



Journal of the Senate

Number 8

Thursday, February 25, 1993

CALL TO ORDER

The Senate was called to order by the President at 9:00 a.m. A quorum present—40:

Mr. President	Diaz-Balart	Holzendorf	Myers
Bankhead	Dudley	Jenne	Scott
Beard	Dyer	Jennings	Siegel
Boczar	Foley	Johnson	Silver
Brown-Waite	Forman	Jones	Sullivan
Burt	Grant	Kirkpatrick	Thomas
Casas	Grogan	Kiser	Turner
Childers	Gutman	Kurth	Weinstein
Crist	Harden	McKay	Wexler
Dantzler	Hargrett	Meadows	Williams

PRAYER

The following prayer was offered by the Rev. William (Bill) Wynn, Pastor, Brandon Assembly of God Church, Brandon:

Almighty God, we pause to acknowledge our need of your power and wisdom, and to thank you for your help in every time of need.

We would be less than honest if we failed to acknowledge our limitations, and less than prudent if we failed to call on you for help when making difficult decisions.

I ask you to give wisdom and compassion to these men and women who have had placed in them the trust of their fellow citizens, who elected them to their offices.

May everyone here be unselfishly motivated to do what is best for all the people of our great state. May each one, not only acknowledge you, but earnestly seek your guidance and blessing.

When we come to the close of this day, may we be able to look back on our activities and decisions and have a clear conscience, knowing that we have done our best with your help.

As we face each new day may we have an attitude of gratitude, and the determination to serve our God and our fellow man with unwavering loyalty and unshakable faith.

These things we ask in your name. Amen.

PLEDGE

Senate Pages Scott Bruce Harris, of Hollywood and Mollie L. Rideout, of Orlando led the Senate in the pledge of allegiance to the flag of the United States of America.

CONSIDERATION OF RESOLUTION

On motion by Senator Hargrett, by two-thirds vote **SR 1662** was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Hargrett—

SR 1662—A resolution joining with the Mt. Gilboa Missionary Baptist Church in celebrating its 100th anniversary and honoring The Reverend Kenneth Tyrone Turner.

WHEREAS, Mt. Gilboa Missionary Baptist Church was established in Bartow, Florida, on February 17, 1893, and

WHEREAS, the charter members of the Mt. Gilboa Missionary Baptist Church were from Halifax, North Carolina, and named their new church after their home church in Halifax, and

WHEREAS, in 1928, the church was rebuilt and, in 1936, the mortgage on the reconstruction was retired, and

WHEREAS, Mt. Gilboa Missionary Baptist Church of Bartow, Florida, was incorporated in this state on August 20, 1969, and

WHEREAS, a new pastorium was added to the church and dedicated in May 1970, and an educational building and office complex were added in 1974, and

WHEREAS, The Reverend Kenneth Tyrone Turner became the pastor of Mt. Gilboa Missionary Baptist Church in July 1983, and

WHEREAS, in March 1986, under the leadership of The Reverend Turner, the mortgages on the pastorium, educational building, and other properties of the church were retired, NOW, THEREFORE,

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

That the Florida Senate hereby joins with the Mt. Gilboa Missionary Baptist Church in celebrating its 100th anniversary, recognizes Mt. Gilboa's legacy of missions, and honors The Reverend Kenneth Tyrone Turner, the current pastor, for his distinguished community service.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to the Mt. Gilboa Missionary Baptist Church and to The Reverend Kenneth Tyrone Turner as a tangible token of the sentiments of the Florida Senate.

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

MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Jennings, by two-thirds vote **SB 616** was withdrawn from the Committees on Health Care and Appropriations and referred to the Committees on Health Care, Professional Regulation and Appropriations; **SB 1234** was withdrawn from the Committees on Commerce and Governmental Operations and referred to the Committees on Education and Commerce; **Senate Bills 1800, 1802 and 1804** were withdrawn from the Committee on Appropriations; **SB 1438** was withdrawn from the Committees on Health and Rehabilitative Services; Community Affairs; and Appropriations and referred to the Committees on Community Affairs; Health and Rehabilitative Services; and Appropriations; **SB 1598** was withdrawn from the Committees on Governmental Operations, Judiciary and Appropriations and referred to the Committees on Judiciary, Governmental Operations, and Appropriations; **SB 1220** was withdrawn from the Committees on Health and Rehabilitative Services; Community Affairs; and Governmental Operations and referred to the Committees on Community Affairs; Health and Rehabilitative Services; and Governmental Operations.

On motion by Senator Foley, **SB 2064** was withdrawn from further consideration.

On motion by Senator Forman, by two-thirds vote **SB 1876** was withdrawn from the committee of reference and further consideration.

On motion by Senator Dyer, by two-thirds vote **SB 1404** was withdrawn from the committees of reference and further consideration.

SPECIAL ORDER

SB 1800—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1993, and ending June 30, 1994, to pay salaries, and other expenses, and for other specified purposes of the various agencies of State government; providing an effective date.

—was read the second time by title.

Senator Beard moved the following amendment which was adopted:

Amendment 1—

SECTION 1A		STRIKE:	INSERT:
PAGE 1			
ITEM 2B			
ADMINISTERED FUNDS			
2B	LUMP SUM		
	LUMP SUM-CONTINGENCY AUDITORS		
	FROM TRUST FUNDS		5,000,000

Funds provided in Specific Appropriation 2B shall be used by the Departments of Corrections and Health and Rehabilitative Services to reimburse contingency auditors for recoveries resulting from an accounts payable audit.

Senator Thomas moved the following amendment which was adopted:

Amendment 2—

SECTION 1A		STRIKE:	INSERT:
PAGE 4			
ITEM 37A			
AGRICULTURE AND CONSUMER SERVICES, DEPARTMENT OF, AND COMMISSIONER OF AGRICULTURE MARKETING AND DEVELOPMENT, DIVISION OF			
37A	SPECIAL CATEGORIES GRANTS AND AIDS - INTERNATIONAL MARKET ORNAMENTAL HORTICULTURE FROM GENERAL REVENUE FUND		300,000

Senator Beard moved the following amendment which was adopted:

Amendment 3—

SECTION 1A		STRIKE:	INSERT:
PAGE 7			
ITEM 69			
AGRICULTURE AND CONSUMER SERVICES, DEPARTMENT OF, AND COMMISSIONER OF AGRICULTURE FORESTRY, DIVISION OF			
69	EXPENSES FROM INCIDENTAL TRUST FUND	2,420,655	2,978,642
GAME AND FRESH WATER FISH COMMISSION, FLORIDA WILDLIFE, DIVISION OF			
501	SPECIAL CATEGORIES ENHANCED WILDLIFE MANAGEMENT FROM STATE GAME TRUST FUND	400,000	343,049

NATURAL RESOURCES, DEPARTMENT OF STATE LANDS, DIVISION OF

1293	EXPENSES FROM CONSERVATION AND RECREATION LANDS TRUST FUND	198,322	367,186
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NATURAL RESOURCES, DEPARTMENT OF MARINE RESOURCES, DIVISION OF

1304	OTHER PERSONAL SERVICES FROM MARINE BIOLOGICAL RESEARCH TRUST FUND	1,099,811	1,149,811
1305	EXPENSES FROM MARINE BIOLOGICAL RESEARCH TRUST FUND	1,802,961	1,852,961
1306	OPERATING CAPITAL OUTLAY FROM MARINE BIOLOGICAL RESEARCH TRUST FUND	526,682	627,158

NATURAL RESOURCES, DEPARTMENT OF RECREATION AND PARKS, DIVISION OF

1323	EXPENSES FROM CONSERVATION AND RECREATION LANDS TRUST FUND	389,485	413,913
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NEW SECTION

SECTION 1C		STRIKE:	INSERT:
PAGE			
ITEM 1780			
NATURAL RESOURCES, DEPARTMENT OF STATE LANDS, DIVISION OF			
1780	SPECIAL CATEGORIES TRANSFER - DIVISION OF FORESTRY INCIDENTAL TRUST FUND FROM CONSERVATION AND RECREATION LANDS TRUST FUND	141,771	699,758
1781	SPECIAL CATEGORIES TRANSFER TO GAME AND FRESH WATER FISH COMMISSION FOR MANAGEMENT OF CARL LANDS FROM CONSERVATION AND RECREATION LANDS TRUST FUND	1,846,114	1,789,163

Senator Harden moved the following amendment which was adopted:

Amendment 4—

SECTION 1A		STRIKE:	INSERT:
PAGE 8			
ITEM 79			
AGRICULTURE AND CONSUMER SERVICES, DEPARTMENT OF, AND COMMISSIONER OF AGRICULTURE AGRICULTURAL ENVIRONMENTAL SERVICES, DIVISION OF			
		Positions 244	246
79	SALARIES AND BENEFITS FROM GENERAL REVENUE FUND	3,130,699	3,205,182
81	EXPENSES FROM GENERAL REVENUE FUND	902,397	931,598

Senator Jennings moved the following amendment which was adopted:

Amendment 5—

SECTION 1A		STRIKE:	INSERT:
PAGE 18			
ITEM 164A			

COMMERCE, DEPARTMENT OF
ECONOMIC DEVELOPMENT,
DIVISION OF

Amendment 8—

164A SPECIAL CATEGORIES
S.C. - G/A ENTERPRISE
FLORIDA PROGRAM
FROM GENERAL
REVENUE FUND 500,000

SECTION 1A STRIKE: INSERT:
PAGE 90
ITEM 516A
GOVERNOR, EXECUTIVE OFFICE OF THE
GENERAL OFFICE Positions 2
516A LUMP SUM
LUMP SUM - GOVERNMENTAL
ACCOUNTABILITY TO THE PEOPLE
FROM GENERAL REVENUE FUND 230,000

Senator Kirkpatrick moved the following amendment which was adopted:

Amendment 6—

SECTION 1A STRIKE: INSERT:
PAGE 22
ITEM 204

Following Specific Appropriation 516A:
Funds in Specific Appropriation 516A are contingent on legislation creating the Commission on Governmental Accountability to the People becoming law.

COMMUNITY AFFAIRS, DEPARTMENT OF
HOUSING FINANCE AGENCY

From the funds provided in Specific Appropriation 516A, \$30,000 shall be used for a contract with the Department of Public Administration of the University of Central Florida for the purpose of studying the time-dimension ramification of an "Investment Budget" process in Florida's state government.

Positions 46 49
204 SALARIES AND BENEFITS
FROM STATE HOUSING
TRUST FUND 105,570
206 EXPENSES
FROM STATE HOUSING
TRUST FUND 34,623
207 OPERATING CAPITAL OUTLAY
FROM STATE HOUSING
TRUST FUND 7,560
205 OTHER PERSONAL SERVICES
FROM HOUSING FINANCE
AGENCY TRUST FUND 172,660 242,044
207 OPERATING CAPITAL OUTLAY
FROM HOUSING FINANCE
AGENCY TRUST FUND 17,732 51,832

Senator Beard moved the following amendments which were adopted:

Amendment 9—

SECTION 1A STRIKE: INSERT:
PAGE 129
ITEM 755
INSURANCE, DEPARTMENT OF,
AND TREASURER
OFFICE OF THE TREASURER AND
DIVISION OF ADMINISTRATION
Positions 136 139
755 SALARIES AND BENEFITS
FROM INSURANCE
COMMISSIONER'S REGULATORY
TRUST FUND 4,734,849 4,853,272
757 EXPENSES
FROM INSURANCE
COMMISSIONER'S REGULATORY
TRUST FUND 1,447,437 1,453,437

Senator Jones moved the following amendment which was adopted:

Amendment 7—

SECTION 1A STRIKE: INSERT:
PAGE 22
ITEM 210A

Amendment 10—

COMMUNITY AFFAIRS, DEPARTMENT OF
HOUSING FINANCE AGENCY

SECTION 1A STRIKE: INSERT:
PAGE 131
ITEM 771
INSURANCE, DEPARTMENT OF,
AND TREASURER
AGENTS AND AGENCIES
SERVICES, DIVISION OF
Positions 121 125
771 SALARIES AND BENEFITS
FROM INSURANCE
COMMISSIONER'S REGULATORY
TRUST FUND 3,391,628 3,508,592
773 EXPENSES
FROM INSURANCE
COMMISSIONER'S REGULATORY
TRUST FUND 1,063,557 1,093,833
774 OPERATING CAPITAL OUTLAY
FROM INSURANCE
COMMISSIONER'S REGULATORY
TRUST FUND 33,736 50,604

210A SPECIAL CATEGORIES
GRANTS AND AIDS - HURRICANE
ANDREW HOUSING RELIEF
FROM HOME PARTNERSHIP
TRUST FUND 17,830,800

Positions 46 47
204 SALARIES AND BENEFITS
FROM HOUSING FINANCE
AGENCY TRUST FUND 1,682,427 1,723,918
206 EXPENSES
FROM HOUSING FINANCE
AGENCY TRUST FUND 681,439 691,932
207 OPERATING CAPITAL OUTLAY
FROM HOUSING FINANCE
AGENCY TRUST FUND 17,732 21,949

Senators Dyer, Grogan and Harden offered the following amendment which was moved by Senator Dyer and adopted:

Amendment 11—

SECTION 1A		STRIKE:	INSERT:
PAGE 131			
ITEM 774			
INSURANCE, DEPARTMENT OF, AND TREASURER AGENTS AND AGENCIES SERVICES, DIVISION OF			
774	OPERATING CAPITAL OUTLAY FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND	33,736	121,736

Amendment 12—

SECTION 1A		STRIKE:	INSERT:
PAGE 131			
ITEM 774			
INSURANCE, DEPARTMENT OF, AND TREASURER AGENTS AND AGENCIES SERVICES, DIVISION OF			
774	OPERATING CAPITAL OUTLAY FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND	33,736	258,736

Amendment 13—

SECTION 1A		STRIKE:	INSERT:
PAGE 134			
ITEM 818			
INSURANCE, DEPARTMENT OF, AND TREASURER LEGAL SERVICES, DIVISION OF			
	Positions	41	44
818	SALARIES AND BENEFITS FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND	1,697,971	1,813,216
820	EXPENSES FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND	380,172	400,637
821	OPERATING CAPITAL OUTLAY FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND	10,815	22,344

Amendment 14—

SECTION 1A		STRIKE:	INSERT:
PAGE 177			
ITEM 1243			
MANAGEMENT SERVICES, DEPARTMENT OF PERSONNEL MANAGEMENT SERVICES, DIVISION OF			
1243	EXPENSES FROM STATE PERSONNEL SYSTEM TRUST FUND	945,085	1,045,085
1244	OPERATING CAPITAL OUTLAY FROM STATE PERSONNEL SYSTEM TRUST FUND	2,668	252,668

Senators Casas, Hargrett, Bankhead, Holzendorf and Grant offered the following amendment which was moved by Senator Casas and adopted:

Amendment 15—

SECTION 1B		STRIKE:	INSERT:
PAGE 219			
ITEM 1709A			
NATURAL RESOURCES, DEPARTMENT OF RESOURCE MANAGEMENT, DIVISION OF			
1709A	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - PORT/SPOIL SITE MITIGATION PROJECTS FROM PORT TRUST FUND		1,660,390

Following line item 1709A, insert the following proviso:

Funds in Specific Appropriation 1709A excludes funding of any Florida Inland Navigation District Projects.

NEW SECTION			
SECTION 1C		STRIKE:	INSERT:
PAGE			
ITEM 1783A			
NATURAL RESOURCES, DEPARTMENT OF RESOURCE MANAGEMENT, DIVISION OF			
1783A	SPECIAL CATEGORIES TRANSFER SURPLUS PORTS TRUST FUNDS TO THE GENERAL REVENUE FUND FROM PORT TRUST FUND	1,859,890	-0-

Insert immediately following Specific Appropriation 1783A in Section 1C:

1783A-AA	SPECIAL CATEGORIES TRANSFER TO DIVISION OF ECONOMIC DEVELOPMENT FOR FLORIDA PORTS DATA ACQUISITION FROM PORT TRUST FUND		199,500
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Senators Silver, Hargrett, Diaz-Balart, Bankhead, Holzendorf and Kurth offered the following amendment which was moved by Senator Silver and adopted:

Amendment 16—

SECTION 1C		STRIKE:	INSERT:
PAGE 231			
ITEM 1791A			
STATE, DEPARTMENT OF, AND SECRETARY OF STATE CORPORATIONS, DIVISION OF			

1791A	AID TO LOCAL GOVERNMENTS SPECIAL CATEGORY-TRANSFER TO FLORIDA INTERNATIONAL TRADE AND PROMOTIONS TRUST FUND FROM CORPORATIONS TRUST FUND		1,500,000
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NEW SECTION

SECTION 1A		STRIKE:	INSERT:
PAGE			
ITEM 174			

COMMERCE, DEPARTMENT OF
INTERNATIONAL TRADE AND DEVELOPMENT,
DIVISION OF

174	SPECIAL CATEGORIES GRANTS AND AIDS - INTERNATIONAL		
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TRADE PROGRAM
FROM FLORIDA INTERNATIONAL TRADE
AND PROMOTION TRUST FUND 1,000,000

After items 174 and 178 respectively, insert the following proviso:

Funds in Specific Appropriation 174 shall be advanced in whole or in part to be used only to support international promotion programs or activities. These funds shall only be distributed as directed by the Florida International Affairs Commission.

178 SPECIAL CATEGORIES
GRANTS AND AIDS - INTERNATIONAL
EDUCATION LINKAGES
FROM FLORIDA INTERNATIONAL TRADE
AND PROMOTION TRUST FUND 500,000

After item 178 insert the following proviso:

Specific Appropriation 178 shall be advanced in whole or are in part to support international education programs or activities. These funds shall only be distributed as directed by the Florida International Affairs Commission.

Senator Foley moved the following amendment which was adopted:

Amendment 17—

SECTION 2B STRIKE: INSERT:
PAGE 249
ITEM 1905

NATURAL RESOURCES, DEPARTMENT OF
BEACHES AND SHORES, DIVISION OF

1905 FIXED CAPITAL OUTLAY
INLET SAND TRANSFER
PROJECTS - STATEWIDE -0-

Insert proviso language following Specific Appropriation 1905 on page 249:

Funds provided in Specific Appropriation 1905 shall be used to match federal funds for inlet management and sand transfer projects. Funds not required for this purpose may be used to conduct studies and development management plans for inlets in accordance with priorities established in the Beach Management Plan approved by the Governor and Cabinet pursuant to the provisions of Chapter 161, Florida Statutes. Inlet management plans developed with these funds shall take into consideration the findings of existing research by coastal geologists and coastal sedimentologists, specifically with regard to applied research programs for reducing needs to transfer sand at inlets.

