



# Journal of the Senate

Number 9

Tuesday, February 18, 1992

## CALL TO ORDER

The Senate was called to order by the President at 10:00 a.m. A quorum present—40:

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	Walker
Childers	Gordon	Malchon	Weinstein
Crenshaw	Grant	McKay	Weinstock
Crotty	Grizzle	Meek	Wexler
Dantzler	Jenne	Myers	Yancey

## PRAYER

The following prayer was offered by the Rev. Robert Folkenberg, Jr., Pastor, Seventh Day Adventist Church, Tallahassee:

Dear Father, creator and sustainer of all, we pause at the start of this day of debates and decisions to acknowledge our need of your presence here this morning.

Dear God, the business of this day calls for men and women who will be as true to duty as a needle to the pole; men and women who will stand for right though the heavens fall. This wisdom, this vision and courage will only take place as you are present here; only as you walk these aisles; only as we allow you to dwell in us.

And so we ask—no we sincerely invite you to be here today. Thank you for gracing us with your presence, for we've asked this in His name. Amen.

## PLEDGE

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

## CONSIDERATION OF RESOLUTION

On motion by Senator Plummer, by two-thirds vote **SR 2382** was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Plummer—

**SR 2382**—A resolution expressing regret at the death of Police Officer Steven E. Bauer.

WHEREAS, Steven Bauer became a member of the North Miami Police Department in January 1979, and

WHEREAS, his 13-year career encompassed assignments to uniform patrol, marine patrol, crime scene, and investigation units, and

WHEREAS, his most recent assignment was to the detective bureau, and

WHEREAS, Police Officer Bauer was twice named the department's "Officer of the Month," and recognized as the North Miami Police Department's "Officer of the Year" in 1989 for his outstanding police work, and

WHEREAS, Officer Bauer received over 31 commendations for his exceptional abilities, and

WHEREAS, Steven Bauer was known as a "cop's cop," and

WHEREAS, Steven was part of a law enforcement family, with brothers, Michael and Robert, being members of the Miami Beach Police Department, and

WHEREAS, Steven Bauer made his home in North Miami with his loving wife, Caroline, and his adored children, daughters Kelly, 17, Katie, 5, and son, Kyle Steven, 3 years old, and

WHEREAS, Steven Bauer was known for his dedication to his profession, his fierce competitiveness, his practical jokes, his ready wit, and his love for his family, NOW, THEREFORE,

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

That this legislative body does pause in its deliberations to pay its respects to the late Police Officer Steven E. Bauer for his great sacrifice in giving his life in the line of duty to protect the people of Miami and this state.

BE IT FURTHER RESOLVED that a copy of this resolution, signed by the President of the Senate, with the Seal of the Senate affixed, be presented to Mrs. Caroline Bauer, widow of Steven E. Bauer, as a tangible token of the respect 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 **CS for CS for SB 12, SB 508 and SB 1310** was withdrawn from the Committee on Community Affairs; **CS for SB's 428 and 174** was withdrawn from the Committee on Transportation; **CS for SB 832** was withdrawn from the Committee on Appropriations and referred to the Committees on Governmental Operations and Appropriations; **CS for SB 1106** was withdrawn from the Committee on Natural Resources and Conservation; **CS for SB 1496** was withdrawn from the Committee on Agriculture; **Senate Bills 1816 and 2414** were withdrawn from the Committee on Health and Rehabilitative Services.

On motions by Senator Gardner, by two-thirds vote **Senate Bills 734 and 806** were withdrawn from the committees of reference and further consideration.

On motions by Senator Gardner, by two-thirds vote **CS for SB's 196 and 298, SB 658, CS for SB 894 and CS for SB 2308** were withdrawn from the Committee on Appropriations.

On motion by Senator Jenne, by two-thirds vote **SB 938** was withdrawn from the Committee on Finance, Taxation and Claims.

On motions by Senator Kurth, by two-thirds vote **SB 2020** was withdrawn from the committees of reference and further consideration.

On motions by Senator Grizzle, by two-thirds vote **SJR 480, CS for SB 510, CS for SB 154, CS for SB 462, SB 1478 and CS for SB 2218** were withdrawn from the Committee on Community Affairs.

## MOTIONS

On motion by Senator Weinstein, the rules were waived and the Committee on Judiciary was granted permission to consider **SB 2414** on Wednesday, February 19.

On motions by Thomas, the rules were waived and by two-thirds vote **HB 2327** was placed at the end of the Special Order Calendar.

## SPECIAL ORDER

**SB 1572**—A bill to be entitled An act naming the gymnasium at the Florida State University School the Robert W. Albertson Gymnasium; providing an effective date.

—was read the second time by title.

The Committee on Education recommended the following amendment which was moved by Senator Walker and adopted:

**Amendment 1**—On page 2, line 4, strike “The Board of Regents” and insert: Florida State University

On motion by Senator Walker, by two-thirds vote **SB 1572** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—40      Nays—None

**SB 1586**—A bill to be entitled An act relating to state recreational areas; renaming the Flagler State Recreational Area in Flagler County as the “Gamble Rogers Memorial Park at Flagler Beach, a Florida Recreational Area”; directing that appropriate markers be erected; providing an effective date.

—was read the second time by title.

The Committee on Natural Resources and Conservation recommended the following amendment which was moved by Senator Bankhead and adopted:

**Amendment 1 (with Title Amendment)**—On page 2, strike line 15 and insert: Memorial State Recreation Area at Flagler Beach.”

And the title is amended as follows:

In title, on page 1, strike all of lines 5 and 6 and insert: State Recreation Area at Flagler Beach”; directing that appropriate markers be

On motion by Senator Bankhead, by two-thirds vote **SB 1586** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36      Nays—None

**SB 1684**—A bill to be entitled An act relating to road designations; designating a road beginning at State Road 758 in Sarasota County and extending to U.S. Highway 1 in Palm Beach County as the “Coast to Coast Highway”; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was read the second time by title.

The Committee on Transportation recommended the following amendment which was moved by Senator Walker and adopted:

**Amendment 1 (with Title Amendment)**—On page 2, between lines 7 and 8, insert:

Section 3. U.S. Highway 19 from Capps in Jefferson County to Chiefland in Levy County is redesignated as the Florida-Georgia Parkway. The Department of Transportation shall erect suitable directional signage at appropriate intervals along the Florida-Georgia Parkway indicating such designation.

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 1, line 7, after the semicolon (;) insert: naming a portion of U.S. Highway 19; directing the department to erect suitable signals;

On motion by Senator McKay, by two-thirds vote **SB 1684** 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

**CS for CS for SB 76**—A bill to be entitled An act relating to plumbing facilities; requiring buildings with public restrooms to provide additional toilet facilities for women; providing an exception; providing an effective date.

—was read the second time by title.

Senator Davis moved the following amendment which was adopted:

**Amendment 1 (with Title Amendment)**—On page 2, line 2, strike “facilities” and insert: fixtures

And the title is amended as follows:

In title, on page 1, lines 2 and 4, strike “facilities” and insert: fixtures

Senator Kiser moved the following amendment which was adopted:

**Amendment 2**—On page 2, strike all of lines 9-13

On motion by Senator Davis, by two-thirds vote **CS for CS for SB 76** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39      Nays—None

**SB 588**—A bill to be entitled An act relating to housing finance authorities; amending ss. 159.602, 159.608, F.S.; authorizing a housing finance authority to own and operate a savings and loan bank; providing a purpose; providing for the reinvestment of proceeds; providing minimum capital requirements; requiring compliance with state and federal banking regulations; providing an effective date.

—was read the second time by title. On motion by Senator Meek, by two-thirds vote **SB 588** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35      Nays—None

**SB 848**—A bill to be entitled An act relating to sellers of travel; amending s. 559.927, F.S.; revising language with respect to an exemption for certain sellers of travel services who are engaged solely in offering diving services; providing an effective date.

—was read the second time by title. On motion by Senator Weinstein, by two-thirds vote **SB 848** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34      Nays—None

**SB 960**—A bill to be entitled An act relating to ad valorem taxation; creating s. 197.347, F.S.; requiring that a statement comparing specified millage and tax rates accompany notices of ad valorem taxes; providing for form and content of such statement; amending s. 200.065, F.S.; revising the sequence of actions taken by the governing body of a taxing authority regarding public hearings finalizing budgets and adopting millage rates; providing requirements for advertisements of ad valorem taxation in multicounty taxing authorities; amending s. 200.069, F.S.; changing the order of the information that appears on notices of proposed property taxes; providing an effective date.

—was read the second time by title.

Senator Bruner moved the following amendment which was adopted:

**Amendment 1 (with Title Amendment)**—On page 8, between lines 2 and 3, insert:

Section 4. Paragraph (b) of subsection (2) and paragraph (a) of subsection (8) of section 196.199, Florida Statutes, are amended to read:

196.199 Government property exemption.—

(2) Property owned by the following governmental units but used by nongovernmental lessees shall only be exempt from taxation under the following conditions:

(b) Except as provided in paragraph (c), the exemption provided by this subsection shall not apply to those portions of a leasehold or other interest defined by s. 199.023(1)(d), subject to the provisions of subsection (7). Such leasehold or other interest shall be taxed only as intangible personal property pursuant to chapter 199 if rental payments are due in consideration of such leasehold or other interest. If no rental payments are due pursuant to the agreement creating such leasehold or other interest or if any payments that were required under the original agreement have been waived or prohibited by law prior to January 1, 1992, the leasehold or other interest shall be taxed as real property. Nothing in this paragraph shall be deemed to exempt personal property, buildings, or other real property improvements owned by the lessee from ad valorem taxation.

(8)(a) *Except for taxes on leaseholds that are taxed as real property under paragraph (2)(b), any and all of the aforesaid taxes on any leasehold described in this section shall not become a lien on same or the property itself but shall constitute a debt due and shall be recoverable by legal action or by the issuance of tax executions that shall become liens upon any other property in any county of this state of the taxpayer who owes said tax. Ad valorem real property taxes levied on leaseholds that are taxed as real property under paragraph (2)(b), for which no rental payments are due pursuant to the agreement creating such leasehold or if any payments that were required under the original agreement have been waived or prohibited by law prior to January 1, 1992, must be paid by the lessee and become liens on such leaseholds subject to all collection and enforcement provisions of chapter 197.*

Section 5. Subsection (9) of section 197.432, Florida Statutes, is amended to read:

197.432 Sale of tax certificates for unpaid taxes.—

(9) No certificate shall be sold on, nor any lien created in, property owned by any governmental unit the property of which has become subject to taxation due to lease of the property to a nongovernmental lessee. Such delinquent taxes shall be enforced and collected in the manner provided in s. 196.199(8). *However, ad valorem real property taxes levied on leaseholds that are taxed as real property under s. 196.199(2)(b), for which no rental payments are due pursuant to the agreement creating such leasehold or if any payments that were required under the original agreement have been waived or prohibited by law prior to January 1, 1992, must be paid by the lessee and become liens on such leaseholds subject to all collection and enforcement provisions of this chapter.*

(Renumber subsequent section.)

And the title is amended as follows:

In title, on page 1, line 16, following the semicolon (;) insert: amending s. 196.199, F.S.; providing additional circumstances in which certain property owned by a governmental unit shall be taxed as real property; providing that ad valorem taxes due on certain governmental leaseholds must be paid by the lessee and become liens on such leaseholds subject to the collection provisions of ch. 197, F.S.; amending s. 197.432, F.S.; providing that ad valorem taxes due on governmental leaseholds become liens or leaseholds and may be collected pursuant to ch. 197, F.S.;

On motion by Senator Jenne, by two-thirds vote **SB 960** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—40 Nays—None

**SB 836**—A bill to be entitled An act relating to collective bargaining; amending s. 447.307, F.S.; specifying when certification of an employee organization as the exclusive collective bargaining agent of all employees in the bargaining unit is effective; prohibiting the filing of a petition seeking an election in any proposed or existing bargaining unit to determine the exclusive bargaining agent within a specified time period after either of certain events occur; providing an effective date.

—was read the second time by title.

The Committee on Personnel, Retirement and Collective Bargaining recommended the following amendment which was moved by Senator Walker and adopted:

**Amendment 1**—On page 1, line 27, strike the period (.) and insert: *by the commission or the court*

On motion by Senator Walker, by two-thirds vote **SB 836** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38 Nays—None

#### MOTION

On motion by Senator Walker, the rules were waived and **SB 836** was ordered immediately certified to the House.

**CS for SB 674**—A bill to be entitled An act relating to accounting; providing for the transfer of the Board of Accountancy from the Division of Professions of the Department of Professional Regulation to the Divi-

sion of Certified Public Accounting of the Department of Banking and Finance; amending s. 20.12, F.S.; creating the Division of Certified Public Accounting; repealing s. 20.30(4)(a), F.S.; relating to the Board of Accountancy; creating part II of chapter 17, F.S.; providing legislative intent; providing powers and duties of the department; providing for headquarters of the Board of Accountancy and the Division of Certified Public Accounting; providing for the membership of the board; providing for the publication of information; providing for the accountability and liability of board members; providing for board rules, final agency action, and challenges; providing for licensing; providing for board intervention in licensing proceedings; providing for examinations; providing for special examination and licensing provisions for foreign-trained professionals; providing for fees, receipts, and the disposition of such fees and receipts; creating the Certified Public Accounting Regulatory Trust Fund; providing for legal and investigative services; providing for the power to administer oaths, take depositions and issue subpoenas; providing for disciplinary proceedings; providing grounds for discipline, penalties, and enforcement; providing disciplinary guidelines; providing penalties for giving false information; prohibiting the unlicensed practice of public accounting; providing a penalty; providing for the public inspection of information required from applicants; providing exceptions; providing for discovery and challenge with respect to examinations; providing penalties for the disclosure of certain information; creating s. 215.375, F.S.; providing for fees collected by the Department of Banking and Finance and the Board of Accountancy; amending s. 473.302, F.S.; redefining the term "department" and defining the term "division" to conform to the act; amending ss. 473.303, 473.308, 473.311, 473.323, F.S.; conforming to the act; providing for the continued validity of licenses and legal actions; providing an effective date.

—was read the second time by title. On motion by Senator Forman, by two-thirds vote **CS for SB 674** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36 Nays—2

#### MOTION

On motion by Senator Forman, the rules were waived and **CS for SB 674** was ordered immediately certified to the House.

**SB 1724**—A bill to be entitled An act relating to weapons and firearms; amending s. 790.06, F.S.; revising provisions relating to concealed weapons licensure and exemption from licensure, and reenacting s. 790.0655(2)(a), F.S., relating to mandatory waiting period, to incorporate said amendment in a reference thereto; reenacting and amending s. 790.01(3), F.S., relating to carrying concealed weapons, to incorporate the amendment to s. 790.06, F.S., in a reference thereto and to correct a reference; repealing s. 790.06(13), F.S., relating to county concealed weapon ordinances; amending s. 790.065, F.S.; revising requirements relating to sale and delivery of firearms and providing certain exemptions, and reenacting s. 493.6121(6), F.S., relating to enforcement, to incorporate said amendment in a reference thereto; providing an effective date.

—was read the second time by title.

The Committee on Criminal Justice recommended the following amendment which was moved by Senator Thomas:

**Amendment 1**—On page 5, strike line 28 and insert: During the first full year of operation the fee

Senator Gardner moved the following substitute amendment which was adopted:

**Amendment 2**—On page 5, line 28, strike "year" and after "first" insert: *two full years*

Further consideration of **SB 1724** as amended was deferred.

