



Journal of the Senate

Number 1—Special Session D

Tuesday, December 10, 1991

At a Special Session of the Florida Legislature convened under Article III, Section 3(c), of the Constitution of the State, as revised in 1968, begun and held at the Capitol, in the City of Tallahassee, in the State of Florida.

CALL TO ORDER

The Senate was called to order by the President at 12:00 noon. A quorum present—39:

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

PRAYER

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

Sovereign God of humankind and all nations, we tender this petition on behalf of the men and women of this noble legislative body, who have been summoned back to the Parthenon. Give them the vision to see far into the issues of their time; give them courage to uphold what they believe to be right; and integrity in their words and motives. May their service continue to promote the welfare and peace for the people of Florida. Oh Sovereign God, we ask that you save us from violence, discord, and confusion; from our own individualistic pride and selfish arrogance. Defend our liberties, preserve our unity, and consecrate our destinies. Endure these senators with the spirit of wisdom, prudence, and fortitude and all those entrusted with authority in government. In the benedictory words of Abraham, Isaac, and Jacob: Shema Yisrael, Adonai Elohanu Adonai Echod.

PLEDGE

Senator Thomas led the Senate in the pledge of allegiance to the flag of the United States of America.

By direction of the President, the Secretary read the following proclamations:

PROCLAMATION
State of Florida
Executive Department
Tallahassee

TO THE HONORABLE MEMBERS OF THE FLORIDA SENATE AND THE FLORIDA HOUSE OF REPRESENTATIVES:

WHEREAS, the Twelfth Legislature of the State of Florida, under the Florida Constitution, 1968 Revision, convened in regular session for the year 1991 on March 5, 1991, and adjourned on May 2, 1991, and

WHEREAS, the Governor, after consultation with the revenue estimating conference has determined that a deficit will occur in the General Revenue Fund for the fiscal year 1991-1992, and

WHEREAS, the Administration Commission acted pursuant to law to curtail spending to maintain a balanced budget, and

WHEREAS, the Florida Supreme Court invalidated the action of the Administration Commission in its opinion of October 29, 1991, which held that the law upon which the Administration Commission acted constituted an unlawful delegation of the Legislature's power, and

WHEREAS, it appears to be the exclusive duty of the Legislature to provide for the maintenance of a balanced spending plan for the state, and

WHEREAS, it is in the best interest of the citizens of the State of Florida to call a Special Session of the Florida Legislature so that full and adequate consideration can be given to those items set forth below.

NOW, THEREFORE, I, LAWTON CHILES, Governor of the State of Florida, by virtue of the power and authority vested in me by Article III, Section 3(c)(1), Florida Constitution, do hereby proclaim as follows:

Section 1.

The Legislature of the State of Florida is convened in Special Session commencing at 12:00 noon on Tuesday, the tenth day of December 1991, and ending at 12:00 noon on Tuesday, the seventeenth day of December 1991.

Section 2.

The Legislature of the State of Florida is convened for the sole and exclusive purpose of considering the following:

- (a) Reducing appropriations and releases by a sufficient amount to prevent a deficit in any fund within the General Revenue Fund.
- (b) Revising the provisions of Chapter 216, Florida Statutes, and other statutory provisions to manage the appropriations and budget process.
- (c) Revising the career service system for state employees.
- (d) Implementing the recommendations of the Governor and Cabinet Task Force on Governmental Efficiency for reorganization of state agencies.
- (e) Implementing the Governor's plan for reorganization of the Department of Health and Rehabilitative Services.



IN TESTIMONY HEREOF, I have caused the Great Seal of the State of Florida to be affixed to this proclamation at the Capitol, this 1st day of November, 1991.

Lawton Chiles
GOVERNOR

ATTEST:
Jim Smith
SECRETARY OF STATE

PROCLAMATION
State of Florida
Executive Department
Tallahassee

(Amendment to the Proclamation dated November 1, 1991)

TO THE HONORABLE MEMBERS OF THE FLORIDA SENATE AND THE FLORIDA HOUSE OF REPRESENTATIVES:

WHEREAS, on the first day of November, 1991, a Proclamation of the Governor was issued convening a Special Session of the Florida Legislature commencing at 12:00 noon on Tuesday, the tenth day of December, 1991, and ending at 12:00 noon Tuesday, the seventeenth day of December, 1991, and

WHEREAS, it is in the best interest of the citizens of the State of Florida to amend the Proclamation of November 1, 1991, in order to expand the call of the Special Session so that the Legislature may consider the additional matters set forth below.