Senator Thomas moved the following amendment which was adopted:

Amendment 18—

SECTION 2B STRIKE: INSERT:
PAGE 249
ITEM 1911A

NATURAL RESOURCES, DEPARTMENT OF
RECREATION AND PARKS, DIVISION OF

1911A FIXED CAPITAL OUTLAY-
DEVELOPMENT OF RAILROAD
RIGHT OF WAY
FROM LAND ACQUISITION
TRUST FUND 35,000

Following Specific Appropriation 1911A, insert the following proviso:

Funds provided in Specific Appropriation 1911A are for the development of a bicycle and exercise fitness trail along abandoned railroad right of way between Tallahassee and Panama.

Senator Kirkpatrick moved the following amendment which was adopted:

Amendment 19—

SECTION 2G STRIKE: INSERT:
PAGE 270
ITEM 2006

COMMUNITY AFFAIRS, DEPARTMENT OF
HOUSING FINANCE AGENCY

2006 AID TO LOCAL GOVERNMENTS AND
NONPROFIT ORGANIZATIONS
STATE HOUSING INITIATIVE
PARTNERSHIP PROGRAM
DISTRIBUTION TO LOCAL
GOVERNMENTS
FROM LOCAL GOVERNMENT
HOUSING TRUST FUND 23,400,000 25,000,000

2009 AID TO LOCAL GOVERNMENTS AND
NONPROFIT ORGANIZATIONS
GRANTS AND AIDS - STATE
APARTMENT INCENTIVE LOAN
PROGRAM
FROM STATE HOUSING TRUST
FUND 12,824,313 14,800,000

COMMUNITY AFFAIRS, DEPARTMENT OF
HOUSING AND COMMUNITY DEVELOPMENT,
DIVISION OF

2009B AID TO LOCAL GOVERNMENTS AND
NONPROFIT ORGANIZATIONS
GRANTS AND AIDS - LOW INCOME
EMERGENCY HOME REPAIR
FROM ECONOMIC OPPORTUNITY
TRUST FUND 2,000,000

COMMUNITY AFFAIRS, DEPARTMENT OF
HOUSING FINANCE AGENCY

2008 AID TO LOCAL GOVERNMENTS AND
NONPROFIT ORGANIZATIONS
GRANTS AND AIDS - HOME
PROGRAM MATCHING FUNDS
FROM STATE HOUSING TRUST
FUND 2,000,000 2,950,000

NEW SECTION

SECTION 2H STRIKE: INSERT:
PAGE
ITEM 2022

COMMUNITY AFFAIRS, DEPARTMENT OF
HOUSING FINANCE AGENCY

2022 FIXED CAPITAL OUTLAY
DEBT SERVICE - LOAN
GUARANTEE PROGRAM
FROM STATE HOUSING TRUST
FUND 680,451 750,000

Senator Hargrett moved the following amendment which was adopted:

Amendment 20—

SECTION 2H STRIKE: INSERT:
PAGE 274
ITEM 2026A

MANAGEMENT SERVICES, DEPARTMENT OF
FACILITIES MANAGEMENT, DIVISION OF

2026A FIXED CAPITAL OUTLAY
DEBT SERVICE 1993-94 BONDS
FROM GENERAL REVENUE FUND 5,460,200 5,718,800

NEW SECTION

SECTION 2D STRIKE: INSERT:
PAGE
ITEM 1955B

MANAGEMENT SERVICES, DEPARTMENT OF
FACILITIES MANAGEMENT, DIVISION OF

1955B FIXED CAPITAL OUTLAY -
LEE DAVIS REGIONAL SERVICE
CENTER - TAMPA
FROM PUBLIC FACILITIES
FINANCING TRUST FUND 2,650,050

1955B FIXED CAPITAL OUTLAY -
LEE DAVIS REGIONAL SERVICE
CENTER - TAMPA
FROM GENERAL REVENUE FUND 500,000

Senator Holzendorf moved the following amendment which was adopted:

Amendment 21—

SECTION 1A STRIKE: INSERT:
PAGE 36
ITEM 312

EDUCATION, DEPARTMENT OF, AND
COMMISSIONER OF EDUCATION
HUMAN RESOURCE DEVELOPMENT,
DIVISION OF

312 SPECIAL CATEGORIES
GRANTS AND AIDS - SUMMER
INSERVICE INSTITUTES -0-

Add the following new paragraph of proviso following Specific Appropriation 312 on page 36:

From the funds provided in Specific Appropriation 312, \$75,000 shall be allocated for validating competencies for teachers related to the goals of the Education Accountability Act.

Senator Dudley moved the following amendment:

Amendment 22—

SECTION 1A STRIKE: INSERT:
PAGE 43
ITEM 356

EDUCATION, DEPARTMENT OF, AND
COMMISSIONER OF EDUCATION
OFFICE OF STUDENT FINANCIAL
ASSISTANCE

356 SPECIAL CATEGORIES
TRANSFER FLORIDA ACADEMIC
SCHOLARS FUND FROM FINANCIAL
ASSISTANCE PAYMENTS
FROM GENERAL REVENUE FUND 26,017,367 31,125,525

Change the dollar references in the proviso language following Specific Appropriation 356 to reflect the new amount.

357 SPECIAL CATEGORIES
TRANSFER PUBLIC STUDENT
ASSISTANCE GRANT FINANCIAL
ASSISTANCE PAYMENT
FROM GENERAL REVENUE FUND 17,683,381 20,183,392

Change the dollar references in the proviso language following Specific Appropriation 357 to reflect the new amount.

354 SPECIAL CATEGORIES
VOCATIONAL GOLD SEAL
SCHOLARSHIP
FROM GENERAL REVENUE FUND 3,147,571 5,539,402

Change the dollar references in the proviso language following Specific Appropriation 354 to reflect the new amount.

Senators Hargrett, Holzendorf and Turner offered the following substitute amendment which was moved by Senator Hargrett and adopted:

Amendment 23—

SECTION 1A STRIKE: INSERT:
PAGE 31
ITEM 276

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

276 SPECIAL CATEGORIES
GRANTS AND AIDS - COLLEGE
REACH OUT PROGRAM
FROM GENERAL REVENUE FUND 1,697,455 2,000,000

In the accompanying proviso for Specific Appropriation 276, change the amount to reflect the new funds added by the amendment.

EDUCATION, DEPARTMENT OF, AND
COMMISSIONER OF EDUCATION
OFFICE OF STUDENT FINANCIAL
ASSISTANCE

354 SPECIAL CATEGORIES
VOCATIONAL GOLD SEAL
SCHOLARSHIP
FROM GENERAL REVENUE FUND 3,147,571 5,647,571

In the accompanying proviso for Specific Appropriation 354, change the amount to reflect the new funds added by the amendment.

356 SPECIAL CATEGORIES
TRANSFER FLORIDA ACADEMIC
SCHOLARS FUND FROM FINANCIAL
ASSISTANCE PAYMENTS
FROM GENERAL REVENUE FUND 26,017,367 30,320,278

In the accompanying proviso for Specific Appropriation 356, change the amount to reflect the new funds added by the amendment.

357 SPECIAL CATEGORIES
TRANSFER PUBLIC STUDENT
ASSISTANCE GRANT FINANCIAL
ASSISTANCE PAYMENT
FROM GENERAL REVENUE FUND 17,683,381 20,577,925

In the accompanying proviso for Specific Appropriation 357, change the amount to reflect the new funds added by the amendment.

Senator Harden moved the following amendment which was adopted:

Amendment 24—

SECTION 1A STRIKE: INSERT:
PAGE 45
ITEM 360B

EDUCATION, DEPARTMENT OF, AND
COMMISSIONER OF EDUCATION
OFFICE OF STUDENT FINANCIAL ASSISTANCE

360B FINANCIAL ASSISTANCE PAYMENTS
CHILDREN OF DECEASED AND

DISABLED VETERANS SCHOLARSHIPS
FROM GENERAL REVENUE FUND 102,000 122,144

Senator Johnson moved the following amendment which was adopted:

Amendment 25—

SECTION 1A STRIKE: INSERT:
PAGE 50
ITEM 375A

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

375A AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - PROGRAMS
OF EMPHASIS
FROM GENERAL REVENUE FUND 7,608,909 7,608,909

Strike the period in the last sentence of proviso for Specific Appropriation 375A on page 50 and add:

except for the Harry Anna/All Children's Hospital Supplement, which shall be allocated an amount prorated on the program's 1991-92 appropriation.

Senators Scott, Dudley, Brown-Waite, Dyer, Grant, Holzendorf, Williams, Sullivan and Turner offered the following amendment which was moved by Senator Dudley and adopted:

Amendment 26—

SECTION 1A STRIKE: INSERT:
PAGE 50
ITEM 375B

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

375B AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - FLORIDA
EDUCATIONAL FINANCE PROGRAM
FROM GENERAL REVENUE
FUND 4,357,118,097 4,387,118,097

In the third line of the fourth full paragraph of proviso for Specific Appropriation 375B on page 51:

Strike "\$2,469.02" and Insert \$2,483.61

Senator Dyer moved the following amendment which was adopted:

Amendment 27—

SECTION 1A STRIKE: INSERT:
PAGE 59
ITEM 375D

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

375D AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - INSTRUCTIONAL
MATERIALS -0-

Strike the last sentence of proviso for Specific Appropriation 375D on page 59 that begins with "(2) Instructional resources shall include" and add the following new proviso:

(2) Instructional Materials shall include items contained in the instructional materials definition as set forth in Section 233.07(4), Florida Statutes.

SENATOR CHILDERS PRESIDING

Senator Kirkpatrick moved the following amendment which was adopted:

Amendment 28—

SECTION 1A STRIKE: INSERT:
PAGE 62
ITEM 381A

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

381A SPECIAL CATEGORIES
G/A-COLLEGE PREPAREDNESS
INCENTIVE PROGRAM
FROM GENERAL REVENUE FUND 1,000,000

Insert the following new paragraph of proviso:

Funds appropriated in Specific Appropriation 381A are provided to fund the High School Incentives Program created by Senate Bill 1514.

381B SPECIAL CATEGORIES
G/A-SCHOOL ADVISORY COUNCIL
INCENTIVE AWARDS
FROM GENERAL REVENUE FUND 4,000,000

Insert the following new paragraph of proviso:

Funds appropriated in Specific Appropriation 381B shall be used to provide School Advisory Council Incentive Awards. Each award shall be in the amount of \$10,000, and shall be awarded by the Commissioner of Education to the first 400 school advisory councils meeting the following criteria by September 1, 1993: At least 50 percent of the council's active membership is composed of parents, business, and community representatives who are not employees of the school board and who represent the demographic composition of the school service area; the council has entered into interagency agreements where appropriate; the council has a school improvement plan that has been approved by the local school board and contains a definition of adequate progress designed to meet 100 percent of all seven of the state goals by the year 2000. From the funds appropriated in Specific Appropriation 381B, \$1,000,000 shall be reserved for school advisory councils which meet the criteria defined above and which also represent at-risk schools. For this purpose, an at-risk school is a school identified as such by the district school board using selection criteria that include test scores, attendance, promotion and retention rates, dropout rates, and socioeconomic data. Award funds shall be used at the discretion of advisory councils. All expenditures, however, must be related to the school improvement plan. Each award recipient shall include a specific description of the use award funds in its 1993-94 annual school report to the public.

Senators Dudley and Scott offered the following amendment which was moved by Senator Dudley and adopted:

Amendment 29—

SECTION 1A STRIKE: INSERT:
PAGE 65
ITEM 390B

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

390B AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - COMMUNITY
COLLEGES PROGRAM FUND -0-

Following the existing proviso on page 68 insert the following:

Colleges which accept funds from Specific Appropriation 390B shall not act to limit the "open door" access policy for students in any program.

424 LUMP SUM
INSTRUCTION AND RESEARCH/
EDUCATIONAL AND GENERAL -0-

On page 77, following the fourth paragraph, insert a new paragraph as follows:

From the funds in Specific Appropriation 424, \$100,000 shall be allocated to Florida Atlantic University for the development of an integrative community development strategy for the East Coast Redevelopment Corridor.

Senator Thomas moved the following amendment which was adopted:

Amendment 35—

SECTION 1A STRIKE: INSERT:
PAGE 75
ITEM 424

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

424 LUMP SUM
INSTRUCTION AND RESEARCH/
EDUCATIONAL AND GENERAL -0-

On page 77, following the fourth paragraph, insert a new paragraph as follows:

From the funds in Specific Appropriation 424, the Board of Regents shall allocate \$856,753 and 3 positions to FAMU for the Alliance for Minority Programs in Science (AMPS) Program.

Senators Jenne, Weinstein and Forman offered the following amendment which was moved by Senator Jenne and adopted:

Amendment 36—

SECTION 2C STRIKE: INSERT:
PAGE 254
ITEM 1940

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

1940 FIXED CAPITAL OUTLAY
COMMUNITY COLLEGE PROJECTS
FROM PUBLIC EDUCATION CAPITAL
OUTLAY AND DEBT SERVICE
TRUST FUND 145,252,463 146,639,383

In the proviso language following Specific Appropriation 1940 for Broward on page 255 Strike "1,327,000" and Insert 2,713,920

Senators Holzendorf and Turner offered the following amendment which was moved by Senator Holzendorf and adopted:

Amendment 37—

SECTION 2C STRIKE: INSERT:
PAGE 257
ITEM 1941

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

1941 FIXED CAPITAL OUTLAY
STATE UNIVERSITY SYSTEM PROJECTS
FROM PUBLIC EDUCATION CAPITAL
OUTLAY AND DEBT SERVICE
TRUST FUND 150,073,980 150,869,673

On page 257, following Line Item 1941, after "Foster/Tanner Complex Remodel and Expansion (c)" Insert:

Arts and Science General Classroom Building Phase I (p,c) . . .795,693

Senator Williams moved the following amendment which was adopted:

Amendment 38—

SECTION 2C STRIKE: INSERT:
PAGE 257
ITEM 1941

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

1941 FIXED CAPITAL OUTLAY
STATE UNIVERSITY SYSTEM PROJECTS
FROM PUBLIC EDUCATION CAPITAL
OUTLAY AND DEBT SERVICE
TRUST FUND 150,073,980 151,726,630

On page 258 following the last project for FSU which currently is the Magnetic Laboratory insert a new item:

Business Technology Center (p,c) . . .1,652,650

Senators Foley, Meadows and Wexler offered the following amendment which was moved by Senator Foley and adopted:

Amendment 39—

SECTION 2C STRIKE: INSERT:
PAGE 257
ITEM 1941

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

1941 FIXED CAPITAL OUTLAY
STATE UNIVERSITY SYSTEM PROJECTS
FROM PUBLIC EDUCATION CAPITAL
OUTLAY AND DEBT SERVICE
TRUST FUND 150,073,980 152,573,980

Following the existing proviso for FAU on page 257, insert a new item:

Boca Raton Infrastructure/Water (p,c) . . .2,500,000

Senators Jennings, Dyer and Siegel offered the following amendment which was moved by Senator Jennings and adopted:

Amendment 40—

SECTION 2C STRIKE: INSERT:
PAGE 257
ITEM 1941

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

1941 FIXED CAPITAL OUTLAY
STATE UNIVERSITY SYSTEM PROJECTS
FROM PUBLIC EDUCATION CAPITAL
OUTLAY AND DEBT SERVICE
TRUST FUND 150,073,980 153,373,980

In the following proviso on page 258 after the last line for UCF insert a new item:

Land Acquisition. . . 3,300,000

Senators Holzendorf, Turner and Thomas offered the following amendment which was moved by Senator Holzendorf and adopted:

Amendment 41—

SECTION 2G STRIKE: INSERT:
PAGE 271
ITEM 2009A

EDUCATION, DEPARTMENT OF, AND
COMMISSIONER OF EDUCATION
PRIVATE COLLEGES AND UNIVERSITIES

2009A AID TO LOCAL GOVERNMENTS
AND NONPROFIT ORGANIZATIONS
FROM GENERAL REVENUE FUND 500,000

On page 271 in Section 2G insert a new heading:

EDUCATION, DEPARTMENT OF

Senator Silver moved the following amendment which was adopted:

Amendment 42—

SECTION 2G
PAGE 276
ITEM

On page 276, insert a new Section 7 and renumber subsequent sections:

Section 7. There is hereby appropriated the sum of \$7,820,000 from the Public Education Capital Outlay and Debt Service Trust Fund to Florida International University for a library addition. This section shall take effect upon becoming law.

Senators Jennings and Grogan offered the following amendment which was moved by Senator Jennings and adopted:

Amendment 43—

SECTION 2G
PAGE 276
ITEM

On page 276, insert a new Section 7 and renumber subsequent sections:

Section 7. There is hereby appropriated for Fiscal Year 1992-93, the sum of \$3,400,000 from the Public Education Capital Outlay and Debt Service Trust Fund to the University of Central Florida for construction of the Solar Energy Center. This section shall take effect upon becoming law.

Senators Jenne, Myers, Scott, McKay, Dyer and Kirkpatrick offered the following amendment which was moved by Senator Jenne and adopted:

Amendment 44—

SECTION 1A STRIKE: INSERT:
PAGE 83
ITEM 455

ELDER AFFAIRS, DEPARTMENT OF

455 SPECIAL CATEGORIES
GRANTS AND AIDES -
COMMUNITY CARE FOR
THE ELDERLY
FROM GENERAL REVENUE FUND 42,281,967 43,681,967

Senators Kiser, Weinstein, Jenne and Forman offered the following amendment which was moved by Senator Kiser and adopted:

Amendment 45—

SECTION 1A STRIKE: INSERT:
PAGE 84
ITEM 460

ELDER AFFAIRS, DEPARTMENT OF

460 SPECIAL CATEGORIES
GRANTS AND AIDES LOCAL SERVICES
PROGRAMS
FROM GENERAL REVENUE FUND 3,181,479 3,431,479

Insert proviso following Specific Appropriation 460:

From funds in Specific Appropriation 460, \$250,000 from the General Revenue Fund is provided to compensate Pinellas, Pasco, and Broward counties which lost Older Americans Act funding due to a reallocation of those funds in past years.

Senator Myers moved the following amendment which was adopted:

Amendment 46—

SECTION 1A STRIKE: INSERT:
PAGE 94
ITEM 541

HEALTH AND REHABILITATIVE
SERVICES, DEPARTMENT OF
HEALTH AND REHABILITATIVE
SERVICES - ADMINISTRATION
DEPUTY SECRETARY FOR
HUMAN SERVICES

541 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 1,468,252 1,608,987

541 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST
FUND 2,991,477 3,290,550

Senator Jenne moved the following amendment which was adopted:

Amendment 47—

SECTION 1A STRIKE: INSERT:
PAGE 103
ITEM 606

HEALTH AND REHABILITATIVE
SERVICES, DEPARTMENT OF
DISTRICT SERVICES
CHILDREN, YOUTH AND
FAMILY SERVICES

606 LUMP SUM
JUVENILE JUSTICE REFORM -0-

Insert proviso following Specific Appropriation 606:

From the General Revenue funds provided in Specific Appropriation 606, \$2,625,000 is provided for community based contracted case management services for approximately 600 delinquents; \$3,478,225 is provided for 188 additional residential treatment placements; and \$3,646,775 is provided for contracted after care services for 1,200 youth as they are released from residential treatment programs.