**SB 1434**—A bill to be entitled An act relating to ad valorem tax exemptions; amending s. 196.081, F.S., which provides an exemption for the homestead of a totally and permanently disabled veteran; specifying that said section applies to both male and female veterans; providing that such veteran's widow or widower may transfer the exemption to another residence under certain circumstances; providing an effective date.

—was read the second time by title.

The Committee on Finance, Taxation and Claims recommended the following amendments which were moved by Senator Walker and adopted:

Amendment 1 (with Title Amendment)—On page 2, between lines 13 and 14, insert:

Section 2. Subsections (3) and (5) of section 196.101, Florida Statutes, is amended to read:

196.101 Exemption for totally and permanently disabled persons.—

(3) The production by any totally and permanently disabled person entitled to the exemption in subsection (1) or subsection (2) of a certificate of such disability from two licensed doctors of this state or from the Veterans Administration or an award letter from the Social Security Administration to the property appraiser of the county wherein the property lies, is prima facie evidence of the fact that he is entitled to such exemption.

(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) or an award letter from the Social Security 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 9, after the semicolon (;) insert: amending s. 196.101, F.S., authorizing certification of disability by a letter from the Social Security Administration;

Amendment 2 (with Title Amendment)—On page 2, between lines 13 and 14, insert:

Section 2. Subsection (11) of section 196.012, Florida Statutes, is amended to read:

196.012 Definitions.—For the purpose of this chapter, the following terms are defined as follows, except where the context clearly indicates otherwise:

(11) "Totally and permanently disabled person" means a person who is currently certified by two licensed physicians of this state who are professionally unrelated, or by the Veterans Administration or by the Social Security Administration, to be totally and permanently disabled.

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 1, line 9, after the semicolon (;) insert: amending s. 196.012, F.S.; modifying the definition of "totally and permanently disabled person" to allow certification by the Social Security Administration;

On motion by Senator Thurman, by two-thirds vote SB 1434 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38 Nays—None

On motion by Senator Gardner, by two-thirds vote CS for HB 2101 was withdrawn from the Committee on Appropriations.

On motions by Senator Gardner, by unanimous consent—

CS for HB 2101—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.

—was taken up out of order and by two-thirds vote read the second time by title.

Senator Gardner moved Amendment 1 (with Title Amendment) which constituted an entirely new bill and pursuant to Rule 7.6 was not published in the Journal.

Senator Gardner moved the following amendments to Amendment 1 which failed:

Amendment 1A—

SECTION 01 STRIKE: INSERT:
PAGE 103
ITEM 782

782 SPECIAL CATEGORIES
COMPUTER RELATED EXPENSES
FROM WORKING CAPITAL TRUST FUND 34,918,649 34,918,648

and delete the paragraph of proviso language which follows

and on page 104

793 DATA PROCESSING SERVICES
HEALTH AND REHABILITATIVE SERVICES
TECHNOLOGY CENTER
FROM GENERAL REVENUE FUND 8,961,910 8,961,909

Amendment 1B—

SECTION 01 STRIKE: INSERT:
PAGE 242
ITEM 1673A

1673A FIXED CAPITAL OUTLAY
PURCHASE/LEASE PURCHASE EVALUATION
OF BUILDINGS - HRS, CORRECTIONS AND
PAROLE COMMISSION
FROM GENERAL REVENUE FUND 50,000 0

and strike all of the proviso language which follows that specific appropriation on pages 242 and 243.

The question recurred on Amendment 1 (with Title Amendment) which was adopted.

On motion by Senator Gardner, by two-thirds vote CS for HB 2101 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39 Nays—None

On motion by Senator Gardner, by two-thirds vote **CS for HB 2103** was withdrawn from the Committee on Appropriations.

On motions by Senator Gardner, by unanimous consent—

**CS for HB 2103**—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; abolishing the Statewide Health Council and local health councils and providing for the deposit of fees assessed; authorizing the Department of Highway Safety and Motor Vehicles to expend certain funds for operations; continuing for fiscal year 1992-1993 the authority of the Department of Revenue and a division of the Department of Labor and Employment Security to act outside the normal personnel and budget requirements of the Florida Statutes, as granted pursuant to s. 14(1), (2), and (3), ch. 91-157, Laws of Florida; granting the same authority to the Department of State, the Department of Insurance, the Department of Commerce, and the whole of the Department of Labor and Employment Security; 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; 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 payment of moneys owed by district school boards to the Division of Administrative Hearings; providing a limitation on the use of moneys appropriated to the Vocational Gold Seal Endorsement Scholarship Program; providing for the implementation of ch. 90-49, Laws of Florida, relating to laboratory schools; 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; 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, the Gulf Coast Community College Site Acquisition project, the Hillsborough Community College Land Acquisition/Brandon Campus project, and Lake-Sumter Community College Land Acquisitions projects will not revert until a specified date; eliminating a salary raise for Legislators; prohibiting adjustment to the allocation of funds for any university for the 1991-1992 and 1992-1993 fiscal years; 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; prescribing limitations on the filling of vacant positions within executive branch agencies and the judicial branch; requiring reports with respect to filling vacant positions; continuing the Resolution Trust Corporation Advisory Commission established pursuant to s. 72, ch. 91-157, Laws of Florida; requiring the Department of Administration to conduct a study on withdrawal of certain dependent and independent public hospitals from the Florida Retirement System; providing severability; providing effective dates, including a retroactive effective date, and an expiration date.

—was taken up out of order and by two-thirds vote read the second time by title.

Senator Gardner moved **Amendment 1 (with Title Amendment)** which constituted an entirely new bill and pursuant to Rule 7.6 was not published in the Journal.

Senator Gardner moved the following amendment to **Amendment 1** which failed:

**Amendment 1A (with Title Amendment)**—On page 15, lines 21-28, strike all of said lines and renumber subsequent sections.

And the title is amended as follows:

In title, on page 20, lines 1 and 2, strike "authorizing the Department of Transportation to borrow funds for certain purposes;"

The question recurred on **Amendment 1 (with Title Amendment)** which was adopted.

On motion by Senator Gardner, by two-thirds vote **CS for HB 2103** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40      Nays—None

#### MOTIONS

On motions by Senator Gardner, the rules were waived and **CS for HB 2101** and **CS for HB 2103** were ordered immediately certified to the House.

#### CONFEREES APPOINTED

The President announced that in the event the House refused to concur in the Senate amendments, she was appointing Senator Gardner, Chairman; Subcommittee A: Senators Kirkpatrick, Scott, Thomas and alternates Beard and Girardeau; Subcommittee B: Senators Meek, Johnson, Thurman and alternates Grizzle and Walker; Subcommittee C: Senators Davis, Myers, Weinstock and alternates Bankhead and Gordon; and Subcommittee D: Senators Childers, Dudley, Yancey and alternates Grant and Plummer as conferees on **CS for HB 2101** and **CS for HB 2103**.

#### SENATOR CHILDERS PRESIDING

#### MOTION

Senator Bruner moved that the Senate refuse to accept the resignation of Senator Gardner as a member of the Spaceport Florida Authority. The motion was adopted.

#### REMARKS

On motion by Senator Thomas, the following remarks were published in the Journal:

**Senator Bruner:** I would like, on a point of personal privilege, to ask Senator Gardner to reconsider his decision to resign from the Spaceport Authority. I don't think that you should be pressured into doing that. You've worked on this thing for three years through Republican and Democratic administrations. You've done a good job. People all over the state who have been involved in this process have a great deal of respect for the long hours of hard work and effort you have put into it. I would like to see the rest of my colleagues in this chamber make that same request of you because you've done a good job and we'd like to see you stay on the Authority.

**Senator Girardeau:** Thank you, Mr. President. I think we as a group need to commend Senator Gardner for the work he has done with the Spaceport Authority. Senator Gardner, I wish you'd reconsider that decision you made because I don't think there's another person in the Senate who can do a better job with the Authority.

I know you are very sensitive to the fact that anything that happens in your area is going to be called a turkey. But the point is, this is so important to the Space Coast and the issue is so important to the whole state. We need somebody who really knows what's going on from day to day down there. I think we should personally come and ask you if you would reconsider because we don't consider this as a turkey. This is for survival of Florida. Just like that Mag Lab left Massachusetts, if we are not careful we are going to lose our advantage in the space race.

**Senator Beard:** Mr. President, even though we know Senator Gardner is the greatest turkey hunter in the Senate, I want to join my colleagues in urging him to reconsider and withdraw his resignation. I think you've gotten gun-shy from having been shot at and shot down so many times lately, but reconsider, and don't quit.

**Senator Thomas:** I think it's the unanimous feeling of the Florida Senate, expressed by Republicans and Democrats, that there's not a more able nor more patient person to serve as chairman of Appropriations. And Senator Gardner we want you to continue your patience and leadership here. You have made us proud with your stewardship.

**Senator Bruner:** Mr. President, I would like to call for a voice vote and let's see if we've got a unanimous vote. It's going to cost us more money to send another Senator down to all the meetings that are held in Senator Gardner's district. I'd like to see the President move a voice vote in favor of him retaining that position if that's not out of order.

**Senator Meek:** I just want to say to Senator Gardner that you've been a mentor for us all in terms of courage, going up against obstacles that sometimes the rest of us wouldn't even try and we want you to stay with the Spaceport Authority.

If you will remember those people who ventured forth in that program had the same kind of criticism you've had. If you remember when they started the space program years ago, there was much criticism of those who would have us go into their territory, so we want to say we need Renaissance men like you, Senator Gardner, who are not afraid to venture forth, and in the end it protects us all. So I'm going to tell you, "keep on keeping on", and don't give up, don't get angry, because it's not going to do you any good because we are going to push you on.

**Senator Childers:** Now listen Senators, all of you in favor of refusing to let Senator Gardner resign, let it be known by saying aye. Now all of you that want him to go ahead and resign, say aye. The decision is unanimous, except for Senator Gardner who cast the only negative vote.

#### THE PRESIDENT PRESIDING

The Senate resumed consideration of—

**SB 1724**—A bill to be entitled An act relating to weapons and firearms; amending s. 790.06, F.S.; revising provisions relating to concealed weapons licensure and exemption from licensure, and reenacting s. 790.0655(2)(a), F.S., relating to mandatory waiting period, to incorporate said amendment in a reference thereto; reenacting and amending s. 790.01(3), F.S., relating to carrying concealed weapons, to incorporate the amendment to s. 790.06, F.S., in a reference thereto and to correct a reference; repealing s. 790.06(13), F.S., relating to county concealed weapon ordinances; amending s. 790.065, F.S.; revising requirements relating to sale and delivery of firearms and providing certain exemptions, and reenacting s. 493.6121(6), F.S., relating to enforcement, to incorporate said amendment in a reference thereto; providing an effective date.

—which had been previously considered this day.

Senator Johnson moved the following amendment which failed:

**Amendment 3**—On page 6, line 31, strike "3" and insert: 7

The vote was:

Yeas—19      Nays—20

#### SENATOR CHILDERS PRESIDING

##### RECONSIDERATION OF AMENDMENT

Senator Margolis moved that the Senate reconsider the vote by which **Amendment 3** failed. The motion was adopted. The vote was:

Yeas—20      Nays—19

The question recurred on **Amendment 3** which failed. The vote was:

Yeas—18      Nays—19

On motion by Senator Thomas, by two-thirds vote **SB 1724** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—30      Nays—7

#### THE PRESIDENT PRESIDING

##### MOTION TO RECONSIDER

Senator Gordon moved that the Senate reconsider the vote by which **SB 1724** passed as amended this day.

The motion was placed on the calendar.

#### REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Tuesday, February 18, 1992: SB 1572, SB 1586, SB 1684, CS for CS for SB 76, SB 588, SB 848, SB 960, SB 836, CS for SB 674, SB 1724, SB 1434, CS for SB 1498, CS for SB 396, SB 178, SB 116

Respectfully submitted,  
*Pat Thomas, Chairman*

The Committee on Finance, Taxation and Claims recommends the following pass: SB 1534

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

The Committee on Finance, Taxation and Claims recommends the following pass: SJR 480, SB 2084 with 2 amendments

**The bills were referred to the Committee on Community Affairs under the original reference.**

The Committee on Finance, Taxation and Claims recommends the following pass: SJR 1128 with 1 amendment

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

The Committee on Finance, Taxation and Claims recommends the following pass: SB 2160 with 2 amendments

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

The Committee on Finance, Taxation and Claims recommends committee substitutes for the following: SB 458, SB 684, SB 1396, SB 1660

The Committee on Governmental Operations recommends committee substitutes for the following: SB 840, SB 868, CS for SB 1526

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: SB 598

The Committee on Natural Resources and Conservation recommends a committee substitute for the following: SB 1850

The Committee on Professional Regulation recommends a committee substitute for the following: SB 1706

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

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: SB 92

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

The Committee on Finance, Taxation and Claims recommends a committee substitute for the following: CS for SB 12, Senate Bills 508 and 1310

The Committee on Finance, Taxation and Claims recommends committee substitutes for the following: SB 510, SB 1992, SB 2162, SB 2218

The Committee on Judiciary recommends a committee substitute for the following: SB 490

The Committee on Natural Resources and Conservation recommends committee substitutes for the following: SB 154, SB 962

The Committee on Transportation recommends a committee substitute for the following: SB 462

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

The Committee on Natural Resources and Conservation recommends a committee substitute for the following: SB 1476

The Committee on Transportation recommends a committee substitute for the following: SB 2184

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

The Committee on Health and Rehabilitative Services recommends committee substitutes for the following: Senate Bills 2186 and 2384, SB 2412

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

The Committee on Judiciary recommends a committee substitute for the following: Senate Bills 1342 and 920

The bills with committee substitute attached were referred to the Committee on Health and Rehabilitative Services under the original reference.

The Committee on Governmental Operations recommends a committee substitute for the following: SB 1718

The Committee on Transportation recommends a committee substitute for the following: SB 2166

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

The Committee on Governmental Operations recommends a committee substitute for the following: SB 748

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

The Committee on Finance, Taxation and Claims recommends committee substitutes for the following: SB 1162, SB 1766

The Committee on Natural Resources and Conservation recommends a committee substitute for the following: SB 610

The Committee on Transportation recommends a committee substitute for the following: SB 2262

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

## INTRODUCTION AND REFERENCE OF BILLS

### FIRST READING

By Senator Weinstein—

**SR 2442**—A resolution honoring 1991 Police Officers of the Year Vernice Brown and Alan Johnson.

—was referred to the Committee on Rules and Calendar.

**SR 2444** was introduced out of order and adopted February 12.

**SR 2446** was introduced out of order and adopted February 11.

By Senator Johnson—

**SR 2448**—A resolution honoring Donald E. Fish on his retirement, following years of dedicated public service.

—was referred to the Committee on Rules and Calendar.

By Senator Gordon—

**SR 2450**—A resolution recognizing May 1992 as "National Huntington's Disease Awareness Month."

—was referred to the Committee on Rules and Calendar.

**SB 2452** was introduced out of order and referenced February 12.

By Senators Souto and Casas—

**SR 2454**—A resolution recognizing the week of April 17th as the week of the Brigada de Asalto 2506 (2506 Light Assault Brigade of the Bay of Pigs Invasion).

—was referred to the Committee on Rules and Calendar.

By Senator Grizzle—

**SR 2456**—A resolution commending the Florida Aviation Historical Society for its efforts to preserve Florida's aviation heritage.

—was referred to the Committee on Rules and Calendar.

By Senator Johnson—

**SR 2458**—A resolution recognizing 1992 as the "Year of the Gulf of Mexico" and commending the Mote Marine Laboratory in Sarasota for being designated as the lead agency in related efforts.

—was referred to the Committee on Rules and Calendar.