NOW, THEREFORE, I, LAWTON CHILES, Governor of the State of Florida, by virtue of the power and authority vested in me by Article III, Section 3(c)(1), Florida Constitution, do hereby proclaim as follows:

Section two (2) of the Proclamation of the Governor dated November 1, 1991, is hereby amended to read:

Section 2.

The Legislature of the State of Florida is convened for the sole and exclusive purpose of considering the following:

- (a) Reducing appropriations and releases by a sufficient amount to prevent a deficit in any fund within the General Revenue Fund.
- (b) Revising the provisions of Chapter 216, Florida Statutes, and other statutory provisions to manage the appropriations and budget process.
- (c) Revising the career service system for state employees.
- (d) Implementing the recommendations of the Governor and Cabinet Task Force on Governmental Efficiency for reorganization of state agencies.
- (e) Implementing reorganization of the Department of Health and Rehabilitative Services.
- (f) Reenacting Section 624.5091, F.S., relating to the retaliatory provision with respect to insurers, retroactive to October 1, 1991.



IN TESTIMONY HEREOF, I have caused the Great Seal of the State of Florida to be affixed to this proclamation at the Capitol, this 10th day of December, 1991.

Lawton Chiles
GOVERNOR

ATTEST:
Jim Smith
SECRETARY OF STATE

ELECTION OF SENATOR LOCKE BURT

The Department of State notified the Secretary of the Senate that Senator Locke Burt had been elected on July 31, 1991, in a special general election as a Member of the Senate, Tenth District, replacing Senator Tom C. Brown.

Senator Burt was administered the oath of office by the Honorable John Doyle, Circuit Judge of Volusia County, in the Senate Chamber on September 11, 1991.

The President appointed Senator Burt to the following committees: Appropriations, Sub. D; Corrections, Probation and Parole, Vice Chairman; Education; Health and Rehabilitative Services; International Trade, Economic Development and Tourism; and Rules and Calendar

**INTRODUCTION AND
REFERENCE OF BILLS**

FIRST READING

By Senator Gardner—

SB 2-D—A bill to be entitled An act relating to the state budget process; amending s. 215.32, F.S.; providing goals for amounts to be maintained in the Working Capital Fund; limiting uses of Working Capital Fund moneys; providing for segregation of federal funds; amending s. 216.181, F.S.; providing for control of annual salary rates by state agen-

cies; prescribing circumstances under which the Comptroller may waive requirements relating to advances for program startup and advances for contracted services; amending s. 216.0158, F.S.; prescribing matters to be included in agencies' assessments of their facility needs; amending s. 216.031, F.S.; prescribing contents of agencies' legislative budget requests; providing that the Executive Office of the Governor and the legislative appropriations committees' chairmen may request certain budget information from agencies; amending s. 216.292, F.S.; revising limitations on certain appropriations transfers; amending s. 216.164, F.S.; authorizing the Governor to submit certain budgets for state agencies; amending s. 216.262, F.S.; prescribing the circumstances and procedures under which the Administration Commission may increase the number of authorized positions or delete specified positions within agencies; amending s. 216.178, F.S., and creating s. 216.052, F.S.; providing criteria for legislative budget requests; requiring certain information relating to appropriations bills to be made available; providing for fiscal budget reports; amending s. 216.212, F.S.; providing requirements for use of federal funds; abolishing certain trust funds in the State Treasury and providing for review of the continued need for those trust funds; providing for inclusion of summary information in the General Appropriations Act and for the construction of such information; providing an effective date.

—was referred to the Committee on Appropriations.