612 SPECIAL CATEGORIES
GRANTS AND AIDES - CONTRACTED SERVICES -0-

Insert proviso following Specific Appropriation 612:

From the General Revenue funds provided in Specific Appropriation 612, \$1,170,274 is provided for nine months funding for Families in Need of Services programs. Services to be expanded with these funds include prevention/outreach, centralized intake, non-residential services, and enhancements to runaway shelters. These funds are provided as a part of the Juvenile Justice Reform issue.

From the General Revenue funds provided in Specific Appropriation 612, \$540,608 is provided for the expansion of Practical and Cultural Education programs for female status offenders. Of this amount, \$309,595 is

provided for nine months funding for 30 new slots in HRS District 1, 40 new slots in HRS District 2, and 73 new slots to be allocated by the department to areas of greatest need. The remainder amount of \$231,013 is provided for the existing 40 slot program in District 6 and the existing 40 slot program in District 7 which are not currently receiving state support. These funds are provided as a part of the Juvenile Justice Reform issue.

From the General Revenue funds provided in Specific Appropriation 612, \$485,000 is provided for quality assurance activities for all delinquency programs. These funds are provided as part of the Juvenile Justice Reform issue.

Senators Casas and Diaz-Balart offered the following amendment which was moved by Senator Casas:

Amendment 48—

SECTION 1A	STRIKE:	INSERT:
PAGE 111		
ITEM 653A		

HEALTH AND REHABILITATIVE SERVICES, DEPARTMENT OF DISTRICT SERVICES
HEALTH SERVICES

653A SPECIAL CATEGORIES		
GRANTS AND AIDS - LOCAL SERVICES PROGRAM		
FROM GENERAL REVENUE FUND	250,000	1,000,000

Senators Casas and Scott offered the following substitute amendment which was moved by Senator Scott and adopted:

Amendment 49—

SECTION 1A	STRIKE:	INSERT:
PAGE 111		
ITEM 653A		

HEALTH AND REHABILITATIVE SERVICES, DEPARTMENT OF DISTRICT SERVICES
HEALTH SERVICES

653A SPECIAL CATEGORIES		
GRANTS AND AIDS - LOCAL SERVICES PROGRAM		
FROM GENERAL REVENUE FUND	250,000	500,000

Senator Gutman moved the following amendment which was adopted:

Amendment 50—

SECTION 1A	STRIKE:	INSERT:
PAGE 112		
ITEM 666		

HEALTH AND REHABILITATIVE SERVICES, DEPARTMENT OF DISTRICT SERVICES
CHILDREN'S MEDICAL SERVICES

666 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	4,604,120	4,779,120

Insert proviso following Specific Appropriation 666:

From the General Revenue funds in Specific Appropriation 666, \$175,000 is provided for a children's liver transplant program.

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

Amendment 51—

SECTION 1A	STRIKE:	INSERT:
PAGE 113		
ITEM 668		

HEALTH AND REHABILITATIVE SERVICES, DEPARTMENT OF DISTRICT SERVICES
CHILDREN'S MEDICAL SERVICES

668 SPECIAL CATEGORIES		
GRANTS AND AIDS - INFANT/TODDLERS STEP-DOWN FROM GENERAL REVENUE FUND	502,673	602,673

Senators Jenne, Myers, Scott, Dyer, Bankhead, McKay, Kurth, Siegel and Kirkpatrick offered the following amendment which was moved by Senator Jenne and adopted:

Amendment 52—

SECTION 1A	STRIKE:	INSERT:
PAGE 116		
ITEM 688J		

HEALTH AND REHABILITATIVE SERVICES, DEPARTMENT OF ENTITLEMENT BENEFITS AND SERVICES
MEDICAID SERVICES

688J LUMP SUM		
CURRENT PREGNANT WOMEN AND CHILDREN TO AGE ONE AT 185% OF POVERTY FROM MEDICAL CARE TRUST FUND	8,635,470	-0-

688J LUMP SUM		
CURRENT PREGNANT WOMEN AND CHILDREN TO AGE ONE AT 185% OF POVERTY FROM PUBLIC MEDICAL ASSISTANCE TRUST FUND	7,000,000	-0-

NEW SECTION

SECTION 1C
PAGE
ITEM 1759A

HEALTH AND REHABILITATIVE SERVICES, DEPARTMENT OF ENTITLEMENT BENEFITS AND SERVICES
MEDICAID SERVICES

1759A LUMP SUM		
TRANSFER TO PUBLIC MEDICAL ASSISTANCE TRUST FUND FROM GENERAL REVENUE FUND	486,205,645	498,206,368

NEW SECTION

SECTION 1A
PAGE
ITEM 688J-AE

HEALTH AND REHABILITATIVE SERVICES, DEPARTMENT OF ENTITLEMENT BENEFITS AND SERVICES
MEDICAID SERVICES

after line item 688J:

688J-AE LUMP SUM		
PREGNANT WOMEN AND CHILDREN TO		
AGE ONE AT 185% OF POVERTY		
FROM PUBLIC MEDICAL ASSISTANCE		
TRUST FUND		19,000,723

after line item 688J:

688J-AG LUMP SUM		
PREGNANT WOMEN AND CHILDREN TO		
AGE ONE AT 185% OF POVERTY		
FROM MEDICAL CARE TRUST FUND		23,436,580

Senator Thomas moved the following amendment which was adopted:

Amendment 53—

SECTION 1A	STRIKE:	INSERT:
PAGE 123		
ITEM 705		

HEALTH AND REHABILITATIVE SERVICES, DEPARTMENT OF MULTI-DISTRICT SERVICES DEVELOPMENTAL SERVICES - INSTITUTIONS	Positions 3,763	3,803
705 SALARIES AND BENEFITS FROM OPERATIONS AND MAINTENANCE TRUST FUND	44,202,347	45,035,927

Insert proviso following Specific Appropriation 705:

From the funds provided in Specific Appropriation 705, \$833,580 from the Operations and Maintenance Trust Fund and 40 positions are provided to enable Sunland Marianna to license 15 beds in the Cox Medical Center as ICF/DD Level 9 beds.

Senator Grant moved the following amendment which was adopted:

Amendment 54—

SECTION 2B	STRIKE:	INSERT:
PAGE 248		
ITEM 1900A		

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

1900A FIXED CAPITAL OUTLAY		
DEPARTMENT OF HEALTH AND REHABILITATIVE SERVICES		
FIXED CAPITAL NEEDS FOR CENTRALLY MANAGED FACILITIES		-0-

Add proviso following Specific Appropriation 1900A:

From the funds in Specific Appropriation 1900A, the department may use up to \$155,500 for lease-purchase evaluation services in accordance with its amended Legislative Budget Request for permanent service centers. If the Department of Management Services approves lease-purchase arrangements pursuant to s. 255.25001, Florida Statutes, then the Department of Health and Rehabilitative Services may pursue such agreements. This is contingent upon passage of SB 1802 or similar legislation containing a provision allowing the Department of Health and Rehabilitative Services to do so.

Senator Scott moved the following amendment which was adopted:

Amendment 55—

SECTION 06	STRIKE:	INSERT:
PAGE 276		

In Section 6, immediately after Judicial system, strike the period and insert:

and the sum of \$100,000 from the General Revenue Fund to Litigation Expense in the Judicial Qualifications Commission for the purpose of paying litigation costs.

Senator Burt moved the following amendment which was adopted:

Amendment 56—

SECTION 07	STRIKE:	INSERT:
PAGE 276		

New Section 7; following Section 6, renumber subsequent sections:

Section 7. There is hereby appropriated for Fiscal Year 1992-93, the sum of \$481,090 from the Department of Corrections Grants and Donations Trust Fund to Fixed Capital Outlay, Community Corrections Work Camp for the purpose of completing the construction of the Tri-County Work Camp.

Senator Dantzler moved the following amendment which was adopted:

Amendment 57—

SECTION 1A	STRIKE:	INSERT:
PAGE 27		
ITEM 261		

CORRECTIONS, DEPARTMENT OF OFFICE OF THE ASSISTANT SECRETARY FOR OPERATIONS PROBATION AND PAROLE SERVICES

261 SPECIAL CATEGORIES		
GRANTS AND AIDS - CONTRACTED DRUG TREATMENT/REHABILITATION PROGRAMS		
FROM GENERAL REVENUE FUND	6,535,920	6,535,920

Amend 2nd paragraph of proviso following item 261

Second paragraph of proviso delete "a minimum of two years"

Senator Brown-Waite moved the following amendment which was adopted:

Amendment 58—

SECTION 1A	STRIKE:	INSERT:
PAGE 140		
ITEM 861		

JUSTICE ADMINISTRATION STATE ATTORNEYS FIFTH JUDICIAL CIRCUIT

861 OPERATING CAPITAL OUTLAY FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		1,000
861A SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		22,000

Senator Jones moved the following amendment which was adopted:

Amendment 59—

SECTION 2B STRIKE: INSERT:
PAGE 247
ITEM 1895

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

1895 FIXED CAPITAL OUTLAY
FACILITIES PROVIDING
ADDITIONAL CAPACITY
FROM GENERAL REVENUE
FUND 20,682,159 33,465,309

Senator Myers moved the following amendments which were adopted:

Amendment 60—

SECTION 1A STRIKE: INSERT:
PAGE 114
ITEM 680A

HEALTH AND REHABILITATIVE SERVICES,
DEPARTMENT OF
ENTITLEMENT BENEFITS AND SERVICES
ECONOMIC SERVICES

680A LUMP SUM
WELFARE REFORM
FROM GENERAL REVENUE FUND 8,000,000 6,000,000

Amendment 61—

SECTION 1A STRIKE: INSERT:
PAGE 120
ITEM 688AI

HEALTH AND REHABILITATIVE SERVICES,
DEPARTMENT OF
ENTITLEMENT BENEFITS AND SERVICES
MEDICAID SERVICES

688AI SPECIAL CATEGORIES
PHYSICIAN SERVICES
FROM GENERAL
REVENUE FUND 157,573,634 160,073,634

Insert proviso following Specific Appropriation 688AI:

From the funds in Specific Appropriation 688AI, \$2,500,000 from General
Revenue Fund and \$3,035,872 from Medical Care Trust Fund is provided
for increased reimbursement for the Evaluation and Management Codes
for Emergency Department Services.

688AI SPECIAL CATEGORIES
PHYSICIAN SERVICES
FROM MEDICAL CARE
TRUST FUND 306,990,003 310,025,875

Senator McKay moved the following amendment which failed:

Amendment 62—

SECTION 1E STRIKE: INSERT:
PAGE 236

On page 236 following the first full paragraph, strike and

insert as follows:

Table with 3 columns: Position, Amount, Total. Rows include Governor (98,325), Lt. Governor (94,185), Secretary of State (97,331), Comptroller (97,331), Treasurer (97,331), Attorney General (97,331), Education, Commissioner of (97,331), Agriculture, Commissioner of (97,331).

Senator Kurth moved the following amendment which failed:

Amendment 63—

SECTION 1A STRIKE: INSERT:
PAGE 16
ITEM 150-AA

Insert new Item following Specific Appropriation 150:

COMMERCE, DEPARTMENT OF
OFFICE OF THE SECRETARY AND
ADMINISTRATIVE SERVICES

150-AA LUMP SUM
GRANTS AND AIDS -
FILM FINANCING PROGRAM
FROM GENERAL REVENUE FUND 5,000,000

Insert proviso following new Specific Appropriation 150AA:

Funds provided in Specific Appropriation 150A are for the funding of the
Florida Film and Television Investment Trust Fund as established by the
Legislature during the 1992 Session, as an incentive to increase film and
television production in the state.

Senator Burt moved the following amendment which failed:

Amendment 64—

SECTION 1A STRIKE: INSERT:
PAGE 39
ITEM 330-AA

Insert new Item immediately following Specific Appropriation 330:

EDUCATION, DEPARTMENT OF, AND
COMMISSIONER OF EDUCATION
PRIVATE COLLEGES AND UNIVERSITIES

330-AA SPECIAL CATEGORIES -
BETHUNE COOKMAN COLLEGE
SECURITY IMPROVEMENT
FROM GENERAL REVENUE FUND 125,000

NEW SECTION

SECTION 2G
ITEM 2021A

STATE, DEPARTMENT OF, AND
SECRETARY OF STATE
CULTURAL AFFAIRS, DIVISION OF

2021A AID TO LOCAL GOVERNMENTS AND
NONPROFIT ORGANIZATIONS
GRANTS AND AIDS -
SPECIAL CATEGORIES -
CULTURAL FACILITIES PROGRAM
FROM GENERAL REVENUE FUND 9,558,868 9,433,868

-0-

Senators Jennings and Childers offered the following amendment
which was moved by Senator Jennings and adopted:

Amendment 65—

SECTION 1A STRIKE: INSERT:
PAGE 156
ITEM 1068

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

	Positions 515	568
1068 SALARIES AND BENEFITS		
FROM WORKERS' COMPENSATION		
ADMINISTRATION TRUST FUND	14,584,207	16,313,563
1070 EXPENSES		
FROM WORKERS' COMPENSATION		
ADMINISTRATION TRUST FUND	4,549,824	5,012,040
1071 OPERATING CAPITAL OUTLAY		
FROM WORKERS' COMPENSATION		
ADMINISTRATION TRUST FUND	218,559	221,476

NEW SECTION

SECTION 1D
ITEM 1833

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

1833 FINANCIAL ASSISTANCE PAYMENTS		
SUPPLEMENTAL WORKERS'		
COMPENSATION BENEFITS		
FROM WORKERS' COMPENSATION		
ADMINISTRATION TRUST FUND	17,611,200	18,111,200

NEW SECTION

SECTION 1A
ITEM 1072

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

1072 DATA PROCESSING SERVICES		
FROM WORKERS' COMPENSATION		
ADMINISTRATION TRUST FUND	2,008,180	2,108,657

NEW SECTION

SECTION 1C
ITEM 1763B

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

1763B SPECIAL CATEGORIES		
TRANSFER WORKERS' COMPENSATION		
SELF-INSURANCE TO THE		
DEPARTMENT OF INSURANCE		
FROM WORKERS' COMPENSATION		
ADMINISTRATION TRUST FUND	2,294,966	-0-

NEW SECTION

SECTION 1A
ITEM 777

INSURANCE, DEPARTMENT OF, AND
TREASURER INSURER SERVICES,
DIVISION OF

Positions 339 286

777 SALARIES AND BENEFITS		
FROM INSURANCE COMMISSIONER'S		
REGULATORY TRUST FUND	12,500,866	10,771,510

779 EXPENSES		
FROM INSURANCE COMMISSIONER'S		
REGULATORY TRUST FUND	3,535,059	3,072,843

779A OPERATING CAPITAL OUTLAY		
FROM INSURANCE COMMISSIONER'S		
REGULATORY TRUST FUND	18,663	15,746

780 DATA PROCESSING SERVICES		
FROM INSURANCE COMMISSIONER'S		
REGULATORY TRUST FUND	2,038,614	1,938,137

NEW SECTION

SECTION 1D
ITEM 1830A

INSURANCE, DEPARTMENT OF, AND
TREASURER INSURER SERVICES,
DIVISION OF

1830A FINANCIAL ASSISTANCE PAYMENTS		
PAYMENTS TO CLAIMANTS		
FROM INSURANCE COMMISSIONER'S		
REGULATORY TRUST FUND	500,000	-0-

Senator Forman moved the following amendment:

Amendment 66—

SECTION 1A STRIKE: INSERT:
PAGE 31
ITEM 280A

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

280A SPECIAL CATEGORIES		
G/A-AUTISM PROGRAM		
FROM GENERAL REVENUE FUND		1,381,200

Insert the following new paragraph of proviso:

Funds appropriated in Specific Appropriation 280A are contingent upon Senate Bill 540 or similar legislation becoming law.

Senator Forman moved the following substitute amendment which was adopted:

Amendment 67—

SECTION 1A STRIKE: INSERT:
PAGE 31
ITEM 280A

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

280A SPECIAL CATEGORIES		
G/A-AUTISM PROGRAM		
FROM GENERAL REVENUE FUND		500,000

Insert the following new paragraph of proviso:

Funds appropriated in Specific Appropriation 280A are contingent upon Senate Bill 540 or similar legislation becoming law.

Senator Kirkpatrick moved the following amendments which were adopted:

Amendment 68—

SECTION 1A STRIKE: INSERT:
 PAGE 58
 ITEM 375C

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

375C AID TO LOCAL GOVERNMENTS
 GRANTS AND AIDS - DISTRICT
 DISCRETIONARY LOTTERY FUNDS -0-

Add the following new paragraph of proviso following Specific Appropriation 375C:

From the funds appropriated in Specific Appropriation 375C, \$25,000,000 shall be allocated by the Commissioner of Education to school advisory councils that meet the following criteria by September 1, 1993: At least 50 percent of the council's active membership is composed of parents and business and community representatives who are not employees of the school board and who represent the demographic composition of the school service area; the council has entered into interagency agreements where appropriate; and the council has a school improvement plan that has been approved by the school board and contains a definition of adequate progress designed to meet 100 percent of all seven state goals by the year 2000. Each school advisory council shall receive an amount equal to \$9.00 per unweighted FTE, and the councils shall have full discretion over the expenditure of these funds provided the expenditures are in support of the school's improvement plans. If a school advisory council fails to qualify for its allocation, that council's school improvement allocation shall be allocated to and used by the district school board.

Amendment 69—

SECTION 1A STRIKE: INSERT:
 PAGE 59
 ITEM 375D

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

375D AID TO LOCAL GOVERNMENTS
 GRANTS AND AIDS - INSTRUCTIONAL
 MATERIALS -0-

Add the following new paragraph of proviso following Specific Appropriation 375D:

From the funds appropriated in Specific Appropriation 375D, \$25,000,000 shall be allocated by the Commissioner of Education to school advisory councils that meet the following criteria by September 1, 1993: At least 50 percent of the council's active membership is composed of parents and business and community representatives who are not employees of the school board and who represent the demographic composition of the school service area; the council has entered into interagency agreements where appropriate; and the council has a school improvement plan that has been approved by the school board and contains a definition of adequate progress designed to meet 100 percent of all 7 state goals by the year 2000. An amount equal to 36.7 percent of each district's total allocation of funds appropriated in Specific Appropriation 375D shall be allocated to each district's school advisory councils based on each school's proportion of the district's total K-12 FTE student enrollment. The advisory council shall have full discretion over the expenditure of these funds provided the expenditures are for instructional materials as defined in s. 233.07(4), Florida Statutes. If a school advisory council fails to qualify for its allocation, that council's instructional materials allocation shall be allocated to and used by the district school board.

