7. Section 607.193, Florida Statutes, is created to read:

607.193 Supplemental corporate fee.—

(1) In addition to any other taxes imposed by law, an annual supplemental corporate fee of \$120 is imposed on each corporation that is authorized to transact business in this state and required to file an annual report with the Department of State under s. 607.1622 or s. 617.1622.

(2) This section does not apply to a nonprofit corporation that is exempt from federal income tax under s. 501(c)(3) of the Internal Revenue Code of 1986, as amended.

(3)(a) The corporation shall remit the supplemental corporate fee to the Department of State at the time it files the annual report required in s. 607.1622 or s. 617.1622.

(b) In addition to the fees levied under ss. 607.1622 and 617.1622 and the supplemental corporate fee, the following late charges shall be imposed if the annual report and supplemental corporate fee are remitted:

1. On or after April 1 but before May 1, \$5.

2. On or after May 1 but before June 1, \$10.

3. On or after June 1, \$15.

(4)(a) The supplemental corporate fee may not be included in computing estimated taxes under s. 212.11.

(b) The dealer's credit for collecting taxes and fees in s. 212.12 and the exemptions in chapter 212 do not apply to the supplemental corporate fee except as provided in this section.

(5) The Department of State shall adopt rules and prescribe forms necessary to carry out the purposes of this section. Notwithstanding s. 607.1901, proceeds from the supplemental corporate fee shall be deposited into the General Revenue Fund.

Section 8. Section 220.157, Florida Statutes, is created to read:

220.157 Supplemental corporate fee credit.—There is allowed a credit against the tax imposed by this chapter to all businesses required to pay the supplemental corporate fee under s. 607.193. The credit amount is equal to the amount of supplemental corporate fee paid and is allowed against taxes imposed by this chapter for the tax year in which the supplemental corporate fee is due. The credit shall be applied against the taxes imposed by this chapter after applying other allowable credits in the order specified in s. 220.02(10). Any amount of credit in excess of the fee due is not refundable or allowed as a carryover or carryback to any other tax year.

Section 9. Subsection (10) of section 220.02, Florida Statutes, is amended to read:

220.02 Legislative intent.—

(10) It is the intent of the Legislature that credits against either the corporate income tax or the franchise tax be applied in the following order: those enumerated in s. 220.68, those enumerated in s. 631.719(1), those enumerated in s. 631.705, those enumerated in s. 220.18, those enumerated in s. 631.828, those enumerated in s. 220.181, those enumerated in s. 220.183, those enumerated in s. 220.182, those enumerated in s. 221.02, those enumerated in s. 220.184, those enumerated in s. 220.186, and those enumerated in s. 220.188, and those enumerated in s. 220.157.

Section 10. Present subsection (25) of section 607.0122, Florida Statutes, is renumbered as subsection (26), and a new subsection (25) is added to that section, to read:

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

(25) Supplemental corporate fee: \$120.

Section 11. Subsections (2) and (5) of section 607.1622, Florida Statutes, are amended to read:

607.1622 Annual report for Department of State.—

(2) Proof to the satisfaction of the Department of State that on or before *June 1 July-1* such report was deposited in the United States mail in a sealed envelope, properly addressed with postage prepaid, shall be deemed compliance with this requirement.

(5) The first annual report must be delivered to the Department of State between January 1 and *June 1 July-1* of the year following the calendar year in which a domestic corporation was incorporated or a foreign corporation was authorized to transact business. Subsequent annual reports must be delivered to the Department of State between January 1 and *June 1 July-1* of the subsequent calendar years.

Section 12. Subsections (2) and (5) of section 617.1622, Florida Statutes, are amended to read:

617.1622 Annual report for Department of State.—

(2) The deposit of such report, on or before *June 1 July-1*, in the United States mail in a sealed envelope, properly addressed with postage prepaid, constitutes compliance with subsection (1).

(5) The first annual report must be delivered to the Department of State between January 1 and *June 1 July-1* of the year following the calendar year in which a domestic corporation was incorporated or a foreign corporation was authorized to conduct affairs. Subsequent annual reports must be delivered to the Department of State between January 1 and *June 1 July-1* of the subsequent calendar years.

Section 12. Except as otherwise provided in this act, this act shall take effect July 1, 1992, or upon becoming a law, whichever occurs later.

And the title is amended as follows:

In title, strike everything before the enacting clause and insert: A bill to be entitled An act relating to taxation; amending s. 199.032, F.S.; revising the tax rate on intangible personal property; amending s. 199.185,

F.S.; revising an exemption for a specified amount of property otherwise subject to such tax; revising the exemption from the tax provided to charitable trusts; providing an exemption for banks and savings associations; amending s. 199.292, F.S.; revising the distribution of proceeds of the intangible personal property tax; amending s. 212.05, F.S.; increasing the rate of tax on nonresidential telecommunication services; imposing a tax on charges for nonresidential electric power service; providing for application of such taxes; amending s. 212.20, F.S.; revising distribution of sales tax proceeds; creating s. 607.193, F.S.; imposing a supplemental corporate fee on corporations required to file an annual report with the Department of State; providing an exemption; providing requirements for remitting the fee; providing for late charges; providing rulemaking authority; providing for deposit of fee proceeds into the General Revenue Fund; creating s. 220.157, F.S.; providing a credit against corporate income tax liability for the supplemental corporate fee; amending s. 220.02, F.S.; providing for priority of corporate income tax credits; amending ss. 607.0122, 607.1622, 617.1622, F.S., relating to corporate filing fees and due dates for annual reports, to conform to changes made by the act; providing effective dates.

Senator Dantzer moved the following amendment to **Amendment 1** which was adopted:

**Amendment 1A (with Title Amendment)**—On page 7, line 25 through page 10, line 29, strike all of said lines and insert:

Section 7. Annual business fee.—

(1) This section may be cited as the "Annual Business Fee Act." The fee imposed in this section is in addition to all other taxes and fees imposed by law.

(2) As used in this section, the term:

(a) "Business" means any corporation and includes all domestic corporations; foreign corporations qualified to do business in this state or actually doing business in this state; chapter S corporations under s. 1362 of the Internal Revenue Code of 1986, as amended; joint-stock companies; limited liability companies under chapter 608, Florida Statutes; common-law declarations of trust under chapter 609, Florida Statutes; corporations not for profit under chapter 617, Florida Statutes, except nonprofit corporations that hold a current exemption from federal income tax under s. 501(c)(3) of the Internal Revenue Code of 1986, as amended; agricultural cooperative marketing associations under chapter 618, Florida Statutes; professional service corporations under chapter 621, Florida Statutes; foreign unincorporated associations under chapter 622, Florida Statutes; private school corporations under chapter 623, Florida Statutes; foreign corporations not for profit which are carrying on their activities in this state; and all other organizations, associations, legal entities, and artificial persons that are created by or pursuant to the statutes of this state, the United States, or any other state, territory, possession, or jurisdiction.

(b) "Department" means the Department of Revenue.

(3) Every business in this state shall pay an annual business fee of:

(a) \$75 for businesses with Florida gross receipts of less than \$250,000 in the preceding fiscal year;

(b) \$125 for businesses with Florida gross receipts of at least \$250,000 but less than \$750,000 in the preceding fiscal year;

(c) \$200 for businesses with Florida gross receipts of at least \$750,000 but less than \$1 million in the preceding fiscal year;

(d) \$500 for businesses with Florida gross receipts of at least \$1 million but less than \$5 million in the preceding fiscal year; or

(e) \$1,000 for businesses with Florida gross receipts of \$5 million or more in the preceding fiscal year.

Florida gross receipts shall be determined for purposes of this subsection by applying the apportionment formula contained in section 220.15, Florida Statutes, to the total gross receipts of the business as reported on its federal corporate tax return. Taxpayers that file a consolidated return under section 220.131, Florida Statutes, shall calculate Florida gross receipts for the consolidated group as a whole and constitute a single business for the purposes of this fee. The fee is applicable to each business regardless of its number of operating locations. Such fee shall be due, payable, and remitted to the department annually by January 1 of each year.

(4) The fee shall be remitted on a return provided by the department. Failure of any person to secure such return does not relieve him from liability for payment of the fee at the time and in the manner provided in this section. The department shall accept returns as timely filed if post-marked on or before the due date.

(5)(a) The department shall administer, collect, and enforce the annual business fee pursuant to the same procedures used in administering, collecting, and enforcing the general sales tax imposed under chapter 212, Florida Statutes. The provisions of chapter 212, Florida Statutes, regarding the authority to establish audit procedures and to assess delinquent taxes, the keeping of books and records, and interest and penalties on delinquent taxes apply.

(b) The annual business fee may not be included in computing estimated taxes under section 212.11, Florida Statutes.

(c) The dealer's credit for collecting taxes and fees in section 212.12, Florida Statutes, and the exemptions in chapter 212, Florida Statutes, do not apply to the annual business fee except as provided in this section.

(6) The department shall adopt rules and prescribe forms necessary to enforce this section. Notwithstanding section 607.1901, Florida Statutes, all proceeds from the annual business fee shall be deposited into the General Revenue Fund.

Section 8. Section 220.157, Florida Statutes, is created to read:

220.157 Annual business fee credit.—There is allowed a credit against the tax imposed by this chapter to all businesses required to pay the annual business fee under the Annual Business Fee Act. The credit amount is equal to the amount of annual business fee paid and is allowed against taxes imposed by this chapter for the tax year in which the annual business fee is due. The credit shall be applied against the taxes imposed by this chapter after applying other allowable credits in the order specified in s. 220.02(10). Any amount of credit in excess of the fee due is not refundable or allowed as a carryover or carryback to any other tax year.

Section 9. Subsection (10) of section 220.02, Florida Statutes, is amended to read:

220.02 Legislative intent.—

(10) It is the intent of the Legislature that credits against either the corporate income tax or the franchise tax be applied in the following order: those enumerated in s. 220.68, those enumerated in s. 631.719(1), those enumerated in s. 631.705, those enumerated in s. 220.18, those enumerated in s. 631.828, those enumerated in s. 220.181, those enumerated in s. 220.183, those enumerated in s. 220.182, those enumerated in s. 221.02, those enumerated in s. 220.184, those enumerated in s. 220.186, and those enumerated in s. 220.188, and those enumerated in s. 220.157.

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 11, line 30 through page 12, line 14, strike all of said lines and insert: proceeds; providing a short title; defining the term "business"; imposing an annual business fee on businesses operating in the state; providing requirements for remitting the annual business fee; providing rulemaking authority; providing for deposit of fee proceeds into the General Revenue Fund; creating s. 220.157, F.S.; providing a credit against corporate tax liability for the annual business fee; amending s. 220.02, F.S.; providing for order of application of the annual business fee credit;

The vote was:

Yeas—18 Nays—17

Amendment 1 as amended was adopted.

RECONSIDERATION OF AMENDMENT

On motion by Senator Jenne, the Senate reconsidered the vote by which Amendment 1 as amended was adopted. Amendment 1 as amended failed. The vote was:

Yeas—17 Nays—21

SENATOR CHILDERS PRESIDING

Senator Kiser moved the following amendment which was adopted:

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

Section 1. Subsections (2) and (5) of section 196.101, Florida Statutes, are amended to read:

196.101 Exemption for totally and permanently disabled persons.—

(2) Any real estate used and owned as a homestead by a paraplegic, hemiplegic, or other totally and permanently disabled person, as defined in s. 196.012(11), who must use a wheelchair for mobility or a person who is legally blind, is exempt from taxation.

(5) The physician's certification shall read as follows:

PHYSICIAN'S CERTIFICATION OF TOTAL AND PERMANENT DISABILITY

I, . . . (name of physician) . . . , a physician licensed pursuant to chapter 458, Florida Statutes, hereby certify Mr. . . . Mrs. . . . Miss . . . Ms. . . . (name of totally and permanently disabled person) . . . , social security number . . . , is totally and permanently disabled as of January 1, . . . (year) . . . , due to the following mental or physical condition(s):

- . . . . Quadriplegia
. . . . Paraplegia
. . . . Hemiplegia
. . . . Other total and permanent disability requiring use of a wheelchair for mobility
. . . . Legal Blindness

It is my professional belief that the above-named condition(s) render Mr. . . . Mrs. . . . Miss . . . Ms. . . . totally and permanently disabled, and that the foregoing statements are true, correct, and complete to the best of my knowledge and professional belief.

Signature.....
Date.....
Florida Board of Medicine license number.....
Issued on.....

NOTICE TO TAXPAYER: Each Florida resident applying for a total and permanent disability exemption must present to the county property appraiser, on or before March 1 of each year, a copy of this form (or a letter from the United States Veterans Administration). Each form is to be completed by a licensed Florida physician.

NOTICE TO TAXPAYER AND PHYSICIAN: Section 196.131(2), Florida Statutes, provides that any person who shall knowingly give false information for the purpose of claiming homestead exemption shall be guilty of a misdemeanor of the first degree, punishable by a term of imprisonment not exceeding 1 year or a fine not exceeding \$2,500, or both.

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 1, line 2, following the semicolon (;) insert: amending s. 196.101, F.S.; revising eligibility criteria for exemptions for totally and permanently disabled persons;

On motion by Senator Jenne, by two-thirds vote HB 7-H as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34 Nays—None

On motion by Senator Thomas, by two-thirds vote SB 224-H was placed next on the Special Order Calendar.

The Senate resumed consideration of—

**SB 224-H**—A bill to be entitled An act relating to enterprise zones; 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; providing an effective date.

—which had been previously considered this day.