By Senator Weinstein—

**SR 2460**—A resolution recognizing February 25, 1992, as Project Columbus America Day to commemorate America's first entry in the Whitbread Round the World Race.

—was referred to the Committee on Rules and Calendar.

**SR 2462** was introduced out of order and adopted February 14.

By Senator Thurman—

**SM 2464**—A memorial to the Congress of the United States, urging Congress to pass House Resolution 4066 to request from certain countries information concerning American servicemen missing in Southeast Asia during the Vietnam Conflict and to require the heads of federal departments and agencies to disclose to Congress information concerning such servicemen and civilians.

—was referred to the Committee on Rules and Calendar.

By Senator Childers—

**SB 2466**—A bill to be entitled An act relating to Escambia County; providing that appointees to citizens' advisory committees of the Escambia County Utilities Authority shall have no personal or business ties with the authority that could be construed as a conflict of interest; repealing chapter 91-349, Laws of Florida, which abolishes the Escambia County Utilities Authority on October 1, 1992; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Girardeau—

**SB 2468**—A bill to be entitled An act relating to Nassau County; prohibiting the Board of County Commissioners of Nassau County from selling or otherwise transferring the Nassau General Hospital unless the sale or transfer is approved by the electors of the county by referendum; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

## COMMITTEE SUBSTITUTES

### FIRST READING

By the Committees on Finance, Taxation and Claims; Community Affairs; and Senators Kirkpatrick, Forman, Davis, Wexler, Grant, Beard and Gordon—

**CS for CS for SB 12, SB 508 and SB 1310**—A bill to be entitled An act relating to affordable housing; amending s. 201.02, F.S.; increasing the excise tax on deeds and other instruments relating to real property; amending s. 201.15, F.S.; revising the distribution of excise taxes on documents; allocating a portion of the excise tax on documents to the State Housing Trust Fund and to the Local Government Housing Trust Fund; providing for the use of moneys deposited in the State Housing Trust Fund and the Local Government Housing Trust Fund; amending s. 240.5111, F.S.; requiring the Multidisciplinary Center for Affordable Housing to establish a research agenda in cooperation with the Department of Community Affairs; amending s. 420.0001, F.S.; providing a short title; amending s. 420.0002, F.S.; providing legislative findings; amending s. 420.0005, F.S.; providing that funds from the State Housing Trust Fund may be used to administer housing programs; amending s. 420.306,

F.S.; revising definitions of the Housing Predevelopment and Elderly Homeowner Rehabilitation Assistance Act; amending s. 420.307, F.S.; revising provisions relating to administration of a trust fund and providing for availability of funds; amending s. 420.308, F.S.; revising provisions relating to authorized loans and grants and activities eligible for support; amending s. 420.309, F.S.; revising application procedures for receipt of funds; requiring notice and establishment of a review committee and scoring system; amending s. 420.31, F.S.; revising provisions relating to rules and annual reports; amending s. 420.32, F.S.; revising provisions relating to default on a loan; providing for deposit of funds; creating s. 420.36, F.S.; creating the Low-income Emergency Home Repair Program; providing eligibility, allowable expenses, fund distribution, and departmental powers; creating s. 420.37, F.S.; providing additional powers of the Florida Housing Finance Agency; amending s. 420.503, F.S.; providing additional definitions under the Florida Housing Finance Agency Act; amending s. 420.507, F.S.; revising powers of the agency with respect to loans under the Florida Homeownership Assistance Program and the State Apartment Incentive Loan Program; amending s. 420.5087, F.S., relating to the State Apartment Incentive Loan Program; amending provisions relating to eligibility for loans; amending provisions relating to allocation of loans; transferring certain duties of the Department of Community Affairs to the Florida Housing Finance Agency; amending s. 420.5088, F.S.; amending provisions relating to the Florida Homeownership Assistance Program; amending requirements with respect to mortgage loans; providing requirements with respect to construction loans; providing for allocation of program funds; providing for transfer of moneys to the Florida Homeownership Assistance Trust Fund; creating s. 420.5089, F.S.; creating the HOME Partnership Program and establishing a trust fund; providing for loans based on competitive selection; providing for pilot programs; providing for eligible activities; providing for a review committee; providing for approval and determination of loans; providing agency powers; providing for the deposit of funds; creating s. 420.5091, F.S.; providing for rules to implement the HOPE Program; providing for the acquisition of property; creating s. 420.5092, F.S.; creating the Florida Affordable Housing Guarantee Program and authorizing agency action; providing purposes; providing definitions; providing for funding; providing for establishing rates and fees for guarantees; providing for the issuance of revenue bonds; providing a specified maximum amount of such bonds; providing for an annual audit; providing for a feasibility study; amending s. 420.601, F.S.; providing a short title; amending s. 420.6015, F.S.; providing legislative findings; amending s. 420.606, F.S.; requiring the Department of Community Affairs to provide technical support for the implementation of the State Housing Initiatives Partnership Program; amending s. 420.6075, F.S.; requiring the Department of Community Affairs to participate in establishing an annual research agenda for the Multidisciplinary Center for Affordable Housing; amending s. 420.609, F.S.; requiring the Affordable Housing Study Commission to make recommendations regarding an annual research agenda for the Multidisciplinary Center for Affordable Housing; creating part IX of ch. 420, F.S., consisting of ss. 420.907, 420.9071, 420.9072, 420.9075, 420.9076, 420.9078, 420.9079, F.S.; providing a short title; providing definitions relating to affordable housing; establishing the State Housing Initiatives Partnership Program; providing legislative findings and intent; providing for administration of the program and for rules; providing approval procedures and requirements; providing for the distribution and use of funds; providing criteria for the issuance of revenue bonds by local governments; establishing criteria and administrative procedures for local housing assistance programs adopted by local governments; requiring a report; requiring reporting of violations to the Office of the Governor and the Auditor General; requiring adoption of affordable housing incentive plans; providing for affordable housing advisory committees; providing for state administration of remaining local housing distribution funds; providing for notice of the availability of funds; creating the Local Government Housing Trust Fund; providing for the distribution of moneys from the trust fund; providing for transfer of program functions of the Housing Predevelopment Trust Fund to the Florida Housing Finance Agency; providing that this act does not affect chs. 83-220, 84-270, 86-152, 89-252, Laws of Florida; amending s. 1, ch. 83-220, Laws of Florida, as amended; providing that a portion of the revenues from the discretionary surtax on documents which may be levied by certain charter counties may be deposited in a Home Investment Trust Fund to fund local matching requirements; repealing ss. 420.603, 420.604, 420.605, F.S., relating to the Florida Affordable Housing Trust Fund, the Florida Affordable Housing Demonstration Program, and the Affordable Housing Loan Program; allocating funds from the State Housing Trust Fund to housing programs; repealing ss. 420.801, 420.802, 420.803, 420.804, 420.805, 420.806, 420.808, 420.809, 420.810, 420.811, 420.812, 420.813, F.S., relat-

ing to the Pocket of Poverty Programs; repealing ss. 420.901, 420.902, 420.903, 420.904, 420.905, 420.906, F.S., the Maintenance of Housing for the Elderly Act of 1988; providing a severability clause; providing effective dates.

By the Committee on Health and Rehabilitative Services; and Senators Weinstock, Thurman, Wexler, Weinstein, Girardeau, Grant, Forman and Gordon—

**CS for SB 92**—A bill to be entitled An act relating to universal access to health care; providing legislative intent; providing definitions; creating the Florida Universal Health Plan; establishing the Florida Universal Health Access, Quality Assurance and Cost Containment Governing Board; providing for appointment of board members; providing the board with access to otherwise confidential health data; providing an exemption from public records requirements for confidential health data obtained by the board; providing for future legislative review of these exemptions pursuant to the Open Government Sunset Review Act; providing board responsibilities; providing rulemaking authority; providing for the appointment of an executive director; creating the Florida Universal Health Trust Fund; establishing Florida Universal Health Trust Fund accounts; establishing eligibility for health services under the plan; providing for proof of residency; providing for covered and noncovered health services; providing access to participating providers; providing reimbursement; authorizing the board to provide for collection of premiums; instructing the Department of Health and Rehabilitative Services to seek waivers; providing reporting requirements; providing an appropriation; providing an effective date.

By the Committee on Natural Resources and Conservation—

**CS for SB 154**—A bill to be entitled An act relating to pollution control; amending s. 403.101, F.S.; deleting requirements for the Department of Environmental Regulation to establish qualifications for, examine, and certify, operators of public water systems, wastewater treatment works, and sewerage systems; deleting the exemption from certification requirements provided for water and wastewater operators at public lodging establishments; providing definitions; creating ss. 468.540-468.552, F.S.; providing legislative purpose for persons who operate water or wastewater treatment plants; defining certain terms; requiring operators of water and wastewater treatment plants to have an operator's license issued by the Department of Professional Regulation; allowing a utility to have more stringent requirements; authorizing the department to adopt rules; authorizing the secretary of the department to appoint the Technical Advisory Council for Water and Domestic Wastewater Operator Certification; authorizing the department to establish fees for applications, examinations, licensing and renewal, and recordkeeping; establishing grounds for disciplinary action; providing for a type four transfer of certain responsibilities of the Department of Environmental Regulation to the Department of Professional Regulation; providing for coordination between departments to ensure that operators meet certain requirements; repealing s. 376.307(3)(f), F.S., relating to the deposit of certain fees into the Water Quality Assurance Trust Fund; providing an effective date.

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

**CS for SB 458**—A bill to be entitled An act relating to motor vehicles; amending s. 319.231, F.S.; providing an exemption to the impact fee imposed on each original certificate of title issued for a motor vehicle previously titled outside this state; amending s. 320.072, F.S.; providing an exemption from the additional fee imposed upon the initial application for registration for certain motor vehicles; providing an effective date.

By the Committee on Transportation and Senator Crenshaw—

**CS for SB 462**—A bill to be entitled An act relating to veterans; amending ss. 320.084 and 320.0842, F.S.; updating terminology; amending s. 320.0843, F.S.; providing for license plates for certain disabled persons; amending s. 320.0848, F.S.; providing for the issuance of permanent exemption parking permits to disabled veterans and other disabled persons; providing a fee upon the initial issuance of such permit; providing for the disposition of such fee; providing an effective date.

By the Committee on Judiciary and Senator Crenshaw—

**CS for SB 490**—A bill to be entitled An act relating to jurors; amending s. 40.013, F.S.; revising language with respect to exemptions for prior juror service; amending s. 40.24, F.S.; providing for a juror compensation

and reimbursement policy; providing for employers to compensate employees summoned to jury duty; providing for hardship; providing for compensation for unemployed and self-employed jurors; amending s. 40.41, F.S.; revising language with respect to the length of service of petit jurors; amending s. 905.37, F.S.; providing compensation of statewide grand jurors; providing effective dates.

By the Committee on Finance, Taxation and Claims; and Senators Dudley and Kurth—

**CS for SB 510**—A bill to be entitled An act relating to ad valorem taxation; amending s. 192.001, F.S.; providing standards for determining substantial completion of an improvement to real personal property; creating s. 192.039, F.S.; providing for assessment and taxation of certain real property on a partial-year assessment roll; creating s. 192.044, F.S.; exempting tangible personal property from partial-year assessment; providing for partial-year tangible personal property to take effect upon certain findings; providing for assessment and taxation of certain tangible personal property on a partial-year assessment roll; providing for the assessment of certain railroad property for a partial year; amending s. 192.042, F.S.; providing for the day of assessment; providing for reimbursement of tax collectors for preparation of the initial partial-year assessment rolls; amending s. 193.052, F.S.; providing for partial-year tax returns; amending s. 193.062, F.S.; providing a date for filing of returns; amending s. 193.114, F.S.; providing for preparation of partial-year rolls; amending s. 195.027, F.S.; requiring partial-year returns by agency rule; amending s. 196.011, F.S.; providing a requirement for application for exemption for property listed on a partial-year assessment roll; amending s. 197.3635, F.S.; specifying information to be included on notice for partial-year taxes and assessments; creating s. 200.0701, F.S.; requiring notice of partial-year assessment; requiring inclusion of partial-year property on 1992 and 1993 rolls; amending s. 196.081, F.S.; providing that the exemption for certain permanently and totally disabled veterans may be claimed by the veteran's spouse after the veteran's death under certain circumstances; providing that such veteran's spouse may claim the exemption for another residence under certain circumstances; amending s. 212.08, F.S.; correcting a cross-reference; providing an effective date.

By the Committee on Health and Rehabilitative Services—

**CS for SB 598**—A bill to be entitled An act relating to health care cost containment; amending s. 407.001, F.S.; revising the short title of ch. 407, F.S.; creating s. 407.0015, F.S.; declaring legislative intent; amending s. 407.002, F.S.; providing definitions; amending s. 407.01, F.S.; providing for the membership and organization of the Health Care Cost Containment Board; creating s. 407.021, F.S.; prescribing duties of the board; amending s. 407.03, F.S.; prescribing powers of the board; amending s. 407.04, F.S.; providing for assessments against health care facilities; providing budgetary and financial requirements for the board; creating s. 407.051, F.S.; providing for data collection; providing for confidentiality of the identity of health care providers providing certain data; creating s. 407.055, F.S.; providing for research, analyses, studies, and reports; creating s. 407.058, F.S.; providing for public education and for dissemination of health care information; creating s. 407.065, F.S.; providing for development of medical practice parameters; creating s. 407.068, F.S.; providing duties of the board with respect to cost containment strategies; creating s. 407.071, F.S.; providing duties of the board with respect to consumer complaints; creating s. 407.075, F.S.; providing for review of hospital budgets and regulation of hospital gross revenue; transferring, renumbering, and amending s. 407.52, F.S.; prescribing policy with respect to philanthropic support for health care; transferring, renumbering, and amending s. 407.13, F.S.; providing for prospective payment arrangements; transferring, renumbering, and amending s. 407.12, F.S.; providing for quality assurance monitoring; amending s. 407.08, F.S.; providing for recommendations and reports by the board; transferring, renumbering, and amending s. 407.06, F.S.; providing for inspections and audits; providing penalties for violations of law or board rule; requiring the board to submit a report; transferring, renumbering, and amending s. 407.53, F.S.; providing that a health care facility that alleges that a factual determination by the board is incorrect has the burden of proving that allegation; transferring, renumbering, and amending s. 407.54, F.S.; prescribing duties of the Public Counsel with respect to proceedings of the board; transferring, renumbering, and amending s. 407.035, F.S.; providing effect of ch. 407, F.S., on current rules; amending ss. 240.4075, 381.698, 383.336, 395.01465, 395.1015, 395.60, 395.61, 395.63, 409.9113, 409.9114, 440.13, 766.112, 766.314, 768.81, F.S.; correcting cross-references; requiring the Health Care Cost Containment Board to conduct a study; requiring the Health Care Cost Containment Board to

develop a methodology to establish a standardized gross revenue per adjusted admission; requiring the Health Care Cost Containment Board to develop a case mix measure for comprehensive inpatient rehabilitation hospitals; requiring the Florida Health Care Purchasing Cooperative to develop a model health care benefit package; amending s. 20.19, F.S.; retitling the position of Assistant Secretary for Regulation and Health Facilities and deleting certain responsibilities of the position; amending and renumbering s. 381.0401, F.S.; transferring responsibilities for the State Center for Health Statistics from the Department of Health and Rehabilitative Services to the Health Care Cost Containment Board; amending and renumbering ss. 381.701, 381.702, 381.703, 381.704, 381.705, 381.706, 381.707, 381.708, 381.709, 381.710, 381.711, 381.712, 381.713, 381.714, 381.715, 381.7155, F.S.; transferring certain duties of the Department of Health and Rehabilitative Services under the Health Facility and Services Development Act to the Health Care Cost Containment Board; providing for continued effect of extant certificates of need; amending ss. 154.245, 159.27, 186.003, 186.503, 189.415, 383.216, 395.003, 395.005, 395.011, 395.01465, 395.104, 400.071, 400.471, 400.603, 400.606, 400.702, 651.118, F.S.; correcting cross-references and references to the Department of Health and Rehabilitative Services; repealing ss. 395.034(10), 407.003, 407.025, 407.09, 407.30, 407.32, 407.33, 407.34, 407.70, 407.02, 407.05, 407.07, 407.10, 407.11, 407.23, 407.31, 407.50, 407.51, F.S., relating to health care cost containment; repealing s. 34, ch. 88-394, Laws of Florida, which provides for the repeal of ss. 407.001, 407.002, 407.01, 407.03, 407.035, 407.04, 407.06, 407.08, 407.12, 407.13, 407.52, 407.53, 407.54, F.S.; repealing s. 1(4), ch. 90-192, Laws of Florida, which provides for the repeal of ss. 394.4784(4), 394.4788(2), (3), F.S.; repealing s. 1(3), ch. 89-296, Laws of Florida, which provides for the repeal of s. 395.63, F.S.; providing an effective date.