Senator Foley moved the following amendment which was adopted:

Amendment 70—

SECTION 1A STRIKE: INSERT:
 PAGE 61
 ITEM 380

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

380 SPECIAL CATEGORIES
 GRANTS AND AIDS -
 PRE-SCHOOL PROJECTS -0-

Strike the first full paragraph of proviso for Specific Appropriation 380 on page 61 and add the following new paragraph of proviso:

From the funds appropriated in Specific Appropriation 380, \$3,000,000 is provided to continue contracting with Head Start Programs, \$6,300,156 is provided for interagency cooperation projects, which shall include \$1,000,000 for Cities in Schools, and \$427,000 is provided to assist the coordination and delivery of early childhood services.

Senators Grant, Siegel, Silver, Forman, Jenne, Wexler, Gutman, Kiser and Weinstein offered the following amendment which was moved by Senator Grant:

Amendment 71—

SECTION 1A STRIKE: INSERT:
 PAGE 16
 ITEM 148

COMMERCE, DEPARTMENT OF
 OFFICE OF THE SECRETARY
 AND ADMINISTRATIVE SERVICES

148	OTHER PERSONAL SERVICES FROM FLORIDA INTERNATIONAL TRADE AND PROMOTION TRUST FUND	1,770,446	1,927,446
149	EXPENSES FROM FLORIDA INTERNATIONAL TRADE AND PROMOTION TRUST FUND	770,776	895,776
150	OPERATING CAPITAL OUTLAY FROM FLORIDA INTERNATIONAL TRADE AND PROMOTION TRUST FUND	86,804	126,424
151	SPECIAL CATEGORIES PAID ADVERTISING AND PROMOTION FROM FLORIDA INTERNATIONAL TRADE AND PROMOTION TRUST FUND	460,779	510,779

Senators Hargrett, Grant, Siegel, Gutman, Scott, Jenne, Wexler, Forman, Crist, Kiser and Silver offered the following substitute amendment which was moved by Senator Grant and adopted:

Amendment 72—

SECTION 1A STRIKE: INSERT:
 PAGE 91
 ITEM 521H

GOVERNOR, EXECUTIVE OFFICE OF THE
 INTERNATIONAL AFFAIRS, COMMISSION ON

Following Specific Appropriation 521H insert the following proviso:

From funds provided in Specific Appropriations 521F through 521H, the Florida International Affairs Commission shall undertake a study and recommend to the Legislature by June 30, 1994, the feasibility of locating and staffing a Florida office in Israel, according to its established criteria for the evaluation of such foreign offices.

Senator Boczar moved the following amendment which failed:

Amendment 73—

SECTION 1A STRIKE: INSERT:
 PAGE 62
 ITEM 381C

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

381C SPECIAL CATEGORIES
 G/A-EXTENDED SCHOOL
 YEAR INCENTIVE
 FROM GENERAL REVENUE FUND 160,600,000

Add the following new paragraph of proviso:

Funds appropriated in Specific Appropriation 381C are provided to encourage school districts to extend the length of the regular school year for all students in the district from 180 days to a maximum of 198 days.

Each district's allocation of funds appropriated in Specific Appropriation 381C shall be determined by multiplying the district's weighted full-time-equivalent student enrollment for that part of regular school year in excess of 180 days by the base student allocation and district cost differential defined in Specific Appropriation 375B.

MOTIONS

On motion by Senator Jennings, the rules were waived and time of recess was extended until final action on **SB 1804**.

On motion by Senator Jennings, the rules were waived and the Special Order Subcommittee of the Committee on Rules and Calendar was granted permission to meet upon adjournment this day, to set the Special Order Calendar for Tuesday, March 2.

Senator Gutman moved the following amendment:

Amendment 74—

SECTION 2C STRIKE: INSERT:
 PAGE 261
 ITEM 1951

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

1951 FIXED CAPITAL OUTLAY
 RETROFIT FOR TECHNOLOGY -0-

Following the existing proviso for Specific Appropriation 1951 insert the following:

\$1,453,000 of these funds are for completion of the purchase of equipment for a public television station which trains university students in an off-campus studio that produces daily news programs for national broadcast that began with funds in the 1992-93 General Appropriations Act.

Senator Gutman moved the following substitute amendment which was adopted:

Amendment 75—

SECTION 2G STRIKE: INSERT:
 PAGE 271
 ITEM 2009A

EDUCATION, DEPARTMENT OF

2009A GRANTS AND AIDS TO LOCAL
 GOVERNMENTS AND NONPROFIT
 ORGANIZATIONS

PUBLIC BROADCASTING
 STATION EQUIPMENT
 FROM GENERAL REVENUE FUND

500,000

Insert the following proviso after the appropriation:

These funds are for completion of the purchase of equipment for a public television station which trains university students in an off-campus studio that produces daily news programs for national broadcast that began with funds in the 1992-93 General Appropriations Act.

THE PRESIDENT PRESIDING

Senator Bankhead moved the following amendment which was adopted:

Amendment 76—

SECTION 2C
 PAGE 276

On page 276, insert a new Section 5 and renumber subsequent sections.

Section 5. Pursuant to section 240.327, Florida Statutes, the specified community colleges are authorized to acquire or construct the following facilities from non-PECO sources. This authorization does not obligate the Legislature to provide general revenue funds to operate and maintain those facilities. If existing facilities are part of these projects, each such building and all land acquired must be certified to be free of asbestos or other hazardous building materials before the state community college may acquire or expend construction funds on the facility. If the property to be acquired is not adjacent to an existing approved center or campus, then all necessary approvals from the State Board of Community Colleges, the Postsecondary Education Planning Commission, and the State Board of Education must be received before any funds may be expended to acquire the property. Further, colleges may not transfer funds from the college's General Current Fund to acquire the listed property. Granting approval to acquire the listed property should not be considered as endowing the project with a higher priority for future funding requests related to the property, nor should this result in the State Board of Community Colleges giving special consideration to such projects in developing the Board's three year PECO request.

Florida Community College at Jacksonville - Grande Boulevard Mall Site as a Special Purpose Center for Classrooms, Labs, and Administrative Facilities.

Senator Boczar moved the following amendment which failed:

Amendment 77—

SECTION 2C STRIKE: INSERT:
 PAGE 30 -0-

On page 30, before Specific Appropriation 272, add the following new paragraph of proviso:

The Commissioner of Education shall, by June 30, 1994, reduce expenditures for Salaries and Benefits, Other Personal Services, Expenses and Operating Capital Outlay by an amount equal to ten percent of the amount authorized in Specific Appropriations 272 through 448 for those appropriation categories. The Commissioner is authorized to reallocate those funds to any direct instructional program or activity for public school, community college and university students.

Senator Bankhead moved the following amendment:

Amendment 78—

SECTION 1A STRIKE: INSERT:
 PAGE 83
 ITEM 451A-AC

Insert new item following Specific Appropriation 451A:

ELDER AFFAIRS, DEPARTMENT OF

451A-AC SPECIAL CATEGORIES
 EXTENDED CONGREGATE CARE
 PROGRAM
 FROM GENERAL REVENUE FUND 1,000,000

451A-AC SPECIAL CATEGORIES
 EXTENDED CONGREGATE CARE
 PROGRAM
 FROM OPERATIONS AND
 MAINTENANCE TRUST FUND 1,214,349

Insert proviso following new item:

Funds from Specific Appropriation 451A-AC shall be used to fund services in Extended Congregate Care (ECC) licensed facilities for residents who meet the eligibility standards for the 4711 Medicaid Program and who are screened through CARES and determined to be eligible for nursing home care under Medicaid. For Certificate of Need (CON) purposes licensed ECC beds shall be considered in determining the need for community nursing home beds in a subdistrict.

455 SPECIAL CATEGORIES
 GRANTS AND AIDS - COMMUNITY
 CARE FOR THE ELDERLY
 FROM GENERAL REVENUE FUND 42,281,967 41,281,967

Senator Bankhead moved the following substitute amendment which was adopted:

Amendment 79—

SECTION 01 STRIKE: INSERT:
 PAGE 119
 ITEM 688AC

HEALTH AND REHABILITATIVE
 SERVICES, DEPARTMENT OF
 MEDICAID SERVICES

Insert proviso following Specific Appropriation 688AC:

The Department shall develop by November 1, 1993 for Legislative review a revenue neutral proposal for the establishment of a Medicaid funded Extended Congregate Care (ECC) program for residents who meet the eligibility standards for a 4711 Medicaid waiver.

Senators Forman and McKay offered the following amendment which was moved by Senator Forman and failed:

Amendment 80—

SECTION 1A STRIKE: INSERT:
 PAGE 91
 ITEM 521J

HEALTH AND REHABILITATIVE
 SERVICES, DEPARTMENT OF
 DEPUTY SECRETARY FOR HEALTH

521J EXPENSES -0-

Insert proviso before Specific Appropriation 521J:

The department is authorized to initiate budget amendments and promulgate rules and to use revenue as appropriate to obtain federal funds to meet the fifth year requirements of the Education of Individuals with Disabilities (IDEA) 20 U.S.C. Chapter 33, Subchapter VIII - Infants and Toddlers with Disabilities. The department is further authorized to use existing funds already specified for the services required by IDEA 20 U.S.C. Chapter 33, Subchapter VIII provided in Specific Appropriations 521J through 723 as necessary to participate in the Federal program on a revenue neutral basis. It is the further intent of the Legislature that the Department of Health and Rehabilitative Services jointly with the Department of Education prepare and submit an application for full participation in IDEA, 20 U.S.C. Chapter 33, Subchapter VIII - Infants and Toddlers with Disabilities and that the department's application be based upon a funding plan which is revenue neutral. These authoriza-

tions are contingent upon HRS receiving assurance from the federal government that the grant monies for services, given on a yearly basis, will not have to be returned in the event that Florida decides not to participate or if the nature of the program changes in subsequent years.

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

Amendment 81—

SECTION 1A STRIKE: INSERT:
 PAGE 18
 ITEM 163

COMMERCE, DEPARTMENT OF
 ECONOMIC DEVELOPMENT, DIVISION OF

163 LUMP SUM
 FLORIDA JOBS PROGRAM
 FROM GENERAL REVENUE FUND 10,000,000

Following Item 163:

Funds of \$10 million in Specific Appropriation 163 from the General Revenue fund are provided for innovative economic development programs and initiatives, including "Quick Start" training program; job creation incentives; increasing the availability of capital through start-up of a capital partnership board; start-up of the Technology and Innovation Partnership which will focus on creating a Technology Applications Alliance, developing opportunities in technology commercialization, and furthering technology development; minority enterprise development; market development and research and industry cluster forecasting.

Senator Jenne moved the following substitute amendment which was adopted:

Amendment 82—

SECTION 1A STRIKE: INSERT:
 PAGE 18
 ITEM 163

COMMERCE, DEPARTMENT OF
 ECONOMIC DEVELOPMENT, DIVISION OF

163 LUMP SUM
 FLORIDA JOBS PROGRAM
 FROM GENERAL REVENUE FUND 1,000,000

Following Item 163:

Funds of \$1.0 million in Specific Appropriation 163 from the General Revenue fund are provided for innovative economic development programs and initiatives, including "Quick Start" training program; job creation incentives; increasing the availability of capital through start-up of a capital partnership board; start-up of the Technology and Innovation Partnership which will focus on creating a Technology Applications Alliance, developing opportunities in technology commercialization, and furthering technology development; minority enterprise development; market development and research and industry cluster forecasting.

Senator Silver moved the following amendment which was adopted:

Amendment 83—

SECTION 1A STRIKE: INSERT:
 PAGE 203
 ITEM 1520A

STATE, DEPARTMENT OF, AND
 SECRETARY OF STATE
 CULTURAL AFFAIRS, DIVISION OF

1520A SPECIAL CATEGORIES
 GRANTS AND AIDS - CHALLENGE
 GRANTS
 FROM GENERAL REVENUE FUND 300,000

Senator Foley moved the following amendment which was adopted:

Amendment 84—

SECTION 2B			
PAGE 249			
ITEM 1905A			
NATURAL RESOURCES, DEPARTMENT OF BEACHES AND SHORES, DIVISION OF			
1905A	FIXED CAPITAL OUTLAY		
	BEACH RESTORATION STATEWIDE		
	FROM GENERAL REVENUE FUND	1,875,000	

Senators Foley and Wexler offered the following amendment which was moved by Senator Foley:

Amendment 85—

SECTION 2C			
PAGE 254			
ITEM 1940			
EDUCATION, DEPARTMENT OF, AND COMMISSIONER OF EDUCATION OFFICE OF EDUCATIONAL FACILITIES			
1940	FIXED CAPITAL OUTLAY		
	COMMUNITY COLLEGE PROJECTS		
	FROM PUBLIC EDUCATION CAPITAL		
	OUTLAY AND DEBT SERVICE		
	TRUST FUND	145,252,463	147,352,463

On page 256 following the last item for Palm Beach add a new item:

Data Processing Building Addition - Central (p,c,e)...\$2,100,000

Senator Foley moved the following substitute amendment which was adopted:

Amendment 86—

SECTION 1A			
PAGE 69			
ITEM 395A			
395A	SPECIAL CATEGORIES		
	PALM BEACH JUNIOR COLLEGE		
	COMPUTER PURCHASE		
	FROM GENERAL REVENUE FUND		750,000

Senator Thomas moved the following amendment which was adopted:

Amendment 87—

SECTION 1A			
PAGE 120			
ITEM 688AI			
HEALTH AND REHABILITATIVE SERVICES, DEPARTMENT OF, ENTITLEMENT BENEFITS AND SERVICES MEDICAID SERVICES			
688AI	SPECIAL CATEGORIES		
	PHYSICIAN SERVICES		-0-

Insert proviso following Specific Appropriation 688AI:

From the funds provided in Specific Appropriation 688AI, \$200,000 from the General Revenue Fund and \$244,445 from the Medical Care Trust Fund are for chiropractic services.

Senator Dantzler moved the following amendment which was adopted:

Amendment 88—

SECTION 1A			
PAGE 103			
ITEM 606			
HEALTH AND REHABILITATIVE SERVICES, DEPARTMENT OF, CHILDREN, YOUTH AND FAMILY SERVICES			
606	LUMP SUM		
	JUVENILE JUSTICE REFORM		
	FROM GENERAL REVENUE FUND	9,750,000	8,750,000

Insert new item Section 2B, page 248:

HEALTH AND REHABILITATIVE SERVICES, DEPARTMENT OF			
1900A-AB FCO			
	JUVENILE JUSTICE -		
	SECURE TREATMENT FACILITIES -		
	STATEWIDE		
	FROM GENERAL REVENUE FUND		1,000,000

And adjust proviso following Item 606 to reduce funds for contracted aftercare services by \$1,000,000.

Senator Kiser moved the following amendment which was adopted:

Amendment 89—

SECTION 01			
PAGE 75			
ITEM 424			
EDUCATION AND GENERAL ACTIVITIES			
424	LUMP SUM		
	INSTRUCTIONAL AND RESEARCH/		
	EDUCATIONAL AND GENERAL		
	FROM GENERAL REVENUE FUND	366,493,839	366,743,839

Of the funds in Specific Appropriation 424, \$250,000 is provided to contract for a toxicology study for an AIDS drug which uses a unique pine cone extract.

Senator Myers moved the following amendment which was adopted:

Amendment 90—

SECTION 1A			
PAGE 119			
ITEM 688AC			
HEALTH AND REHABILITATIVE SERVICES, DEPARTMENT OF MEDICAID SERVICES			

Strike proviso following Specific Appropriation 688AC and insert the following proviso:

Of the funds in Specific Appropriation 688AC, \$10,000,000 from the General Revenue Fund and \$12,163,121 from the Medical Care Trust Fund are contingent upon the adoption of the Ten Point Plan comprising the "Nursing Home Care Proposal for 1993-94 Fiscal Year." The Ten Point Plan includes revisions to the current Medicaid Nursing Home Reimbursement Plan which limit incentive funding, lower the patient care ceiling, and eliminate Medicaid reimbursement for clients eligible for Medicare coverage.

Senator Scott moved the following amendments which were adopted:

Amendment 91—

SECTION 1A			
PAGE 167			

ITEM 1159

LEGISLATIVE BRANCH
SENATE

1159 LUMP SUM
SENATE -0-

In the proviso following the Legislative Branch on page 167:
In the first paragraph, strike 1231 and 1232 and insert 1159 and 1160;
In the second paragraph, strike 1231 and 1232 and insert 1159 and 1160;
In the third paragraph, strike 1231 and 1232 and insert 1159 and 1160.

Amendment 92—

SECTION 2C STRIKE: INSERT:
PAGE 260
ITEM 1948A

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

1948A SPECIAL CATEGORIES
FCO DEVELOPMENTAL
RESEARCH SCHOOLS
FROM PUBLIC EDUCATION
CAPITAL OUTLAY AND DEBT
SERVICE TRUST FUND 1,007,644

Amendment 93—

SECTION 2H STRIKE: INSERT:
PAGE 274
ITEM 2023

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

2023 FIXED CAPITAL OUTLAY
DEBT SERVICE
FROM PUBLIC EDUCATION
CAPITAL OUTLAY AND DEBT
SERVICE TRUST FUND 370,650,000

2023 FIXED CAPITAL OUTLAY
DEBT SERVICE
FROM SCHOOL DISTRICT AND
COMMUNITY COLLEGE
TRUST FUND 66,000,000

2024 FIXED CAPITAL OUTLAY
GRANTS AND AIDS - SCHOOL
DISTRICT AND COMMUNITY COLLEGE
FROM SCHOOL DISTRICT AND
COMMUNITY COLLEGE TRUST FUND 39,028,918

Motions

On motion by Senator Scott, by two-thirds vote **SB 1800** as amended was read the third time by title and ordered engrossed.

On motion by Senator Jennings, the vote on final passage on **SB 1800** was postponed until Tuesday, March 2, pursuant to Joint Rule 2.1 and Senate Rule 4.15, relating to the constitutional requirement for a 72-hour public review period on general appropriations bills.