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

**Amendment 1**—On page 1, line 11, strike everything after the enacting clause and insert:

Section 1. (1) Notwithstanding the provisions of section 212.08(5)(i) 1, Florida Statutes, and section 212.08(15)(e), Florida Statutes, relating to the requirements for eligibility for sales tax exemptions, business property purchased for use by a business located in an enterprise zone and charges for electrical energy used by a qualified business at a fixed location in an enterprise zone in a county the government of which is consolidated with that of one or more municipalities, shall be exempt from the tax imposed by chapter 212 if no less than 20 percent of the permanent employees of the business are currently or were at the time of hiring residents of an enterprise zone. All other requirements of the above-referenced sections shall apply to such businesses. All other requirements of section 212.08(5)(i) 1, Florida Statutes, and section 212.08(15)(e), Florida Statutes, shall apply to such businesses.

(2) Notwithstanding the provisions of section 220.182(10), Florida Statutes, for a business located in an enterprise zone in a county the government of which is consolidated with that of one or more municipalities, to be eligible for the credit, no less than 20 percent of its permanent employees must currently be residents of the enterprise zone or were at the time of hiring residents of the enterprise zone. For such businesses the statement required by section 220.182(10), Florida Statutes, must set forth, for each permanent employee who is not currently a resident of the enterprise zone, but who was a resident of the zone at the time of hiring, the place of residence of that employee at the time of hiring. All other requirements of section 220.182(10), Florida Statutes, shall apply to such businesses.

Section 2. This act shall take effect upon becoming a law.

Senator Jenne moved the following amendment to **Amendment 1** which was adopted:

**Amendment 1A**—On page 2, between lines 8 and 9, insert:

Section 2. Subsection (5) of section 290.0055, Florida Statutes, is amended to read:

290.0055 Local authorization of enterprise zones after January 1, 1986; requirements; application for state approval; change of boundaries.—

(5) The total population of all areas authorized to be enterprise zones in a county defined in section 125.011(1) may not exceed the greater of 10 percent of the total population of such county or the percentage of the total population of such county which is equal to the percentage, *plus 2 percent*, of families with incomes below the poverty level in such county. The population of a county, other than a county defined in section 125.011(1), shall be the unincorporated area population of such county.

(Renumber subsequent section.)

**Amendment 1** as amended was adopted.

Senator Jenne moved the following amendment:

**Amendment 2**—In title, on page 1, strike all of lines 2-8 and insert: An act relating to enterprise zones; revising qualifications for the sales tax exemptions for business property and electrical energy used in an enterprise zone in specified counties; revising qualifications for the enterprise zone property tax credit for certain counties; providing an effective date.

Senator Jenne moved the following amendment to **Amendment 2** which was adopted:

**Amendment 2A**—In title, on page 1, line 7, after the semicolon (;) insert: amending section 290.0055, Florida Statutes; revising the calculation for the determination of the total population of all areas authorized to be enterprise zones in certain counties;

**Amendment 2** as amended was adopted.

On motion by Senator Bankhead, by two-thirds vote **SB 224-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—37 Nays—None

**CS for SB 248-H**—A bill to be entitled An act relating to motor vehicle inspection; amending s. 325.202, F.S.; clarifying that inspection certificates may be issued by reinspection facilities; defining the terms “reinspection facility” and “dealer certificate”; amending s. 325.203, F.S.; providing exemptions; providing for inspection of vehicles owned or leased by federal and local governments; specifying the period for which a dealer certificate is valid; amending s. 325.209, F.S.; excluding vehicles offered for retail sale from eligibility for waiver; providing a limitation on the eligibility for a waiver from inspection requirements for persons who perform their own repairs; amending s. 325.211, F.S.; deleting a requirement pertaining to when repairs must occur; amending s. 325.212, F.S.; changing the term “certified” to “licensed”; clarifying the Department of Highway Safety and Motor Vehicle’s responsibility to monitor and evaluate reinspection facilities; providing that a reinspection facility may assess a fee for the reinspection of a vehicle that was not repaired by such facility; providing a limitation on such fees; amending s. 325.213, F.S.; providing for nonrefundable fees; deleting requirement for national criminal background check; providing for payment of processing costs by the applicant; providing for imposition of civil fines on reinspection facilities and self-inspectors for violations of law or rules; amending s. 325.214, F.S.; providing an additional fee for the issuance of a dealer certificate; amending s. 325.216, F.S.; prohibiting fraudulent acts or presentation of fraudulent documentation or information and providing penalties therefor; providing an effective date.

—was read the second time by title.

#### THE PRESIDENT PRESIDING

Senator Kiser moved the following amendment which was adopted:

**Amendment 1 (with Title Amendment)**—On page 8, strike all of lines 12-17 and insert: from assessing a reinspection fee. *A licensed reinspection facility is not required to reinspect any motor vehicle on which the facility has not performed repairs.*

And the title is amended as follows:

In title, on page 1, strike all of lines 24 and 25 and insert: reinspection facility is not required to reinspect a vehicle that was not repaired

On motion by Senator Forman, by two-thirds vote **CS for SB 248-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—35 Nays—None

#### BILLS ON THIRD READING

The Senate resumed consideration of—

**HB 21-H**—A bill to be entitled An act relating to the Uniform Commercial Code; amending s. 679.402, F.S.; revising language with respect to an additional fee and changing the fee required for filing any instrument permitted or required to be filed under the provisions of the code relating to secured transactions; amending s. 679.404, F.S.; revising language with respect to termination statements; amending s. 15.091, F.S.; revising language with respect to processing fees under the Uniform Commercial Code; providing appropriations; providing an effective date.

—which had been considered and amended June 23.

On motion by Senator Souto, **HB 21-H** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—22 Nays—9

#### REPORTS OF COMMITTEES

The Committee on Finance, Taxation and Claims recommends the following pass: **SB 224-H** with 1 amendment

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

The Committee on Community Affairs recommends the following pass: SB 224-H

**The bill was placed on the calendar.**

The Committee on Transportation recommends a committee substitute for the following: SB 252-H

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

## COMMITTEE SUBSTITUTES

### FIRST READING

By the Committee on Transportation and Senator Forman—

**CS for SB 252-H**—A bill to be entitled An act relating to motor vehicle registration and license plates; creating s. 320.0899, F.S.; requiring certain drivers who have been convicted of driving a motor vehicle with a license that has been suspended, canceled, or revoked to pay additional fees upon the registration of motor vehicles; providing a limitation; providing for distribution of such fees; creating s. 320.95, F.S.; authorizing recovery agents and agencies to seize license plates; providing for rules and for a contractual relationship with the Department of Highway Safety and Motor Vehicles; amending s. 324.201, F.S.; providing for the release of certain information to recovery agents or agencies; providing for the issuance of a coded driver's license to a person whose license has been suspended for failure to maintain financial responsibility; providing a fee; providing for distribution of such fee; providing a procedure when a recovery agent or agency obtains a seized license plate; amending s. 627.732, F.S.; defining the term "recovery agent"; amending s. 627.733, F.S.; providing for the disposition of fees with respect to certain license plates seized by recovery agents or agencies; creating s. 321.245, F.S.; authorizing a one-time payment to auxiliary law enforcement officers; providing an appropriation from the Impaired Drivers and Speeders Trust Fund to the Division of Vocational Rehabilitation of the Department of Labor and Employment Security to implement a personal care attendant program; 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 HB 7-H; has admitted for introduction by the required constitutional two-thirds vote and passed HB 371-H, passed as amended HB 391-H and HB 413-H and requests the concurrence of the Senate.

*John B. Phelps, Clerk*

By Representative Brown—

**HB 7-H**—A bill to be entitled An act relating to ad valorem taxation; amending s. 197.162, F.S.; extending the time periods during which a taxpayer may make early payment of taxes and qualify for a discount; amending s. 197.222, F.S.; extending the time periods during which a taxpayer may prepay estimated taxes by installment and qualify for a discount; amending s. 197.254, F.S.; revising requirements relating to the notice to taxpayers of the right to defer taxes; amending s. 197.262, F.S.; deleting the requirement for a separate deferred payment tax certificate sale, and the requirement that unsold certificates be purchased by the State Board of Administration, and providing that such certificates be struck off to the county; amending s. 197.263, F.S.; providing for the sale of tax certificates for delinquencies of deferred taxes; amending s. 197.482, F.S.; excepting deferred payment tax certificates from the limitation upon lien of tax certificates; amending s. 197.502, F.S.; providing that provisions which require counties to make application for tax deeds do not apply to deferred payment tax certificates; repealing s. 215.47(2)(d), F.S., relating to investment by the State Board of Administration in deferred payment tax certificates; providing an effective date.

(Considered on Special Order Calendar this day.)

On motion by Senator Thomas, by the required constitutional two-thirds vote of the Senate **HB 371-H** was admitted for introduction—

By the Committee on Appropriations and Representative Saunders and others—

**HB 371-H**—A bill to be entitled An act relating to citizen participation in efficient state government; providing legislative findings and intent; requiring the Comptroller to establish and operate a statewide toll-free hotline for certain purposes; providing for confidentiality; requiring a report the Legislature; providing an effective date.

—which was referred to the Committee on Rules and Calendar.

On motion by Senator Thomas, by the required constitutional two-thirds vote of the Senate **HB 391-H** was admitted for introduction—

By the Committee on Judiciary and Representatives Trammell and Burke—

**HB 391-H**—A bill to be entitled An act relating to the judiciary; amending s. 26.031, F.S.; increasing the number of judges for specified judicial circuits; amending s. 34.022, F.S.; increasing the number of judges for specified county courts; amending s. 35.06, Florida Statutes; increasing the number of judges for a specified district court of appeal; providing a contingency and effective dates.

—which was referred to the Committee on Rules and Calendar.

On motion by Senator Thomas, by the required constitutional two-thirds vote of the Senate **HB 413-H** was admitted for introduction.

By the Committee on Appropriations and Representative Saunders—

**HB 413-H**—A bill to be entitled An act relating to state programs and expenditures; providing legislative intent; providing for temporary suspension or delay of specified activities by state agencies in the areas of social services, environmental programs and natural resources, governmental operations, highway safety and motor vehicles, and education; amending s. 316.302, F.S.; exempting certain drivers of commercial motor vehicles from described federal requirements; providing severability; providing an effective date, including a contingent retroactive effective date.

—which was referred to the Committee on Rules and Calendar.

## RETURNING MESSAGES ON SENATE BILLS

*The Honorable Gwen Margolis, President*

I am directed to inform the Senate that the House of Representatives has passed with amendment SB 142-H and requests the concurrence of the Senate.

*John B. Phelps, Clerk*

**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 State-wide 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 Trans-

portation 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; 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 Execu-

tive 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, except for cases of tax assessment or tax refund; 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 for annual reports to the Auditor General by school districts with respect to their employees' sick leave; exempting the Department of Revenue from certain provisions of law relative to the implementation of the automated collection and enforcement system; prescribing the distribution of proceeds from the third series of Preservation 2000 bonds; authorizing a facility lease agreement for the London Program at Florida State University; authorizing the expenditure of a specified amount of operating funds at the discretion of the agency head to promote employee productivity and department improvement; prescribing reimbursement and use of funds relative to the acquisition and renovation of the RTC Building located in Orlando; 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; extending the reversion date for certain project funds at Florida Community College at Jacksonville; extending the reversion date for certain land acquisition and prescribing the use of such funds prior to development; requiring non-prevailing adverse parties in school district bid protests to make timely payment to the Division of Administrative Hearings; authorizing the use of certain funds for education operations by district school boards; authorizing the use of unobligated discretionary capital improvement millage to fund one-time expenditures for classroom materials; requiring the use of a specified amount of discretionary capital outlay millage for repair and replacement of vocational equipment; prescribing procedures regarding the filling of vacant positions; 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; authorizing judicial budget transfer authority under certain conditions; authorizing unexpended funds in the Office of Statewide Prosecution to be carried forward; prescribing the uses of such funds; providing severability; providing effective dates, including a retroactive effective date, and an expiration date.

**House Amendment 1 (with Title Amendment)**—Strike everything after the enacting clause and insert:

Section 1. *It is the intent of the Legislature that the implementing and administering provisions of this act apply to the General Appropriations Act for fiscal year 1992-1993.*

Section 2. *Notwithstanding the provisions of section 401.113(2), Florida Statutes, the Emergency Medical Services Trust Fund created in section 401.34(4), Florida Statutes, or section 401.345, Florida Statutes, as created by chapter 92-78, Laws of Florida, may be used to fund Medicaid reimbursement for patient transportation.*

Section 3. *Notwithstanding the provisions of section 409.903(5), Florida Statutes, funds in specific appropriations 994 through 1027 of the 1992-1993 General Appropriations Act 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 are eliminated.*

Section 4. *Notwithstanding the provisions of section 409.908(12)(b), Florida Statutes, funds in specific appropriation 1016 of the 1992-1993 General Appropriations Act for increases in obstetrical fees for Medicaid providers are eliminated, and the Department of Health and Rehabilitative Services shall reimburse physicians for obstetrical services based on the rates in effect on January 1, 1992.*

Section 5. *Notwithstanding the provisions of section 409.908(12)(a), Florida Statutes, funding for Medicaid physician fees is reduced, and the Department of Health and Rehabilitative Services is directed to amend the Medicaid maximum allowable fee schedule plan to implement the mandatory reserve reduction.*

Section 6. A statutory teaching hospital that had Medicaid covered days of 100,000 or more during the most recent fiscal year may elect to have its Agency for Health Care Administration assessment, that is payable on the last day of a quarter, deducted from any Medicaid disproportionate share payment due to such hospital for the quarter ending 6 months after the assessment due date. If the assessment is greater than the disproportionate share payment, or if no disproportionate share payment is due the hospital, the difference or full amount of the assessment (in cases in which no payment is due) shall be paid on or before the date the disproportionate share payment is made or would have been made.