By the Committee on Natural Resources and Conservation; and Senators Forman and Walker—

**CS for SB 610**—A bill to be entitled An act relating to hazardous waste; creating the Underground Injection Study Commission in the Department of Environmental Regulation; providing for membership, duties, staffing, and operation of the commission; requiring a report; providing for the dissolution of the commission; providing an effective date.

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

**CS for SB 684**—A bill to be entitled An act relating to the district school tax; amending s. 236.25, F.S.; providing for additional purposes for which the school board millage levy may be used; deleting the maximum period for which proceeds from the millage levied pursuant to s. 236.25(2), F.S., may be used to lease relocatable educational facilities; providing an effective date.

By the Committee on Governmental Operations and Senator Thurman—

**CS for SB 748**—A bill to be entitled An act relating to administrative procedures; amending s. 120.54, F.S.; providing for additional notice; providing for public workshops for the development of proposed rules under certain circumstances; providing conditions in which economic impact statements must be prepared; providing additional requirements for economic impact statements; providing additional requirements for petitions seeking determinations of invalidity of proposed or existing rules; providing for additional agency considerations in rulemaking; providing requirements for the record of the rulemaking in proceedings for determinations of invalidity of proposed or existing rules; amending s. 120.535, F.S.; providing exceptions to requirement that agency statements be adopted as rules; providing an effective date.

By the Committee on Governmental Operations and Senator Casas—

**CS for SB 840**—A bill to be entitled An act relating to the Consultants' Competitive Negotiations Act; amending s. 287.055, F.S.; increasing construction costs limitations and limitations on fees for professional services under a continuing contract for certain school districts; providing an effective date.

By the Committee on Governmental Operations and Senator Gardner—

**CS for SB 868**—A bill to be entitled An act relating to information resources; amending s. 282.003, F.S.; revising the title of the Information Resources Management Act to include paperwork reduction; amending s. 282.004, F.S.; providing legislative intent regarding minimizing the

paperwork burden; amending s. 282.303, F.S.; providing definitions; amending s. 282.305, F.S.; providing duties of the Information Resource Commission regarding assistance for the review of required forms and reports and paperwork reduction; creating s. 282.3051, F.S.; providing legislative findings with respect to state government reporting requirements and required forms; directing state governmental entities to periodically identify, review, and evaluate reporting requirements and forms and to make recommendations with respect thereto; providing criteria for evaluation of reporting requirements and required forms; directing such entities to take specified paperwork reduction actions; directing the Information Resource Commission to develop a pilot project to eliminate or reduce forms and paperwork and to report thereon; amending ss. 282.3061, 282.3062, 282.307, F.S.; including paperwork reduction in the State Strategic Plan for Information Resources Management, the Annual Report on Information Resources Management, and the Strategic Plan for Information Resources Management submitted by each department; amending s. 282.311, F.S.; providing duties of information resource managers regarding paperwork reduction; amending s. 282.312, F.S.; requiring annual performance reports to include information relating to paperwork reduction and reporting requirements; amending s. 286.001, F.S.; providing that specified governmental agencies required to make regular or periodic reports may file an abstract thereof with the designated recipient and an abstract and copy with the Division of Library and Information Services; providing duties of the division and removing responsibilities of the Executive Office of the Governor; directing agency heads to ensure that reports are created, managed, and disseminated through electronic means; amending ss. 216.031 and 216.0445, F.S.; correcting references; providing an effective date.

By the Committee on Natural Resources and Conservation—

**CS for SB 962**—A bill to be entitled An act relating to solid waste; amending s. 125.01, F.S.; redesignating biohazardous waste as biomedical waste; amending s. 166.021, F.S.; redesignating biohazardous waste as biomedical waste; amending s. 212.055, F.S.; expanding the uses of the local option sales tax to include certain solid waste landfill closures; amending s. 212.08, F.S.; providing for a sales tax exemption prior to purchase for certain recycling equipment and machinery; deleting the expiration date for the exemption; providing exemption for boiler retrofitting services; exempting pelletized waste paper used as a boiler fuel; amending s. 287.045, F.S.; deleting obsolete language; requiring the purchase of materials with recycled content under certain conditions; requiring the Division of Purchasing to consider life-cycle costing when evaluating certain bids; requiring the Division of Purchasing to adopt certain rules; providing a price preference for materials or products that contain recycled Florida scrap; amending the definition of the term "recycled content"; requiring state agencies and others to procure products with recycled content; amending ss. 316.003, 377.709, F.S.; conforming cross-references; amending s. 381.006, F.S.; redesignating biohazardous waste as biomedical waste; amending s. 381.0098, F.S.; redesignating biohazardous waste as biomedical waste; providing that biomedical waste does not include disposal of human remains; amending s. 395.002, F.S.; redesignating biohazardous waste as biomedical waste; amending s. 395.0101, F.S.; redesignating biohazardous waste as biomedical waste; amending s. 403.1834, F.S.; allowing landfill closures to be financed by certain bonds; amending s. 403.4131, F.S.; abolishing the Clean Florida Commission; amending s. 403.4135, F.S.; requiring litter bags in motor vehicles and vessels; amending s. 403.702, F.S.; redesignating biohazardous waste as biomedical waste; amending s. 403.703, F.S.; amending definitions; prohibiting local governments from adopting definitions that are inconsistent with those in this section; amending s. 403.704, F.S.; redesignating biohazardous waste as biomedical waste; allowing certain funds to be used for composting programs; allowing the Department of Environmental Regulation to impose certain conditions on the disposal of waste generated outside this state; amending s. 403.7045, F.S.; redesignating biohazardous waste as biomedical waste; creating s. 403.7046, F.S.; providing for regulation of certain recovered materials; providing for registration; providing for fees; providing for rulemaking; providing for confidentiality for certain information received by the Department of Environmental Regulation; providing for review under the Open Government Sunset Review Act; amending s. 403.7049, F.S.; requiring the disclosure of the funds rebated to the recycling program as a result of fees recovered pursuant to the Advance Disposal Fee Program; amending s. 403.705, F.S.; correcting a cross-reference; changing the date by which certain reports must be prepared by the Department of Environmental Regulation; deleting certain obsolete provisions; amending s. 403.706, F.S.; requiring steel cans to be separated from the waste stream; allowing certain counties to provide an opportunity to recycle; requiring counties to implement a program for the

separation and composting of organic materials; specifying that the solid waste goal is a reduction goal; requiring counties to provide a description of the progress made toward implementing a composting program; authorizing certain local governments to enact certain ordinances; requiring each county to ensure that its solid waste management program is a separate enterprise; providing for certain fees; amending s. 403.7065, F.S.; specifying when state agencies must use products with recycled content; amending the definition of the term "recycled content" to include steel and plastics; amending s. 403.707, F.S.; redesignating clean debris as construction and demolition debris in certain circumstances and redesignating biohazardous waste as biomedical waste; prohibiting open fires, air curtain incinerators, and trench burning, unless permitted by the department; requiring an application for a solid waste management facility permit to contain certain affirmations that the proposed facility is in compliance with local zoning requirements and the local comprehensive plan; amending s. 403.708, F.S.; redesignating biohazardous waste as biomedical waste; describing the triangle that must appear on certain plastics labels; substituting the term "PETE" for "PET"; prohibiting the regulation of packaging under certain circumstances; amending s. 403.7084, F.S.; redesignating biohazardous waste as biomedical waste; amending s. 403.709, F.S.; providing for certain research and demonstration projects to be funded from the Solid Waste Management Trust Fund; specifying the uses for moneys allocated to the Solid Waste Management Trust Fund from lead-acid battery fees; amending s. 403.7095, F.S.; requiring the Department of Environmental Regulation to consider the progress made by the local government in meeting solid-waste requirements when determining whether to continue, eliminate, or place conditions on certain grants to the local government; requiring that certain information be contained in a grant application regarding the use of the private sector in recycling; deleting certain obsolete provisions; amending s. 403.7125, F.S.; allowing certain revenues to be deposited into the local government general fund under certain conditions; preserving certain obligations of a landfill owner or operator; creating s. 403.7126, F.S.; establishing the Landfill Closure Revolving Loan Trust Fund; providing terms and conditions for loans from such fund; amending s. 403.713, F.S.; providing for ownership and control of certain recovered materials; amending s. 403.714, F.S.; deleting obsolete provisions; allowing the Legislature, state agencies, and the judicial branch to use proceeds from sale of recyclable materials in certain ways; requiring state agencies to use compost products; requiring agencies and others to report certain information regarding compost products; requiring the Department of Agriculture and Consumer Services to develop certain specifications; amending s. 403.717, F.S.; correcting a cross-reference; creating s. 403.7184, F.S.; providing certain requirements for consumers, manufacturers, and sellers of certain batteries; providing penalties; providing for the state to recover reasonable administrative expenses, court costs, and attorneys' fees incurred in an action to enforce this section; amending s. 403.7185, F.S.; providing that proceeds from the lead-acid battery fees be deposited into the battery account within the Solid Waste Management Trust Fund instead of the Water Quality Assurance Trust Fund; creating s. 403.7191, F.S.; requiring glass and plastic containers manufactured in this state to use post-consumer-recovered materials; amending s. 403.7195, F.S.; increasing the waste disposal fee on newsprint under certain conditions; providing minimum recycled fiber content for newsprint; amending s. 403.7197, F.S.; providing the intent and purpose of the advance disposal fee; providing definitions; requiring the Department of Environmental Regulation to conduct certain studies and designate certain materials subject to such fee; requiring recyclable packaging materials; revising the recycling rate that triggers the fee; specifying the containers subject to the fee; creating the Container Recycling Advisory Council; providing that fee collections and charges be made at certain retail establishments; providing for certain refunds from the Department of Revenue; authorizing the Department of Environmental Regulation to establish certain exemption criteria and redemption rates; providing for private buyback businesses; providing for rebates to certain households; providing for consolidated returns; specifying that the advance disposal fee applies to vending machine sales; providing for emergency rulemaking by the Department of Revenue; requiring a bond for certain redemption centers; requiring certain identification from persons redeeming materials for the advance disposal fee; providing confidentiality for certain taxpayer records; specifying uses for moneys in the Solid Waste Management Trust Fund; subjecting certain fast-food products to the fee; providing for certain fee revenues to be deposited into the Litter Prevention Trust Fund, which is created; providing for uses of moneys in the fund; amending s. 403.727, F.S.; redesignating biohazardous waste as biomedical waste; amending s. 483.615, F.S.; redesignating biohazardous waste as biomedical waste; providing for use of the term "biohazardous

waste" under certain circumstances; requiring hospitals to conduct a study and report to the Department of Environmental Regulation; providing for the recycling of mercury-containing devices; providing for a demonstration project; requiring a report to the Legislature; providing an appropriation; prohibiting the use of certain toxic materials in packaging; prohibiting the use of certain packaging material; requiring the Department of Environmental Regulation to establish certain recycling rates; providing certain exemptions; providing penalties; prohibiting certain environmental representations on consumer products; requiring recycling receptacles in certain locations; amending s. 576.011, F.S.; providing that certain compost is an exception to the definition of the term "commercial fertilizer"; amending s. 72.011, F.S.; providing that a taxpayer may contest the assessment of the fee and penalties and interest assessed pursuant to s. 403.7197, F.S., the advance disposal fee; amending s. 213.05, F.S.; authorizing the Department of Revenue to collect the advance disposal fee; amending s. 213.053, F.S.; providing for confidentiality of certain information obtained by the Department of Revenue pursuant to the advance disposal fee collection; creating s. 288.18, F.S.; creating the Recycled Materials Markets Development Board in the Department of Commerce; providing membership; providing powers, duties, and functions; providing for an annual report; providing for repeal; creating s. 288.1181, F.S.; creating the Recycling Markets Trust Fund; specifying uses of fund moneys; creating s. 288.1182, F.S.; authorizing the Recycling Materials Markets Development Board to enter into certain contracts to finance certain programs; providing for certain legislative review; providing appropriations; repealing s. 403.7145, F.S., relating to the Capitol Recycling Demonstration Area; repealing s. 403.7198, F.S., relating to container deposits; providing an effective date.