SB 1802—A bill to be entitled An act relating to implementing the fiscal year 1993-1994 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; providing an exception; 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; providing for calculation of the statewide adjusted aggregate required local effort for all school districts from ad valorem taxes, under authority of the Commissioner of Education; providing for adjustment of the required local effort millage rate of certain districts; providing for calculation of school districts' maximum total weighted full-time equivalent student enrollment; providing for the implementation of ch. 90-49, Laws of Florida, relating to laboratory schools; requiring the State University System to develop a personnel system to meet certain payroll needs and informational requirements; providing for no increase adjustment for the financial assistance payments for private tuition assistance; authorizing the Division of Bond Finance of the State Board of Administration to refinance certain bonds; authorizing legislators, the Governor, the Lieutenant Governor, and members of the Cabinet to voluntarily reduce salary by a specified percentage; authorizing the Executive Office of the Governor and the Chief Justice of the Supreme Court to approve certain budget changes under certain circumstances and requiring the Executive Office of the Governor and the Chief Justice to maintain an accounting of these changes and to provide this accounting to the legislative appropriations committees upon request; exempting the Department of Revenue from certain provisions of law relative to the implementation of the automated collection and enforcement system; authorizing the Department of Health and Rehabilitative Services to use general revenue funds to extend AFDC and Medicaid benefits to certain asylum applicants; authorizing the use of unobligated discretionary capital improvement millage to fund one-time expenditures for classroom materials; providing for security at meetings of the Parole Commission; authorizing the Department of Education to purchase annuities to be used as reduction-in-force bonuses for eligible employees; exempting the Department of Corrections from certain provisions relating to pharmacies; providing for a pilot cluster pharmacy project; requiring a study by the Intergovernmental Affairs Policy Unit in the office of the Governor with respect to refugees; authorizing the Department of Transportation to enter into a loan agreement with airports that meet specified criteria; providing conditions on such loans; providing that funds raised by sale of management area stamps and dedicated for the purchase of lands for hunting, fishing, and outdoor recreation purposes may be used for management area lease payments; prescribing an additional duty of the Education Estimating Conference; authorizing the Department of Commerce to enter into a loan agreement up to a specified amount to implement the Spaceport Florida Authority Act and providing conditions for repayment of the loan; requiring a report by the Department of Health and Rehabilitative Services on specified pending class-action litigation; providing for an appropriation from the Cross Florida Barge Canal Trust Fund for a 2-year study; providing severability; providing effective dates, including a retroactive effective date, and expiration dates.

—was read the second time by title.

Senators Jenne, Myers, Scott and Dyer offered the following amendment which was moved by Senator Jenne and adopted:

Amendment 1 (with Title Amendment)—On page 4, strike all of lines 11-17 and renumber subsequent sections.

And the title is amended as follows:

In title, on page 1, strike all of lines 7-12 and insert: transportation; eliminating funding for increases

Senator Childers moved the following amendment which was adopted:

Amendment 2 (with Title Amendment)—On page 12, between lines 2 and 3, insert:

Section 26. No funds are provided in the 1993-1994 General Appropriations Act, and no state agency, as defined in section 216.011(1)(kk), Florida Statutes, 1992 Supplement, or branch of government shall pay,

for any goods or services that are under dispute arising from any contract or from any judgment, including any prejudgment interest, costs, or attorney fees, arising from any contract for resources requiring review pursuant to section 287.073, Florida Statutes, if the contract contains provisions regarding dispute resolution that have not been followed by the contractor, as defined in section 287.012(6), Florida Statutes. It is the intent of the Legislature that the provisions of this section apply to all pending contracts for all state agencies and branches, except those contracts for which there is a final judgment that awards damages, prejudgment interest, attorney's fees, or costs entered which applies to such contract, from which no appeal has been taken as of the effective date of this act.

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 3, line 24, following the semicolon (;) insert: prohibiting payment for goods or services under dispute arising from a contract or judgment, if the contract contains dispute-resolution provisions that have not been followed by the contractor;

Senator Kiser moved the following amendment which was adopted:

Amendment 3 (with Title Amendment)—On page 12, between lines 2 and 3, insert:

Section 26. Notwithstanding the provisions of section 213.27, Florida Statutes, the Department of Revenue is not required to use certified mail when providing notice pursuant to such section, but may utilize regular mail for such purposes.

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 3, line 24, following the semicolon (;) insert: relieving the Department of Revenue from the obligation to use certified mail when providing certain notice with respect to debt collection;

Senator Childers moved the following amendment which was adopted:

Amendment 4 (with Title Amendment)—On page 12, between lines 2 and 3, insert:

Section 26. (1) Notwithstanding the provisions of chapters 55 and 57, Florida Statutes, or any other provision of law to the contrary, no state agency, as defined in section 216.001(1)(kk), Florida Statutes, 1992 Supplement, or branch of government shall pay, for any goods or services which are under dispute, for any prejudgment interest, costs or attorney fees for any contractor, as defined in section 287.012(6), Florida Statutes, arising from any contract or from any judgment arising from any contract for resources requiring review pursuant to section 287.073, Florida Statutes, if the contract contains provisions regarding dispute resolutions that have not been followed by the contractor.

(2) No state agency, as defined in section 216.011(1)(kk), Florida Statutes, 1992 Supplement, or branch of government shall enter into any contract for resources requiring review pursuant to section 287.073, Florida Statutes, if the contractor, as defined in section 287.012(6), Florida Statutes, is suing, or has a judgment against, any state agency or branch of government in Florida arising from any contract for resources requiring review pursuant to section 287.073, Florida Statutes, if the contract contained provisions regarding dispute resolution that were not followed by the contractor.

(3) It is the intent of the Legislature that this section shall apply to all pending contracts for all state agencies and branches except those contracts for which there is a final judgment entered which awards damages, prejudgment interest, attorney's fees, or costs, which applies to such contract, from which no appeal has been taken as of the effective date of this act.

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 3, line 24, following the semicolon (;) insert: limiting state agency and branch actions resulting from certain contracts containing provisions for dispute resolution;

Senator McKay moved the following amendment:

Amendment 5 (with Title Amendment)—On page 12, between lines 2 and 3, insert:

Section 26. (1) A department of the executive branch, a state university, a community college, or a water management district may not use public funds to retain a lobbyist to represent it before the legislative or executive branch. However, a full-time employee of a department of the executive branch, a state university, a community college, or a water management district may register as a lobbyist and represent that employer before the legislative or executive branch. A person may not accept any public funds from a department of the executive branch, a state university, a community college, or a water management district for lobbying.

(2) A department of the executive branch, a state university, a community college, or a water management district that violates this subsection may be prohibited from lobbying the legislative or executive branch for a period not exceeding 2 years.

(3) A person who accepts public funds as compensation for lobbying in violation of this subsection may be prohibited from registering to lobby before the legislative or executive branch for a period not exceeding 2 years.

(4) A person may file a written complaint with the Commission on Ethics alleging a violation of this subsection. The commission shall investigate and report its finding to the President of the Senate, the Speaker of the House of Representatives, and the Governor and Cabinet. Based upon the report of the Commission on Ethics or upon its own finding that a violation of this subsection has occurred, a house of the Legislature may discipline the violator according to its rules, and the Governor or the Governor and Cabinet, as applicable, may prohibit the violator from lobbying before the executive branch for a period not exceeding 2 years after the date of the formal determination of a violation. The Commission on Ethics shall adopt rules necessary to conduct investigations under this subsection.

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 3, line 24, following the semicolon (;) insert: prohibiting departments of the executive branch, state universities, community colleges, and water management districts from using public funds to retain lobbyists to represent them before the legislative or executive branch; exempting full-time employees of these entities; prohibiting lobbyists from accepting compensation derived from public funds; providing penalties; authorizing complaints to be filed with and investigated by the Commission on Ethics; authorizing the commission to adopt rules;

Senator Diaz-Balart moved the following amendment to **Amendment 5** which was adopted:

Amendment 5A—On page 1, line 22, following the period (.) insert: This section does not preclude expenditure of funds for counsel in defense of a claims bill pending before the Legislature.

Amendment 5 as amended was adopted.

Senator Grogan moved the following amendment which was adopted:

Amendment 6 (with Title Amendment)—On page 12, between lines 2 and 3, insert:

Section 26. Notwithstanding the provisions of section 216.292, Florida Statutes, no transfer shall be made under that section without determining the impact on specific reductions contained in the General Appropriations Act for Fiscal Year 1993-94. All transfers made under the provisions of section 216.292, Florida Statutes, that restore such reductions shall be reported to the Executive Office of the Governor in the format required by the Governor. In addition, each agency shall provide a quarterly report in the format developed by the Office of Planning and Budgeting to the Executive Office of the Governor, the Cabinet members and each member of the Legislature that clearly details the impact such transfers have had on programs within the agency.

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 3, line 24, after the semicolon (;) insert: requiring a report on the transfer of moneys to administration;

Senator Beard moved the following amendments which were adopted:

Amendment 7 (with Title Amendment)—On page 12, between lines 2 and 3, insert:

Section 26. Notwithstanding the provisions of section 216.181, Florida Statutes, the Executive Office of the Governor may approve changes in the amounts appropriated from trust funds for Conservation and Recreation Land management, to provide for interim land management activities. Any changes in trust fund appropriations pursuant to this section must be consistent with section 253.023, Florida Statutes.

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 3, line 24, following the semicolon (;) insert: prescribing authority of the Executive Office of the Governor with respect to changes in amounts appropriated for Conservation and Recreation Land management;

Amendment 8 (with Title Amendment)—On page 12, between lines 2 and 3, insert:

Section 26. Notwithstanding the provisions of section 216.181, Florida Statutes, the Executive Office of the Governor may approve changes in the amounts appropriated from trust funds, to reallocate surplus funds remaining in the payment in lieu of taxes category to long-term management of Conservation and Recreation Lands activities. Any changes in trust fund appropriations pursuant to this section must be consistent with section 253.023, Florida Statutes.

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 3, line 24, following the semicolon (;) insert: prescribing authority of the Executive Office of the Governor with respect to reallocation of surplus funds relating to Conservation and Recreation Lands activities;

Senators Grant, Crist and Hargrett offered the following amendment which was moved by Senator Grant and adopted:

Amendment 9 (with Title Amendment)—On page 12, between lines 2 and 3, insert:

Section 26. Notwithstanding the provisions of sections 376.11-376.21, Florida Statutes, or other provisions of law to the contrary, a loan of up to \$185,000 may be made by the Department of Natural Resources from the Coastal Protection Trust Fund to the Greater Tampa Bay Marine Advisory Council for the specific purpose of funding the on-line measurement of tides in Tampa Bay. Since the Port of Tampa is one of the two leading importers of oil products in the state, it is the intent of the Legislature that the advisory council pursue federal funding for the ongoing operation of this program. When federal funds are received for the on-line measurement of tides in Tampa Bay for part or all of the 1993-1994 state fiscal year, the advisory council shall repay any loan made pursuant to this section in the full amount of the loan or the amount of federal funds received, whichever is less.

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 3, line 24, following the semicolon (;) insert: authorizing the Department of Natural Resources to make a loan to the Greater Tampa Bay Marine Advisory Council for on-line measurement of tides; providing for the repayment of such loan under certain conditions;

Senator Boczar moved the following amendments which failed:

Amendment 10 (with Title Amendment)—On page 5, line 25 through page 6, line 5, strike all of said lines and renumber subsequent sections.

And the title is amended as follows:

In title, on page 1, strike all of lines 28-31 and insert: relating to laboratory schools; providing for no

Amendment 11 (with Title Amendment)—On page 7, strike all of lines 13-19 and renumber subsequent sections.

And the title is amended as follows:

In title, on page 2, strike all of lines 17-20 and insert: request; authorizing the Department

Amendment 12 (with Title Amendment)—On page 7, line 27 through page 8, line 3, strike all of said lines and renumber subsequent sections.

And the title is amended as follows:

In title, on page 2, strike all of lines 24-27 and insert: providing for security at meetings

Senator Silver moved the following amendment which was adopted:

Amendment 13 (with Title Amendment)—On page 12, between lines 2 and 3, insert:

Section 26. Notwithstanding the provisions of section 215.821, Florida Statutes, the Board of Regents may use the Dade County Educational Facilities Authority to issue the revenue bonds to finance the purchase of existing housing facilities on the University Park Campus of Florida International University, currently under lease-purchase agreement, and the construction of new facilities with a capacity of 412 beds.

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 3, line 24, following the semicolon (;) insert: providing for the Board of Regents to use the Dade County Educational Facilities Authority to issue bonds for residence projects at Florida International University;

Senator Sullivan moved the following amendment which was adopted:

Amendment 14 (with Title Amendment)—On page 6, strike all of lines 6-9 and insert:

Section 9. Notwithstanding the provisions of section 240.605(5)(a), Florida Statutes, financial assistance payments for private tuition assistance in fiscal year 1993-1994 shall increase as provided in the 1993-1994 General Appropriations Act.

And the title is amended as follows:

In title, on page 1, line 31 through page 2, line 1, strike all of said lines and insert: informational requirements; prescribing limits on increases in financial

Senator Silver moved the following amendment which was adopted:

Amendment 15 (with Title Amendment)—On page 12, between lines 2 and 3, insert:

Section 26. The Board of Regents of the State University System is hereby authorized to construct the following projects which are to be financed from revenue bonds issued pursuant to s. 11(e), Art. VII of the State Constitution:

(1) Florida International University Purchase of the University Park dormitories (Reauthorization).

(2) Florida International University Residence Hall which may be partially financed from revenue bonds (Reauthorization).

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 3, line 24, following the semicolon (;) insert: providing for the Board of Regents to construct specified residence projects at Florida International University;

Senator Dudley moved the following amendment which was adopted:

Amendment 16 (with Title Amendment)—On page 12, between lines 2 and 3, insert:

Section 26. Notwithstanding the provisions of section 240.257(4)(a), Florida Statutes, each university shall be eligible to match any of the funds in the Trust Fund for Eminent Scholars or the Trust Fund for

Major Gifts. The Board of Regents shall encumber state matching funds for any pledged contributions, pro rata, based on the requirements for state matching as specified for the particular challenge grant and the amount of the private donations actually received by the university for the respective challenge grant.

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 3, line 24, following the semicolon (;) insert: providing authority for state universities to match funds in the Trust Fund for Eminent Scholars or the Trust Fund for Major Gifts;

Senator Grant moved the following amendment which was adopted:

Amendment 17 (with Title Amendment)—On page 12, between lines 2 and 3, insert:

Section 26. Notwithstanding the provisions of section 255.25001(2)(d), Florida Statutes, or any other provision of law to the contrary, the Department of Health and Rehabilitative Services is authorized to pay the costs resulting from the processes authorized by that section for lease-purchase evaluation services in accordance with the department's amended Legislative Budget Request for permanent service centers, within the limits of specific appropriations, and in accordance with all other provisions of section 255.25001, Florida Statutes.

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 3, line 24, after the semicolon (;) insert: authorizing the Department of Health and Rehabilitative Services to pay certain costs related to lease-purchase of service centers;

Senator Bankhead moved the following amendments which were adopted:

Amendment 18 (with Title Amendment)—On page 12, between lines 2 and 3, insert:

Section 26. Notwithstanding any other provision of law, if the contract between the Department of Health and Rehabilitative Services, District 4, and the Help Center of Jacksonville under Specific Appropriation 2165AL of the 1989-1990 General Appropriations Act is not fulfilled, the moneys appropriated in that specific appropriation shall not revert, but those moneys shall be transferred to River Region to ensure that the Help Center project that was the subject of specific appropriation 2165AL will benefit minority populations.

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 3, line 24, following the semicolon (;) insert: providing for the nonreverter of funds in specific appropriation 2165AL of the 1989-1990 General Appropriations Act; providing for the transfer of those funds in fulfillment of the Help Center project for which they were originally appropriated;

Amendment 19 (with Title Amendment)—On page 12, between lines 2 and 3, insert:

Section 26. Pursuant to proviso language following specific appropriation 1748b in chapter 92-293, Laws of Florida, the Department of Management Services is instructed to initiate a new appraisal or procure a review of the existing appraisal of the Richard P. Daniel State Office Building in Jacksonville. The new appraisal or review of the existing appraisal shall consider the impact on value resulting from any possible legal restrictions on the utilization of the air rights conveyed to the state by the City of Jacksonville.

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 3, line 24, following the semicolon (;) insert: directing the Department of Management Services to conduct a study relating to the Richard P. Daniel State Office Building;

Senator Thomas moved the following amendment which was adopted:

Amendment 20 (with Title Amendment)—On page 12, between lines 2 and 3, insert:

Section 26. Allocations made by the Department of Health and Rehabilitative Services to its service districts for fiscal year 1993-1994 shall be made in accordance with the allocation methodologies in place as of January 1, 1993.

And the title is amended as follows:

In title, on page 3, line 24, following the semicolon (;) insert: prescribing the method by which the Department of Health and Rehabilitative Services will make allocations to service districts;

Senator Forman moved the following amendment which was adopted:

Amendment 21 (with Title Amendment)—On page 12, between lines 2 and 3, insert:

Section 26. The Department of Health and Rehabilitative Services is directed to take all actions necessary to replace or cause to be replaced the Intermediate Care Facilities for the Developmentally Disabled (ICF/DD's) which were operated by Sunrise Community, Inc. (Sunrise) and United Cerebral Palsy of Miami, Inc. (UCP) and which were damaged or destroyed by Hurricane Andrew. Such replacement for these facilities shall be in accordance with the following guidelines to the extent possible:

(1) The four licenses held by the state under which UCP operated prior to the hurricane shall be transferred to UCP at no cost, provided that UCP agrees to build four 24-bed Cluster facilities on sites selected by UCP and privately financed by UCP. The department shall authorize this construction and shall commit to funding the services to be provided at these facilities under the provisions of the Medicaid reimbursement plan used to pay UCP prior to the hurricane. In order for UCP to timely obtain private construction financing, the department shall provide a letter of commitment to UCP specifying that the licenses will be transferred and the services will be funded.

(2) The department shall authorize Sunrise to build two 12 bed ICF/DD facilities through private financing at the site of the facilities which were destroyed by the hurricane. In addition, the department shall authorize Sunrise to develop, and the department shall commit to fund, the operations of three 6 bed group homes to house clients whose services can be funded through the Medicaid Home and Community Based Waiver Program. The department shall provide a letter of commitment to Sunrise specifying that approval from the Federal Government for these waiver beds shall be aggressively pursued as necessary. The department is authorized to reallocate funds as necessary to shift from Medicaid reimbursement under the ICF/DD program to the Medicaid Home and Community based waiver program for the waiver beds through budget amendments in accordance with the provisions of chapter 216, Florida Statutes.

Notwithstanding the provisions of any law to the contrary, certificate-of-need approval shall not be required for UCP or Sunrise for purposes of carrying out the provisions of this section.