Section 7. Notwithstanding the provisions of sections 408.033 and 408.038, Florida Statutes, as amended and renumbered by chapter 92-33, Laws of Florida, \$1,044,147 of the fees assessed pursuant to such sections shall be deposited into the Planning and Evaluation Trust Fund.

Section 8. The Correctional Education School Authority is directed to utilize federal Pell Grant funding to the fullest extent possible. The authority may contract for education services through the federal Pell Grant program; however, all such contracts shall be awarded by competitive sealed bidding. The Department of Corrections shall give priority consideration for employment to authority employees displaced by the reduction of the Correctional Education School Authority.

Section 9. Notwithstanding the provisions of section 332.007, Florida Statutes, the Department of Transportation is authorized to enter into a loan agreement with reliever airports having a runway of at least 6,400 feet for the development, including construction, of international passenger facilities, provided that such loan shall become due and payable not later than 10 years from the date of the agreement.

Section 10. Notwithstanding the provisions of section 341.053, Florida Statutes, the Department of Transportation is authorized to transfer funds to the Department of Commerce pursuant to specific appropriation 1767 in the 1992-1993 General Appropriations Act for the purpose of developing a trade data resource and research center.

Section 11. Notwithstanding the provisions of section 332.007, Florida Statutes, the Department of Transportation is authorized to enter into a loan agreement in an amount up to \$600,000 to implement the provisions of sections 331.301-331.354, Florida Statutes. Such loan shall become due upon receipt of a United States Department of Transportation grant by the loan recipient and made payable over a 2-year period commencing not later than 3 years after the date of the loan.

Section 12. Notwithstanding the provisions of section 216.301(3), Florida Statutes, specific appropriation 2025 of chapter 90-209, Laws of Florida, relating to the Addition - Kirkman Complex for the Department of Highway Safety and Motor Vehicles, shall not revert until April 30, 1993.

Section 13. The authorization to transfer funds within the Department of State from the Corporations Trust Fund of the Division of Corporations to the Division of Licensing Trust Fund, as provided in section 58(2) of chapter 87-247, Laws of Florida, is hereby extended to June 30, 1993, notwithstanding the provisions of section 215.18, Florida Statutes, and the authorized use of such funds shall be for review and appropriate action on existing gun permits and concealed weapons or firearms licenses and for creation of a system to reexamine each file upon renewal application.

Section 14. Notwithstanding the provisions of section 15.09(5), Florida Statutes, funds deposited into the Public Access Data Systems Trust Fund may be used by the Department of State to operate and maintain information systems and equipment purchased to provide greater public access to the information and records maintained by the department.

Section 15. Notwithstanding the provisions of section 213.27, Florida Statutes, the Department of Revenue is not required to use certified mail when providing notice pursuant to such section, but may utilize regular mail for such purposes. Also, notwithstanding the limitations of section 213.27, Florida Statutes, the Department of Revenue may contract pursuant to such section for collection of taxes, regardless of whether such taxes have become delinquent.

Section 16. In order to provide the \$20 million supplemental transfer to the Educational Enhancement Trust Fund in fiscal year 1992-

1993, notwithstanding section 24.121(2) and (4), Florida Statutes, the Department of the Lottery shall retain the necessary funds from unencumbered balances as of June 30, 1992, and the excess Lotto sales during the week ending February 29, 1992, over the average weekly sales estimated by the Revenue Estimating Conference as necessary to balance the department's appropriated operating budget for fiscal year 1992-1993.

Section 17. (1) The Resolution Trust Corporation Advisory Commission established pursuant to section 72 of chapter 91-157, Laws of Florida, shall continue its activities through June 30, 1993. The chairman shall be elected by the advisory commission members. Staff and financial resources to the advisory commission shall be provided from within funds appropriated in the 1992-1993 General Appropriations Act to the Department of Management Services. The purpose of the advisory commission is to review all properties managed by the Resolution Trust Corporation and make written recommendations to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Board of Trustees of the Internal Improvement Trust Fund as to which properties are available for purchase by the state at prices below market value; assessment of the state's need and purpose for the property; estimated cost to restore and rehabilitate property to meet state standards along with the estimated annual costs to operate and maintain property; and laws, policies, and rules needing revisions to facilitate purchase below market value.

(2) Notwithstanding any other provision of law to the contrary, by an affirmative vote of five members, the Board of Trustees of the Internal Improvement Trust Fund may direct the Department of Natural Resources to purchase or lease-purchase on an immediate basis lands containing real property that are suitable for state or other governmental agency operations and that are listed or placed at auction by the Federal Government as part of the Resolution Trust Corporation sale of lands from failed savings and loan associations. For such acquisitions, the board of trustees may waive or modify all procedures required for land acquisition pursuant to chapter 253, Florida Statutes, and all competitive bid procedures required pursuant to chapters 255 and 287, Florida Statutes. Any such purchases from the Conservation and Recreation Lands Trust Fund shall be subject to reimbursement by the agency benefiting from the purchase, contingent on future appropriations.

(3) Notwithstanding any other provision of law to the contrary, the Department of Management Services may enter into a lease with the Resolution Trust Corporation for leasing an entire building controlled by the Resolution Trust Corporation. The department may sublease space therein to any private agency, person, partnership, corporation, or business entity. The Division of Facilities Management shall operate, maintain, allocate space therein, assess and collect rent, and perform all other functions necessary as though the facility leased from the Resolution Trust Corporation were a state-owned facility.

Section 18. (1) The Division of Retirement of the Department of Management Services shall conduct a special actuarial study and submit a report to the President of the Senate, the Speaker of the House of Representatives, the Senate Minority Leader, and the House Minority Leader, by January 1, 1993, examining the financial impact of the following proposals on the Florida Retirement System:

- (a) Withdrawal of all dependent public hospitals from the system.
- (b) Withdrawal of all independent public hospitals from the system.
- (c) Withdrawal of all dependent and independent public hospitals from the system.
- (d) Partial withdrawal of dependent public hospitals, allowing only newly hired employees to choose between a private plan or the system.
- (e) Partial withdrawal of independent public hospitals, allowing only newly hired employees to choose between a private plan or the system.
- (f) Partial withdrawal of all dependent and independent public hospitals, allowing only newly hired employees to choose between a private plan or the system.

(2) The report shall also include, but not be limited to, information exclusive to dependent and independent hospitals regarding assets, liabilities, contributions, and potential changes to the contribution rates based on current and future liability to the Florida Retirement System.

Section 19. *The Commissioner of Education shall have the authority to compute a statewide adjusted aggregate amount for required local effort for all school districts collectively from ad valorem taxes to ensure that no school district's revenue from required local effort millage will produce more than 90 percent of the district's total Florida Education Finance Program (FEFP) calculation. The commissioner shall adjust the required local effort millage rate of each district that produces more than 90 percent of its total FEFP entitlement to a level that will produce only 90 percent of its FEFP entitlement.*

Section 20. *School districts' maximum total weighted full-time equivalent student enrollment shall be calculated using the procedure defined in section 236.081(1)(d), Florida Statutes, and shall be adjusted by including districts' grades K-8 basic summer school enrollment in group 2.*

Section 21. *If the requirements of chapters 228 through 237, Florida Statutes, prevent the orderly implementation of the provisions of chapter 90-49, Laws of Florida, such laws and related rules are hereby waived for fiscal year 1992-1993.*

Section 22. *Notwithstanding the provisions of sections 215.91, 215.92, 215.93, 215.94, and 110.116, Florida Statutes, the State University System shall develop a personnel system consistent with the intent of sections 215.91 and 110.116, Florida Statutes. The State University System shall develop this system to meet the payroll needs of the Department of Banking and Finance and the informational requirements of the Florida Fiscal Accounting Management Information System (FFAMIS) decision support system and shall be an integral part of the statewide data base established pursuant to proviso in the State University System budget in the 1992-1993 General Appropriations Act.*

Section 23. (1) *Notwithstanding the provisions of section 240.271(5), Florida Statutes, and pursuant to section 216.351, Florida Statutes, no adjustment shall be made to the allocation of funds for any university for the 1991-1992 and 1992-1993 fiscal years.*

(2) *This section shall take effect upon this act becoming a law.*

Section 24. *Notwithstanding the provisions of section 240.605(5)(a), Florida Statutes, no percentage increase adjustment is provided to the Financial Assistance Payments for Private Tuition Assistance in fiscal year 1992-1993.*

Section 25. *Notwithstanding the provisions of section 216.301(3), Florida Statutes, specific appropriation 2160 of chapter 90-209, Laws of Florida, relating to the Florida International University Library Addition (c) and Joint Center for Conflict Resolution (p,c,e), shall not revert until February 1, 1993.*

Section 26. *Notwithstanding the provisions of section 216.301(3), Florida Statutes, specific appropriation 2156 of chapter 90-209, Laws of Florida, relating to Capital Improvement Fee projects in the amount of \$65,000,000, shall not revert until February 1, 1993.*

Section 27. *Notwithstanding the provisions of section 216.301(3), Florida Statutes, specific appropriation 2108B, along with proviso language, of chapter 89-253, Laws of Florida, as extended to June 30, 1992, by section 39 of chapter 90-340, Laws of Florida, relating to the University of Central Florida Solar Energy Center, shall not revert until February 1, 1993.*

Section 28. *Notwithstanding the provisions of section 216.301(3), Florida Statutes, specific appropriation 2042E of chapter 89-253, Laws of Florida, as extended to April 1, 1992, by section 43 of chapter 90-340, Laws of Florida, relating to the University of Florida Library Center East - Renovation/Restoration project, shall not revert until February 1, 1993.*

Section 29. *The amount of the University of West Florida project entitled Student Activity Lodge Design (p,c), as contained within specific appropriation 1951AA of chapter 86-167 and section 56 of chapter 88-557, Laws of Florida, is amended to read \$0; and the \$30,925 is added to the 1990-1991 University of West Florida Commons Building Renovation and Expansion project.*

Section 30. *The amount of the University of West Florida project entitled Outdoor Recreation Facility Expansion and Other Campus Enhancement Structures (p,c,e), as contained within specific appropriation 1951AA of chapter 86-167 and section 56 of chapter 88-557, Laws*

*of Florida, is amended to read \$741,093; and the reduced amount of \$58,067 is added to the 1990-1991 University of West Florida Commons Building Renovation and Expansion project.*

Section 31. *The amount of the Florida International University project entitled University House Renovation - University Park, as contained within chapter 90-209, section 2C, item 2156, Laws of Florida, is amended to read \$613,798; and the reduced amount of \$250,000 will be used for a new phase of the University House/Graham Center Addition - University Park.*

Section 32. *The amount of Florida International University project entitled Swimming Pool/Access - University Park, as contained within chapter 90-209, section 2C, item 2156, Laws of Florida, is amended to read \$0; and \$200,000 will be added to the University House/Graham Center Addition - University Park. The remaining amount of \$197,000 will be added to the Multi-Purpose Stadium Complex - University Park.*

Section 33. *The amount of Florida International University project entitled Student Center Addition - North Miami, as contained within chapter 90-209, section 2C, item 2156, Laws of Florida, is amended to read \$0; and the entire appropriated amount of \$2,126,000 will be added to the University House/Graham Center Addition - University Park. The total amount for the new phase of the University House/Graham Center Addition is \$2,576,000.*

Section 34. *Notwithstanding the provisions of section 216.301(3), Florida Statutes, the unexpended balances of the Rem/Ren Bldg #8 Classroom/Lab - Melbourne project of Brevard Community College contained within specific appropriation 2159 of chapter 90-209, Laws of Florida, and authorized not to revert until April 1, 1993, pursuant to section 31 of chapter 91-157, Laws of Florida, may be used for the remodeling/renovation of Building #1 on the Melbourne Campus.*

Section 35. *Notwithstanding the provisions of section 216.301(3), Florida Statutes, specific appropriation 2159 of chapter 90-209, Laws of Florida, relating to the Rem/Ren Bldg E - Kent project for Florida Community College at Jacksonville, shall not revert until February 1, 1993.*

Section 36. *Notwithstanding the provisions of section 216.301(3), Florida Statutes, specific appropriation 2159 of chapter 90-209, Laws of Florida, relating to the Performing Arts - South (p) project for Florida Community College at Jacksonville, shall not revert until February 1, 1993.*

Section 37. *Notwithstanding the provisions of section 216.301(3), Florida Statutes, specific appropriation 2159 of chapter 90-209, Laws of Florida, relating to the Child Care Facil - Kent project for Florida Community College at Jacksonville, shall not revert until February 1, 1993.*

Section 38. *Notwithstanding the provisions of section 216.301(3), Florida Statutes, specific appropriation 2159 of chapter 90-209, Laws of Florida, relating to the Energy Conservation - Collegewide project for Florida Community College at Jacksonville, shall not revert until February 1, 1993.*

Section 39. *Notwithstanding the provisions of section 216.301(3), Florida Statutes, specific appropriation 2171 of chapter 90-209, Laws of Florida, relating to the asbestos abatement project for Florida Community College at Jacksonville, shall not revert until February 1, 1993.*

Section 40. *Notwithstanding the provisions of section 216.301(3), Florida Statutes, specific appropriation 2159 of chapter 90-209, Laws of Florida, relating to the Site Acquisition - (s) project for Gulf Coast Community College, shall not revert until February 1, 1993.*

Section 41. *Notwithstanding the provisions of section 216.301(3), Florida Statutes, funds for the project entitled Land Acquisition/Brandon Campus (s) for Hillsborough Community College contained within specific appropriation 2159 of chapter 90-209, Laws of Florida, shall not revert until February 1, 1993, and the unexpended balances of funds within this item may be used for construction of additional parking on the Brandon Campus.*

Section 42. *Notwithstanding the provisions of section 216.301(3), Florida Statutes, funds for the project entitled Land Acquisition (s) for Lake-Sumter Community College contained within specific appropriation 2159 of chapter 90-209, Laws of Florida, and the project entitled Land Acquisition for Lake-Sumter Community College contained within specific appropriation 1978 of chapter 91-193, Laws of Florida, shall not revert until February 1, 1993, and the unexpended balances of funds within these items may be used for infrastructure, site development, and planning for the project.*

Section 43. Notwithstanding the provisions of section 216.301(3), Florida Statutes, funds for the project entitled Sumter School District - Comprehensive High School contained in specific appropriation 2090D of chapter 90-209, Laws of Florida, shall not revert until February 1, 1993.