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

**CS for SB 1162**—A bill to be entitled An act relating to taxation; requiring the Department of Revenue to develop and implement a limited-duration tax amnesty program for certain state taxes; providing definitions; providing conditions for participation in such program; amending s. 72.011, F.S.; providing conditions for filing an action to contest assessment or denial of refund; amending s. 196.011, F.S.; requiring homestead exemption applications to include the social security numbers of the property owner and spouse before a property appraiser may issue the homestead exemption; amending ss. 198.15, 198.18, F.S.; increasing penalties and interest for estate taxes due; amending s. 199.062, F.S.; requiring security brokers and investment advisers to file certain statements regarding customers' securities; providing for retroactivity; authorizing the department to require state-registered security brokers and investment advisers to transmit once every 2 years a copy of the department's intangible tax brochure to certain clients; amending s. 199.282, F.S.; increasing penalties and interest for intangible taxes due; requiring a person applying for homestead exemption to certify in writing whether such person is required to file an annual intangible tax return in this state; providing a penalty; amending s. 201.17, F.S., relating to the documentary stamp tax and ss. 203.01, 203.06, F.S., relating to the gross receipts tax on utility services, to increase the interest and penalties on those taxes due; amending s. 205.194, F.S.; prohibiting a county or municipal licensing agency from issuing an occupational license to any person unless the person exhibits an active state sales tax registration certificate; amending ss. 206.06, 206.08, 206.09, 206.44, 206.87, F.S., relating to motor and special fuel taxes and s. 207.007, F.S., relating to the motor and special fuel use tax and ss. 211.076, 211.33, F.S., relating to the severance tax, to increase the interest and penalties on those taxes due; amending s. 212.03, F.S.; requiring condominium associations or other persons responsible for the rental of condominium units to annually submit to the department certain information on rental units; providing a penalty; amending ss. 212.04, 212.085, F.S.; providing for increases in penalties on sales and use taxes due; amending s. 212.12, F.S.; providing for increases in interest and penalties on sales and use taxes due; amending s. 212.13, F.S.; authorizing the department to acquire certain information from credit card and debt card companies to assist the department in identifying out-of-state purchases of tangible personal property made by and shipped to consumers in this state; requiring submission of such information to the department from credit card and debit card companies doing business in this state; providing a penalty; amending s. 212.18, F.S.; providing that a state or local agency, board, or commission may not issue a license to any person engaged in any business without first ensuring that such person possesses a valid state sales tax registration certificate; providing an additional registration fee under certain circumstances; amending s. 213.051, F.S.; authorizing the department to issue subpoenas or subpoenas duces tecum under certain circumstances; amending s. 213.29,

F.S.; increasing the penalty for failure to collect certain taxes; amending s. 213.30, F.S.; providing for compensation by the department to persons who provide information regarding a taxpayer not in compliance with registration requirements; creating s. 213.36, F.S.; requiring in-state manufacturer's or distributor's representatives to register annually with the department; providing definitions; requiring representatives to submit annually a current list of their clients and certain information to the department; providing a penalty; creating s. 213.50, F.S.; providing for the revocation of a corporate charter under certain circumstances; prohibiting the Division of Corporations of the Department of State from issuing or reinstating a corporate charter under certain circumstances; creating s. 213.67, F.S.; authorizing the Department of Revenue to garnish property under certain circumstances; creating s. 213.69, F.S.; authorizing the department, upon final determination of unpaid taxes, to issue warrants for unpaid taxes; creating s. 213.70, F.S.; authorizing the department to require persons who are registered to submit certain state taxes to place them in escrow; creating s. 213.71, F.S.; providing that a person may not be issued a license to practice any profession regulated by the Department of Professional Regulation if that person has a delinquent tax liability that has existed for more than 12 consecutive months; amending ss. 220.181, 220.211, 220.801, 220.803, 220.901, F.S.; increasing penalties for corporate income taxes due; amending s. 895.02, F.S., providing additional definitions for the term "racketeering activity" as used in the Florida RICO (Racketeer Influenced and Corrupt Organization) Act; authorizing the Department of Revenue to adopt emergency rules; creating s. 213.0535, F.S.; establishing the Registration Information Sharing and Exchange Program; requiring certain local governments and state agencies to share specified tax and licensing information; providing duties of the department; providing for application of confidentiality and penalty provisions; providing for the exemption to be subject to the Open Government Sunset Review Act; restricting use of such information; amending s. 125.0104, F.S.; providing for the payment of interest on local option tourist development taxes remitted to the department; requiring state and local governmental entities administering specified local option taxes to make certain reports regarding the amounts and purposes for which moneys are withheld from tax proceeds; providing for expiration of that requirement; amending s. 216.262, F.S.; providing an additional condition under which the Administration Commission may authorize an increase in the number of positions that were provided in an appropriations act; amending s. 213.053, F.S.; authorizing the department to provide certain information to eligible participants in the Registration Information Sharing and Exchange Program; providing appropriations; establishing positions; providing for a contingency under which the amendments to s. 212.13, F.S., relating to collection of use tax on mail-order sales would not take effect; providing effective dates.

By the Committee on Judiciary and Senators Davis, Dudley and Forman—

**CS for SB's 1342 and 920**—A bill to be entitled An act relating to support for children and families; amending s. 61.046, F.S.; redefining the term "income"; amending s. 61.11, F.S.; providing for writs in support cases; amending s. 61.1301, F.S.; providing an additional requirement with respect to income deduction orders; revising language with respect to enforcement; amending s. 61.1354, F.S.; requiring the depository to report delinquencies in excess of \$500 to credit reporting agencies; amending s. 61.14, F.S.; specifying certain conditions which may constitute "changed circumstances" for purposes of modification; providing for a presumption in enforcement actions; requiring additional information on delinquency notices; amending s. 61.16, F.S.; specifying how attorney's fees and other costs may be assessed; providing for action by the court; amending s. 61.17, F.S.; clarifying jurisdiction of court in Title IV-D cases; amending s. 61.181, F.S.; revising language with respect to the central depository for receiving, recording, reporting, monitoring, and disbursing alimony, support, maintenance, and child support payments; providing additional requirements for depositing with respect to Title IV-D agencies; providing an increase in fees; providing for the use and distribution of the fees; providing for a report to the Legislature by the department and the depositories; authorizing the depository to require certain information; providing duties of the depository; providing that the depository will not be required to submit certain information if increased fees are terminated; amending s. 61.183, F.S.; requiring certain costs to be assessed with respect to mediation; amending s. 61.30, F.S.; providing that the child support guidelines may provide a basis for modifying support orders; amending s. 68.02, F.S.; including support as a reason for issuance of a writ; amending s. 88.031, F.S.; providing a definition of "support"; creating s. 88.0515, F.S.; providing additional methods for enforcing orders and judgments and providing for recovery of costs;

amending s. 88.331, F.S.; limiting judicial jurisdiction under certain conditions; amending s. 90.502, F.S.; providing for privileged communications; amending s. 213.053, F.S., authorizing the Department of Revenue to share certain information; amending s. 409.2554, F.S.; expanding the definition of "program attorney," "prosecuting attorney," "support," and "administrative costs," and defining "child support services"; amending s. 409.2557, F.S.; clarifying the Department of Health and Rehabilitative Services' authority with regard to child support orders; amending s. 409.2564, F.S.; specifying the attorney-client relationship in Title IV-D cases; providing notice requirements as to that relationship; clarifying the Title IV-D agency's role in modifications; amending s. 409.2567, F.S.; providing for certain fees; amending s. 409.2569, F.S.; providing for the continuation of support services for recipients of public assistance; amending s. 409.2571, F.S.; providing for services to the Title IV-D agency; amending s. 409.2577, F.S.; providing statutory clarification regarding access to confidential information; amending s. 409.2584, F.S.; revising language with respect to the interest earned on certain judgments; amending s. 742.08, F.S.; providing authority for assessment of certain costs and fees with respect to default of support payments; amending s. 742.10, F.S.; revising language with respect to establishment of paternity for certain children; providing an effective date.

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

**CS for SB 1396**—A bill to be entitled An act relating to motor vehicles; amending s. 320.04, F.S.; providing for a service charge on registration renewal applications made through an automated touch-tone vehicle registration service; amending s. 320.07, F.S.; increasing delinquent fees for motor vehicle registrations; creating s. 320.0701, F.S.; providing for failure to register a vehicle; providing delinquent fees; providing for the immobilization of unregistered vehicles; providing for notice of violation; providing penalties; providing exemptions; repealing s. 207.029, F.S.; relating to proof of liability insurance; amending s. 320.27, F.S.; redefining the term "motor vehicle dealer" to exclude governmental leasing corporations; defining the term "governmental leasing corporation"; providing an effective date.

By the Committee on Natural Resources and Conservation; and Senator Gardner—

**CS for SB 1476**—A bill to be entitled An act relating to wildlife; amending s. 372.87, F.S.; increasing the fee for a license or permit for the possession or exhibition of a poisonous or venomous reptile; amending s. 372.921, F.S.; increasing the fees for the possession of wildlife for the purpose of sale or display; deleting required notice of unsatisfactory conditions prior to the confiscation of captive wildlife by the Game and Fresh Water Fish Commission; amending s. 372.922, F.S.; creating a classification for wildlife; providing for an application fee; providing for a permit fee; providing for disposition of fees; providing an effective date.

By the Committees on Governmental Operations and Agriculture and Senator Dantzer—

**CS for SB 1526**—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending ss. 20.14, 570.29, F.S.; revising administrative structure of the department; amending s. 110.205, F.S.; identifying positions as exempt from the Career Service System; amending ss. 570.02, 570.242, F.S.; modifying definitions; amending s. 570.07, F.S.; modifying department powers and duties; creating s. 570.072, F.S.; authorizing establishment of an Office of Agricultural Law Enforcement within the department; providing duties and authority of officers; creating s. 570.073, F.S.; authorizing the establishment of the Office of Water Policy within the department; providing duties and the authority of the office; creating s. 570.091, F.S.; providing for deputy commissioners of agriculture; creating s. 570.092, F.S.; providing for an inspector general and providing duties; amending s. 570.30, F.S.; transferring certain responsibilities relating to public fairs and expositions from the Division of Administration to the Division of Standards and the Division of Marketing and Development; amending s. 570.33, F.S.; deleting qualifications for director of the Division of Plant Industry; amending s. 570.37, F.S.; revising qualifications for director of the Division of Animal Industry; amending s. 570.41, F.S.; deleting qualifications for director of the Division of Dairy Industry; amending s. 570.44, F.S.; renaming the Division of Inspections as the Division of Agricultural Environmental Services; transferring various duties to the Division of Food Safety, the Division of Dairy Industry, and the Office of Agricultural Law Enforcement; providing additional duties relating to soil and water conservation; transferring responsibilities for analysis of fertilizers, pesticides, commer-

cial feed, and seed to the Division of Agricultural Environmental Services from the Division of Chemistry; amending s. 570.45, F.S.; revising duties of division director; amending s. 570.46, F.S.; transferring responsibility for testing certain samples for conformity with state specifications to the Division of Standards from the Division of Chemistry; amending s. 570.47, F.S.; deleting qualifications for division director; amending s. 570.48, F.S.; renaming the Division of Fruit and Vegetable Inspection as the Division of Fruit and Vegetables; amending s. 570.50, F.S.; renaming the Division of Chemistry as the Division of Food Safety; providing additional duties relating to inspection of meat and poultry, and food and food products; amending s. 570.51, F.S.; deleting qualifications for division director; amending s. 570.53, F.S.; renaming the Division of Marketing as the Division of Marketing and Development; providing additional responsibilities relating to public fairs and expositions; amending s. 570.544, F.S.; providing procedure for resolution of complaints by the Division of Consumer Services; amending s. 570.549, F.S.; deleting qualifications for director of the Division of Forestry; amending s. 570.55, F.S.; transferring from the Division of Inspection to the Office of Agricultural Law Enforcement enforcement duties relating to sale of avocados, mangoes, and limes; revising definitions; amending ss. 585.001, 585.002, 585.01, F.S.; conforming provisions relating to the Division of Animal Industry; amending s. 585.715, F.S.; providing that the Division of Food Safety enforce Part II of chapter 585, F.S.; amending ss. 616.001, 616.21, 616.28, F.S.; deleting references to the Bureau of Public Fairs and Expositions; creating s. 932.706, F.S.; creating the Law Enforcement Trust Fund within the department; providing for deposit therein of revenues from certain criminal or forfeiture proceedings; amending ss. 235.014, 468.382, F.S.; correcting cross-references; amending ss. 487.159, 570.09, 570.23, 570.244, 570.248, 570.31, 570.34, 570.38, 570.42, 570.49, 570.531, 570.54, 570.541, 570.543, 571.23, 573.111, 574.01, 574.03, 601.28, 601.58, 601.66, F.S.; conforming terminology; directing the Division of Statutory Revision to make changes in terminology; repealing ss. 534.081(3), 570.36(6), 590.02(4), F.S., relating to enforcement of agricultural provisions by law enforcement officers, special officers, the Division of Animal Industry, and special officers of the Division of Forestry; providing effective dates.

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

**CS for SB 1660**—A bill to be entitled An act relating to motor vehicle repairs; amending s. 559.903, F.S.; defining "department," for purposes of the Motor Vehicle Repair Act, as the Department of Agriculture and Consumer Services; creating s. 559.904, F.S.; requiring registration of motor vehicle repair shops; prescribing registration fees; creating the Motor Vehicle Repair Shop Trust Fund; creating s. 559.9041, F.S.; prohibiting repair shops from engaging in motor vehicle repair work without being registered; providing penalties; creating s. 599.9042, F.S.; providing for rules; providing for an exemption from this act for motor vehicle repair shops registered under ch. 320, F.S.; amending s. 559.923, F.S.; changing the time within which the state attorney may act upon violations of the Florida Motor Vehicle Repair Act; authorizing the Department of Agriculture and Consumer Services to initiate proceedings for relief for violations of the act; providing an effective date.

By the Committee on Professional Regulation—

**CS for SB 1706**—A bill to be entitled An act relating to regulation of professions and occupations; amending s. 20.30, F.S., relating to the Department of Professional Regulation; revising provisions relating to the Division of Professions; revising provisions relating to the membership of regulatory boards; providing legislative intent; amending s. 215.37, F.S.; revising provisions relating to revenues collected, deposited, and budgeted; amending s. 455.01, F.S.; revising definitions; amending s. 455.11, F.S., relating to qualification of immigrants for examination; amending s. 455.201, F.S., relating to professions regulated by the department; providing for public funds and expenditures; amending s. 455.203, F.S.; revising provisions relating to the power and duties of the Department of Professional Regulation; deleting a provision relating to peer review of certain health care providers; creating s. 455.204, F.S.; requiring long-range planning; amending s. 455.207, F.S.; revising provisions relating to board meetings and special committees to settle differences between boards; amending s. 455.208, F.S.; revising provisions relating to the publication of information; amending s. 455.209, F.S.; providing for defense of a board member's company under certain circumstances; amending s. 455.211, F.S., relating to board rules; amending s. 455.213, F.S.; revising general licensure provisions; authorizing the refusal to issue an initial license to an applicant under prosecution for certain actions;

authorizing the boards to accept the performance of pro bono services and other acts to satisfy professional continuing education hours; creating s. 455.214, F.S.; providing for limited licenses and fees therefor; amending s. 455.217, F.S.; authorizing licensure examinations in an applicant's native language; revising provisions relating to development, administration, and evaluation of examinations; amending s. 455.218, F.S., relating to licensure of foreign-trained professionals; amending s. 455.219, F.S.; revising provisions relating to fees and disposition of funds and requiring management reports; authorizing the boards or the department to assess a one-time fee from licensees to eliminate cash deficits; authorizing the department to contract with public and private entities; amending s. 455.2226, F.S., relating to continuing education requirements on human immunodeficiency virus and acquired immune deficiency syndrome; creating s. 455.2235, F.S.; authorizing the designation of certain violations by regulated professionals as appropriate for mediation; providing informal mediation procedures; providing that certain communication relating to mediation proceedings is inadmissible in disciplinary proceedings and exempt from public records requirements of ch. 119, F.S.; providing for future legislative review of the exemption pursuant to the Open Government Sunset Review Act; amending s. 455.224, F.S.; revising procedures relating to the service of citations; amending s. 455.225, F.S.; revising provisions relating to disciplinary proceedings; revising requirements relating to probable cause panels; authorizing the department to disclose investigative information to the subject of disciplinary cases; amending s. 455.227, F.S.; providing penalties; amending s. 455.2273, F.S.; requiring the adoption, by rule, of disciplinary guidelines; requiring the department to review disciplinary guidelines pursuant to certain standards; requiring hearing officers to follow disciplinary guidelines; authorizing the secretary of the department to challenge the disciplinary guidelines under certain circumstances; creating s. 455.2274, F.S.; providing requirements for inactive status; amending s. 455.2275, F.S., relating to penalty for false information; creating s. 455.2277, F.S.; providing for the reporting of certain criminal violations; amending s. 455.228, F.S.; providing that the issuance of a notice of cease and desist is not agency action for which an administrative hearing is required; creating s. 455.2281, F.S., relating to unlicensed activity; providing for the imposition of a special fee; amending s. 455.2285, F.S.; requiring financial information in department annual report; amending s. 455.229, F.S., relating to public inspection of licensing applicant's information; amending s. 455.232, F.S., relating to the disclosure of confidential information; amending s. 455.24, F.S., relating to advertisements by health care providers of discounted or free services; amending s. 455.241, F.S., relating to patient records; amending s. 455.2415, F.S., relating to the confidentiality of communications; amending s. 455.242, F.S., relating to disposition of deceased or relocating practitioners; amending s. 455.243, F.S., relating to authority to inspect; amending s. 455.245, F.S.; revising provisions relating to immediate suspension of health care practitioners' licenses; amending s. 455.26, F.S.; revising provisions relating to the Impaired Practitioners Committee; creating s. 455.261, F.S.; establishing procedures relating to treatment programs for impaired practitioners; amending ss. 468.384, 472.007, 484.042, 489.515, 492.103, F.S., relating to membership of various boards; amending ss. 457.108, 458.321, 459.009, 461.008, 462.19, 463.008, 464.014, 465.012, 466.015, 468.1205, 468.1725, 468.363, 468.3852, 468.515, 468.528, 470.016, 471.019, 472.019, 473.313, 474.212, 475.183, 476.155, 477.0212, 480.0425, 481.217, 481.315, 484.009, 486.085, 489.519, 490.008, 491.008, 492.1101, F.S.; revising requirements relating to inactive status for acupuncturists, medical physicians, osteopaths, podiatrists, naturopaths, optometrists, nurses, pharmacists, dentists, speech and language pathologists and audiologists, nursing home administrators, respiratory therapists, auctioneers, dietitians and nutrition counselors, employee leasing companies, funeral directors, engineers, land surveyors, accountants, veterinarians, real estate brokers and salespersons, barbers, cosmetologists, massage therapists, architects and interior designers, landscape architects, opticians, physical therapists, electrical contractors and alarm system contractors, psychologists and school psychologists, marriage and family therapists, mental health counselors and clinical social workers, and geologists; repealing ss. 463.017, 466.029, 468.1305, 468.1765, 470.037, 471.035, 472.035, 473.324, 474.218, 475.454, 480.048, 481.227, 481.327, 484.016, 484.057, 489.535, F.S., relating to the reporting of criminal violations of the statutes regulating professions and occupations; repealing ss. 458.3315, 459.0155, 460.417, 461.0132, 463.0165, 464.0185, 465.0165, 466.0283, 474.2141, 490.0095, 491.0095, F.S., relating to treatment programs for impaired practitioners; providing an effective date.