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 3, line 24, following the semicolon (;) insert: directing the Department of Health and Rehabilitative Services to take actions to replace certain facilities damaged or destroyed by Hurricane Andrew;

Senator Burt moved the following amendment which was adopted:

Amendment 22 (with Title Amendment)—On page 12, between lines 2 and 3, insert:

Section 26. Notwithstanding the provisions of section 921.001, Florida Statutes, a person sentenced for a felony offense contained in Sentencing Guidelines categories five through nine contained in Florida Rules of Criminal Procedure 3.701 and 3.988, except for any such offense in those categories in which the threat or attempted use of physical force or violence was an element, and who is sentenced to a term between 1 year and 1 day up to and including 2 years may be committed to the custody of a county correctional facility. Any such commitment shall make the county eligible for receipt of a negotiated per diem reimbursement payable by the Department of Corrections for the duration of the confinement, provided that a contractual agreement between the chief cor-

rectional officer of the county and the Department of Corrections exists. No commitments by a court under this section may occur in the absence of such an agreement.

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 3, line 24, following the semicolon (;) insert: providing for housing specified felony offenders in county correctional facilities pursuant to contract between the Department of Corrections and the chief correctional officer of each county the facilities of which are used;

Senator Hargrett moved the following amendment which was adopted:

Amendment 23—On page 6, line 25, strike "3 percent" and insert: 100 percent

Senator Kirkpatrick moved the following amendment which was adopted:

Amendment 24 (with Title Amendment)—On page 12, between lines 2 and 3, insert:

Section 26. Enterprise Florida is hereby authorized to contract with a manufacturer of plastic products with recycled content which can be sold to the state, and which is a participant in a plastic recycling business venture including haulers and processors of recycled plastic materials. Selected offices and institutions within the Department of Corrections and the Department of Health and Rehabilitative Services are directed to participate through Enterprise Florida as potential customers of the venture, as follows:

(1) The departments, Enterprise Florida, and the venture will agree upon the institutions and offices which will participate in the venture based upon the greatest geographic concentrations of the plastic selected to be collected and recycled.

(2) The departments will make available to the recycling business venture all possible volumes of plastic specified by the recycling business venture to be removed from the offices and institutions, and will provide assistance and support to the venture where possible.

(3) The departments will agree to procure from the recycling business venture products, with recycled content which products are competitive in terms of specifications, quality, and price (chapter 287, Florida Statutes) with those currently being purchased or contemplated to be purchased by the departments.

(4) Objectives of this venture are to:

(a) Ensure the selected plastic is removed from the offices and institutions in an efficient, timely, and cost effective manner acceptable to the recycling business venture and the departments.

(b) Ensure the products purchased by the departments comply with subsection (3) above and are necessary for the operation of the departments.

(c) Maximize, to the extent deemed possible and practical as determined by the recycling business venture and Enterprise Florida, the removal of the selected plastic from the selected offices and institutions, the diversion of it from Florida landfills, the recycling of it in the products sold back to the departments, and the protection and possible expansion of jobs and products produced in Florida associated with the venture.

(5) Other subdivisions of government are authorized to participate in this venture based upon their compatibility with the operation of the venture, as determined by the joint approval of Enterprise Florida and the recycling business venture.

(6) The intent of this venture is that the departments are to spend no more money for the removal of these plastic materials nor for the procurement of the selected plastic products than the departments spent in 1992-1993 or anticipate to be spent in 1993-1994. Accordingly, before execution of the contract between Enterprise Florida and the manufacturer representing the recycling business venture, the departments will identify the costs associated with the removal of the plastic waste and the procurement of plastic products in 1992-1993 and those anticipated to be spent in 1993-1994.

(7) The terms of this venture will be for a term of 1 year, and Enterprise Florida will provide a status report to the Legislature and the Governor and Cabinet by February 1, 1994.

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 3, line 24, following the semicolon (;) insert: providing for a 1-year venture between Enterprise Florida and the Department of Corrections and the Department of Health and Rehabilitative Services for the purchase of products made with recycled plastics; providing guidelines for the venture;

Senator Beard moved the following amendment which was adopted:

Amendment 25 (with Title Amendment)—On page 12, between lines 2 and 3, insert:

Section 26. The Departments of Corrections and Health and Rehabilitative Services may enter into a contract for a contingency audit which shall be construed as auditing services pursuant to section 287.057(3), Florida Statutes. Notwithstanding the provisions of section 215.32, Florida Statutes, to the contrary, any recoveries resulting from such contingency audits may be deposited into a trust fund designated by each department. The fees for such contingency audits shall be paid from such recoveries. The balance of the recoveries shall be restored as current or prior year refunds to the appropriate funds from which the recoveries were originally disbursed. Notwithstanding the provisions of section 216.181(10), Florida Statutes, as amended by chapter 92-142, Laws of Florida, the Executive Office of the Governor may approve changes in the amounts appropriated from state trust funds in excess of those in the approved operating budget in order to pay the fees resulting from contingency audits. Any increase in the approved budget pursuant to this section shall be subject to the notice and review requirements established in section 216.177, Florida Statutes.

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 3, line 24, following the semicolon (;) insert: prescribing authority of the Department of Corrections and Department of Health and Rehabilitative Services to contract for an audit;

Motions

On motion by Senator Scott, by two-thirds vote **SB 1802** as amended was read the third time by title and ordered engrossed.

On motion by Senator Jennings, the vote on final passage on **SB 1802** was postponed until Tuesday, March 2, pursuant to Joint Rule 2.1 and Senate Rule 4.15, relating to the constitutional requirement for a 72-hour public review period on general appropriations bills.

SB 1804—A bill to be entitled An act making supplemental appropriations providing moneys from the Hurricane Andrew Recovery and Rebuilding Trust Fund and other named funds for the annual periods beginning July 1, 1992 and ending June 30, 1993, and July 1, 1993 and ending June 30, 1994; to pay salaries, and other expenses, capital outlay - buildings and other improvements, and for other specified purposes of the various agencies of State government; supplementing appropriations as provided in Chapter 92-293, Laws of Florida; providing an effective date.

—was read the second time by title.

Senator Bankhead moved the following amendment which was adopted:

Amendment 1—

SECTION 1A
PAGE 6
ITEM 8

STRIKE: INSERT:

COMMUNITY AFFAIRS, DEPARTMENT OF
OFFICE OF THE SECRETARY

8 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - NON-RECURRING
HURRICANE ANDREW IMPACTS 1992-93
FROM HURRICANE ANDREW
RECOVERY AND REBUILDING
TRUST FUND 61,555,621 61,524,621

On page 5 following proviso language after Specific Appropriations 7A insert the following:

MILITARY AFFAIRS,
DEPARTMENT OF

7AA LUMP SUM
NON-RECURRING HURRICANE ANDREW
IMPACTS - 1992-93
FROM HURRICANE ANDREW
RECOVERY AND REBUILDING
TRUST FUND 31,000

Following Line Item 7AA insert proviso as follows:

Funds provided in Specific Appropriation 7AA are for reimbursing National Guardsmen for damages to their motor vehicles caused by Hurricane Andrew.

Senator Jones moved the following amendment which was adopted:

Amendment 2—

SECTION 2B STRIKE: INSERT:
PAGE 9
ITEM 9B

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

9B FIXED CAPITAL OUTLAY
NON-RECURRING HURRICANE
ANDREW IMPACTS - REPAIR AND
CONSTRUCTION - 1993-94
FROM HURRICANE ANDREW
RECOVERY REBUILDING
TRUST FUND 37,800,000 25,000,000

Motions

On motion by Senator Scott, by two-thirds vote **SB 1804** as amended was read the third time by title and ordered engrossed.

On motion by Senator Jennings, the vote on final passage on **SB 1804** was postponed until Tuesday, March 2, pursuant to Joint Rule 2.1 and Senate Rule 4.15, relating to the constitutional requirement for a 72-hour public review period on general appropriations bills.

On motion by Senator Scott, the rules were waived and staff of the Appropriations Committee was instructed to make title amendments and technical changes in **Senate Bills 1800, 1802 and 1804** as necessary.

Senator Childers moved that the Senate Appropriations Conferees on **Senate Bills 1800, 1802 and 1804** be instructed to return to the Senate a conference report on appropriations bills which would include the Senate position relating to construction of the U.S. Defense Finance and Accounting Service Center including the contingency proviso language, and that the rules be waived to allow the conferees the latitude to deal with additional issues which may develop in conference. The motion was adopted.

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Thursday, February 25, 1993: SB 1800, SB 1802, SB 1804

Respectfully submitted,
Toni Jennings, Chairman

The Committee on Commerce recommends the following pass: SB 720 with 2 amendments, SB 974 with 1 amendment

The Committee on Community Affairs recommends the following pass: CS for SB 62

The Committee on Education recommends the following pass: SB 790

The Committee on Governmental Operations recommends the following pass: SB 1432, SB 1810 with 1 amendment, SB 1854

The Committee on Judiciary recommends the following pass: SB 1092

The Committee on Transportation recommends the following pass: SB 1896 with 1 amendment

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

The Committee on Agriculture recommends the following pass: SB 1640

The Committee on Criminal Justice recommends the following pass: SB 480

The Committee on Governmental Operations recommends the following pass: SB 1142

The Committee on Natural Resources and Conservation recommends the following pass: SB 464 with 1 amendment

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

The Committee on Commerce recommends the following pass: SB 312

The bill was referred to the Committee on Executive Business, Ethics and Elections under the original reference.

The Committee on Agriculture recommends the following pass: SB 1374

The Committee on Commerce recommends the following pass: SB 316, SB 980

The Committee on Education recommends the following pass: SB 1126

The Committee on Governmental Operations recommends the following pass: SB 970 with 1 amendment

The Committee on Natural Resources and Conservation recommends the following pass: SB 270 with 1 amendment

The Committee on Transportation recommends the following pass: SB 1238, SB 1760

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

The Committee on Community Affairs recommends the following pass: SB 682 with 1 amendment

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

The Committee on Criminal Justice recommends the following pass: SB 110

The bill was referred to the Committee on Health and Rehabilitative Services under the original reference.

The Committee on Commerce recommends the following pass: SB 680

The Committee on Governmental Operations recommends the following pass: SB 972 with 1 amendment

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

The Committee on Governmental Operations recommends the following pass: SB 1434 with 2 amendments

The bill was referred to the Committee on International Trade, Economic Development and Tourism under the original reference.

The Committee on Commerce recommends the following pass: SB 710, SB 888 with 1 amendment

The bills were referred to the Committee on Judiciary under the original reference.

The Committee on Governmental Operations recommends the following pass: SB 1308 with 1 amendment

The bill was referred to the Committee on Natural Resources and Conservation under the original reference.

The Committee on Governmental Operations recommends the following pass: SB 742

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

The Committee on Executive Business, Ethics and Elections recommends the following pass: SB 188, SJR 1850

The bills were referred to the Committee on Rules and Calendar under the original reference.

The Committee on Commerce recommends the following pass: SB 68 with 1 amendment, SB 1062

The Committee on Community Affairs recommends the following pass: CS for SB 176, SB 496

The Committee on Criminal Justice recommends the following pass: SB 472 with 3 amendments

The Committee on Governmental Operations recommends the following pass: SB 562 with 1 amendment

The Committee on Health and Rehabilitative Services recommends the following pass: SB 1200

The Committee on Judiciary recommends the following pass: SB 484 with 2 amendments, SB 938 with 1 amendment

The Committee on Natural Resources and Conservation recommends the following pass: HB 271 with 1 amendment, SB 1006 with 2 amendments

The Committee on Transportation recommends the following pass: SB 1192 with 3 amendments, SB 1394 with 1 amendment, SB 1766 with 1 amendment

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

The Committee on Corrections, Probation and Parole recommends a committee substitute for the following: SB 168

The Committee on Executive Business, Ethics and Elections recommends a committee substitute for the following: SB 640

The Committee on Transportation recommends a committee substitute for the following: SB 572

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 Agriculture recommends a committee substitute for the following: SB 1260

The Committee on Professional Regulation recommends committee substitutes for the following: SB 588, SB 598, SB 686

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

The Committee on Commerce recommends committee substitutes for the following: SB 402, Senate Bills 644, 632, 1346 and 1408

The Committee on Governmental Operations recommends a committee substitute for the following: SB 968

The Committee on Professional Regulation recommends a committee substitute for the following: SB 520

The Committee on Transportation recommends a committee substitute for the following: SB 1146

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 Agriculture recommends a committee substitute for the following: SB 1464

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

The Committee on Commerce recommends a committee substitute for the following: SB 1212

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

The Committee on Commerce recommends a committee substitute for the following: SB 548

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

The Committee on Commerce recommends committee substitutes for the following: SB 390, Senate Bills 582 and 584, SB 758, SB 920

The Committee on Community Affairs recommends a committee substitute for the following: SB 1074

The Committee on Corrections, Probation and Parole recommends a committee substitute for the following: SB 488

The Committee on Executive Business, Ethics and Elections recommends a committee substitute for the following: SB 602

The Committee on Governmental Operations recommends a committee substitute for the following: SB 1064

The Committee on Professional Regulation recommends committee substitutes for the following: SB 232, SB 770, SB 1112, SB 1596

The Committee on Transportation recommends committee substitutes for the following: SB 688, SB 1148

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

BILLS REFERRED TO SUBCOMMITTEE

The following have been referred to the Subcommittee on Reviser's Bills which will report to the full committee within 7 days: Senate Bills 848, 850, 852, 854 and House Bills 1307, 1309, 1311, 1313, 1315, 1317, 1319, 1321, 1323, 1325, 1327, 1329, 1331, 1333, 1335

Toni Jennings, Chairman
Committee on Rules and Calendar

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By Senator Gutman—

SB 1778—A bill to be entitled An act relating to the Agency for Health Care Administration; amending s. 20.42, F.S., relating to organization of the agency; providing additional responsibilities of the Division of Health Quality Assurance, relating to clinical laboratory personnel, midwifery, dietetics and nutrition, electrolysis, and nursing assistants; providing requirements for the membership of the boards within the agency; providing for terms of office; limiting the transferability of a board; renaming the Division of Health Policy and Planning as the Division of Health Policy and Cost Control; providing additional responsibilities relating to state and local health planning and certificate-of-need review; conforming provisions and references to the transfer of responsibilities from the Department of Health and Rehabilitative Services and the Health Care Cost Containment Board to the agency; deleting obsolete provisions; amending ss. 112.0455, 440.102, F.S.; providing duties of the agency under the Drug-Free Workplace Act; providing for regulation of drug testing laboratories by the agency; amending ss. 154.04, 154.205, 154.245, 154.304, 154.306, 154.308, 154.309, 154.31, 154.3105, 154.312, F.S., relating to inspection of county public health unit medical records, certificates of need, and the Health Care Responsibility Act of 1988; amending ss. 159.27, 186.003, F.S.; conforming cross-references; amending ss. 196.1975, 205.1965, F.S., relating to agency licensure of homes for the aged and adult congregate living facilities; amending s. 212.08, F.S., relating to continuing education credits by boards under the Division of Health Quality Assurance; amending ss. 215.20, 408.20, F.S., relating to name of a trust fund; amending s. 240.075, F.S., relating to a nursing license surcharge for student loans; amending s. 381.0261, F.S., relating to distribution of summaries of health care information; amending s. 381.045, F.S., relating to procedures and services for certain health care professionals infected with hepatitis B or human immunodeficiency virus; amending s. 381.0602, F.S., relating to the Organ Transplant Advisory Council; amending and renumbering s. 381.0605, F.S., relating to a survey of state hospital facilities; amending ss. 381.6021, 381.6022, 381.6023, 381.6024, 381.6025, F.S., relating to organ and tissue procurement; conforming provisions and references to the transfer of responsibilities from the Department of Health and Rehabilitative Services to the agency; amending and renumbering s. 381.695, F.S., relating to certificate of need exemption for Department of Corrections health care facilities; amending and renumbering s. 381.698, F.S., relating to the Florida Blood Transfusion Act; amending ss. 383.302, 383.305, 383.307, 383.308, 383.309, 383.31, 383.312, 383.313, 383.318, 383.32, 383.324, 383.325, 383.327, 383.33, 383.331, 383.335, F.S., relating to regulation and licensure of birth centers; amending ss. 390.001, 390.002, 390.011, 390.012, 390.014, 390.015, 390.016, 390.017, 390.018, 390.019, 390.021, F.S., relating to termination of pregnancies; amending s. 408.001, F.S., relating to the Florida Health Care Purchasing Cooperative; amending s. 408.002, F.S., relating to the Florida Health Plan; amending s. 408.003, F.S., relating to appointment of the Health Care Board; providing for removal of members; providing for meetings, notice, and a quorum; providing for per diem and travel expenses; amending s. 408.01, F.S.; providing for a council advising the agency on health insurance and cost containment to

include group health care purchasing organizations; amending s. 408.02, F.S.; revising requirements for the agency in establishing practice parameters; amending ss. 408.032, 408.033, 408.034, 408.035, 408.036, 408.037, 408.038, 408.039, 408.040, 408.041, 408.043, 408.044, 408.045, F.S., relating to certificate of need and authority to license health care facilities and health service providers; amending s. 408.05, F.S., relating to the State Center for Health Statistics; amending s. 408.061, F.S., relating to health care data collection; amending s. 408.07, F.S.; redefining the term "banked points" for purposes of agency review of hospital budgets; amending ss. 408.072, 408.08, F.S.; modifying provisions relating to review of hospital budgets; amending s. 408.09, F.S., relating to assistance on cost containment strategies; amending s. 409.701, F.S., relating to the Florida Health Access Corporation Act; amending ss. 415.107, 415.51, F.S.; providing duties of the agency with respect to the confidentiality of reports and records in cases of abuse, neglect, or exploitation of aged persons, disabled adults, and children; amending ss. 419.001, 419.002, F.S.; providing duties of the agency with respect to the regulation of community residential homes; amending s. 455.01, F.S.; defining the term "agency" for purposes of ch. 455, F.S., relating to the regulation of professions and occupations; amending ss. 455.11, 455.203, 455.204, 455.207, 455.209, 455.211, 455.212, 455.214, F.S.; conforming provisions and references to the transfer of responsibilities from the Department of Professional Regulation to the agency; amending s. 455.2173, F.S.; providing for licensure examinations in an applicant's native language; amending s. 455.220, F.S.; providing requirements for the boards within the agency with respect to levying license fees, fees to eliminate a cash deficit, and fees for continuing education providers; providing for the disposition of the proceeds of such fees; amending ss. 455.2205, 455.221, 455.2224, 455.2235, 455.224, 455.225, 455.227, 455.2273, 455.2277, 455.2281, 455.2285, 455.241, 455.2416, 455.242, 455.243, 455.245, 445.247, 455.26, 455.261, F.S.; conforming provisions, terminology, and references to the transfer of responsibilities from the Department of Professional Regulation to the agency; amending ss. 483.610, 483.613, 483.614, 483.615, 483.616, 483.619, 483.620, 483.621, 483.622, 483.624, F.S., relating to the Cholesterol Screening Center Licensure Act; conforming provisions and references to the transfer of responsibilities from the Department of Health and Rehabilitative Services to the agency; amending ss. 641.47, 641.48, 641.49, 641.495, 641.511, 641.512, 641.515, 641.52, 641.54, 641.55, 641.56, 641.57, 641.58, F.S., relating to health maintenance organizations and prepaid health clinics; conforming provisions and references to the transfer of responsibilities from the Department of Health and Rehabilitative Services to the agency; amending s. 743.0645, F.S.; providing for consent for medical care of a minor in a facility licensed by the agency; amending ss. 641.21, 641.225, F.S.; conforming cross-references to changes made by the act; repealing s. 3, ch. 92-304, Laws of Florida, relating to directions to the Division of Statutory Revision; providing an effective date.