Section 44. The Division of Bond Finance of the State Board of Administration is hereby authorized to refinance any or all bonds previously issued pursuant to the provisions of Article VII, Section 11(d) of the State Constitution, and all projects which have been built or are scheduled to be built with the proceeds of bonds previously issued pursuant to the provisions of Article VII, Section 11(d) of the State Constitution are hereby approved in accordance with the provisions of Article VII, Section 11(e) of the State Constitution for the purposes of one or more refinancings of any or all of such bonds as may be determined by the Division of Bond Finance. The bonds authorized to be issued shall not be counted towards any statutory limit on the dollar amount of bonds which may be issued for any bond program.

Section 45. Notwithstanding any other provision of law to the contrary, the amount required to ensure a balance of \$150 million in the Working Capital Fund at the end of fiscal year 1992-1993 shall be transferred from the invested cash balance of the trust fund investment pool to the Working Capital Fund.

Section 46. Notwithstanding any other provision of law to the contrary, section 11.13(1)(b), Florida Statutes, shall not apply with respect to the 1992-1993 fiscal year. Any legislator may voluntarily reduce his or her salary by 3 percent. The Governor, the Lieutenant Governor, and any member of the Cabinet may also voluntarily reduce his or her salary by 3 percent.

Section 47. Notwithstanding the provisions of section 216.301(3), Florida Statutes, funds provided in specific appropriation 1990 of chapter 91-193, Laws of Florida, relating to planning for a residential magnet school in Brevard County, in the amount of \$1,200,000 shall not revert until February 1, 1994.

Section 48. Notwithstanding the provisions of section 240.35, Florida Statutes, or any other provision of the law to the contrary, each community college is authorized to grant student fee exemptions from all fees adopted by the State Board of Community Colleges and the community college board of trustees for up to 40 full-time equivalent students at that community college.

Section 49. Notwithstanding the provisions of section 216.301(3), Florida Statutes, specific appropriation 2160 of chapter 90-209, Laws of Florida, relating to State University System land acquisition, and specific appropriation 1979 of chapter 91-193, Laws of Florida, relating to State University System land acquisition, shall not revert until February 1, 1993; and up to 5 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.

Section 50. Notwithstanding the provisions of sections 243.151(2) and 255.25, Florida Statutes, the Board of Regents is authorized to enter into a multiyear lease agreement for a facility with the Florida State University Foundation or any other direct-support organization organized to support the London International Program at Florida State University. Funds for the lease payments may be made from program funds, student charges, and those educational funds appropriated to support lease and rental payments of the program.

Section 51. Notwithstanding the provisions of section 215.32(2)(b), Florida Statutes, as amended by section 14 of chapter 92-142, Laws of Florida, sponsored research overhead trust funds within the State University System shall be exempt from transfer to the Working Capital Fund in the General Appropriations Act.

Section 52. Notwithstanding the provisions of section 216.181(10), Florida Statutes, as amended by chapter 92-142, Laws of Florida, the Executive Office of the Governor, for an agency, and the Chief Justice of the Supreme Court, for the judicial branch, may approve changes in the amounts appropriated from state trust funds in excess of those in the approved operating budget when necessary to conduct the business of the State of Florida. Any actions under the authority granted by this section shall be subject to the notice and review requirements established in section 216.177, Florida Statutes. The Executive Office of the Governor and the Chief Justice shall maintain an accounting of the number of and reasons for these changes, in a format prescribed by the legislative appropriations committees, and shall provide the accounting to either legislative appropriations committee upon the request of its chairman.

Section 53. Notwithstanding the provisions of section 376.22, Florida Statutes, or any other provision of law to the contrary, the unobligated balance in the Port Trust Fund as of July 1, 1992, shall be transferred to the General Revenue Fund.

Section 54. Notwithstanding the provisions of section 20.04(6), Florida Statutes, and the provisions of section 20.42, Florida Statutes, as created by chapter 92-33, Laws of Florida, in order to facilitate the establishment of the Agency for Health Care Administration in the Department of Professional Regulation, the Executive Office of the Governor is authorized to establish up to two additional divisions within the agency and approve other changes to the organizational structure of the agency.

Section 55. Notwithstanding the provisions of chapter 92-33, Laws of Florida, to transfer the resources associated with the local and statewide health councils, as created in section 381.703(1) and (2), Florida Statutes, and transferred to section 408.033(1) and (2), Florida Statutes, by section 17 of chapter 92-33, Laws of Florida, such councils are hereby transferred by a type four transfer, as defined in section 20.06(4), Florida Statutes, from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration.

Section 56. Section 339 of chapter 92-279, Laws of Florida, is amended to read:

Section 339. Except as otherwise expressly provided in this act, this act shall take effect July 1, 1992 ~~January 1, 1993~~, except that this section and sections 322, 323, 324, and 325 of this act shall take effect upon this act becoming a law.

Section 57. Notwithstanding the provisions of chapter 216, Florida Statutes, or any other provision of law to the contrary, the Chief Justice of the Supreme Court 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 through the process set forth in section 216.177, Florida Statutes. The Chief Justice shall also have the authority to transfer funds internally between the appropriations in the budget for administered funds-judicial in excess of 5 percent of such appropriations for the sole purpose of addressing anticipated deficits in such appropriations through the process set forth in section 216.177, Florida Statutes.

Section 58. 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 or 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 Senate Minority Leader, and the House Minority Leader 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 Management Services 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.

Section 59. (1) In addition and pursuant to the provisions governing the pilot project established in section 324 of chapter 92-279, Laws of Florida, the Legislature also grants to the Department of Insurance, the Department of Commerce, and the Department of State for fiscal year 1992-1993 authority to act outside of the established personnel and budgeting requirements of the Florida Statutes.

(2) *The Productivity Advisory Group created in section 324(3) of chapter 92-279, Laws of Florida, shall perform the same duties listed in that section for the departments listed in this section.*

(3) *For purposes of authorizing this extension of the pilot program, the department heads of the Departments of Insurance, Commerce, and State are authorized to implement the procedures cited in section 324(4) of chapter 92-279, Laws of Florida, during the 1992-1993 fiscal year, in lieu of the statutory procedures otherwise applicable to state agencies.*

(4) *For the purposes of this extension of the pilot program, the Legislature declares an emergency and the departments are authorized to adopt and revise emergency rules implementing the departments' personnel and budgeting system or any other provision of this section, and to promulgate permanent rules as needed.*

(5) *Notwithstanding the provisions of section 325 of chapter 92-279, Laws of Florida, each 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.*

Section 60. *Notwithstanding the provisions of chapter 92-276, Laws of Florida, a state agency may seek budget amendments pursuant to the provisions of chapter 216, Florida Statutes, under the following circumstances:*

(1) *To provide budget authority for an agency to receive and expend a Coastal Zone Grant from the Department of Community Affairs; and*

(2) *To allow the expenditure of additional federal funds which may be provided to the State of Florida not presently anticipated in the 1992-1993 General Appropriations Act.*

Section 61. *Notwithstanding the provisions of section 216.181(14), Florida Statutes, as amended by chapter 92-142, Laws of Florida, interest earned on funds advanced from specific appropriations 1535F, 1491A, and 1481A of the 1986-1987, 1987-1988, and 1988-1989 General Appropriations Acts, respectively, relating to Grants and Aids - Local Recreational Development Projects, that has not been returned to the state as of July 1, 1992, may be retained by the grantee to support the purpose of the original appropriations.*

Section 62. *Notwithstanding the provisions of section 14.22, Florida Statutes, the Department of Commerce shall administer the operations of the Sunshine State Games.*

Section 63. *Notwithstanding the provisions of section 253.023(10), Florida Statutes, the Conservation and Recreation Lands Trust Fund may be used to fund the land management activities of the Florida Park System.*

Section 64. *The Florida Health Access Corporation created by section 409.701, Florida Statutes, shall:*

(1) *Establish criteria for determining when and what levels of ongoing subsidies should be provided to ensure health care coverage for low-income employees and their dependents and marginally profitable businesses;*

(2) *Study the feasibility of and develop criteria for phasing out subsidies of health care coverage for small businesses that have been purchasing coverage through the corporation for at least 3 years;*

(3) *Test the feasibility of brokering health care coverage for small businesses with a mixture of subsidized and unsubsidized participants; and*

(4) *In conjunction with the Florida Health Care Purchasing Cooperative, develop purchasing specifications for purchasing health care coverage.*

*The corporation shall submit a report and recommendations addressing each of these activities to the Governor, the President of the Senate, and the Speaker of the House of Representatives by December 31, 1993.*

Section 65. (1) *Notwithstanding the provisions of section 373.59(5) and (7), Florida Statutes, the Department of Environmental Regulation shall transfer in the form of a loan up to \$800,000 from unobligated funds in any account within the Water Management Lands Trust Fund to the St. Johns River Water Management District for the purpose of paying bond indebtedness. Any such funds loaned pursuant to this section shall be repaid by July 1, 1996.*

(2) *This section shall take effect June 1, 1992, or upon this act becoming a law, whichever occurs later; however, in the event this section fails to become a law until after June 1, 1992, it shall operate retroactively thereto.*

Section 66. *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.*

Section 67. *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.*

Section 68. *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.*

Section 69. *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 programs 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.*

Section 70. *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.*

Section 71. *Notwithstanding the provisions of section 110.123, Florida Statutes, the Department of Management Services 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 this section. 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 basis. Any increase in total premium costs resulting from these new premium schedules shall be borne solely by the employee. The Department of Management Services 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 Management Services 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.

Section 72. Notwithstanding the provisions of section 216.301(3), 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.

Section 73. 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.

Section 74. 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 50 percent complete in the construction phase and are funded for nonprofit social services providers, and whose facilities are conveyed to the state for ownership.

Section 75. Notwithstanding the provisions of sections 145.19(2), 230.202, and 230.303, Florida Statutes, or any other provision of law to the contrary, the annual total compensation of each district school board member and each elected superintendent of schools for fiscal year 1992-1993 shall remain the same as the amount paid in fiscal year 1991-1992.

Section 76. Notwithstanding the provisions of section 240.2605(2), Florida Statutes, or any other provision of law to the contrary, the grant provided for the Collins Center for Public Policy in specific appropriation 588 of the 1992-1993 General Appropriations Act shall be matched by a \$100,000 contribution from private sources.

Section 77. 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.

Section 78. Notwithstanding the provisions of section 218.369, Florida Statutes, or any other provision of law to the contrary, the term "unit of local government," as used in ss. 218.37, 218.38, 218.385, and 218.386, Florida Statutes, except where exception is made, means a county, municipality, special district, local agency, authority, school board or school district or instrumentality thereof, the Board of Regents, for reporting purposes, a consolidated city-county government, or any other local governmental body or public body corporate and politic authorized or created by general or special law and granted the power to issue general obligation or revenue bonds; and the words "general obligation or revenue bonds" shall be interpreted to include within their scope general obligation bonds, revenue bonds, special assessment bonds, limited revenue bonds, special obligation bonds, debentures, lease-purchase agreements and certificates of participation with an amount of principal payments under the agreement or series of agreements of \$2,000,000 or greater, and any other evidence of indebtedness, but not bond anticipation notes.

Section 79. During meetings of the Parole Commission that are held in the State Capitol Complex or other state facilities throughout the state, security shall be provided by the Division of Capitol Police of the Department of Management Services.

Section 80. Notwithstanding any other provision of law to the contrary, in any instance when the various agencies and entities of the State of Florida purchase any commodity or service first priority preference shall be given to vendors whose business entity is located within the state.

Section 81. If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared severable.

Section 82. Except as otherwise provided in this act and except for this section, which shall take effect upon becoming a law, this act shall take effect July 1, 1992, or in the event this act fails to become a law until after that date, it shall operate retroactively thereto. This act shall expire and be void and inoperative on July 1, 1993.