By Senator Wexler—

SB 4-D—A bill to be entitled An act relating to state employees; amending s. 110.109, F.S.; revising provisions relating to productivity improvement and personnel audits of the executive branch agencies; creating s. 110.1099, F.S.; providing for education and training opportunities for state employees; amending s. 110.112, F.S.; providing for the primary responsibilities of the affirmative action-equal employment opportunity officer; revising dates with respect to the plan; amending s. 110.107, F.S.; defining the term "furlough"; creating s. 110.1225, F.S.; providing for furloughs; amending s. 110.123, F.S.; revising provisions with respect to the state group insurance program to provide for the payment of premiums for employees granted certain leaves of absence; amending s. 110.201, F.S.; revising provisions relating to personnel rules, records, and reports; amending s. 110.203, F.S.; providing definitions; amending s. 110.205, F.S.; revising provisions relating to exemptions from the Career Service System; transferring certain responsibilities from the department to employing agencies; amending s. 110.207, F.S.; revising provisions relating to the classification plan; amending s. 110.209, F.S.; revising provisions relating to the pay plan; amending s. 110.211, F.S.; revising provisions relating to recruitment; amending s. 110.213, F.S.; revising provisions relating to selection; amending s. 110.217, F.S.; revising provisions relating to appointments and promotion; amending s. 110.219, F.S.; providing for cooperation and consultation with the agencies with respect to rules governing attendance and leave; amending s. 110.221, F.S.; providing for parental or family medical leave; amending s. 110.227, F.S.; revising provisions relating to suspensions, dismissals, reductions in pay, demotions, layoffs, furloughs, and transfers; providing for training; amending s. 447.207, F.S.; prescribing the powers and duties of the Public Employees Relations Commission with respect to appeals by permanent employees in the Career Service System; repealing s. 1 of ch. 91-164, Laws of Florida; abrogating the repeal of part II of chapter 110, F.S.; providing for implementation of act to be collectively bargained; providing an effective date.

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

By Senator Malchon—

SB 6-D—A bill to be entitled An act relating to the Department of Health and Rehabilitative Services; providing legislative findings; providing legislative intent; repealing s. 20.19(8), F.S., relating to the District Advisory Councils; providing an effective date.

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

By Senator Weinstock—

SB 8-D—A bill to be entitled An act relating to the Department of Health and Rehabilitative Services; amending s. 20.19, F.S.; reorganizing the service districts of the department; creating health and human service boards and prescribing their membership, powers, and duties; creating a statewide Health and Human Services Board and prescribing its membership, powers, and duties; providing for health and human services

board nominating committees; repealing provisions that create district advisory councils in the department's service districts; providing an effective date.

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

By Senator Jenne—

SB 10-D—A bill to be entitled An act relating to insurers; reenacting s. 624.5091, F.S., which section prescribes a retaliatory tax to be imposed against a foreign or alien insurer under certain circumstances; providing for retroactive application; providing an effective date.

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

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

By Senators Margolis, Beard, Thurman, Langley, Johnson, Burt, Souto, Grizzle, Kurth, Dudley and Kirkpatrick—

SJR 12-D—A joint resolution proposing the creation of Section 10 of Article II and amendments to Section 4 of Article III and Section 2 of Article V of the State Constitution to provide for access to public records and meetings.

—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 the following bill was admitted for introduction:

By Senator Margolis—

SB 14-D—A bill to be entitled An act calling a special election for the approval or rejection by the electors of a joint resolution relating to public meetings and records; providing for publication of notice and for procedures; providing an effective date.

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

Numbers **16-D** and **18-D** are reserved for Appropriations.

MOTIONS

On motions by Senator Thomas, provisions of Rule 13.3 relating to committee meeting notices and provisions of Rule 2.39 relating to two-hour notice of amendments to be considered by a committee were waived; and the Committee on Rules and Calendar was granted permission to meet upon adjournment to consider **SJR 12-D** and **SB 14-D**; the Committee on Natural Resources and Conservation was granted permission to meet 30 minutes after adjournment of Group V in lieu of 5:30 p.m. to consider the agenda published in Interim Calendar Number 4; and the Select Committee on Career Service Reform was granted permission to meet 30 minutes after adjournment of Group V to consider **SB 4-D**.