—was referred to the Committees on Health Care; Health and Rehabilitative Services; Professional Regulation; and Appropriations.

By Senator Forman—

SB 1784—A bill to be entitled An act relating to health care; providing legislative intent; providing an effective date.

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

By Senators Gutman, Bankhead, Kiser, Siegel, Grant, Foley, Brown-Waite, Casas, Jennings, Diaz-Balart, Dudley, Scott, Crist and Beard—

SB 1914—A bill to be entitled An act relating to health care; creating s. 381.0406, F.S.; providing legislative findings and intent regarding rural health networks; providing definitions; providing requirements for rural health network governance and organization; requiring rural health networks to provide certain services and programs; requiring rural health networks to coordinate with area health education center networks; authorizing use of public and private funds to support network activities; establishing implementation phases; providing for certification of rural health networks; providing for rules; creating s. 381.0407, F.S.; authorizing special consideration under the certificate-of-need program for certain rural regional hospital systems; authorizing rural regional hospital systems to establish tax districts that cross county boundaries; creating s. 381.0408, F.S.; providing for designation of rural health care innovation zones by the Agency for Health Care Administration; providing special consideration of certificate-of-need applicants located in rural health care

innovation zones; authorizing the Department of Health and Rehabilitative Services to seek funding to support health care facilities and providers in rural health care innovation zones; creating s. 395.606, F.S.; providing for rural health network cooperative agreements; providing legislative intent regarding consolidations and cooperative agreements between members of rural networks; providing for approval by the Agency for Health Care Administration and the Department of Legal Affairs of such consolidations or cooperative agreements; providing procedures for repeal of state approval; providing for administrative and judicial review; requiring the Agency for Health Care Administration to select and provide funding for health insurance purchasing cooperatives; providing requirements for health coverage plans and enrollment for cooperatives; providing for comparison of health coverage plans offered by a cooperative; providing an appropriation; amending s. 408.043, F.S.; providing preference to rural health network projects in the award of certificates of need under certain conditions; amending s. 408.02, F.S., relating to practice parameters; requiring professional boards rather than the Agency for Health Care Administration to review and endorse practice parameters; providing for educating practicing physicians about practice parameters; providing that reports and certain information about physician practice patterns are exempt from public disclosure laws; providing for future legislative review of this exemption under the Open Government Sunset Review Act; requiring insurers to use practice parameters in developing reimbursement policies; requiring insurers to report health care professionals to their respective licensing boards and the Agency for Health Care Administration if they chronically bill for services provided outside the scope of practice parameters; providing for data collection; repealing a demonstration project on practice parameters; authorizing the use of practice within the parameters as an affirmative defense to a liability claim; amending s. 408.061, F.S.; requiring the Agency for Health Care Administration to collect physician-specific patient outcome-related data and price information for certain drugs, durable medical equipment, and disposable medical supplies; amending s. 408.063, F.S.; requiring the Agency for Health Care Administration to publish and disseminate patient outcome information and pricing information for certain drugs, durable medical equipment, and disposable medical supplies; requiring pharmacies and certain other retailers to distribute consumer brochures; requiring the Agency for Health Care Administration to develop a standardized claims form and an electronic transmission claims format; requiring health care payers, insurers, and providers to use the standardized claims form or the electronic transmission claims format by a specified date; requiring the agency to develop an electronic medical information and billing system and develop a pilot project to test such system; amending s. 409.701, F.S.; authorizing the Florida Health Access Corporation to provide subsidized or nonsubsidized coverage to small employers; expanding the program statewide; authorizing the corporation to serve businesses with fewer than a specified number of employees; changing the composition of the board of directors of the Florida Health Access Corporation; deleting a requirement that the Department of Insurance provide certain assistance to the corporation; amending s. 409.7015, F.S.; delaying the repeal of the corporation's access to certain data from the Department of Labor and Employment Security; amending s. 409.911, F.S.; establishing additional requirements for hospitals to receive payments under the Medicaid disproportionate share program; amending s. 409.9113, F.S.; establishing an additional requirement for teaching hospitals to be eligible to receive Medicaid payments under the disproportionate share program; amending s. 409.912, F.S.; requiring certain entities contracting on a prepaid or fixed sum basis to provide Medicaid services to provide certain additional preventive health services without additional compensation; requiring the Department of Health and Rehabilitative Services to design and implement a Medicaid buy-in program; requiring the Department of Insurance to assist in implementation; requiring the Department of Health and Rehabilitative Services to seek certain federal statutory changes or waivers; providing for unsubsidized and subsidized premiums to fund the program; requiring the Department of Health and Rehabilitative Services to establish a Medicaid home infusion therapy program; requiring state agencies to provide access to managed health care providers to market their benefit plans in buildings owned, rented, or leased by the agencies; requiring the Agency for Health Care Administration to establish an Interagency Work Group on Health Care Fraud and Abuse; providing definitions, providing membership of the work group; specifying contents of a report; specifying that recommendations be included in the Florida Health Plan; amending s. 455.236, F.S.; redefining the term "investment interest" for purposes of the Patient Self-Referral Act of 1992; creating s. 455.2418, F.S.; requiring certain professional boards to review and endorse practice parameters; requiring the boards to receive and review reports from insurers regard-

ing professionals whose billings indicate patterns of practice outside the scope of the practice parameters and take corrective action; exempting certain information and reports from public disclosure laws; requiring legislative review of this exemption under the Open Government Sunset Review Act; amending s. 458.311, F.S.; requiring certain training or experience in primary care as a prerequisite to taking the licensure examination to become a licensed physician; creating s. 624.4418, F.S.; requiring multiple-employer welfare arrangements to use practice parameters in developing reimbursement policies; prohibiting health care professionals from billing insured persons for services provided outside the scope of practice parameters and for which they have been denied reimbursement by a multiple employer welfare arrangement; requiring the reporting of certain billing practices to professional boards and the Agency for Health Care Administration; providing for appeal and department review of denied payment; requiring the Department of Insurance to adopt rules; amending s. 626.9545, F.S.; requiring insurers to establish a financial incentive program for policy holders to report errors or overcharges; amending s. 627.613, F.S.; increasing the amount an insurer must pay to an insured for reporting improper billings that result in a reduction in the amount paid to a provider; creating ss. 627.6147, 627.6611, 627.6747, 614.317, 641.431, F.S.; requiring insurers, health maintenance organizations, and prepaid health clinics to use practice parameters in developing reimbursement policies; prohibiting health care professionals from billing insured persons or subscribers for services provided outside the scope of practice parameters and for which they have been denied reimbursement by an insurer, health maintenance organization, or prepaid health clinic; requiring the reporting of certain billing practices to professional boards and the Agency for Health Care Administration; providing for appeal and department review of denied payments; requiring the Department of Insurance to adopt rules; amending s. 15, ch. 92-178, Laws of Florida; revising the date that the prohibition against referrals by certain investors in designated health services applies; repealing s. 407.60, F.S., relating to duties of the board with respect to establishing a fee schedule for radiation therapy procedures; repealing s. 455.2555, F.S., relating to imposition of a fee schedule on providers of designated health services; amending s. 409.913, F.S.; authorizing the Department of Health and Rehabilitative Services to conduct certain investigations of Medicaid providers; providing circumstances under which the department may withhold payments to a provider under the Medicaid program; providing for notice to the provider; providing that certain actions by the department to withhold payments are exempt from review under ch. 120, F.S.; providing that certain payments are due to the department upon demand; amending s. 627.410, F.S.; providing for filing certificates for certain groups for information purposes; creating s. 627.4102, F.S.; providing additional requirements for rating of individual health insurance policies; providing definitions; amending s. 627.4106, F.S.; revising certain definitions; deleting the requirement of establishing classes of businesses; requiring carriers to use certain specified rating methodologies; deleting restrictions relating to premium rates; deleting certain provisions relating to small employer carriers; deleting disclosure of rating practices and renewability provisions; creating s. 627.6075, F.S.; providing requirements for preexisting conditions with respect to individual health insurance policies; creating s. 627.6076, F.S.; requiring the department to determine certain geographic areas; creating s. 627.6077, F.S.; providing for establishing comprehensive and basic individual health benefit plans; requiring the Insurance Commissioner to appoint a committee; providing for plan provisions; amending s. 627.6515, F.S.; specifying certain groups as out-of-state groups; providing additional requirements; providing application; amending s. 627.6699, F.S.; revising the definition of "small employer"; amending s. 641.30, F.S.; specifying applicability for certain health maintenance organization contracts; providing effective dates.

—was referred to the Committees on Health Care; Health and Rehabilitative Services; Commerce; and Appropriations.

By Senator Johnson—

SR 2002—A resolution commending Benjamin A. Brown and recognizing February 1993, as "African-American History and Brotherhood Month."

—was referred to the Committee on Rules and Calendar.

By Senator Johnson—

SR 2004—A resolution commending Florida's Hometown U.S.A. for its contributions to this state.

—was referred to the Committee on Rules and Calendar.

By Senators Jenne and McKay—

SB 2006—A bill to be entitled An act relating to health care; amending s. 20.42, F.S.; renaming the Agency for Health Care Administration the Department of Health Care Administration and providing its organization, administration, and duties; transferring and renumbering s. 381.0402, F.S., relating to area health education center networks; amending s. 381.0405, F.S.; revising a cross-reference; creating s. 381.0406, F.S.; providing for rural health networks; creating s. 381.0407, F.S.; providing for special certificate-of-need consideration of rural regional centers; creating s. 381.0408, F.S.; providing for rural health care innovation zones; creating s. 395.606, F.S.; providing for rural network cooperative agreements; amending s. 408.001, F.S.; revising membership of the board of directors of the Florida Health Care Purchasing Cooperative; amending s. 408.006, F.S.; requiring the Florida Health Plan to include pursuit of a health maintenance organization ombudsman council; amending s. 408.02, F.S.; revising procedures and guidelines for development of medical practice parameters; amending s. 408.032, F.S.; defining the terms "ambulatory surgical center" and "health care provider" and repealing the definitions of "intermediate care facility" and "multifacility project"; amending s. 408.035, F.S.; revising review criteria for certificate-of-need determinations; amending s. 408.036, F.S.; redefining the projects subject to certificate-of-need review; limiting those projects for which expedited review is authorized; amending s. 408.037, F.S.; revising materials to be included in certificate-of-need applications; amending s. 408.039, F.S.; changing the review cycle for review of certificates of need; revising provisions for administrative hearings; amending s. 408.040, F.S.; revising termination dates of certificates of need; prohibiting transfer of a certificate of need; repealing s. 408.042, F.S., relating to limits on transfers of certificates of need; requiring a study by the Department of Health Care Administration; amending s. 408.043, F.S.; providing a certificate-of-need preference for rural network projects; amending s. 408.061, F.S.; requiring establishment of a health outcome measurement program; requiring submission of data from certain nursing homes; amending s. 408.062, F.S.; providing conforming terminology; amending s. 408.07, F.S.; revising a definition to conform to changes in terminology; amending s. 408.072, F.S.; requiring hospitals to file certain information in requests for revenue increases; amending s. 408.08, F.S.; revising procedures for inspections and audits of health care providers and health care facilities; amending s. 408.20, F.S.; revising health care cost containment trust fund assessments on nursing homes; creating s. 408.701, F.S.; providing legislative findings and intent with respect to creation of community health purchasing alliances; creating s. 408.702, F.S.; providing definitions; creating s. 408.703, F.S.; authorizing the establishment of community health purchasing alliances; creating s. 408.704, F.S.; providing for alliances to be operated subject to boards of directors; creating s. 408.705, F.S.; providing for designation of alliance regions; creating s. 408.706, F.S.; providing for creation of accountable health partnerships to contract with alliances; creating s. 408.707, F.S.; providing for expansion of alliances; providing an appropriation; creating s. 408.709, F.S.; prescribing legislative intent with respect to regulatory waivers for alliances; creating s. 408.71, F.S.; providing for certificate-of-need review for alliances; creating s. 408.80, F.S.; providing legislative findings and intent with respect to fraudulent and abusive practices in the health care industry; transferring, renumbering, and amending s. 409.701, F.S.; conforming to a change of terminology; amending s. 409.7015, F.S.; revising a cross-reference; amending s. 409.911, F.S.; providing an additional qualification on participation in the disproportionate share program; repealing s. 409.9114, F.S., relating to an extraordinary disproportionate share program; creating s. 409.9121, F.S.; providing for a mandatory Medicaid managed-care program; amending s. 409.914, F.S.; requiring the Department of Health Care Administration to seek federal assistance to establish a Medicaid buy-in program; amending s. 624.91, F.S.; adding members to the board of directors of the Florida Healthy Kids Corporation; transferring a duty related to the corporation from the Department of Insurance to the Department of Health Care Administration; creating s. 641.222, F.S.; providing for enrollment of Medicaid recipients in health maintenance organizations; amending s. 766.1115, F.S.; redefining the term "health care

provider" for purposes of the Access to Health Care Act; amending s. 33, ch. 92-33, Laws of Florida; providing for transfer of infrastructure and other elements when the Division of Medical Quality Assurance is transferred to the Department of Health Care Administration; providing for transfer of funds with respect to professions regulated by the Department of Professional Regulation; transferring moneys to the Department of Health Care Administration; providing effective dates.

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

By Senators Silver and Dyer—

SB 2008—A bill to be entitled An act relating to time-share plans; amending s. 721.02, F.S.; revising legislative intent with respect to regulation of such plans; amending s. 721.03, F.S.; limiting the scope of regulation of such plans; exempting certain plans that are offered exclusively outside the jurisdictional limits of the United States from certain regulations; providing a procedure for claiming that exemption; requiring registration of such plans and providing for registration fees; providing other exclusions; amending s. 721.05, F.S.; revising, and adding, definitions of applicable terms; amending s. 721.056, F.S.; providing that the developer has a duty to supervise, manage, and control the activities of the seller of time-share periods; requiring such a seller to comply with ch. 721, F.S., with respect to its activities; amending s. 721.06, F.S.; revising provisions related to contracts for the purchase of time-share periods; prescribing a time period within which an agreement for deed must be recorded by the developer; requiring the escrow agent to provide the developer with a receipt for all funds paid to the developer; amending s. 721.07, F.S.; revising provisions related to fees for filing public offering statements; requiring a reserve for any contractual or other known increases in common expenses payable to an owner of the underlying fee or to a contract vendor under a multiyear contract; creating s. 721.073, F.S.; limiting the number of time-share estates or time-share licenses that may be offered with respect to a given time-share unit; creating s. 721.075, F.S.; regulating the offering of incidental benefits, such as accommodations, facilities, products, services, and discounts, offered to a prospective purchaser of a time-share plan or to a purchaser of a time-share plan before the expiration of the voidability period; amending s. 721.08, F.S.; revising provisions related to escrow accounts and to nondisturbance and notice-to-creditors instruments; specifying the eligibility of a trust to which an interest in a time-share plan is transferred or subordinated; prescribing the trustee's duties; amending s. 721.11, F.S.; revising provisions pertaining to prohibited advertising; amending s. 721.111, F.S.; revising a provision related to the use of game promotions and prizes in connection with the offering or sale of time-share periods; amending s. 721.13, F.S.; revising management duties, particularly with respect to the budget and the books and records of the time-share plan; providing that a failure of the managing entity to comply with the management duties specified is a violation; amending s. 721.15, F.S.; revising provisions related to the allocation and assessment of common expenses; revising provisions for the payment of interest on delinquent assessments; authorizing administrative late fees for delinquent assessments; providing for the costs of collecting delinquent assessments to be paid by the purchaser and to be secured by a lien upon the time-share period; amending s. 721.18, F.S.; providing that it is a violation for an exchange company to offer any purchaser services regarding the listing, sale, or resale of time-share periods through its exchange program; amending s. 721.20, F.S.; revising the time-share occupational license fee for solicitors; revising the duration of such licenses, the qualifications for such licenses, and other licensure requirements; amending s. 721.27, F.S.; revising the annual filing fee and providing for its collection; creating ss. 721.50-721.57, F.S.; regulating multisite vacation and time-share plans, also known as vacation clubs; providing for applicability of these regulations; providing for subordination instruments and alternate security arrangements; providing for the term of such plans; prescribing additional public offering statement disclosures, particularly with respect to the addition, substitution, and deletion of plan accommodations and facilities; regulating the management of such plans and their reservation systems; requiring demand balancing; providing for filing fees and annual fees; providing an effective date.

—was referred to the Committees on International Trade, Economic Development and Tourism; and Judiciary.

By Senator Childers—

SB 2010—A bill to be entitled An act relating to operating a vehicle or vessel while under the influence; amending s. 316.193, F.S.; providing an enhanced penalty for a fourth or subsequent conviction of a violation of any part of s. 316.193, F.S., relating to operating a vehicle while under the influence; amending s. 316.1932, F.S.; providing that there is implied consent to submit to a blood test to detect chemical substances or controlled substances; providing for measurement of alcohol concentration, rather than weight; providing that an “other medical facility” at which a blood test may be conducted includes an ambulance or similar vehicle; amending s. 316.1934, F.S.; providing for presumptions relating to impairment to be based on alcohol concentration in the suspect’s blood; providing for admissibility of results of tests made other than with the person’s consent; removing redundant language with respect to impairment of faculties; amending s. 322.62, F.S.; providing for measurements of alcohol concentration of commercial motor vehicle operators; amending s. 322.64, F.S.; changing the term “alcohol level” to “alcohol concentration”; amending s. 327.35, F.S.; changing the term “alcohol level” to “alcohol concentration”; amending s. 327.352, F.S.; providing that there is implied consent by a vessel operator to a blood test to determine the presence of controlled substances or chemical substances; providing a penalty for failing to submit to a blood test; amending s. 327.3521, F.S.; providing a penalty for failing to submit to a blood test when suspected of operating a vessel while under the influence; amending s. 327.354, F.S.; substituting the term “alcohol concentration” for a reference to weight of alcohol; removing redundant language with respect to impairment of faculties; providing an effective date.

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

By Senator Kurth—

SB 2012—A bill to be entitled An act relating to the tourist development tax; amending s. 125.0104, F.S.; prescribing the population that a county must have to use the tax revenues for certain purposes; providing an effective date.