And the title is amended as follows:

Strike the entire title and insert: 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 Agency for Health Care Administration 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; 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; 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 Management Services 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 State Board of Administration 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, the Governor, the Lieutenant Governor, and members of the Cabinet to voluntarily reduce salary by a specified percentage; providing that funds relating to planning for a residential magnet school in Brevard County shall not revert until a specified date; authorizing community colleges to grant student fee exemptions for a specified number of full-time equivalent students; providing that certain State University System land acquisition funds shall not revert until a specified date and authorizing use of a portion of these funds for unimproved parking under certain circumstances; authorizing the Board of Regents to enter into a lease agreement for a facility with the Florida State University Foundation or any other direct-support organization organized to support the London International Program at Florida State University and providing funding sources therefor; exempting sponsored research overhead trust funds within the State University System from transfer to the Working Capital Fund in the General Appropriations Act; authorizing the Executive Office of the Governor and the Chief Justice of the Supreme Court to approve certain budget changes under certain circumstances and requiring the Executive Office of the Governor and the Chief Justice to maintain an accounting of these changes and to provide this accounting to the legislative appropriations committees upon request; transferring the unobligated balance of the Port Trust Fund to the General Revenue Fund; authorizing the Executive Office of the Governor to establish new divisions in the Agency for Health Care Administration and to approve other changes to the agency's organizational structure; transferring the local and statewide health councils to the Agency for Health Care Administration by a type four transfer; amending s. 339, ch. 92-279, Laws of Florida; providing an earlier effective date for the reorganization of the Departments of Administration and General Services; authorizing the Chief Justice of the Supreme Court to transfer certain funds for the purpose of addressing anticipated deficits; prescribing limitations on the filling of vacant positions within executive branch agencies and the legislative branch; requiring reports with respect to filling vacant positions; authorizing the Departments of Insurance, Commerce, and State to implement certain procedures in lieu of statutory procedures in areas of personnel and budgeting for a specified period; providing for emergency rules; providing certain circumstances under which a state agency may seek budget amendments; authorizing the retention of certain interest earned on funds advanced for grants and aids for local recreational development projects; 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; prescribing duties of the Florida Health Access Corporation with respect to provision of health care to specified persons and entities; requiring the Department of Environmental Regulation to loan moneys to the St. Johns River Water Management District to pay bond indebtedness; providing for annual reports to the Auditor General by school districts with respect to their employees' sick leave; exempting the Department of Revenue from certain provisions of law relative to the implementation of the automated collection and enforcement system; prescribing the distribution of proceeds from the third series of Preservation 2000 bonds; authorizing the expenditure of a specified amount of operating funds at the discretion of the agency head to promote employee productivity and department improvement; prescribing reimbursement and use of funds relative to the acquisition and renovation of the RTC Building located in Orlando; prescribing duties of the Department of Management Services relative to premium schedules and other aspects of the Health Maintenance Organization (HMO) and the State Group Health Self-Insurance Plan; extending the reversion date for certain project funds at Florida Community College at Jacksonville; authorizing the Department of Health and Rehabilitative Services to utilize general revenue funds to extend AFDC and Medicaid benefits to certain asylum applicants; authorizing the Department of Health and Rehabilitative Services to retain funds otherwise reverting for funding certain capital outlay projects; retaining salaries of school board members and superintendents of schools at fiscal year 1991-1992 levels; requiring a specified matching contribution for the Collins Center for Public Policy; authorizing the use of unobligated discretionary capital improvement millage to fund one-time expenditures for classroom materials; revising a definition applicable to provisions relating to local government bonds; providing for security at meetings of the Parole Commission; providing first priority to Florida vendors for the purchases by the State; providing severability; providing effective dates, including a retroactive effective date, and an expiration date.

#### SENATOR FORMAN PRESIDING

Senator Gardner moved the following amendment:

**Senate Amendment 1 (with Title Amendment) to House Amendment 1**—On page 1, line 13 through page 35, line 21, strike all of said lines and insert:

Section 1. It is the intent of the Legislature that the implementing and administering provisions of this act apply to the General Appropriations Act for fiscal year 1992-1993.

Section 2. Notwithstanding the provisions of section 401.113(2), Florida Statutes, the Emergency Medical Services Trust Fund created in section 401.34(4), Florida Statutes, or section 401.345, Florida Statutes, as created by chapter 92-78, Laws of Florida, may be used to fund Medicaid reimbursement for patient transportation.

Section 3. Notwithstanding the provisions of section 409.903(5), Florida Statutes, funds in specific appropriations 994 through 1027 of the 1992-1993 General Appropriations Act 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 are eliminated.

Section 4. Notwithstanding the provisions of section 409.908(12)(b), Florida Statutes, funds in specific appropriation 1016 of the 1992-1993 General Appropriations Act for increases in obstetrical fees for Medicaid providers are eliminated, and the Department of Health and Rehabilitative Services shall reimburse physicians for obstetrical services based on the rates in effect on January 1, 1992.

Section 5. Notwithstanding the provisions of section 409.908(12)(a), Florida Statutes, funding for Medicaid physician fees is reduced, and the Department of Health and Rehabilitative Services is directed to amend the Medicaid maximum allowable fee schedule plan to implement the mandatory reserve reduction.

Section 6. A statutory teaching hospital that had Medicaid covered days of 100,000 or more during the most recent fiscal year may elect to have its Agency for Health Care Administration assessment, that is payable on the last day of a quarter, deducted from any Medicaid disproportionate share payment due to such hospital for the quarter ending 6 months after the assessment due date. If the assessment is greater than the disproportionate share payment, or if no disproportionate share payment is due the hospital, the difference or full amount of the assessment (in cases in which no payment is due) shall be paid on or before the date the disproportionate share payment is made or would have been made.

Section 7. Notwithstanding the provisions of sections 408.033 and 408.038, Florida Statutes, as amended and renumbered by chapter 92-33, Laws of Florida, \$1,044,147 of the fees assessed pursuant to such sections shall be deposited into the Planning and Evaluation Trust Fund.

Section 8. The Correctional Education School Authority is directed to utilize federal Pell Grant funding to the fullest extent possible. The authority may contract for education services through the federal Pell Grant program; however, all such contracts shall be awarded by competitive sealed bidding. The Department of Corrections shall give priority consideration for employment to authority employees displaced by the reduction of the Correctional Education School Authority.

Section 9. Notwithstanding the provisions of section 332.007, Florida Statutes, the Department of Transportation is authorized to enter into a loan agreement with reliever airports having a runway of at least 6,400 feet for the development, including construction, of international passenger facilities, provided that such loan shall become due and payable not later than 10 years from the date of the agreement.

Section 10. Notwithstanding the provisions of section 341.053, Florida Statutes, the Department of Transportation is authorized to transfer funds to the Department of Commerce pursuant to specific appropriation 1767 in the 1992-1993 General Appropriations Act for the purpose of developing a trade data resource and research center.

Section 11. Notwithstanding the provisions of section 332.007, Florida Statutes, the Department of Transportation is authorized to enter into a loan agreement in an amount up to \$600,000 to implement the provisions of sections 331.301-331.354, Florida Statutes. Such loan shall become due upon receipt of a United States Department of Transportation grant by the loan recipient and made payable over a 2-year period commencing not later than 3 years after the date of the loan.

Section 12. Notwithstanding the provisions of section 216.301(3), Florida Statutes, specific appropriation 2025 of chapter 90-209, Laws of Florida, relating to the Addition - Kirkman Complex for the Department of Highway Safety and Motor Vehicles, shall not revert until April 30, 1993.

Section 13. The authorization to transfer funds within the Department of State from the Corporations Trust Fund of the Division of Corporations to the Division of Licensing Trust Fund, as provided in section 58(2) of chapter 87-247, Laws of Florida, is hereby extended to June 30, 1993, notwithstanding the provisions of section 215.18, Florida Statutes, and the authorized use of such funds shall be for review and appropriate action on existing gun permits and concealed weapons or firearms licenses and for creation of a system to reexamine each file upon renewal application.

Section 14. Notwithstanding the provisions of section 15.09(5), Florida Statutes, funds deposited into the Public Access Data Systems Trust Fund may be used by the Department of State to operate and maintain information systems and equipment purchased to provide greater public access to the information and records maintained by the department.

Section 15. Notwithstanding the provisions of section 213.27, Florida Statutes, the Department of Revenue is not required to use certified mail when providing notice pursuant to such section, but may utilize regular mail for such purposes. Also, notwithstanding the limitations of section 213.27, Florida Statutes, the Department of Revenue may contract pursuant to such section for collection of taxes, regardless of whether such taxes have become delinquent.

Section 16. In order to provide the \$20 million supplemental transfer to the Educational Enhancement Trust Fund in fiscal year 1992-1993, notwithstanding section 24.121(2) and (4), Florida Statutes, the Department of the Lottery shall retain the necessary funds from unencumbered balances as of June 30, 1992, and the excess Lotto sales during the week ending February 29, 1992, over the average weekly sales estimated by the Revenue Estimating Conference as necessary to balance the department's appropriated operating budget for fiscal year 1992-1993.

Section 17. (1) The Resolution Trust Corporation Advisory Commission established pursuant to section 72 of chapter 91-157, Laws of Florida, shall continue its activities through June 30, 1993. The chairman shall be elected by the advisory commission members. Staff and financial resources to the advisory commission shall be provided from within funds appropriated in the 1992-1993 General Appropriations Act to the Department of Management Services. The purpose of the advisory commission

is to review all properties managed by the Resolution Trust Corporation and make written recommendations to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Board of Trustees of the Internal Improvement Trust Fund as to which properties are available for purchase by the state at prices below market value; assessment of the state's need and purpose for the property; estimated cost to restore and rehabilitate property to meet state standards along with the estimated annual costs to operate and maintain property; and laws, policies, and rules needing revisions to facilitate purchase below market value.

(2) Notwithstanding any other provision of law to the contrary, by an affirmative vote of five members, the Board of Trustees of the Internal Improvement Trust Fund may direct the Department of Natural Resources to purchase or lease-purchase on an immediate basis lands containing real property that are suitable for state or other governmental agency operations and that are listed or placed at auction by the Federal Government as part of the Resolution Trust Corporation sale of lands from failed savings and loan associations. For such acquisitions, the board of trustees may waive or modify all procedures required for land acquisition pursuant to chapter 253, Florida Statutes, and all competitive bid procedures required pursuant to chapters 255 and 287, Florida Statutes. Any such purchases from the Conservation and Recreation Lands Trust Fund shall be subject to reimbursement by the agency benefiting from the purchase, contingent on future appropriations.

(3) Notwithstanding any other provision of law to the contrary, the Department of Management Services may enter into a lease with the Resolution Trust Corporation for leasing an entire building controlled by the Resolution Trust Corporation. The department may sublease space therein to any private agency, person, partnership, corporation, or business entity. The Division of Facilities Management shall operate, maintain, allocate space therein, assess and collect rent, and perform all other functions necessary as though the facility leased from the Resolution Trust Corporation were a state-owned facility.

Section 18. (1) The Division of Retirement of the Department of Management Services shall conduct a special actuarial study and submit a report to the President of the Senate, the Speaker of the House of Representatives, the Senate Minority Leader, and the House Minority Leader, by January 1, 1993, examining the financial impact of the following proposals on the Florida Retirement System:

- (a) Withdrawal of all dependent public hospitals from the system.
- (b) Withdrawal of all independent public hospitals from the system.
- (c) Withdrawal of all dependent and independent public hospitals from the system.
- (d) Partial withdrawal of dependent public hospitals, allowing only newly hired employees to choose between a private plan or the system.
- (e) Partial withdrawal of independent public hospitals, allowing only newly hired employees to choose between a private plan or the system.
- (f) Partial withdrawal of all dependent and independent public hospitals, allowing only newly hired employees to choose between a private plan or the system.

(2) The report shall also include, but not be limited to, information exclusive to dependent and independent hospitals regarding assets, liabilities, contributions, and potential changes to the contribution rates based on current and future liability to the Florida Retirement System.

Section 19. The Commissioner of Education shall have the authority to compute a statewide adjusted aggregate amount for required local effort for all school districts collectively from ad valorem taxes to ensure that no school district's revenue from required local effort millage will produce more than 90 percent of the district's total Florida Education Finance Program (FEFP) calculation. The commissioner shall adjust the required local effort millage rate of each district that produces more than 90 percent of its total FEFP entitlement to a level that will produce only 90 percent of its FEFP entitlement.

Section 20. School districts' maximum total weighted full-time equivalent student enrollment shall be calculated using the procedure defined in section 236.081(1)(d), Florida Statutes, and shall be adjusted by including districts' grades K-8 basic summer school enrollment in group 2.

Section 21. If the requirements of chapters 228 through 237, Florida Statutes, prevent the orderly implementation of the provisions of chapter 90-49, Laws of Florida, such laws and related rules are hereby waived for fiscal year 1992-1993.

Section 22. Notwithstanding the provisions of sections 215.91, 215.92, 215.93, 215.94, and 110.116, Florida Statutes, the State University System shall develop a personnel system consistent with the intent of sections 215.91 and 110.116, Florida Statutes. The State University System shall develop this system to meet the payroll needs of the Department of Banking and Finance and the informational requirements of the Florida Fiscal Accounting Management Information System (FFAMIS) decision support system and shall be an integral part of the statewide data base established pursuant to proviso in the State University System budget in the 1992-1993 General Appropriations Act.

Section 23. (1) Notwithstanding the provisions of section 240.271(5), Florida Statutes, and pursuant to section 216.351, Florida Statutes, no adjustment shall be made to the allocation of funds for any university for the 1991-1992 and 1992-1993 fiscal years.

(2) This section shall take effect upon this act becoming a law.

Section 24. Notwithstanding the provisions of section 240.605(5)(a), Florida Statutes, no percentage increase adjustment is provided to the Financial Assistance Payments for Private Tuition Assistance in fiscal year 1992-1993.