Senator Thomas moved that all bills presently on the Secretary's desk pending introduction be transmitted to the Committee on Rules and Calendar for examination and recommendation. The motion was adopted.

On motions by Senator Jenne, provisions of Rule 13.3 relating to committee meeting notices and provisions of Rule 2.39 relating to two-hour notice of amendments to be considered by a committee were waived; and the Committee on Finance, Taxation and Claims was granted permission to consider **SB 10-D** this day.

On motions by Senator Gardner, provisions of Rule 13.3 relating to committee meetings notices and provisions of Rule 2.39 relating to two-hour notice of amendments to be considered by a committee were waived; and the Committee on Appropriations was granted permission to consider **SB 2-D** in lieu of **SB 268**; to consider a proposed committee bill relating to budget reduction and the accompanying proposed implementing bill; and to extend time of adjournment of the meeting until completion of the agenda.

RECESS

On motion by Senator Thomas, the Senate recessed at 12:30 p.m. to reconvene upon call of the President.

CALL TO ORDER

The Senate was called to order by the President at 4:37 p.m. A quorum present—40:

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

MOTIONS

On motions by Senator Thomas, provisions of Rule 13.3 relating to committee meeting notices and provisions of Rule 2.39 relating to two-hour notice of amendments to be considered by a committee were waived; and the Committee on Personnel, Retirement and Collective Bargaining was granted permission to meet Wednesday at 9:00 a.m. to consider **SB 4-D**; the Committee on Health and Rehabilitative Services was granted permission to meet Wednesday at 9:00 a.m. to consider **SB 6-D** and **SB 8-D**; the Committee on Governmental Operations was granted permission to meet Wednesday at 12:30 p.m. to consider **Senate Bills 4-D, 6-D** and **8-D**; and the Committee on Appropriations was granted permission to meet Thursday at 9:00 a.m. to consider **SB 8-D**.

REPORTS OF COMMITTEES

The Committee on Rules and Calendar made no recommendation of bills pending introduction outside the Governor's call to special session.

The Committee on Appropriations recommends a committee substitute for the following: **SB 2-D**

The Committee on Finance, Taxation and Claims recommends the following pass: **SB 10-D**

The Committee on Rules and Calendar recommends the following pass: **SJR 12-D** with 3 amendments, **SB 14-D**

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

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Appropriations and Senator Gardner—

CS for SB 2-D—A bill to be entitled An act relating to the state budget process; amending s. 215.32, F.S.; providing goals for amounts to be maintained in the Working Capital Fund; limiting uses of Working Capital Fund moneys; providing for segregation of federal funds; amending s. 216.181, F.S.; providing for control of annual salary rates by state agencies; prescribing circumstances under which the Comptroller may waive requirements relating to advances for program startup and advances for contracted services; amending s. 216.0158, F.S.; prescribing matters to be included in agencies' assessments of their facility needs; amending s. 216.031, F.S.; prescribing contents of agencies' legislative budget requests; providing that the Executive Office of the Governor and the legislative appropriations committees' chairmen may request certain budget information from agencies; amending s. 216.292, F.S.; revising limitations on certain appropriations transfers; amending s. 216.164, F.S.; authorizing the Governor to submit certain budgets for state agencies; amending s. 216.262, F.S.; prescribing the circumstances and procedures under which the Administration Commission may increase the number of authorized positions or delete specified positions within agencies; amending s. 216.178, F.S., and creating s. 216.052, F.S.; providing criteria for legislative budget requests; requiring certain information relating to appropriations bills to be made available; providing for fiscal budget reports; amending s. 216.212, F.S.; providing requirements for use of federal funds; abolishing certain trust funds in the State Treasury and providing for review of the continued need for those trust funds; providing for inclusion of summary information in the General Appropriations Act and for the construction of such information; providing an effective date.

MOTION

Senator Thomas moved that debate be limited to two minutes per side on the question of introduction of bills not within the call of the special session. The motion was adopted.