By the Committee on Governmental Operations and Senator Kiser—

**CS for SB 1718**—A bill to be entitled An act relating to administrative procedures; amending s. 120.58, F.S.; providing criteria for the

admissibility of evidence in certain administrative hearings; requiring notice that certain evidence will be offered; reenacting s. 776.207(2), F.S., to incorporate a reference to s. 120.58(1)(a); providing an effective date.

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

**CS for SB 1766**—A bill to be entitled An act relating to alcoholic beverages; amending s. 561.01, F.S.; defining the term "performing arts center"; amending s. 561.20, F.S.; authorizing the Division of Alcoholic Beverages and Tobacco to issue special licenses to performing arts centers; providing exceptions; providing a limitation on fees for such licenses; providing an effective date.

By the Committee on Natural Resources and Conservation—

**CS for SB 1850**—A bill to be entitled An act relating to environmental education; amending s. 229.8055, F.S.; revising the duties of the Commissioner of Education with respect to the environmental education program; deleting requirements that the Department of Education include environmental education in certain summer camp programs, staff training programs, and assessment instruments; providing duties of the department in administering regional service projects in environmental education; amending s. 229.8056, F.S.; reassigning the Office of Environmental Education from the Office of the Commissioner of Education to the Department of Education; redesignating the position of Coordinator of Environmental Education as the Director of Environmental Education; amending s. 229.8058, F.S.; revising the membership of the Advisory Council on Environmental Education; providing additional duties of the council; amending s. 229.8064, F.S.; revising duties of the Department of Natural Resources in recommending projects funded from the Save Our State Environmental Education Trust Fund; providing for review of such projects by the Advisory Council on Environmental Education; directing the Department of Highway Safety and Motor Vehicles to cooperate with the Florida Advisory Council on Environmental Education on redesigning the panther license plate; repealing ss. 229.8061, 229.8062, 229.8063, F.S., relating to environmental education grants, the Governor's Environmental Education Trust Fund, and environmental education programs of nonprofit support corporations; repealing s. 9(2), ch. 91-161, Laws of Florida, abrogating the repeal of ss. 229.8058, 229.8059, F.S., scheduled pursuant to the Sundown Act; providing for future legislative review and repeal of s. 229.8058, F.S.; providing an effective date.

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

**CS for SB 1992**—A bill to be entitled An act relating to taxation; transferring, renumbering, and amending s. 166.231, F.S.; authorizing counties with a population less than a specified number to levy a tax within the unincorporated area on electricity, gas, water, cable television service, and telecommunications service; providing a tax rate; providing for certain exemptions from the tax; providing for collection of the tax; amending s. 212.055, F.S.; providing circumstances under which certain counties and municipalities may use the proceeds and interest from the local government infrastructure surtax for any public purpose; authorizing counties with a population less than a specified number to levy a discretionary sales surtax pursuant to ordinance or referendum; providing procedures and requirements for levying the surtax; specifying uses of proceeds of the surtax; revising provisions that authorize certain counties to levy a discretionary sales surtax for the purpose of funding indigent health care; authorizing counties with a population less than a specified number to levy a discretionary sales surtax for the purpose of funding indigent health care; providing procedures and requirements for levying the surtax; limiting the combined rate of discretionary sales surtaxes; providing for repeal of the surtax; creating s. 218.66, F.S.; providing for distribution from the Local Government Half-cent Sales Tax Clearing Trust Fund to counties with a population less than a specified number; providing for an annual appropriation; amending s. 336.021, F.S.; authorizing the governing body of counties with a population less than a specified number to levy a gas tax pursuant to ordinance for purposes other than servicing bond indebtedness; providing procedures and requirements for levying the gas tax; redesignating the Voted Gas Tax Trust Fund as the Ninth-cent Gas Tax Trust Fund; amending ss. 166.232, 212.02, 212.08, 212.60, 290.0065, 290.007, 366.11, F.S.; conforming cross-references to changes made by the act; creating the Small County Technical Assistance Program; requiring the Comptroller to enter into contracts with program providers for the purpose of assisting certain counties in financial and administrative matters; requiring the Advisory Council on Intergovernmental Relations to advise the Comptroller and conduct performance reviews of the program; providing an appropriation; providing an effective date.

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

**CS for SB 2162**—A bill to be entitled An act relating to local government finance; amending s. 192.001, F.S.; providing standards for determining substantial completion of an improvement to real personal property; creating s. 192.039, F.S.; providing for assessment and taxation of certain real property on a partial-year assessment roll; creating s. 192.044, F.S.; exempting tangible personal property from partial-year assessment; providing for partial-year tangible personal property to take effect upon certain findings; providing for assessment and taxation of certain tangible personal property on a partial-year assessment roll; providing for the assessment of certain railroad property for a partial year; amending s. 192.042, F.S.; providing for the day of assessment; providing for reimbursement of tax collectors for preparation of the initial partial-year assessment rolls; amending s. 193.052, F.S.; providing for partial-year tax returns; amending s. 193.062, F.S.; providing a date for filing of returns; amending s. 193.114, F.S.; providing for preparation of partial-year rolls; amending s. 195.027, F.S.; requiring partial-year returns by agency rule; amending s. 196.011, F.S.; providing a requirement for application for exemption for property listed on a partial-year assessment roll; amending s. 197.3635, F.S.; specifying information to be included on notice for partial-year taxes and assessments; creating s. 200.0701, F.S.; requiring notice of partial-year assessment; requiring inclusion of partial-year property on 1993 rolls; amending s. 196.081, F.S.; providing that the exemption for certain permanently and totally disabled veterans may be claimed by the veteran's spouse after the veteran's death under certain circumstances; providing that such veteran's spouse may claim the exemption for another residence under certain circumstances; amending s. 212.08, F.S.; correcting a cross-reference; amending ss. 218.61, 218.62, F.S.; providing a cross-reference; creating s. 218.66, F.S.; providing for a supplemental distribution to certain small counties participating in the local government half-cent sales tax; creating s. 205.0315, F.S.; providing requirements for new occupational license tax ordinances adopted after October 1, 1994; amending ss. 205.032, 205.042, F.S.; revising the time for the publication of notice by a county or municipality prior to adoption of such taxes; amending ss. 205.033, 205.043, F.S.; revising fees for transfer of licenses; providing that provisions relating to distribution of county tax revenues are not applicable in certain circumstances; prohibiting adoption of an ordinance by certain counties levying an additional tax for economic development after January 1, 1994; specifying that revenues generated by the county tax may be used for economic development purposes; creating s. 205.045, F.S.; providing that a municipality may transfer to the county, and a county may transfer to a municipality, administrative duties relating to such taxes; amending s. 205.053, F.S.; revising the date for sale of licenses and the due date thereof; providing civil penalties for failure to obtain a required license; providing for costs and attorneys' fees; creating s. 205.0535, F.S.; authorizing counties and municipalities to reclassify occupations and establish new rate structures; providing requirements and limitations; providing requirements for subsequent rate increases; creating s. 205.0536, F.S.; providing for the distribution of county tax revenues after October 1, 1994; creating s. 205.0537, F.S.; providing requirements with respect to licensing of vending and amusement machines; creating s. 218.80, F.S.; providing a short title; providing a title for part VIII of chapter 218, F.S.; amending and renumbering s. 166.231, F.S.; authorizing counties to impose public service taxes in the same manner as municipalities; amending and renumbering s. 166.232, F.S.; providing for the county public service tax to be levied on a physical unit basis; amending s. 212.054, F.S.; repealing the limit on the amount of sales subject to the discretionary sales surtax; providing for computation of the sales surtax rate; amending s. 212.055, F.S.; authorizing a county to levy a discretionary sales surtax without a referendum in certain circumstances; deleting the durational limit on levy of the surtax; authorizing additional use of the proceeds from the surtax; amending s. 336.021, F.S.; providing for extension of a county's voted gas tax to sales of aviation fuel; providing for additional uses of the proceeds of the tax; amending s. 336.025, F.S.; providing for extension of a county's local option gas tax to sales of aviation fuel; providing for additional uses of the proceeds of the tax; amending s. 218.65, F.S.; providing that the emergency distribution of moneys to counties is not affected by the small county supplemental distribution; increasing the amount appropriated for emergency distributions; providing an appropriation for annual crisis distributions to certain small counties; amending s. 218.21, F.S.; prescribing distributions from the Revenue Sharing Trust Fund for Municipalities to certain governments exercising municipal powers; amending s. 186.901, F.S.; revising requirements of the Executive Office of the Governor with respect to estimated population counts for purposes of revenue-

sharing calculations; requiring the Department of Revenue to use certain estimated population counts in revenue-sharing calculations for the 1991-1992 state fiscal year; providing severability; providing effective dates.

By the Committee on Transportation and Senator Beard—

**CS for SB 2166**—A bill to be entitled An act relating to the acquisition of property; amending s. 287.055, F.S.; authorizing certain governmental agencies to employ certified real estate appraisers through competitive negotiation; amending s. 73.091, F.S.; providing that a condemning authority is not required to pay the fee of a defendant's appraiser in eminent domain actions unless such appraiser is certified pursuant to ch. 475, F.S.; providing an exception; amending s. 73.092, F.S.; providing criteria for the award of attorney's fees in eminent domain; providing for the reduction of such fees in certain cases; repealing s. 337.271, F.S., to incorporate by reference amendments to ss. 73.091, 73.092, F.S.; providing applicability; providing an effective date.

By the Committee on Transportation and Senator Kirkpatrick—

**CS for SB 2184**—A bill to be entitled An act relating to motor vehicle license plates; providing for the issuance of Florida United States Olympic Committee motor vehicle license plates upon payment of the license tax and additional fees; providing for deposit of a portion of the fees; providing for the use of the fees; amending s. 320.0808, F.S.; establishing the Center for Space Education Trust Fund; revising the distribution, purpose, and use of the annual use fee of the Challenger license plate; establishing reporting requirements for the Astronauts Memorial Foundation, Inc.; providing for reporting timeframes; providing for the transfer of funds; providing for the accumulation of the deposits of license tag use fees by the Department of Education up to \$7.3 million; requiring distribution of 50 percent of the use fees into the Challenger Astronauts Memorial Undergraduate Scholarship Trust Fund for use as provided in s. 240.408; authorizing the transfer of funds for purposes of design, construction, maintenance, or operation of the Center for Space Education; providing that the transfer of funds does not require state funding; requiring notification to the Department of Education of expenditure of funds by the Astronauts Memorial Foundation, Inc.; providing for the issuance of "Purple Heart" license plates to recipients of the Purple Heart; requiring payment of a use fee; requiring the Department of Highway Safety and Motor Vehicles to transfer the proceeds of such fee to the State Treasury for deposit into the State Homes for Veterans Trust Fund for use for the construction and operation of domiciliary and nursing homes for veterans; providing an effective date.

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

**CS for SB's 2186 and 2384**—A bill to be entitled An act relating to health care; creating the Florida Health Care Access Plan Act; providing definitions; requiring the Health Care Cost Containment Board to establish a health care coverage program for low-income, unemployed persons and others who cannot obtain health care coverage; requiring the board to establish and implement the Florida Health Care Access Plan; providing principles for establishing the plan; providing requirements for the Florida Health Care Access Plan; requiring the board to submit an interim implementation plan; authorizing the Governor and state departments to seek certain federal statutory changes and waivers; creating the Office of the Florida Health Care Access Plan within the board; requiring the board to promote voluntary private health care coverage and health care cost containment; requiring the board to set certain annual targets; providing for an advisory council to consider administrative and legislative reforms; requiring the Office of the Florida Health Care Access Plan and the Department of Labor and Employment Security to collect information regarding employee health care coverage; providing an exemption from s. 119.07(1), F.S., for the identity of employers and employees with respect to health care coverage information provided; providing for review of the exemption pursuant to s. 119.14, F.S.; requiring the Health Care Cost Containment Board to collect data regarding health care expenditures and provide annual estimates of health care expenditures; restricting the use of exclusions for preexisting conditions in health benefit plans covering small employers; restricting the use of requirements for minimum participation of eligible employees and minimum employer contributions in health benefit plans covering small employers; requiring coverage of all employees and their dependents in health benefit plans covering small employers; authorizing the Department of Insurance to adopt rules; requiring state contractors to provide employee health care coverage by specified dates; amending s. 409.912, F.S.; requiring the Department of Health and Rehabilitative Services to apply for federal

waivers to expand enrollment of Medicaid recipients in managed care plans; requiring the department to enroll certain Medicaid clients in managed care plans, if federal waivers are obtained; authorizing the department to contract with certain entities to develop Medicaid prepaid health plans; requiring the department to inform recipients of their choices and rights and to monitor managed care plans; requiring the department to contract for certain services with the Florida Health Care Purchasing Cooperative; providing an implementation schedule; requiring the department to apply for federal waivers to implement competitive bidding and selective contracting procedures; requiring the department to pilot test competitive bidding and selective contracting procedures if waivers are obtained; amending s. 110.123, F.S.; limiting the health benefit plan options from which state officers and state employees hired after July 1, 1992, may select; entitling certain persons to a credit against certain premiums under certain circumstances; creating the Healthy Communities, Healthy People Act; providing definitions; requiring the Department of Health and Rehabilitative Services to develop model health promotion and wellness programs for communities to implement; providing requirements for the model programs; providing reporting requirements; providing for a pilot project to develop a model maternal, child, and adult health care delivery system in a geographic area of an urban county and a rural county; prescribing goals of the system and criteria for determining the success of the project; providing for health surveys; amending s. 20.19, F.S.; authorizing the department to establish an Office of Health Promotion and Wellness; requiring the Department of Health and Rehabilitative Services to establish the Florida Health Services Corps to provide financial aid to student health care practitioners in return for service; requiring the State Health Officer to supervise the corps; providing requirements for participation in the corps; providing rulemaking authority; amending s. 768.28, F.S.; expanding the definition of the term "agency" for purposes of the waiver of sovereign immunity in tort actions to include members of the Florida Health Services Corps; reenacting ss. 766.203(1), 766.207(1), F.S., relating to presuit investigation and voluntary binding arbitration of medical negligence claims, to incorporate that amendment in references thereto; requiring the Florida Health Access Corporation to expand its operations to two new market areas; requiring the corporation to conduct certain studies and issue a report; requiring the Florida Health Care Purchasing Cooperative to develop a computerized billing and claims system; requiring the Florida Health Care Purchasing Cooperative to develop a model health care benefit package; amending s. 233.067, F.S.; revising duties of the Department of Education with respect to health education and substance abuse prevention programs; providing appropriations; providing an effective date.