Section 25. Notwithstanding the provisions of section 216.301(3), Florida Statutes, specific appropriation 2160 of chapter 90-209, Laws of Florida, relating to the Florida International University Library Addition (c) and Joint Center for Conflict Resolution (p,c,e), shall not revert until February 1, 1993.

Section 26. Notwithstanding the provisions of section 216.301(3), Florida Statutes, specific appropriation 2156 of chapter 90-209, Laws of Florida, relating to Capital Improvement Fee projects in the amount of \$65,000,000, shall not revert until February 1, 1993.

Section 27. Notwithstanding the provisions of section 216.301(3), Florida Statutes, specific appropriation 2108B, along with proviso language, of chapter 89-253, Laws of Florida, as extended to June 30, 1992, by section 39 of chapter 90-340, Laws of Florida, relating to the University of Central Florida Solar Energy Center, shall not revert until February 1, 1993.

Section 28. Notwithstanding the provisions of section 216.301(3), Florida Statutes, specific appropriation 2042E of chapter 89-253, Laws of Florida, as extended to April 1, 1992, by section 43 of chapter 90-340, Laws of Florida, relating to the University of Florida Library Center East - Renovation/Restoration project, shall not revert until February 1, 1993.

Section 29. The amount of the University of West Florida project entitled Student Activity Lodge Design (p,c), as contained within specific appropriation 1951AA of chapter 86-167 and section 56 of chapter 88-557, Laws of Florida, is amended to read \$0; and the \$30,925 is added to the 1990-1991 University of West Florida Commons Building Renovation and Expansion project.

Section 30. The amount of the University of West Florida project entitled Outdoor Recreation Facility Expansion and Other Campus Enhancement Structures (p,c,e), as contained within specific appropriation 1951AA of chapter 86-167 and section 56 of chapter 88-557, Laws of Florida, is amended to read \$741,093; and the reduced amount of \$58,067 is added to the 1990-1991 University of West Florida Commons Building Renovation and Expansion project.

Section 31. The amount of the Florida International University project entitled University House Renovation - University Park, as contained within chapter 90-209, section 2C, item 2156, Laws of Florida, is amended to read \$613,798, and the reduced amount of \$250,000 will be used for a new phase of the University House/Graham Center Addition - University Park.

Section 32. The amount of Florida International University project entitled Swimming Pool/Access - University Park, as contained within chapter 90-209, section 2C, item 2156, Laws of Florida, is amended to read \$0; and \$200,000 will be added to the University House/Graham Center Addition - University Park. The remaining amount of \$197,000 will be added to the Multi-Purpose Stadium Complex - University Park.

Section 33. The amount of Florida International University project entitled Student Center Addition - North Miami, as contained within chapter 90-209, section 2C, item 2156, Laws of Florida, is amended to read \$0; and the entire appropriated amount of \$2,126,000 will be added to the University House/Graham Center Addition - University Park. The total amount for the new phase of the University House/Graham Center Addition is \$2,576,000.

Section 34. Notwithstanding the provisions of section 216.301(3), Florida Statutes, the unexpended balances of the Rem/Ren Bldg #8 Classroom/Lab - Melbourne project of Brevard Community College contained within specific appropriation 2159 of chapter 90-209, Laws of Florida, and authorized not to revert until April 1, 1993, pursuant to section 31 of chapter 91-157, Laws of Florida, may be used for the remodeling/renovation of Building #1 on the Melbourne Campus.

Section 35. Notwithstanding the provisions of section 216.301(3), Florida Statutes, specific appropriation 2159 of chapter 90-209, Laws of Florida, relating to the Rem/Ren Bldg E - Kent project for Florida Community College at Jacksonville, shall not revert until February 1, 1993.

Section 36. Notwithstanding the provisions of section 216.301(3), Florida Statutes, specific appropriation 2159 of chapter 90-209, Laws of Florida, relating to the Performing Arts - South (p) project for Florida Community College at Jacksonville, shall not revert until February 1, 1993.

Section 37. Notwithstanding the provisions of section 216.301(3), Florida Statutes, specific appropriation 2159 of chapter 90-209, Laws of Florida, relating to the Child Care Facil - Kent project for Florida Community College at Jacksonville, shall not revert until February 1, 1993.

Section 38. Notwithstanding the provisions of section 216.301(3), Florida Statutes, specific appropriation 2159 of chapter 90-209, Laws of Florida, relating to the Energy Conservation - Collegewide project for Florida Community College at Jacksonville, shall not revert until February 1, 1993.

Section 39. Notwithstanding the provisions of section 216.301(3), Florida Statutes, specific appropriation 2171 of chapter 90-209, Laws of Florida, relating to the asbestos abatement project for Florida Community College at Jacksonville, shall not revert until February 1, 1993.

Section 40. Notwithstanding the provisions of section 216.301(3), Florida Statutes, specific appropriation 2159 of chapter 90-209, Laws of Florida, relating to the Site Acquisition - (s) project for Gulf Coast Community College, shall not revert until February 1, 1993.

Section 41. Notwithstanding the provisions of section 216.301(3), Florida Statutes, funds for the project entitled Land Acquisition/Brandon Campus (s) for Hillsborough Community College contained within specific appropriation 2159 of chapter 90-209, Laws of Florida, shall not revert until February 1, 1993, and the unexpended balances of funds within this item may be used for construction of additional parking on the Brandon Campus.

Section 42. Notwithstanding the provisions of section 216.301(3), Florida Statutes, funds for the project entitled Land Acquisition (s) for Lake-Sumter Community College contained within specific appropriation 2159 of chapter 90-209, Laws of Florida, and the project entitled Land Acquisition for Lake-Sumter Community College contained within specific appropriation 1978 of chapter 91-193, Laws of Florida, shall not revert until February 1, 1993, and the unexpended balances of funds within these items may be used for infrastructure, site development, and planning for the project.

Section 43. Notwithstanding the provisions of section 216.301(3), Florida Statutes, funds for the project entitled Sumter School District - Comprehensive High School contained in specific appropriation 2090D of chapter 90-209, Laws of Florida, shall not revert until February 1, 1993.

Section 44. The Division of Bond Finance of the State Board of Administration is hereby authorized to refinance any or all bonds previously issued pursuant to the provisions of Article VII, Section 11(d) of the State Constitution, and all projects which have been built or are scheduled to be built with the proceeds of bonds previously issued pursuant to the provisions of Article VII, Section 11(d) of the State Constitution are hereby approved in accordance with the provisions of Article VII, Section 11(e) of the State Constitution for the purposes of one or more refinancings of any or all of such bonds as may be determined by the Division of Bond Finance. The bonds authorized to be issued shall not be counted towards any statutory limit on the dollar amount of bonds which may be issued for any bond program.

Section 45. Notwithstanding any other provision of law to the contrary, the amount required to ensure a balance of \$150 million in the Working Capital Fund at the end of fiscal year 1992-1993 shall be transferred from the invested cash balance of the trust fund investment pool to the Working Capital Fund.

Section 46. Notwithstanding any other provision of law to the contrary, section 11.13(1)(b), Florida Statutes, shall not apply with respect to the 1992-1993 fiscal year. Any legislator may voluntarily reduce his or her salary by 3 percent. The Governor, the Lieutenant Governor, and any member of the Cabinet may also voluntarily reduce his or her salary by 3 percent.

Section 47. Notwithstanding the provisions of section 216.301(3), Florida Statutes, funds provided in specific appropriation 1990 of chapter 91-193, Laws of Florida, relating to planning for a residential magnet school in Brevard County, in the amount of \$1,200,000 shall not revert until February 1, 1994.

Section 48. Notwithstanding the provisions of section 240.35, Florida Statutes, or any other provision of the law to the contrary, each community college is authorized to grant student fee exemptions from all fees adopted by the State Board of Community Colleges and the community college board of trustees for up to 40 full-time equivalent students at that community college.

Section 49. Notwithstanding the provisions of section 216.301(3), Florida Statutes, specific appropriation 2160 of chapter 90-209, Laws of Florida, relating to State University System land acquisition, and specific appropriation 1979 of chapter 91-193, Laws of Florida, relating to State University System land acquisition, shall not revert until February 1, 1993; and up to 5 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.

Section 50. Notwithstanding the provisions of sections 243.151(2) and 255.25, Florida Statutes, the Board of Regents is authorized to enter into a multiyear lease agreement for a facility with the Florida State University Foundation or any other direct-support organization organized to support the London International Program at Florida State University. Funds for the lease payments may be made from program funds, student charges, and those educational funds appropriated to support lease and rental payments of the program.

Section 51. Notwithstanding the provisions of section 216.181(10), Florida Statutes, as amended by chapter 92-142, Laws of Florida, the Executive Office of the Governor, for an agency, and the Chief Justice of the Supreme Court, for the judicial branch, may approve changes in the amounts appropriated from state trust funds in excess of those in the approved operating budget when necessary to conduct the business of the State of Florida. Any actions under the authority granted by this section shall be subject to the notice and review requirements established in section 216.177, Florida Statutes. The Executive Office of the Governor and the Chief Justice shall maintain an accounting of the number of and reasons for these changes, in a format prescribed by the legislative appropriations committees, and shall provide the accounting to either legislative appropriations committee upon the request of its chairman.

Section 52. Notwithstanding the provisions of section 376.22, Florida Statutes, or any other provision of law to the contrary, the unobligated balance in the Port Trust Fund as of July 1, 1992, shall be transferred to the General Revenue Fund.

Section 53. Notwithstanding the provisions of section 20.04(6), Florida Statutes, and the provisions of section 20.42, Florida Statutes, as created by chapter 92-33, Laws of Florida, in order to facilitate the establishment of the Agency for Health Care Administration in the Department of Professional Regulation, the Executive Office of the Governor is authorized to establish up to two additional divisions within the agency and approve other changes to the organizational structure of the agency.

Section 54. Notwithstanding the provisions of chapter 92-33, Laws of Florida, which failed to transfer the resources associated with the local and statewide health councils, as created in section 381.703(1) and (2), Florida Statutes, and transferred to section 408.033(1) and (2), Florida Statutes, by section 17 of chapter 92-33, Laws of Florida, such councils are hereby transferred by a type four transfer, as defined in section 20.06(4), Florida Statutes, from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration.

Section 55. Section 339 of chapter 92-279, Laws of Florida, is amended to read:

Section 339. Except as otherwise expressly provided in this act, this act shall take effect ~~July 1, 1992~~ ~~January 1, 1993~~, except that this section and sections 322, 323, 324, and 325 of this act shall take effect upon this act becoming a law.

Section 56. Notwithstanding the provisions of chapter 216, Florida Statutes, or any other provision of law to the contrary, the Chief Justice of the Supreme Court 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 through the process set forth in section 216.177, Florida Statutes. The Chief Justice shall also have the authority to transfer funds internally between the appropriations in the budget for administered funds-judicial in excess of 5 percent of such appropriations for the sole purpose of addressing anticipated deficits in such appropriations through the process set forth in section 216.177, Florida Statutes.

Section 57. 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 or 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 Senate Minority Leader, and the House Minority Leader 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 Management Services 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.

Section 58. (1) In addition and pursuant to the provisions governing the pilot project established in section 324 of chapter 92-279, Laws of Florida, the Legislature also grants to the Department of Insurance, the Department of Commerce, and the Department of State for fiscal year 1992-1993 authority to act outside of the established personnel and budgeting requirements of the Florida Statutes.

(2) The Productivity Advisory Group created in section 324(3) of chapter 92-279, Laws of Florida, shall perform the same duties listed in that section for the departments listed in this section.

(3) For purposes of authorizing this extension of the pilot program, the department heads of the Departments of Insurance, Commerce, and State are authorized to implement the procedures cited in section 324(4) of chapter 92-279, Laws of Florida, during the 1992-1993 fiscal year, in lieu of the statutory procedures otherwise applicable to state agencies.

(4) For the purposes of this extension of the pilot program, the Legislature declares an emergency and the departments are authorized to adopt and revise emergency rules implementing the departments' personnel and budgeting system or any other provision of this section, and to promulgate permanent rules as needed.

(5) Notwithstanding the provisions of section 325 of chapter 92-279, Laws of Florida, each 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.

Section 59. Notwithstanding the provisions of chapter 92-276, Laws of Florida, a state agency may seek budget amendments pursuant to the provisions of chapter 216, Florida Statutes, under the following circumstances:

- (1) To provide budget authority for an agency to receive and expend a Coastal Zone Grant from the Department of Community Affairs; and
- (2) To allow the expenditure of additional federal funds which may be provided to the State of Florida not presently anticipated in the 1992-1993 General Appropriations Act.

Section 60. Notwithstanding the provisions of section 216.181(14), Florida Statutes, as amended by chapter 92-142, Laws of Florida, interest earned on funds advanced from specific appropriations 1535F, 1491A, and 1481A of the 1986-1987, 1987-1988, and 1988-1989 General Appropriations Acts, respectively, relating to Grants and Aids - Local Recreational Development Projects, that has not been returned to the state as of July 1, 1992, may be retained by the grantee to support the purpose of the original appropriations.

Section 61. Notwithstanding the provisions of section 14.22, Florida Statutes, the Department of Commerce shall administer the operations of the Sunshine State Games.

Section 62. Notwithstanding the provisions of section 253.023(10), Florida Statutes, the Conservation and Recreation Lands Trust Fund may be used to fund the land management activities of the Florida Park System.