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

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

By Senators Langley, Thurman, Weinstein, McKay, Jenne, Wexler and Souto—

SB 20-D—A bill to be entitled An act relating to gambling; amending ss. 849.093, 718.114, 849.09, 849.094, F.S., and repealing s. 723.079(8), F.S., and s. 6, ch. 91-206, Laws of Florida, in order to restore, with a certain exception, laws regulating the conduct of bingo to the way they would appear if ch. 91-206, Laws of Florida, had not become operative; amending ss. 849.093, 718.114, 723.079, 849.09, 849.094, F.S., to incorporate, with necessary modifications, the bingo revisions that were included in ch. 91-206, Laws of Florida, into the law as of October 1, 1992, which revisions pertain to such matters as legislative intent, definitions, powers and duties of the Division of Pari-mutuel Wagering, conduct of bingo by authorized organizations, requirements and conditions for the conduct of bingo, licensing of authorized organizations and distributors of bingo equipment and supplies, fees, limitations on prizes, records and reports of licensees, prohibited activities in connection with bingo, revocation or denial of licenses, administrative fines, criminal penalties, injunctive relief, deposit of moneys collected, preemption of bingo regulation to the state with certain exceptions, conduct of bingo by condominium associations and nonprofit mobile home owners' associations, and application of lottery prohibitions and game promotion regulations to bingo or guest games; providing an appropriation to, and authorizing additional positions in, the Department of Business Regulation; providing effective dates.

—which was referred to the Committee on Commerce.

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

By Senator Meek—

SB 22-D—A bill to be entitled An act relating to discretionary sales surtaxes; amending s. 212.055, F.S.; revising provisions which authorize certain counties to levy an indigent care surtax, which provide conditions under which a county as defined in s. 125.011(1), F.S., may levy a surtax for a county public general hospital, and which provide a limitation on such levies; providing legislative intent; providing for future repeal; providing an effective date.

—which was referred to the Committees on Community Affairs; and Finance, Taxation and Claims.

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

By Senators Girardeau and Kirkpatrick—

SB 24-D—A bill to be entitled An act relating to jurors; amending s. 7, ch. 91-235, Laws of Florida; changing the effective date of specified provisions in ch. 91-235, Laws of Florida, which relate to creation of jury lists and eligibility for jury duty; providing an effective date.

—which was referred to the Committee on Executive Business, Ethics and Elections.

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

By Senators Thurman, Wexler, Langley, Weinstein, Kurth, Malchon, Jenne, Dudley, Grant, Forman, Bruner, Thomas and Souto—

SB 26-D—A bill to be entitled An act relating to bingo; amending s. 849.093, F.S.; revising the definition of "authorized expenses," "authorized organization," "charitable purpose," and "objects"; defining "community association" and "volunteer"; authorizing community associations to conduct bingo; providing requirements with respect to the conduct of

games and use of proceeds by such associations; revising requirements relating to a report by the Division of Pari-mutuel Wagering; revising requirements relating to use of proceeds; revising provisions relating to conduct of bingo for patients in veterans' hospitals and nursing homes; revising requirements relating to the issuance of a license to conduct bingo or act as a distributor; exempting certain applicants from background check requirements; revising application and license fees; providing for a special event license; revising the conditions for the conduct of bingo and the required procedures for the conduct of games; revising requirements relating to premises on which bingo may be conducted and lease arrangements; revising reporting requirements; revising prohibited activities and prohibiting certain persons from participating in the operation of a licensed distributor; repealing s. 849.093(18), F.S., which specifies conditions with respect to the conduct of bingo by condominium associations; providing for retroactive effect of certain license fee reductions and for application of any excess paid toward subsequent fees; amending s. 723.079, F.S.; revising provisions relating to conduct of bingo by mobile home owners' associations; providing an effective date.

—which was referred to the Committee on Commerce.