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

**CS for SB 2218**—A bill to be entitled An act relating to the Florida Revenue Sharing Act of 1972; amending s. 218.23, F.S.; providing an exemption for certain incorporated municipalities from eligibility requirements for funding under the act; providing for expiration of the exemption; providing for funding under the act in the 1991-1992 state fiscal year for municipalities that were incorporated before a specified date; amending s. 186.901, F.S.; revising requirements of the Executive Office of the Governor with respect to estimated population counts for purposes of revenue-sharing calculations; requiring the Department of Revenue to use certain estimated population counts in revenue-sharing calculations for the 1991-1992 state fiscal year; providing an effective date.

By the Committee on Transportation and Senator Meek—

**CS for SB 2262**—A bill to be entitled An act relating to road designations; designating a portion of State Road 916 in Miami as "Maurice Rosen Boulevard"; directing the Department of Transportation to erect suitable markers; providing an effective date.

By the Committee on Executive Business, Ethics and Elections; and Senator Gordon—

**CS for SB 2308**—A bill to be entitled An act relating to elections; amending s. 102.031, F.S., relating to persons allowed in the polling place; providing an effective date.

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

**CS for SB 2412**—A bill to be entitled An act relating to the Department of Health and Rehabilitative Services; creating the "Health and Rehabilitative Services Reorganization Act of 1992"; amending s. 20.19,

F.S.; expanding purposes of the department; expanding duties of department administrators; providing for the issuance of health advisories by the State Health Officer; establishing a Medicaid Program Office; requiring advisory boards to civil mental health and developmental services institutions; reorganizing service districts; creating district health and human services boards and providing membership, powers, and duties; requiring reports; abolishing alcohol, drug abuse and mental health planning councils; creating district nominee qualifications review committees and providing membership, powers, and duties; providing for a district administrator and providing powers and duties; creating a statewide health and human services board; deleting district advisory councils; revising departmental budget provisions; providing for additional appropriation; revising provisions relating to information systems; providing duties; providing for the establishment of innovation zones for the purpose of testing model programs, policy options, and new technologies for the department; authorizing the Secretary of Health and Rehabilitative Services to propose changes to policies or procedures or waivers of rules for purposes of an innovation zone proposal; providing for clarifying language; amending s. 381.702, F.S.; providing districts for health planning; amending s. 402.165, F.S.; revising membership of the Statewide Human Rights Advocacy Committee; amending ss. 394.67, 396.1818, 397.217, 410.023, 410.603, 415.602, and 420.621, F.S., relating to juvenile substance abuse prevention and early intervention councils, mental health, community care services, health maintenance services, domestic violence services, and social services, to conform; repealing s. 394.715, F.S., relating to alcohol, drug abuse and mental health planning councils; amending ss. 316.1932, 316.1933, 316.1934, 322.63, 327.354, F.S.; transferring duties and functions with respect to rules and procedures for tests determining the presence of alcohol or controlled substances from the Department of Health and Rehabilitative Services to the Department of Law Enforcement; providing for the Department of Law Enforcement to establish standards and issue permits for certain blood tests; amending s. 316.1938, F.S.; transferring the authority and responsibilities for certifying ignition interlock devices from the Department of Health and Rehabilitative Services to the Department of Law Enforcement; amending ss. 483.021, 483.031, 483.051, 483.172, 483.23, F.S.; deleting provisions relating to the licensing and regulation of clinical laboratory personnel by the Department of Health and Rehabilitative Services; creating ss. 483.800-483.827, F.S.; providing a statement of purpose; providing for regulation of clinical laboratory personnel by the Board of Clinical Laboratory Personnel within the Department of Professional Regulation; amending s. 395.1015, F.S.; conforming a cross-reference; amending s. 20.30, F.S.; providing for the Board of Clinical Laboratory Personnel within the Division of Medical Quality Assurance; repealing ss. 483.041(2) and (4), 483.053, 483.071, 483.141, 483.151, 483.152, 483.153, 483.154, 483.161, 483.21, F.S., relating to clinical laboratory personnel; providing a saving clause; amending s. 112.0455, F.S., relating to the licensing of drug testing laboratories; amending s. 393.17, F.S.; transferring the certification program for behavior analysts from the Department of Health and Rehabilitative Services to the Department of Professional Regulation; transferring the district aging and adult services programs of the Department of Health and Rehabilitative Services to the Department of Elderly Affairs; amending s. 409.029, F.S.; authorizing the Department of Health and Rehabilitative Services to contract for certain services provided under the Florida Employment Opportunity Act; amending ss. 467.003, 467.006, F.S.; transferring the authority and responsibilities for regulating the practice of midwifery from the Department of Health and Rehabilitative Services to the Department of Professional Regulation; transferring, upon federal approval, the Office of Disability Determinations from the Department of Health and Rehabilitative Services to the Department of Labor and Employment Security; continuing interim planning groups created by ch. 91-158, Laws of Florida, for a specified period; providing a saving clause for rules; providing that provisions of this act do not affect the validity of certain pending judicial or administrative proceedings; providing an effective date.

## MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

### VETOED BILL 1992 REGULAR SESSION

Honorable Gwen Margolis  
President, Florida Senate

February 14, 1992

Dear Madam President:

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 of portions of Senate Bill 2408, enacted by the 24th Regular Session of the Florida Legislature since the Constitution of 1968, during the Regular Session of 1992, and entitled:

"An act making appropriations; amending appropriations in fiscal year 1991-92 and other appropriations in prior fiscal years; providing moneys for the annual period beginning July 1, 1991 and ending June 30, 1992, 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."

I have reviewed Senate Bill 2408, the Supplemental Appropriations Act for Fiscal Year 1991-1992, and must report that, in several instances, it does not advance the best interests of the citizens of Florida.

The State's fiscal plans must always be seen in context. In Fiscal Year 1990-1991, State General Revenues fell short of expectations by almost \$953 million. The Administration Commission (Governor and Cabinet), proceeding under the authority of Chapter 216, Florida Statutes, reduced the General Revenue Appropriations on three occasions. These reductions affected programs throughout state government. State efforts in education, public safety, human services, and the environment suffered as a result.

In September of 1991, the forecast on which the Legislature based its priorities for the current fiscal year was lowered by \$622 million. The December 1991 Special Session addressed this shortfall with more program cuts. The current Supplemental Appropriations Act is designed to deal with the latest shortfall in state general revenues of \$116 million and program deficits in Aid to Families with Dependent Children, Medicaid, and health insurance for state employees.

For the last two years, the Administration Commission has attempted to manage the diminished state revenues in a prudent and responsible fashion. Working with the Legislature, the Executive has not followed the unwise fiscal example of other states. It has not raided the pension fund like Massachusetts, changed the accounting system like Michigan, resorted to irresponsible loans like New York or shifted massive service responsibility to other levels of government like the federal government. In fact, Florida has maintained its bond rating and acted to improve its financial management systems.

This process has taken its toll, however. There are few, if any, acceptable alternatives left that do not seriously diminish needed services or compromise the fiscal position of the state. This legislation is testimony to the discouraging choices that remain.

I cannot recommend certain parts of this legislation to the people of Florida. It relies too heavily on the state's Working Capital ("Rainy Day") Fund to solve the current problem without recognizing the need for a reserve in the coming months or specifying how the fund might be replenished to meet the uncertain times ahead. In addition, this legislation reduces funding for programs that provide the sort of preventive investment such as Healthy Start and Community Corrections that will save Florida millions of dollars and will more importantly improve our quality of life.

In light of these objections, I hereby veto:

Specific Appropriation 360 on page 3 appropriating (\$700,000) from the General Revenue Fund for the Community Corrections Alternatives Programs is hereby vetoed. This pilot program would establish a partnership between the State and counties in the construction of a county work camp for incarceration of non-violent, felony offenders. First-year funding is critical to the State's commitment to this program and to the goal of reserving prison space for the most violent offenders.

"360 LUMP SUM  
COMMUNITY CORRECTIONS ALTERNATIVES PROGRAMS  
FROM GENERAL REVENUE FUND . . . . . (700,000)"

Specific Appropriation 364 on page 3 appropriating (\$418,203) from the General Revenue Fund for a contracted 90-bed secure drug treatment program is hereby vetoed. This pilot program would provide for treatment of non-violent drug offenders in a secure, community-based facility. First-year funding is critical to the State's commitment to this program and to the goal of reserving prison space for the most violent offenders.

"364 SPECIAL CATEGORIES

GRANTS AND AIDS - CONTRACTED DRUG  
TREATMENT/REHABILITATION PROGRAMS  
FROM GENERAL REVENUE FUND . . . . . (418,203)"

Specific Appropriation 1008 on page 11 appropriating (\$4,173,280) from the General Revenue Fund for state matching funds for the Healthy Start Initiative is hereby vetoed. This initiative will expand Medicaid coverage for pregnant women and children under age one with incomes above 150 percent up to and including 185 percent of the most recent federal poverty level and increase obstetrical fees for Medicaid providers. When fully implemented the 185 percent eligibility expansion and the fee increases would provide essential medical services to an estimated 9,323 pregnant women and 9,323 children up to age one and improve access to physician care. These services will reduce Florida's high incidence of low birth weight babies and children with learning disabilities and will ensure these children are prepared to learn in school.

"1008 LUMP SUM  
TRANSFER TO PUBLIC MEDICAL ASSISTANCE TRUST FUND  
FROM GENERAL REVENUE FUND . . . . . (4,173,280)"

Section 3 on page 19 relating to Specific Appropriation 1943B of Chapter 91-193, Laws of Florida is hereby vetoed. The second series of Preservation 2000 bonds is scheduled to be sold within the next few weeks. Additional documentary stamp tax revenues were specifically dedicated by the 1991 Legislature to finance the debt service on these bonds. These original documentary stamp tax revenues are available and continue as the appropriate source to fund the second year's debt service for this bond sale.

The acquisition of land is the single most important means of protecting the wide spectrum of environmental values of our State. Such lands are rapidly giving way to development and need to be purchased sooner rather than later. It is our responsibility to keep this critical effort moving ahead on schedule, lest we jeopardize the basis of Florida's greatness — its natural resources.

"SECTION 3. Funds provided in Specific Appropriation 1943B of Chapter 91-193, Laws of Florida, are contingent upon the appropriation of funds for continuing debt service requirements on the second series of Preservation 2000 Bonds in Fiscal Year 1992-93. The second series of Preservation 2000 Bonds shall not be sold until the 1992 Legislature specifically appropriates funds for the continuing debt services on these bonds for Fiscal Year 1992-93."

Section 5 on page 20 appropriating an unspecified sum of money to be transferred from unencumbered cash balances of the investment pool to the Working Capital Fund is hereby vetoed. The use of unencumbered cash balances of the trust fund investment pool requires an examination of the level and mix of financing revenues available to the State. Sufficient justification has not been provided to properly evaluate the effect of this action.

"SECTION 5. Notwithstanding any provision of law to the contrary, the amount required to ensure a balance of \$42 million in the Working Capital Fund at the end of the 1991-92 fiscal year shall be transferred from unencumbered cash balances of the trust fund investment pool to the Working Capital Fund. Notwithstanding section 215.18, Florida Statutes, the amounts transferred shall be repaid by June 30, 1993."

Section 7 on page 20 appropriating a transfer of up to \$50 million from the Working Capital Fund to finance the General Revenue deficit remaining after implementing this bill is hereby vetoed. Absent such action, the size of the State's reserve will severely limit the possible options available to meet any further revenue collection shortages in the current fiscal year.

"SECTION 7. This act anticipates a transfer of up to \$50 Million from the Working Capital Fund to finance the General Revenue deficit remaining after the reductions contained herein are implemented."

I recognize that the Legislature faces a difficult situation with few acceptable alternatives. But it should not allow the Working Capital Fund balance to fall too low. It should recognize the worth of investments whose long term returns to the state far exceed the commitment they require in the short run. The Legislature must deal with the real choices facing Florida. The Legislature must begin the process of raising revenues necessary to adequately fund services in a growth state. It must restore the Working Capital Fund to a fiscally responsible level.

The solution to this year's budget difficulties cannot be isolated from the problems we face next year. The State must be fiscally responsible. It must be sensitive to the need for programmatic efficiencies. But it must also begin the investment in Florida's future. I have proposed over \$1.3 billion in new investments for Fiscal Year 1992-93. These investments are founded on a process of reform of the state's taxes that will occur over the next several years. We can begin that reform now and infuse this year's budget with the resources that will make for a better Florida.

The Legislature can act swiftly to enact revenues which will stem the damage done by further budget reductions. The Legislature can address the need for a meaningful current year Working Capital Fund before it adjourns. The means are available, but the time is short.

The portions of Senate Bill 2408 which are set forth herein with my objections are hereby vetoed, and all other portions of Senate Bill 2408 are hereby approved.

With kind regards, I am

Sincerely,  
*Lawton Chiles*  
Governor

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

#### APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:

The Secretary of State has certified that pursuant to the provisions of Section 114.05, Florida Statutes, certificates subject to confirmation by the Senate had been prepared for the following:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Florida Citrus Commission	
Appointees: Owens, William E., Stuart	05/31/95
Paul, Margaret W., Winter Haven	05/31/95
Rice, Talmadge G., Dade City	05/31/95
Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling	
Appointee: Ackord, Marie Mallory, Cape Coral	09/30/94
Board of Professional Engineers	
Appointee: Zimmerman, Dale Wm., Atlantis	12/20/95
Investment Advisory Council	
Appointee: Nast, Donald A., Tallahassee	12/12/92
Board of Osteopathic Medical Examiners	
Appointee: Hackenberg, John C., Ponte Vedra Beach	01/29/96
South Florida Regional Planning Council, Region 11	
Appointee: McTigue, R. Emmett, Ft. Lauderdale	10/01/94
Big Cypress Basin Board of the South Florida Water Management District	
Appointee: Barksdale, Clifford B., Naples	03/01/94

Referred to the Committee on Executive Business, Ethics and Elections.

### 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 405, CS for HB 465, CS for HB 723, HB 2239; has passed as amended HB 883, CS for HB 1075, HB 1795, CS for HB 2101, CS for HB 2103, HB 2267, HB 2269, HB 2275 and requests the concurrence of the Senate.

*John B. Phelps, Clerk*

By Representative Glickman—

**HB 405**—A bill to be entitled An act relating to unlawful substances; amending s. 893.02, F.S.; providing that "possession" includes temporary possession for verification or testing; amending s. 831.31, F.S.; expanding the definition of "counterfeit controlled substance"; reenacting and amending s. 232.277, F.S., relating to reporting of suspected substance abuse by students, to incorporate said amendments in references thereto; providing an effective date.

—was referred to the Committees on Criminal Justice and Appropriations.