Section 63. The Florida Health Access Corporation created by section 409.701, Florida Statutes, shall:

- (1) Establish criteria for determining when and what levels of ongoing subsidies should be provided to ensure health care coverage for low-income employees and their dependents and marginally profitable businesses;
- (2) Study the feasibility of and develop criteria for phasing out subsidies of health care coverage for small businesses that have been purchasing coverage through the corporation for at least 3 years;
- (3) Test the feasibility of brokering health care coverage for small businesses with a mixture of subsidized and nonsubsidized participants; and
- (4) In conjunction with the Florida Health Care Purchasing Cooperative, develop purchasing specifications for purchasing health care coverage.

The corporation shall submit a report and recommendations addressing each of these activities to the Governor, the President of the Senate, and the Speaker of the House of Representatives by December 31, 1993.

Section 64. (1) Notwithstanding the provisions of section 373.59(5) and (7), Florida Statutes, the Department of Environmental Regulation shall transfer in the form of a loan up to \$800,000 from unobligated funds in any account within the Water Management Lands Trust Fund to the St. Johns River Water Management District for the purpose of paying bond indebtedness. Any such funds loaned pursuant to this section shall be repaid by July 1, 1996

(2) This section shall take effect June 1, 1992, or upon this act becoming a law, whichever occurs later; however, in the event this section fails to become a law until after June 1, 1992, it shall operate retroactively thereto.

Section 65. 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.

Section 66. Notwithstanding any other provision of law to the contrary, the activities of the Department of Revenue regarding the imple-

mentation 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.

Section 67. 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.

Section 68. 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 programs 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.

Section 69. 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.

Section 70. Notwithstanding the provisions of section 110.123, Florida Statutes, the Department of Management Services 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 this section. 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 basis. Any increase in total premium costs resulting from these new premium schedules shall be borne solely by the employee. The Department of Management Services 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 Management Services 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.

Section 71. Notwithstanding the provisions of section 216.301(3), 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.

Section 72. 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.

Section 73. 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 50 percent complete in the construction phase and are funded for nonprofit social services providers, and whose facilities are conveyed to the state for ownership.

Section 74. Notwithstanding the provisions of sections 145.19(2), 230.202, and 230.303, Florida Statutes, or any other provision of law to the contrary, the annual total compensation of each district school board member and each elected superintendent of schools for fiscal year 1992-1993 shall remain the same as the amount paid in fiscal year 1991-1992.

Section 75. (1) 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 each state attorney's office. Any unexpended funds in the current year's budget shall be carried forward by the state attorney to whom the funds were allocated. 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. A report detailing accomplishments of implemented plans may be required by the appropriations committees. 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 carryforward under this subsection may not exceed 5 percent of the total budget of the state attorney's office, and the funds carried forward may only be expended as provided in this subsection. A state attorney's office may not be penalized in the allocation of subsequent funds as a result of the carryforward of an unexpended balance.

(2) 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 each public defender's office. Any unexpended funds in the current year's budget shall be carried forward by the public defender to whom the funds were allocated. 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. A report detailing accomplishments of implemented plans may be required by the appropriations committees. 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 carryforward under this subsection may not exceed 5 percent of the total budget of the public defender's office, and the funds carried forward may only be expended as provided in this subsection. A public defender's office may not be penalized in the allocation of subsequent funds as a result of the carryforward of an unexpended balance.

Section 76. The Department of Education may offer active employees with 30 or more years of creditable service in a state-administered retirement system a one-time voluntary reduction-in-force bonus during the 1992-1993 fiscal year. The bonus shall represent a payment for insurance costs and shall be paid as an annuity to be purchased by the department within appropriated funds, which shall include funds derived from eliminating up to 200 vacated positions. Additionally, the department may certify forward any funds unexpended on June 30, 1992, to pay accrued annual and sick leave balances for terminating employees under this reduction-in-force program. Notwithstanding the terms of chapter 447, Florida Statutes, the Commissioner of Education shall be deemed to be the public employer for purposes of negotiating the terms and conditions related to the reduction-in-force bonuses authorized by this section. All persons retiring under this program must do so no later than July 1, 1993.

Section 77. 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.

Section 78. (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.

Section 79. Notwithstanding the provisions of Section 236.25(2), Florida Statutes, during the 1992-93 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.

Section 80. 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.

Section 81. 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 carried forward 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.

(1) 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.

(2) 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.

Section 82. 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.

Section 83. If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared severable.

Section 84. Except as otherwise provided in this act and except for this section, which shall take effect upon becoming a law, this act shall

take effect July 1, 1992, or in the event this act fails to become a law until after that date, it shall operate retroactively thereto. This act shall expire and be void and inoperative on July 1, 1993.

And the title is amended as follows:

In title, strike everything before the enacting clause and insert: 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 Agency for Health Care Administration 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; 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; 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 Management Services 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 State Board of Administration 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, the Governor, the Lieutenant Governor, and members of the Cabinet to voluntarily reduce salary by a specified percentage; providing that funds relating to planning for a residential magnet school in Brevard County shall not revert until a specified date; authorizing community colleges to grant student fee exemptions for a specified number of full-time equivalent students; providing that certain State University System land acquisition funds shall not revert until a specified date and authorizing use of a portion of these funds for unimproved parking under certain circumstances; authorizing the Board of Regents to enter into a lease agreement for a facility with the Florida State University Foundation or any other direct-support organization organized to support the London International Program at Florida State University and providing funding sources therefor; authorizing the Executive Office of the Governor and the Chief Justice of the Supreme Court to approve certain budget changes under certain circumstances and requiring the Executive Office of the Governor and the Chief Justice to maintain an accounting of these changes and to provide this accounting to the legislative appropriations committees upon request; transferring the unobligated balance of the Port Trust Fund to the General Revenue Fund; authorizing the Executive Office of the Governor to establish new divisions in the Agency for Health Care Administration and to approve other changes to the agency's organizational structure; transferring the local and statewide health councils to the Agency for Health Care Administration by a type four transfer; amending s. 339, ch. 92-279, Laws of Florida; providing an earlier effective date for the reorganization of the Departments of Administration and General Services; authorizing the Chief Justice of the Supreme Court to transfer certain funds for the purpose of addressing anticipated deficits; prescribing limitations on the filling of vacant positions within executive branch agencies and the legislative branch; requiring reports with respect to filling vacant positions; authorizing the Departments of Insurance, Commerce, and State to implement certain procedures in lieu of statutory procedures in areas of personnel and budgeting for a specified period; providing for emergency rules; providing certain circumstances under which a state agency may seek budget amendments; authorizing the retention of certain interest earned on funds advanced for grants and aids for local recreational development projects; 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; prescribing duties of the Florida Health Access Corporation with respect to provision of health care to specified persons and entities; requiring the Department of Environmental Regulation to loan moneys to the St. Johns River Water Management District to pay bond indebtedness; providing for annual reports to the Auditor General by school districts with respect to their employees' sick leave; exempting the Department of Revenue from certain provisions of law relative to the implementation of the automated collection and enforcement system; prescribing the distribution of proceeds from the third series of Preservation 2000 bonds; authorizing the expenditure of a specified amount of operating funds at the discretion of the agency head to promote employee productivity and department improvement; prescribing reimbursement and use of funds relative to the acquisition and renovation of the RTC Building located in Orlando; prescribing duties of the Department of Management Services relative to premium schedules and other aspects of the Health Maintenance Organization (HMO) and the State Group Health Self-Insurance Plan; extending the reversion date for certain project funds at Florida Community College at Jacksonville; authorizing the Department of Health and Rehabilitative Services to utilize general revenue funds to

extend AFDC and Medicaid benefits to certain asylum applicants; authorizing the Department of Health and Rehabilitative Services to retain funds otherwise reverting for funding certain capital outlay projects; retaining salaries of school board members and superintendents of schools at fiscal year 1991-1992 levels; 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; authorizing the Department of Education to offer certain employees who retire during the 1992-1993 fiscal year a bonus; requiring nonprevailing adverse parties in school district bid protests to make timely payment to the Division of Administrative Hearings; authorizing the use of certain funds for education operations by district school boards; authorizing the use of unobligated discretionary capital improvement millage to fund one-time expenditures for classroom materials; requiring the use of a specified amount of discretionary capital outlay millage for repair and replacement of vocational equipment; authorizing unexpended funds in the Office of Statewide Prosecution to be carried forward; prescribing the uses of such funds; prohibiting the use of public funds to pay dues to certain organizations; providing severability; providing effective dates, including a retroactive effective date, and an expiration date.

Senator Bankhead moved the following amendment which was adopted:

**Senate Amendment 1A (with Title Amendment) to Senate Amendment 1 to House Amendment 1**—On page 29, line 26, insert:

Section 83. During meetings of the Parole Commission that are held in the State Capitol Complex or other state facilities throughout the state, security shall be provided by the Division of Capitol Police of the Department of Management Services.

And the title is amended as follows:

In title, on page 39, line 8, after the semicolon (;) insert: providing security for Parole Commission Meetings;

Senator Gardner moved the following amendments which were adopted:

**Senate Amendment 1B (with Title Amendment) to Senate Amendment 1 to House Amendment 1**—On page 25, line 1 through page 26, line 16, and on page 28, line 29 through page 29, line 20, strike all of said lines and renumber subsequent sections.

And the title is amended as follows:

In title, on page 38, line 19, after the semicolon (;) through page 38, line 20, up to the semicolon (;), and on page 39, line 4, after the semicolon (;) through page 39, line 6, before the semicolon (;), strike all of said lines

#### THE PRESIDENT PRESIDING

**Senate Amendment 1C (with Title Amendment) to Senate Amendment 1 to House Amendment 1**—On page 29, strike all of lines 21-25

And the title is amended as follows:

In title, on page 39, line 7 through line 8 up to the semicolon (;), strike all of said lines

**Senate Amendment 1D to Senate Amendment 1 to House Amendment 1**—On page 9, line 6, after the period (.) insert: In addition, the Library Addition (c) is amended to read Library Addition (p,c).

Senator Burt moved the following amendment which was adopted:

**Senate Amendment 1E (with Title Amendment) to Senate Amendment 1 to House Amendment 1**—On page 3, line 3, strike "shall" and insert: may

And the title is amended as follows:

In title, on page 31, line 15, strike "requiring" and insert: authorizing

Senators Burt and McKay offered the following amendments which were moved by Senator Burt and failed:

**Senate Amendment 1F (with Title Amendment) to Senate Amendment 1 to House Amendment 1**—On page 13, line 26, strike "Any" and on page 13, strike all of lines 27-30 and insert: "For fiscal year

1992-93, each Legislator's salary and the salary of the Governor, the Lieutenant Governor, and each member of the Cabinet shall be reduced by 3 percent.

And the title is amended as follows:

In title, on page 35, line 7, after the semicolon (;), strike all up to the semicolon (;) on line 11 and insert: eliminating a salary raise for Legislators and requiring a 3 percent salary reduction for all Cabinet Members, Legislators, the Governor, and Lieutenant Governor;

**Senate Amendment 1G (with Title Amendment) to Senate Amendment 1 to House Amendment 1**—On page 29, line 26, insert:

Section 83. The Division of Retirement of the Department of Management Services shall conduct a study of the requirements contained in SB 52-H relative to calculation of legislators' retirement benefits under the Elected State and County Officers' Class and other classes of the Florida Retirement System as separate benefits.

The Division shall submit a report to the President of the Senate and Speaker of the House of Representatives by January 1, 1993.

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 39, line 8, after the semicolon (;) insert: requiring the Department of Management Services to conduct a study and make a report relative to the calculation of Legislators' retirement benefits;

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

**Senate Amendment 1H (with Title Amendment) to Senate Amendment 1 to House Amendment 1**—On page 24, strike all of lines 26-30 and insert:

Notwithstanding the provisions of sections 145.19(2), 230.202 and 230.303, Florida Statutes, or any other provision of law to the contrary:

(1) The annual total compensation of each elected superintendent of schools for fiscal years 1992-1993 shall remain the same as the amount paid in fiscal year 1991-1992.

(2) The annual total compensation of each district school board member until November 1, 1992 shall remain the same as the amount paid in fiscal year 1991-1992. However, after November 1, 1992, the annual salary of each district school board member shall be \$7,200 unless two-thirds of the school board, in a duly noticed meeting held prior to November 1, 1992, votes to increase that sum; but in no event can the salary and benefits of a school board member exceed that of a first year full time classroom teacher employed in that district. No district school board member shall be required to return or repay any salary paid prior to November 1, 1992.

And the title is amended as follows:

In title, on page 38, line 13, after the semicolon (;) insert: prescribing salaries for school board members and superintendent of schools;

The vote was:

Yeas—13      Nays—24

Senator Kiser moved the following amendment which was adopted:

**Senate Amendment 1I (with Title Amendment) to Senate Amendment 1 to House Amendment 1**—On page 27, strike all of lines 3-14 and renumber subsequent sections.

And the title is amended as follows:

In title, on page 38, strike lines 24-up to semicolon (;) on line 27

Senator Dudley moved the following amendment:

**Senate Amendment 1J (with Title Amendment) to Senate Amendment 1 to House Amendment 1**—On page 29, line 26, insert:

Section 83. Notwithstanding other provisions of law to the contrary, the Department of General Services is authorized to sell bonds under the Public Facilities Bonding Program, as created in the Florida Building and Facilities Act, to fund the renovation of the Larson Building. The sale of such bonds shall be contingent upon a determination by bond

counsel that the recurring debt service on such bonds may be financed solely from increased rental assessments against the Insurance Commissioner's Regulatory Trust Fund. Any necessary requirements for bond reserves or debt service due in fiscal year 1992-93 as a result of the sale of such bonds are hereby authorized from the Insurance Commissioner's Regulatory Trust Fund.