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

By Senators Malchon, Dantzer, Thurman, Yancey and Kiser—

SB 28-D—A bill to be entitled An act relating to governmental accountability; amending s. 11.143, F.S.; requiring substantive legislative committees to review agency functional plans and to hold public hearings concerning the findings of performance audits conducted by the Auditor General; amending s. 11.45, F.S.; requiring the Auditor General, in auditing a program, to identify and comment upon alternatives; requiring the Auditor General to audit performance measures included in agency functional plans; requiring local governments to pay for requested audits by the Auditor General; requiring additional reports; amending s. 11.60, F.S.; requiring the Administrative Procedures Committee to report to legislative standing committees regarding agency rulemaking; repealing s. 11.61, F.S., which provides for periodic repeal and review of statutes regulating professions, occupations, businesses, and industries; repealing s. 11.611, F.S., which provides for periodic repeal and review of statutes creating advisory bodies, commissions, and boards of trustees adjunct to the executive branch; abrogating the future repeal of statutes scheduled for repeal and review in accordance with such acts; creating s. 11.62, F.S.; providing legislative intent; requiring the Legislature to consider certain factors when enacting legislation that provides for the regulation of a profession or an occupation; requiring proponents of such legislation to provide specified information to certain legislative committees and to the Department of Professional Regulation; requiring the department to provide information to the Legislature relating to the effect of proposed regulation of a profession or occupation; requiring legislative committees to make certain determinations upon making recommendations concerning the enactment of new regulation of a profession or occupation; amending s. 186.021, F.S., requiring state agency functional plans to include performance measures; deleting an obsolete provision; amending s. 186.022, F.S., specifying state agency plans must include program performance measures; providing an effective date.

—which was referred to the Committee on Governmental Operations.

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

By Senators Malchon, Dantzer, Thurman, Yancey and Kiser—

SB 30-D—A bill to be entitled An act relating to government inspections; requiring the Governor to direct certain agencies under his authority to enter into interagency agreements that will eliminate duplication of inspections by those agencies; providing for authority of agents conducting such inspections; providing for reports; providing an effective date.

—which was referred to the Committee on Governmental Operations.

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

By Senators Scott, Weinstein, Margolis, Jenne, Wexler, Weinstock and Davis—

SB 32-D—A bill to be entitled An act relating to elections; changing the date of the second primary election in 1992; providing an effective date.

—which was referred to the Committee on Executive Business, Ethics and Elections.

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

By Senators Johnson and Forman—

SB 34-D—A bill to be entitled An act relating to taxation; requiring the Department of Revenue to develop and implement a limited-duration tax amnesty program for state taxes; providing terms and conditions for such program; providing an effective date.

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

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

By Senators Johnson and McKay—

SB 36-D—A bill to be entitled An act relating to drivers' licenses; repealing ss. 232.165, 322.09(3), 322.16(2)(b), 322.0601, F.S., relating to conditions for issuing licenses to certain persons under the age of 18 years; amending s. 322.05, F.S.; specifying minors who may be issued an operator's license; providing an effective date.

—which was referred to the Committee on Transportation.

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

By Senator Dudley—

SB 38-D—A bill to be entitled An act relating to community associations; amending ss. 718.104, 718.110, 718.111, 718.112, 718.116, 719.106, F.S., and amending s. 28 of ch. 91-103, Laws of Florida; delaying until April 1, 1992, the effect of certain amendments to the condominium and cooperative laws; providing for applicability; providing an effective date.

—which was referred to the Committee on Commerce.

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

By Senators Burt and Bruner—

SB 40-D—A bill to be entitled An act relating to the supervision of probationers, parolees, and others; amending s. 948.09, F.S.; revising the maximum amount that persons in various community supervision programs may be required to contribute for the cost of such supervision; providing an effective date.

—which was referred to the Committee on Corrections, Probation and Parole.

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

By Senators Burt and Bruner—

SB 42-D—A bill to be entitled An act relating to the state correctional system; amending s. 945.091, F.S.; extending the period during which an inmate may be allowed to leave confinement for prescribed periods of time for the purpose of employment, education, or training; providing an effective date.

—which was referred to the Committee on Corrections, Probation and Parole.

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

By Senators Gardner and Kiser—

SB 44-D—A bill to be entitled An act relating to school instructional materials; amending s. 233.34, F.S.; giving discretion to district school boards in the expenditure of the annual state allocation for instructional

materials; requiring consideration of the state-adopted list; requiring a summary of the reasons for purchasing items that are not on the state-adopted list; requiring insertion of the summary into the minutes of the district school board; deleting limitations on the expenditure of the allocation; providing an effective date.

—which was referred to the Committee on Appropriations.