By the Committee on Regulated Services and Technology; and Representative Tobin and others—

**CS for HB 465**—A bill to be entitled An act relating to consumer protection; amending s. 501.059, F.S.; placing restrictions on telephone solicitors who offer for sale certain consumer information; amending s. 501.603, F.S.; revising certain definitions in the Florida Telemarketing Act; amending s. 501.604, F.S.; revising exemptions from provisions of the act; amending ss. 501.605 and 501.607, F.S.; requiring additional information in an application for licensure as a commercial telephone seller or salesperson; requiring rules for operation on an interim basis; amending s. 501.608, F.S.; revising provisions relating to license display; providing an effective date.

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

By the Committee on Regulated Services and Technology; and Representative Reddick and others—

**CS for HB 723**—A bill to be entitled An act relating to solar energy; amending s. 163.04, F.S.; providing clarification regarding the application of provisions relating to energy devices based on renewable resources; providing that no person shall be prohibited from installing solar collectors in a certain manner; creating s. 689.26, F.S.; providing that certain covenants, restrictions, or conditions contained in instruments affecting the transfer or sale or use or interest in real property which prohibit or restrict the installation or use of solar energy is void and unenforceable; providing for the application of the section; providing an effective date.

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

By the Committee on Criminal Justice and Representative Martinez—

**HB 2239**—A bill to be entitled An act relating to uniform interstate extradition; repealing s. 941.10(3), F.S., relating to bail by bond on a Governor's warrant; providing an effective date

—was referred to the Committee on Criminal Justice.

By the Committee on Regulatory Reform and Representative Tobin—

**HB 883**—A bill to be entitled An act relating to the Endangered Plant Advisory Council of the Department of Agriculture and Consumer Services; providing for staggered terms; providing that certain information may not be used for regulatory purposes; repealing s. 6, ch. 85-153, Laws of Florida; abrogating the repeal of s. 581.186, F.S., pertaining to the council, which section is scheduled for termination by s. 6, ch. 85-153, Laws of Florida, effective October 1, 1992; repealing s. 581.186, F.S., effective October 1, 2002, and providing for review thereof before that date; providing an effective date.

—was referred to the Committee on Agriculture.

By the Committee on Health Care and Representatives Bloom and Graber—

**CS for HB 1075**—A bill to be entitled An act relating to medical research; creating s. 405.04, F.S.; providing for protection of human subjects in medical research; providing definitions; providing for informed consent; providing for substituted consent; providing for waiver; amending s. 381.026, F.S.; clarifying and conforming provisions relating to experimental research and the rights of patients; amending ss. 458.331 and 459.015, F.S., to conform to the act; providing an effective date.

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

By Representative Mackenzie—

**HB 1795**—A bill to be entitled An act relating to elections; amending ss. 103.011 and 103.021, F.S.; changing the manner in which presidential electors are nominated and elected and vote; amending s. 101.28, F.S., to conform; repealing s. 103.051, F.S., relating to meeting dates of presidential electors; providing an effective date.

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

By the Committee on Appropriations and Representative Saunders—

**CS for HB 2101**—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.

—was referred to the Committee on Appropriations.

By the Committee on Appropriations and Representative Saunders—

**CS for HB 2103**—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; abolishing the Statewide Health Council and local health councils and providing for the deposit of fees assessed; authorizing the Department of Highway Safety and Motor Vehicles to expend certain funds for operations; continuing for fiscal year 1992-1993 the authority of the Department of Revenue and a division of the Department of Labor and Employment Security to act outside the normal personnel and budget requirements of the Florida Statutes, as granted pursuant to s. 14(1), (2), and (3), ch. 91-157, Laws of Florida; granting the same authority to the Department of State, the Department of Insurance, the Department of Commerce, and the whole of the Department of Labor and Employment Security; 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; 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 payment of moneys owed by district school boards to the Division of Administrative Hearings; providing a limitation on the use of moneys appropriated to the Vocational Gold Seal Endorsement Scholarship Program; providing for the implementation of ch. 90-49, Laws of Florida, relating to laboratory schools; 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; 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, the Gulf Coast Community College Site Acquisition project, the Hillsborough Community College Land Acquisition/Brandon Campus project, and Lake-Sumter Community College Land Acquisitions projects will not revert until a specified date; eliminating a salary raise for Legislators; prohibiting adjustment to the allocation of funds for any university for the 1991-1992 and 1992-1993 fiscal years; 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; prescribing limitations on the filling of vacant positions within executive branch agencies and the judicial

branch; requiring reports with respect to filling vacant positions; continuing the Resolution Trust Corporation Advisory Commission established pursuant to s. 72, ch. 91-157, Laws of Florida; requiring the Department of Administration to conduct a study on withdrawal of certain dependent and independent public hospitals from the Florida Retirement System; providing severability; providing effective dates, including a retroactive effective date, and an expiration date.

—was referred to the Committee on Appropriations.

By the Committee on Regulatory Reform and Representative Tobin—

**HB 2267**—A bill to be entitled An act relating to regulation of professions; amending s. 489.103, F.S.; modifying the employee exemption provision with respect to construction contracting; amending s. 489.105, F.S.; redefining the term "contractor" to conform to the act; providing an effective date.

—was referred to the Committees on Professional Regulation and Commerce.

By the Committee on Judiciary and Representative Brennan—

**HB 2269**—A bill to be entitled An act relating to notaries public; amending s. 117.05, F.S.; providing prohibitions against specified notariations; providing a qualification; providing a form; amending s. 117.107, F.S.; prohibiting notaries from administering an oath to certain persons; providing an effective date.

—was referred to the Committees on Professional Regulation and Judiciary.

By the Committee on Judiciary and Representative Cosgrove—

**HB 2275**—A bill to be entitled An act relating to judicial nominating commissions; amending s. 43.29, F.S.; providing for removal of commission members; providing an effective date.

—was referred to the Committee on Judiciary.

## RETURNING MESSAGES ON HOUSE BILLS

### SENATOR BRUNER PRESIDING

The Senate resumed consideration of—

**CS for CS for HJR's 1727, 863 and 2035**—A joint resolution proposing the creation of Section 24 of Article I and Section 20 of Article XII of the State Constitution relating to access to public records.

—which had been considered February 14.

The question recurred on the motion by Senator Margolis that the Senate concur in **House Amendment 1 to Senate Amendment 1**.

Senator Kiser moved the following amendment which failed:

**Senate Amendment 1 to House Amendment 1 to Senate Amendment 1**—On page 2, strike all of lines 12-14 and insert: *Legislature, however, may provide by general law enacted by a two-thirds vote of each house for the exemption of records from the requirements of subsection (a) and may provide by general law enacted by a majority vote of each house for the exemption of meetings from the requirements of*

The motion by Senator Margolis that the Senate concur in **House Amendment 1 to Senate Amendment 1** was adopted.

On motion by Senator Margolis, **CS for CS for HJR's 1727, 863 and 2035** as amended was read in full as follows:

**CS for CS for HJR's 1727, 863 and 2035**—A joint resolution proposing the creation of Section 24 of Article I and Section 20 of Article XII of the State Constitution to provide for access to public records and meetings.

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

That the creation of Section 24 of Article I and Section 20 of Article XII of the State Constitution set forth below is agreed to and shall be submitted to the electors of Florida for approval or rejection at the general election to be held in November 1992:

## ARTICLE I DECLARATION OF RIGHTS

SECTION 24. Access to public records and meetings.—

(a) Every person has the right to inspect or copy any public record made or received in connection with the official business of any public body, officer, or employee of the state, or persons acting on their behalf, except with respect to records exempted pursuant to this section or specifically made confidential by this Constitution. This section specifically includes the legislative, executive, and judicial branches of government and each agency or department created thereunder; counties, municipalities, and districts; and each constitutional officer, board, and commission, or entity created pursuant to law or this Constitution.

(b) All meetings of any collegial public body of the executive branch of state government or of any collegial public body of a county, municipality, school district, or special district, at which official acts are to be taken or at which public business of such body is to be transacted or discussed, shall be open and noticed to the public and meetings of the legislature shall be open and noticed as provided in article III, section 4(e), except with respect to meetings exempted pursuant to this section or specifically closed by this Constitution.

(c) This section shall be self-executing. The legislature, however, may provide by general law for the exemption of records from the requirements of subsection (a) and the exemption of meetings from the requirements of subsection (b), provided that such law shall state with specificity the public necessity justifying the exemption and shall be no broader than necessary to accomplish the stated purpose of the law. The legislature shall enact laws governing the enforcement of this section, including the maintenance, control, destruction, disposal, and disposition of records made public by this section, except that each house of the legislature may adopt rules governing the enforcement of this section in relation to records of the legislative branch. Laws enacted pursuant to this subsection shall contain only exemptions from the requirements of subsections (a) or (b) and provisions governing the enforcement of this section, and shall relate to one subject.

(d) All laws that are in effect on July 1, 1993 that limit public access to records or meetings shall remain in force, and such laws apply to records of the legislative and judicial branches, until they are repealed. Rules of court that are in effect on the date of adoption of this section that limit access to records shall remain in effect until they are repealed.

ARTICLE XII  
SCHEDULE

SECTION 20. Access to public records.—Section 24 of Article I, relating to access to public records, shall take effect July 1, 1993.

BE IT FURTHER RESOLVED that in accordance with the requirements of section 101.161, Florida Statutes, the title and substance of the amendment proposed herein shall appear on the ballot as follows:

ACCESS TO PUBLIC RECORDS AND MEETINGS.—Proposing an amendment to the State Constitution, effective January 1, 1993, to grant public access to records and meetings of the executive, judicial, and legislative branches of state government, and other governmental entities; to allow the legislature to enact exemptions and rules; continuing existing exemptions until repealed; and to apply existing exemptions relating to records of other governmental entities to judicial and legislative records.

—and as amended passed by the required constitutional three-fifths vote of the membership, and was certified to the House. The vote on passage was:

Yeas—40      Nays—None

THE PRESIDENT PRESIDING

RETURNING MESSAGES—FINAL ACTION

The Honorable Gwen Margolis, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 60 and SB 798.

John B. Phelps, Clerk

The bills contained in the foregoing message were ordered enrolled.

ROLL CALLS ON SENATE BILLS

CS for CS for SB 76

Yeas—39

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

Nays—None

SB 588

Yeas—35

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

Nays—None

CS for SB 674

Yeas—36

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

Nays—2

Jenne	Weinstock
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SB 836

Yeas—38

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

Nays—None

SB 848

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Gordon

**SB 960**

Yeas—40

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	Walker
Childers	Gordon	Malchon	Weinstein
Crenshaw	Grant	McKay	Weinstock
Crotty	Grizzle	Meek	Wexler
Dantzler	Jenne	Myers	Yancey

Nays—None

**SB 1434**

Yeas—38

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

Nays—None

**SB 1572**

Yeas—40

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	Walker
Childers	Gordon	Malchon	Weinstein
Crenshaw	Grant	McKay	Weinstock
Crotty	Grizzle	Meek	Wexler
Dantzler	Jenne	Myers	Yancey

Nays—None

**SB 1586**

Yeas—36

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

Nays—None

**SB 1684**

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Kiser, Yancey

**SB 1724—Amendment 3**

Yeas—19

Beard	Forman	Johnson	Plummer
Burt	Girardeau	Kurth	Souto
Davis	Gordon	Malchon	Weinstock
Diaz-Balart	Grizzle	McKay	Wexler
Dudley	Jenne	Myers	

Nays—20

Madam President	Crenshaw	Jennings	Scott
Bankhead	Crotty	Kirkpatrick	Thomas
Bruner	Dantzler	Kiser	Thurman
Casas	Gardner	Langley	Walker
Childers	Grant	Meek	Yancey

**SB 1724—Motion to Reconsider Amendment 3**

Yeas—20

Madam President	Dudley	Jenne	Myers
Beard	Forman	Johnson	Plummer
Burt	Girardeau	Kurth	Souto
Davis	Gordon	Malchon	Weinstock
Diaz-Balart	Grizzle	McKay	Wexler

Nays—19

Bankhead	Crotty	Kirkpatrick	Thomas
Bruner	Dantzler	Kiser	Thurman
Casas	Gardner	Langley	Walker
Childers	Grant	Meek	Yancey
Crenshaw	Jennings	Scott	

**SB 1724—On Reconsideration of Amendment 3**

Yeas—18

Beard	Forman	Kurth	Souto
Burt	Girardeau	Malchon	Weinstock
Davis	Gordon	McKay	Wexler
Diaz-Balart	Grizzle	Myers	
Dudley	Jenne	Plummer	

Nays—19

Bankhead	Crotty	Kirkpatrick	Thomas
Bruner	Dantzler	Kiser	Thurman
Casas	Gardner	Langley	Walker
Childers	Grant	Meek	Yancey
Crenshaw	Jennings	Scott	

**SB 1724**

Yeas—30

Bankhead	Dantzler	Jennings	Scott
Beard	Diaz-Balart	Johnson	Souto
Bruner	Dudley	Kirkpatrick	Thomas
Burt	Gardner	Kiser	Thurman
Casas	Girardeau	Kurth	Walker
Childers	Gordon	McKay	Yancey
Crenshaw	Grant	Meek	
Crotty	Jenne	Myers	

Nays—7

Davis	Grizzle	Plummer	Wexler
Forman	Malchon	Weinstock	

Vote after roll call:

Yea to Nay—Jenne

Nay—Weinstein

**ROLL CALLS ON HOUSE BILLS**

**CS for CS for HJR's 1727, 863 and 2035**

Yeas—40

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	Walker
Childers	Gordon	Malchon	Weinstein
Crenshaw	Grant	McKay	Weinstock
Crotty	Grizzle	Meek	Wexler
Dantzler	Jenne	Myers	Yancey

Nays—None

**CS for HB 2101**

Yeas—39

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

Nays—None

**CS for HB 2103**

Yeas—40

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

Kurth  
Langley  
Malchon  
McKay

Meek  
Myers  
Plummer  
Scott

Souto  
Thomas  
Thurman  
Walker

Weinstein  
Weinstock  
Wexler  
Yancey

Nays—None

**ENROLLING REPORTS**

SB 648 has been enrolled, signed by the required Constitutional Officers and presented to the Governor on February 17, 1992.

*Joe Brown, Secretary*

**CORRECTION AND APPROVAL OF JOURNAL**

The Journal of February 14 was corrected and approved.

**CO-SPONSORS**

Senator Gordon—SB 2270; Senator Jennings—SB 1586; Senator McKay—SB 824

Senator McKay withdrew as prime sponsor of SB 420.

**MOTION**

On motion by Senator Thomas, by two-thirds vote the Special Order Calendar for Thursday, February 20 was set as follows: CS for SB 1498, CS for SB 396, SB 178, SB 116 and HB 2327.

**RECESS**

On motion by Senator Thomas, the Senate recessed at 12:33 p.m. for the purpose of holding committee meetings and conducting other Senate business until Thursday, February 20, at 1:00 p.m.

**SENATE PAGES**

February 17-21

Paul F. Alley, Jr., Lakeland; Kelly H. Chanfrau, Ormond Beach; David Bradley Drake, DeFuniak Springs; Cindy C. Fernandez, Brandon; Courtney Jeanne Floyd, Pensacola; Keathan Briscoe Frink, Melbourne; Tiffany Jade Hill, Melbourne; Melanie Laffin, Tampa; Mary P. McKay, Bradenton; Pamela Methelis, Pembroke Pines; Jennifer Moore, Clearwater; Normarie Segurola, Venice; Andrea Sereg, Clearwater; Nichole Vercoe, Ft. Lauderdale; Jeffery A. Williams, Tallahassee; Jeremy L. Williams, Tallahassee