And the title is amended as follows:

In title, on page 39, line 8, after the semicolon (;) insert: Authorizing Department of General Services to sell certain bonds to fund the renovation of the Larson Building, prescribing conditions and requirements of such bond sales;

Senator Dudley moved the following substitute amendment which was adopted:

**Senate Amendment 1K (with Title Amendment) to Senate Amendment 1 to House Amendment 1**—On page 29, line 26, insert:

Section 83. Notwithstanding other provisions of law to the contrary, the Department of General Services is authorized to sell bonds under the Public Facilities Bonding Program, as created in the Florida Building and Facilities Act, to fund the renovation of the Larson Building. The sale of such bonds shall be contingent upon a determination by bond counsel that the recurring debt service on such bonds may be financed solely from increased rental assessments against the Insurance Commissioner's Regulatory Trust Fund. Any necessary requirements for bond reserves or debt service due in fiscal year 1992-93 as a result of the sale of such bonds are hereby authorized from the Insurance Commissioner's Regulatory Trust Fund. No proceeds realized from the sale of bonds for the renovation of the Larson Building shall be utilized to purchase furnishings or equipment with life expectancy less than the maturity of the bonds issued.

And the title is amended as follows:

In title, on page 39, line 8, after the semicolon (;) insert: authorizing Department of General Services to sell certain bonds to fund the renovation of the Larson Building; prescribing conditions and requirements of such bond sales;

Senator Myers moved the following amendment which was adopted:

**Senate Amendment 1L (with Title Amendment) to Senate Amendment 1 to House Amendment 1**—On page 29, line 26, insert:

Section 83. Notwithstanding the provisions of section 409.701(5)(d), Florida Statutes, the Florida Small Business Health Access Corporation may utilize unexpended funds to expand health care coverage in its existing service areas and into no more than two additional service areas during fiscal year 1992-1993.

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 39, line 8, after the semicolon (;) insert: authorizing the Florida Small Business Health Access Corporation to utilize unexpended funds to expand health care coverage; prescribing certain limitations;

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

**Senate Amendment 1M (with Title Amendment) to Senate Amendment 1 to House Amendment 1**—On page 8, lines 21-27, strike all of Section 23 and renumber subsequent sections.

And the title is amended as follows:

In title, on page 33, line 9, after the semicolon (;), strike up to the semicolon (;) on line 11

Senator Johnson moved the following amendment which was adopted:

**Senate Amendment 1N (with Title Amendment) to Senate Amendment 1 to House Amendment 1**—On page 29, between lines 25 and 26, insert:

Section 83. Notwithstanding chapters 265 and 267, Florida Statutes, the Department of State, the Florida Arts Council, and the Historic Preservation Advisory Council shall, when developing prioritized lists of projects to be funded in 1993-1994, consider all projects included in the 1992-1993 prioritized project lists submitted to the Legislature but not funded by the 1992 Legislature.

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 39, line 8, insert: requiring the Department of State and other councils to consider the priority funding lists not funded in 1992 for funding priority in 1992-1993;

Senator Bankhead moved the following amendment which was adopted:

**Senate Amendment 1O (with Title Amendment) to Senate Amendment 1 to House Amendment 1**—On page 29, line 26, insert:

Section 83. Notwithstanding the provisions of any other law, the Secretary of State is hereby authorized to enter into a contingency fee agreement for legal services pursuant to a legal suit to establish state ownership of certain historical properties in the City of St. Augustine.

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 39, line 8, after the semicolon (;) insert: authorizing the Secretary of State to enter into a contingency fee agreement for certain legal services relating to specific historical properties in St. Augustine, Florida;

Senator Kiser moved the following amendment which was adopted:

**Senate Amendment 1P (with Title Amendment) to Senate Amendment 1 to House Amendment 1**—On page 29, line 26, insert:

Section 83. Notwithstanding the provisions of chapter 92-58, Laws of Florida, funds provided for in Item 883 of the General Appropriations Act for 1992-1993 as passed by the 1992 Special Session of the Legislature shall be paid to the provider identified in section 2 subsection 6e of chapter 92-58, Laws of Florida.

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 39, line 8, insert: providing for advancement of funds to certain provider notwithstanding provisions of chapter 92-58, Laws of Florida,

Senator Gardner moved the following amendments which were adopted:

**Senate Amendment 1Q (with Title Amendment) to Senate Amendment 1 to House Amendment 1**—On page 27, strike all of lines 15-23 and renumber subsequent sections.

And the title is amended as follows:

In title, on page 38, line 27, after the semicolon (;) strike up to the semicolon (;) on line 29

#### VOTE RECORDED

Senator Bruner requested that he be recorded as voting nay on the amendment.

**Senate Amendment 1R (with Title Amendment) to Senate Amendment 1 to House Amendment 1**—On page 29, line 26, insert:

Section 83. Notwithstanding the provisions of section 215.32(2)(b), Florida Statutes, as amended by section 14 of chapter 92-142, Laws of Florida, sponsored research overhead trust funds within the State University System shall be exempt from transfer to the Working Capital Fund in the General Appropriations Act.

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 39, line 8, after the semicolon (;) insert: exempting sponsored research overhead trust funds within the State University System from transfer to the Working Capital Fund in the General Appropriations Act;

**Senate Amendment 1S (with Title Amendment) to Senate Amendment 1 to House Amendment 1**—On page 29, line 26, insert:

Section 83. (1) Notwithstanding any provision of law to the contrary, by September 1, 1992, the Comptroller shall establish and operate a statewide toll-free telephone hotline to receive information or suggestions from the citizens of this state on how to improve the operation of government, increase governmental efficiency, and eliminate waste in government. The Comptroller shall report each month to the Appropriations Committee of the House of Representatives and of the Senate the information or suggestions received through the hotline and the evaluations and determinations made by the Comptroller, as provided in subsection (3), with respect to such information or suggestions.

(2) The Comptroller shall operate the hotline 24 hours a day. The Comptroller shall advertise the availability of the hotline in each newspaper of general circulation in this state and shall provide for the posting of notices in conspicuous places in state agency offices, city halls, county courthouses, and places in which there is exposure to significant numbers of the general public, including, but not limited to, local convenience stores, shopping malls, shopping centers, gasoline stations, or restaurants. The Comptroller shall use the slogan, "Tell us where we can 'Get Lean,'" for the hotline and in advertisements for the hotline.

(3) Each telephone call on the hotline shall be received by the Office of the Comptroller and a record of each suggestion or information received shall be entered into a log kept by the Comptroller. A call on the hotline may be anonymous and shall be confidential. If a caller discloses that he or she is a state employee, the Comptroller, in addition to maintaining a record as required by this section, may refer any information or suggestion from the caller to an existing state awards program administered by the Department of Administration or by the State University System. The Comptroller shall conduct a preliminary evaluation of the efficacy of any suggestion or information received through the hotline and shall make a preliminary determination of the amount of revenues the state might save by implementing the suggestion or making use of such information.

(4) Any person who provides any information through the hotline shall be immune from liability for any use of such information and shall not be subject to any retaliation by any employee of the state for providing such information or making such suggestion.

(5) The Comptroller shall adopt any rule necessary to implement the establishment, operation, and advertisement of the hotline.

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 39, line 8, after the semicolon (;) insert: requiring the Comptroller to establish and operate a statewide toll-free hotline for certain purposes;

Senator Bankhead moved the following amendment:

**Senate Amendment 1T (with Title Amendment) to Senate Amendment 1 to House Amendment 1**—On page 29, line 26, insert:

Section 83. Notwithstanding any provisions to the contrary of section 78 of HB 367-H passed by the 1992 Legislature, in no case shall total payments for the regular disproportionate share program to a hospital, with the exception of state facilities, exceed 90 percent of the total amount of uncompensated charity care of the hospital, as determined by the department according to the most recent calendar year audited data available at the beginning of each state fiscal year.

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 39, line 8, after the semicolon (;) insert: limiting certain payments for the regular disproportionate share program;

Senator Bankhead moved the following substitute amendment which was adopted:

**Senate Amendment 1U (with Title Amendment) to Senate Amendment 1 to House Amendment 1**—On page 29, line 26, insert:

Section 83. Notwithstanding any provisions to the contrary of section 78 of HB 367-H passed by the 1992 Legislature, in no case shall total payments for the regular disproportionate share program to a hospital, with the exception of state facilities, exceed 99 percent of the total amount of uncompensated charity care of the hospital, as determined by the department according to the most recent calendar year audited data available at the beginning of each state fiscal year.

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 39, line 8, after the semicolon (;) insert: limiting certain payments for the regular disproportionate share program;

**Senate Amendment 1** as amended was adopted.

On motion by Senator Gardner, the rules were waived and staff of the Committee on Appropriations was instructed to make title amendments and technical changes in **SB 142-H** as necessary.

On motions by Senator Gardner, the Senate concurred in **House Amendment 1** as amended and the House was requested to concur in the Senate amendment to the House amendment.

**SB 142-H** passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—37      Nays—1

**RETURNING MESSAGES ON HOUSE BILLS**

*The Honorable Gwen Margolis, President*

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate Amendment 1 to CS for HB 67-H and requests the Senate to recede.

*John B. Phelps, Clerk*

**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.

On motion by Senator Weinstock, the Senate refused to recede from **Senate Amendment 1** and again requested that the House concur. The action of the Senate was certified to the House.

**RETURNING MESSAGES—FINAL ACTION**

*The Honorable Gwen Margolis, President*

I am directed to inform the Senate that the House of Representatives has admitted for introduction by the required Constitutional two-thirds vote and passed SB 188-H.

*John B. Phelps, Clerk*

The bill contained in the foregoing message was ordered enrolled.

**ROLL CALLS ON SENATE BILLS**

**SB 142-H—Amendment 1H**

Yeas—13

Bruner	Grant	Langley	Wexler
Burt	Grizzle	McKay	
Crotty	Jennings	Plummer	
Dudley	Kiser	Weinstock	

Nays—24

Madam President	Davis	Johnson	Scott
Bankhead	Diaz-Balart	Kirkpatrick	Souto
Beard	Forman	Kurth	Thomas
Casas	Gardner	Malchon	Walker
Childers	Girardeau	Meek	Weinstein
Dantzler	Jenne	Myers	Yancey

**SB 142-H**

Yeas—37

Madam President	Casas	Davis	Girardeau
Bankhead	Childers	Diaz-Balart	Grant
Beard	Crenshaw	Dudley	Grizzle
Bruner	Crotty	Forman	Jenne
Burt	Dantzler	Gardner	Jennings

Johnson	McKay	Souto	Wexler
Kirkpatrick	Meek	Thomas	Yancey
Kiser	Myers	Walker	
Kurth	Plummer	Weinstein	
Malchon	Scott	Weinstock	

Nays—1  
Langley

**SB 224-H**

Yeas—37

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

Nays—None

**CS for SB 248-H**

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Beard, Davis

**SB 272-H—Amendment 14**

Yeas—20

Beard	Crenshaw	Grant	Langley
Bruner	Crotty	Grizzle	Myers
Burt	Diaz-Balart	Jennings	Plummer
Casas	Dudley	Johnson	Scott
Childers	Gardner	Kiser	Walker

Nays—15

Bankhead	Girardeau	Malchon	Weinstock
Dantzler	Jenne	McKay	Wexler
Davis	Kirkpatrick	Meek	Yancey
Forman	Kurth	Thomas	

**SB 272-H**

Yeas—32

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

Nays—6

Davis	Malchon	Weinstock
Jenne	Meek	Wexler

**ROLL CALLS ON HOUSE BILLS**

**HB 7-H—Amendment 1A**

Yeas—18

Madam President	Forman	Malchon	Weinstock
Casas	Gardner	Myers	Wexler
Childers	Girardeau	Plummer	Yancey
Dantzler	Jenne	Thomas	
Davis	Kurth	Weinstein	

Nays—17

Bankhead	Crotty	Johnson	Souto
Beard	Diaz-Balart	Kiser	Walker
Bruner	Dudley	Langley	
Burt	Grizzle	McKay	
Crenshaw	Jennings	Scott	

**HB 7-H—Amendment 1—After Reconsideration**

Yeas—17

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

Nays—21

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

**HB 7-H**

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Gardner

**HB 21-H**

Yeas—22

Madam President	Forman	Kurth	Thomas
Casas	Gardner	Malchon	Walker
Crenshaw	Girardeau	McKay	Weinstein
Crotty	Grant	Meek	Weinstock
Davis	Grizzle	Myers	
Diaz-Balart	Kiser	Souto	

Nays—9

Bruner	Dudley	Plummer
Childers	Johnson	Scott
Dantzler	Langley	Yancey

Vote after roll call:

Yea—Jennings

Nay—Beard

Yea to Nay—McKay

**HB 187-H**

Yeas—35

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

Nays—1

Wexler

**HB 355-H**

Yeas—38

Madam President	Bruner	Childers	Dantzler
Bankhead	Burt	Crenshaw	Davis
Beard	Casas	Crotty	Diaz-Balart

Dudley	Jennings	McKay	Walker
Forman	Johnson	Meek	Weinstein
Gardner	Kirkpatrick	Myers	Weinstock
Girardeau	Kiser	Plummer	Wexler
Grant	Kurth	Scott	Yancey
Grizzle	Langley	Souto	
Jenne	Malchon	Thomas	

Nays—None

**CORRECTION AND APPROVAL OF JOURNAL**

The Journal of June 23 was corrected and approved.

**RECESS**

On motion by Senator Thomas, the Senate recessed at 8:17 p.m. to reconvene at 10:00 a.m., Thursday, June 25.