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

By Senators Gardner and Bruner—

SB 46-D—A bill to be entitled An act relating to food safety; amending s. 500.03, F.S.; revising definitions; defining "convenience store"; deleting applicability provisions; amending s. 500.09, F.S.; expanding and clarifying provisions which require the Department of Agriculture and Consumer Services to adopt rules governing food products; authorizing certain exemptions from labeling requirements; amending s. 500.12, F.S.; requiring food permits; providing an exemption; providing an application fee; providing legislative intent; amending s. 500.121, F.S.; increasing a fine for specified violations; amending s. 500.146, F.S.; expanding the department's authority to adopt rules; revising provisions relative to analytical work; creating s. 500.165, F.S.; prohibiting carriers from transporting food items in certain vehicles or rail cars; providing for standards by rule; providing an administrative fine; providing a penalty; amending s. 500.167, F.S.; revising provisions which provide exemptions for carriers engaged in interstate commerce; amending ss. 502.091, 502.165, 502.191, F.S.; clarifying and updating references; amending s. 502.231, F.S.; revising penalty and injunction provisions; providing for the suspension or revocation of permits; authorizing a fine; providing applicability to milk and milk product producers and handlers; amending s. 509.013, F.S.; revising an exclusion from the definition of "public food service establishment"; amending s. 583.09, F.S.; requiring food permits for egg dealers and poultry dealers; amending s. 583.022, F.S.; providing for the refrigeration of eggs for sale or processing; providing temperature requirements; amending s. 585.002, F.S.; requiring the department to establish a fee schedule for certain services; amending s. 585.21, F.S.; revising provisions relating to the sale of biological products for animals; amending s. 585.90, F.S., relating to inspection, stop-sale orders, condemnation, and destruction of animal products; creating s. 585.902, F.S.; providing causes for seizure and condemnation of animal products; creating s. 585.903, F.S.; providing procedures with respect to seizure of animal products; providing a penalty; providing for the suspension or revocation of permits; providing a fine; creating s. 585.904, F.S.; providing for the condemnation, sale, and release of seized animal products; amending s. 571.11, F.S.; correcting a cross-reference; amending s. 381.0072, F.S.; clarifying the duties of the Department of Health and Rehabilitative Services with respect to the adoption and enforcement of specified sanitation rules; creating the Seafood and Aquatic Species Task Force; requiring a report; providing an effective date.

—which was referred to the Committee on Governmental Operations.

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

By Senators Crotty and Gardner—

SB 48-D—A bill to be entitled An act relating to the Division of Hotels and Restaurants of the Department of Business Regulation; amending s. 509.032, F.S.; deleting the division's authority to enter into certain contracts to perform inspections of public lodging establishments and public food service establishments; providing an effective date.

—which was referred to the Committee on Governmental Operations.

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

By Senator Grant—

SB 50-D—A bill to be entitled An act relating to the Commission on Legal Representation of Grand Jury Witnesses; prescribing the duties of the commission; providing an effective date.

—which was referred to the Committee on Judiciary.

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

By Senator Crotty—

SB 52-D—A bill to be entitled An act relating to public officers and employees; amending s. 112.061, F.S.; eliminating the subsistence allowance for Class C travel; amending ss. 112.3148, 281.20, F.S.; correcting cross-references; providing an effective date.

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

MOTIONS

On motion by Senator Langley, the rules were waived and the Committee on Commerce was granted permission to consider **SB 20-D** on December 13.

On motion by Senator Thurman, the rules were waived and the Committee on Commerce was granted permission to consider **SB 26-D** on December 13.

On motion by Senator Dudley, the rules were waived and the Committee on Commerce was granted permission to consider **SB 38-D** on December 13.

On motion by Senator Meek, the rules were waived and the Committee on Community Affairs was granted permission to consider **SB 22-D** on December 12.

On motions by Senator Girardeau, the rules were waived and the Committee on Executive Business, Ethics and Elections was granted permission to meet December 11 from 8:30 a.m. until 9:00 a.m. to consider **SB 24-D** and **SB 32-D**

On motions by Senator Malchon, the rules were waived and the Committee on Governmental Operations was granted permission to consider **SB 28-D** and **SB 30-D** on December 11.

On motions by Senator Gardner, the rules were waived and the Committee on Governmental Operations was granted permission to consider **SB 46-D** and **SB 48-D** on December 11.

On motion by Senator Forman, the rules were waived and the Committee on Transportation was granted permission to meet December 12 from 8:30 a.m. until 9:00 a.m. to consider **SB 36-D**.

On motions by Senator Bruner, the rules were waived and the Committee on Corrections, Probation and Parole was granted permission to consider **SB 40-D** and **SB 42-D** on December 13.

On motion by Senator Gardner, the rules were waived and the Committee on Appropriations was granted permission to consider **SB 44-D** on December 12.

On motion by Senator Weinstein, the rules were waived and the Committee on Judiciary was granted permission to consider **SB 50-D** on December 11.

On motion by Senator Crotty, the rules were waived and the Committee on Personnel, Retirement and Collective Bargaining was granted permission to consider **SB 52-D** on December 11.

On motion by Senator Thomas, provisions of Rule 13.3 relating to committee meeting notices were waived to allow the Congressional Reapportionment Subcommittee to meet on Thursday, December 19 from 9:00 a.m. until 5:00 p.m. in Room 413 of the Capitol to hear testimony from members of Congress and the public.

VETOED BILL 1991 REGULAR SESSION

Honorable Jim Smith
Secretary of State

June 7, 1991

Dear Secretary Smith:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of the State of Florida, I do hereby withhold my approval and transmit to you with my objections, Senate Bill 1902, enacted by the 23rd Regular Session of the Legislature since the Constitution of 1968, during the Regular Session of 1991, and entitled:

An act relating to motor vehicle licenses; amending s. 320.04, F.S.; providing a service charge on certain registration renewals; providing for disposition of funds; amending s. 320.07, F.S.; revising the delinquency fee schedule for persons who have let their registration expire; creating s. 320.0701, F.S.; providing penalties for failure to register a motor vehicle; providing for the immobilization of unregistered vehicles; providing for delinquency fees; providing a penalty for tampering with or unlocking an immobilization device; providing for an appropriation; repealing s. 207.029, F.S., relating to proof of liability insurance with respect to certain commercial motor vehicles; amending s. 320.27, F.S., 1990 Supp.; providing for governmental leasing corporations; amending s. 341.102, F.S.; deleting the prohibition against local governments enacting economic regulations upon the use of certain nonpublic-sector buses engaged in intracity transportation; providing such prohibition for nonpublic-sector buses engaged in intercity transportation; providing applicability; requiring compliance with applicable state insurance regulations; amending s. 341.102, F.S.; revising language with respect to the regulation of nonpublic-sector buses; providing an effective date.

That portion of the bill which relates to the licensing and registration of motor vehicles and revises the delinquency fee schedule for expired registrations is sound and is a measure that I support. However, Section 7 of this bill, which amends Section 341.102, Florida Statutes, 1990 Supplement, which prohibits local governments from imposing any economic regulation upon the use of nonpublic-sector buses engaged in intercity transportation routes, substantially undercuts those local government ground transportation regulations which seek to coordinate the public and private provision of services to the riding public.

The inclusion of the term "taxicabs" in the issue of regulation of nonpublic-sector buses may have far reaching effects on current holders of taxi licenses. This prohibition against the regulation of nonpublic-sector buses may cause substantial revenue loss to public-sector bus systems which are already overburdened.

This bill points up the problem with the logrolling of differing issues in one bill, which Article III, Section 6, of the Florida Constitution was designed to prevent. In order to exercise my prerogative to strike this objectionable intrusion into the appropriate exercise of local government powers, unfortunately, I must forego approving important changes to the motor vehicle licensing and registration laws.

For these reasons, I am withholding my approval of Senate Bill 1902 and hereby veto the same.

Sincerely,
Lawton Chiles
Governor

The bill, together with the Governor's objections thereto, was referred to the Committee on Rules and Calendar.

RECESS

On motion by Senator Thomas, the Senate recessed at 5:19 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 2:00 p.m., Wednesday, December 11 or upon call of the President.