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

By Senator Kiser—

SB 2014—A bill to be entitled An act relating to taxation; requiring legislative review of the sales and use tax on goods and services; providing that the President of the Senate and the Speaker of the House of Representatives shall designate staff members to review these exemptions; requiring interim reports on recommendations; creating, in the Executive Office of the Governor, the Task Force for Review of the Sales and Use Tax on Food and Medicine; providing for appointing members of the task force; providing for filling vacancies and for electing a chairman; providing for reimbursement for travel and per diem; providing duties; requiring a final report; requiring the task force to consider specified matters; providing an effective date.

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

By Senator Kurth—

SB 2016—A bill to be entitled An act relating to taxation; amending s. 205.033, F.S.; authorizing local governments that meet specified criteria with respect to their comprehensive plans to levy an additional occupational license tax; providing an effective date.

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

By Senator Dyer—

SB 2018—A bill to be entitled An act relating to the code of ethics for public officers and employees; amending s. 112.312, F.S.; revising the definition of the term “gift”; amending s. 112.3148, F.S.; prohibiting reporting individuals and procurement employees from accepting gifts of any value from political committees, committees of continuous existence, and certain lobbyists and other persons; prohibiting such committees, lobbyists, and other persons from giving gifts of any value to reporting individuals or procurement employees; maintaining exemptions for gifts from relatives, gifts given by certain entities for which a public purpose can be shown, and gifts given for transfer to a governmental entity or charitable organization; amending s. 112.3215, F.S., relating to executive branch lobbyists, to conform; providing an effective date.

—was referred to the Committees on Executive Business, Ethics and Elections; and Rules and Calendar.

By Senator Dyer—

SB 2020—A bill to be entitled An act relating to the Florida Statutes; directing the Division of Statutory Revision to develop guidelines and prepare a reviser’s bill to remove gender-specific references from the Florida Statutes; providing an effective date.

—was referred to the Committee on Rules and Calendar.

By Senator Dyer—

SB 2022—A bill to be entitled An act relating to local governments; amending s. 163.3184, F.S., relating to the process for adopting a comprehensive plan or plan amendment; providing that certain penalties must be calculated from and imposed as of the date of the final order that imposes the penalty; amending s. 171.0413, F.S.; revising provisions relating to annexation; amending procedures relating to a referendum on annexation; amending s. 171.062, F.S.; amending provisions specifying the continuing applicability of county regulations to an area annexed by a municipality; providing an effective date.

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

By Senators Dyer and Grogan—

SB 2024—A bill to be entitled An act relating to the Florida Education Finance Program; amending s. 236.081, F.S.; providing for a classrooms-first entitlement to be added annually to the basic amount for current operation of school districts; providing guidelines for using the entitlement; providing restrictions; providing an effective date.

—was referred to the Committees on Education and Appropriations.

SR 2026 was introduced out of order and adopted February 23.

By Senators Crenshaw, Casas, Diaz-Balart, Bankhead and Gutman—

SR 2028—A resolution commending the “Brothers to the Rescue” for heroic and humanitarian rescue efforts.

—was referred to the Committee on Rules and Calendar.

By Senator Diaz-Balart—

SB 2030—A bill to be entitled An act relating to regulation of professions; providing for certain foreign-trained pharmacists to apply for the licensure examination given by the Department of Professional Regulation; providing an effective date.

—was referred to the Committee on Professional Regulation.

By Senator McKay—

SB 2032—A bill to be entitled An act relating to education; creating the Educational Funding Accountability Act; providing definitions; requiring each school board to classify employees of the school board and the school district according to the employees' duties; providing for classification of school board expenditures; requiring the funds appropriated to the Florida Education Finance Program to be allocated for administrative expenditures and direct-instructional-support expenditures; providing for funds from the Florida Education Finance Program to be allocated to school districts based on the district's ratio of expenditures for administrative expenses and expenditures for direct instructional support; prohibiting a school board from spending more than its allocation for administrative expenses; requiring school boards to report expenditures to the Department of Education; exempting funds received from sources other than the Florida Education Finance Program from the act; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Diaz-Balart—

SB 2034—A bill to be entitled An act relating to mercury-containing devices and lamps; providing for the environmentally sound management of those devices and lamps; providing definitions; prohibiting the incineration or disposal of mercury-containing devices; prohibiting the incineration of spent lamps; providing a waste management requirement for spent lamps, providing for depositing mercury-recycling program funds into the Solid Waste Management Trust Fund; providing for uses of those funds; providing for rulemaking by the Department of Environmental Regulation; providing for obtaining a reclamation facility permit; providing for permit fees; providing standards for these facilities; requiring public service information and warning signs to be provided; providing for a demonstration project; providing an appropriation for the demonstration project; providing an effective date.

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

SR 2036 was introduced out of order and adopted February 23.

By Senator Meadows—

SB 2038—A bill to be entitled An act relating to criminal justice standards and training; amending s. 943.12, F.S.; providing duties of the commission relating to officer certification examinations; amending s. 943.13, F.S.; revising officers' minimum qualifications relating to basic training and the certification examination, and reenacting s. 943.173(2), F.S., relating to examinations, to incorporate said amendment in a reference thereto; amending s. 943.131, F.S.; revising provisions relating to temporary employment or appointment, and reenacting ss. 258.024(1)(a)2. and 626.989(7), F.S., relating to park officers and insurance fraud investigators, to incorporate said amendment in a reference thereto; amending s. 943.133, F.S.; revising duties of the employing agency and authorizing electronic transmission of documents; amending s. 943.135, F.S.; providing duties of the employing agency; amending s. 943.139, F.S.; providing duties of the employing agency; amending s. 943.1395, F.S.; providing additional standards for reemployment or reappointment; creating s. 943.1397, F.S.; providing for officer certification examinations and examination fees; amending s. 943.14, F.S.; requiring criminal justice training courses to meet certain requirements; amending s. 943.16, F.S.; authorizing employing agencies to pay certain examination fees; amending s. 943.17, F.S.; requiring job-related officer certification examinations for each discipline; amending s. 943.25, F.S.; providing that officer certification examination fee revenues remain in the Criminal Justice Training Trust Fund; providing an effective date.

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

By Senator Harden—

SB 2040—A bill to be entitled An act relating to state universities; amending s. 240.235, F.S.; prohibiting universities from assessing student fees not authorized by law; providing requirements for organizations that solicit financial support on university campuses; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Senator Bankhead—

SB 2042—A bill to be entitled An act relating to victims of crimes; amending s. 960.13, F.S.; providing for an award for mental health care for a minor whose normal emotional development was adversely affected by being the victim of a crime; amending s. 960.28, F.S.; revising guidelines for payment for physical examination of a person who is the victim of a sexual offense under ch. 794, F.S.; providing an effective date.

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

By Senator Kurth—

SB 2044—A bill to be entitled An act relating to transfers of improved real property; creating ss. 689.55-689.65, F.S.; providing a short title; providing applicability; requiring delivery of a written disclosure statement by the owner to a prospective transferee concerning the condition of the improvements; providing exemptions; providing for liability for errors, inaccuracies, or omissions in information provided by owners, licensed real estate brokers or salespersons, public agencies, and experts; prescribing the form for disclosure; providing for a prospective transferee's duty to exercise reasonable care; providing that disclosure required under ss. 689.55-689.65, F.S., is not a limitation on any obligation for disclosure otherwise required; providing that a transfer that is subject to ss. 689.55-689.65, F.S., is not invalid for failure to comply with those sections; providing for damages; providing an effective date.

—was referred to the Committees on Judiciary and Commerce.

By Senator Burt—

SB 2046—A bill to be entitled An act relating to corrections; amending s. 948.51, F.S.; providing for certain felony offenders to be considered county prisoners and committed to a county correctional facility; requiring a contract between the chief county correctional officer and the Department of Corrections before any such offender is committed to the custody of the county; amending s. 775.08, F.S., relating to classes and definitions of offenses; exempting certain felony offenders from commitment to a state correctional facility; amending ss. 944.02, 951.23, F.S., relating to the state correctional system and county and municipal detention facilities; conforming definitions to changes made by the act; providing an effective date.

—was referred to the Committees on Corrections, Probation and Parole; and Appropriations.

By Senators Grogan and Johnson—

SB 2048—A bill to be entitled An act relating to government efficiency; creating a commission to study new technologies and those expected to become available in the near future and determine the technologies that, if implemented, would enhance governmental efficiency; providing for a report; providing an effective date.

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

By Senator Harden—

SB 2050—A bill to be entitled An act relating to revenue sharing; amending s. 186.901, F.S.; requiring the Executive Office of the Governor to revise the population estimates used to determine revenue-sharing formulas if the census count is revised by the United States Bureau of the Census; amending ss. 200.132, 218.62, F.S.; requiring the Department of Revenue to revise the apportionment factors used to distribute moneys in the Municipal Financial Assistance Trust Fund and the Local Government Half-cent Sales Tax Clearing Trust Fund in the event of error or if the Executive Office of the Governor issues a revised population count; providing an effective date.

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

By Senator Dantzler—

SR 2052—A resolution recognizing the efforts and devotion of caregivers to the chronically and terminally ill.

—was referred to the Committee on Rules and Calendar.

By Senator Myers—

SR 2054—A resolution recognizing Pneumonia Prevention Week and encouraging pneumonia immunizations.

—was referred to the Committee on Rules and Calendar.

By Senator Grogan—

SB 2056—A bill to be entitled An act creating the Florida Infrastructure Insurance Trust Company; requiring the formation and operation of the company to guarantee certain debt to construct or rehabilitate transportation or environmental infrastructure in the state; providing for state pension funds to purchase shares in the company; providing for financing; providing operational guidelines; providing an effective date.

—was referred to the Committees on Governmental Operations, Commerce and Appropriations.

By Senator Myers—

SB 2058—A bill to be entitled An act relating to police pursuit; requiring the owner of a vehicle involved in fleeing from a law enforcement officer to identify the vehicle operator; providing penalties; providing for the seizure and impoundment of such vehicles; providing an effective date.

—was referred to the Committee on Criminal Justice.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Corrections, Probation and Parole; and Senator Siegel—

CS for SB 168—A bill to be entitled An act relating to substance abuse punishment; amending s. 893.13, F.S.; authorizing probation alternatives for persons convicted of second and third degree felonies for certain drug crimes; amending s. 921.187, F.S.; authorizing sentencing alternatives for persons convicted of second and third degree felonies for certain drug crimes; amending s. 948.001, F.S.; providing a definition; creating s. 948.034, F.S.; providing for placement on probation with set conditions; authorizing residential supervision in a community residential drug punishment center in certain circumstances; providing penalties for violation of probation; providing for reports; providing for the Department of Corrections to adopt rules; amending s. 948.04, F.S.; exempting drug probationers from time limit; providing for fines; providing an alternative for persons unable to pay fines; providing an effective date.

By the Committee on Professional Regulation and Senator Sullivan—

CS for SB 232—A bill to be entitled An act relating to health care practitioners; creating s. 455.2456, F.S.; requiring certain boards under the Department of Professional Regulation which regulate health care practitioners to require by rule for medical malpractice insurance or limits of financial responsibility with respect to practitioners regulated by the board; providing exemptions; providing an effective date.

By the Committee on Commerce and Senator Grant—

CS for SB 390—A bill to be entitled An act relating to unemployment compensation; amending s. 443.036, F.S.; modifying the definition of employment to postpone coverage of certain alien agricultural workers, known colloquially as "H2A" workers; revising the definition of the term "employment," as used in the unemployment compensation law, to provide that service performed under specified conditions is excluded from the meaning of that term; amending s. 443.101, F.S.; providing that certain temporary employees must report for reassignment upon conclusion of the temporary assignment or be disqualified for benefits; providing definitions; providing certain obligations of the temporary help firm employer; providing an effective date.

By the Committee on Commerce and Senator Dudley—

CS for SB 402—A bill to be entitled An act relating to business associations; amending s. 15.16, F.S.; authorizing the Department of State to receive certain records electronically; amending ss. 473.309, 473.3101, 473.321, F.S.; applying provisions related to practicing public accountancy to limited liability companies; providing requirements; prohibiting limited liability companies from practicing public accountancy under certain circumstances; amending s. 607.0120, F.S.; revising filing requirements; amending s. 607.0123, F.S.; revising language with respect to the effective time and date of certain documents; amending s. 607.0124, F.S.; revising language with respect to correcting a filed document; amending s. 607.0202, F.S.; deleting certain required information in the articles of incorporation; amending s. 607.0301, F.S.; revising language with respect to the purposes and application of the Florida Business Corporation Act; amending s. 607.0401, F.S.; revising language with respect to the corporate name; amending s. 607.0501, F.S.; eliminating a required report filed by a registered agent; amending s. 607.0502, F.S.; revising language with respect to the resignation of a registered agent; amending s. 607.0601, F.S.; revising language with respect to authorized shares; providing requirements with respect to classes of shares; amending s. 607.0603, F.S.; revising language with respect to outstanding shares; amending s. 607.0620, F.S.; revising language with respect to subscribers who default; amending s. 607.0703, F.S.; revising language with respect to court ordered meetings; amending s. 607.0704, F.S.; revising language with respect to actions by shareholders without a meeting; amending s. 607.0720, F.S.; revising language with respect to shareholders' list for meeting; amending s. 607.0725, F.S.; providing additional requirements with respect to quorum and voting requirements; repealing s. 607.0727, F.S., relating to shareholder quorum and voting and greater or lesser voting requirements; amending s. 607.0730, F.S.; revising language with respect to voting trusts; amending s. 607.0731, F.S., and repealing subsection (3); deleting a provision making certain shareholder agreements invalid; creating s. 607.0732, F.S.; specifying the contents and procedures for shareholder agreements; amending s. 607.0801, F.S.; deleting a provision relating to dispensing with a board of directors for certain corporations; amending s. 607.0804, F.S.; revising language with respect to the election of directors by certain voting groups; amending s. 607.0806, F.S.; revising language with respect to staggered terms for directors; amending s. 607.0831, F.S.; deleting a provision with respect to certain quorums; deleting a provision relating to the liability of directors which provided for application to nonprofit corporations; amending s. 607.0832, F.S.; revising language with respect to director conflicts of interest; amending s. 607.0901, F.S.; revising language with respect to affiliated transactions; amending s. 607.0902, F.S.; revising language with respect to control-share transactions; amending s. 607.1002, F.S.; deleting a provision relating to changing shares of outstanding classes under certain circumstances; providing that the board of directors may adopt an amendment to the articles of incorporation, without shareholder action, to change the par value for a class or series of shares; creating s. 605.10025, F.S.; providing for share divisions and combinations; providing criteria and proce-

dures; amending s. 607.1006, F.S.; revising language with respect to articles of amendment; amending s. 607.1007, F.S.; revising language with respect to restated articles of incorporation; amending s. 607.1103, F.S.; deleting language which provides that action by the shareholders of a surviving corporation is not required with respect to action on a plan under certain circumstances; amending s. 607.1104, F.S.; revising language with respect to the merger of a subsidiary corporation; amending s. 607.1105, F.S.; revising language with respect to mergers; amending s. 607.1320, F.S.; revising language with respect to the procedure for exercise of dissenters' rights; amending s. 607.1405, F.S.; permitting immediate assumption or use of corporate name under certain circumstances; amending s. 607.1406, F.S.; revising language with respect to claims against a dissolved corporation; amending s. 607.1433, F.S.; revising language with respect to judgment of dissolution; amending s. 607.1506, F.S.; revising language with respect to the use of a fictitious or alternate name; amending s. 607.1507, F.S.; requiring a filed written statement by certain registered agents; amending s. 607.1508, F.S.; revising language with respect to a registered agent's change of address; amending s. 607.1509, F.S.; revising language with respect to the termination of an agency appointment; amending s. 607.193, F.S.; deleting an exemption from the supplemental corporate fee for certain nonprofit corporations; revising chapter 608, F.S., relating to limited liability companies; amending s. 608.401, F.S.; providing a short title; amending s. 608.402, F.S.; providing definitions; amending s. 608.404, F.S.; specifying the powers of limited liability companies; amending s. 608.405, F.S.; providing for formation of limited liability companies; amending s. 608.406, F.S.; providing requirements for names of limited liability companies; creating s. 608.4061, F.S.; providing for reservation of the name of a foreign limited liability company; creating s. 608.4062, F.S.; providing for registration of the name of a foreign limited liability company; amending s. 608.407, F.S.; specifying content of articles of organization; amending s. 608.408, F.S.; providing for execution of certificates or statements; creating s. 608.4081, F.S.; providing filing requirements; creating s. 608.4082, F.S.; providing duties of the Department of State; amending s. 608.409, F.S.; specifying effect of issuance of certificate of organization; creating s. 608.4101, F.S.; requiring maintenance of certain records; amending s. 608.411, F.S.; providing for amendment to articles of organization; creating s. 608.412, F.S.; requiring filing of supplemental affidavit of capital contributions in specified circumstances; amending s. 608.415, F.S.; requiring limited liability companies to maintain registered office and registered agent; amending s. 608.416, F.S.; providing for change of registered office and change or resignation of registered agent; amending s. 608.4211, F.S.; specifying allowable contributions to capital and liability therefor; amending s. 608.422, F.S.; providing for management; creating s. 608.4225, F.S.; providing general standards for managers or managing members; amending s. 608.423, F.S.; providing for adoption of regulations; creating s. 608.4231, F.S.; providing for voting by members and managers; creating s. 608.4232, F.S.; providing for additional members; amending s. 608.424, F.S.; limiting ability to contract debt; amending s. 608.425, F.S.; providing for ownership of company property; amending s. 608.426, F.S.; providing circumstances for distribution of property; creating s. 608.4261, F.S.; providing for sharing of profits and losses; amending s. 608.427, F.S.; providing for withdrawal or reduction of members' contributions to capital; creating s. 608.428, F.S.; specifying liability upon return of contribution; amending s. 608.432, F.S.; providing for transfer of members' interests; creating s. 608.433, F.S.; providing circumstances under which an assignee may become a member; creating s. 608.434, F.S.; specifying powers of the estate of a deceased or incompetent member; amending s. 608.436, F.S.; specifying liability of members and managers to creditors; creating s. 608.4362, F.S.; specifying liability of managers and managing members; creating s. 608.4363, F.S.; providing for indemnification; amending s. 608.441, F.S.; providing for dissolution; creating s. 608.4411, F.S.; providing for revocation of dissolution; creating s. 608.4421, F.S.; providing for disposition of claims against dissolved company; creating s. 608.4431, F.S.; specifying effect of dissolution; amending s. 608.444, F.S.; providing for distribution of assets upon dissolution; amending s. 608.445, F.S.; specifying content of articles of dissolution; amending s. 608.446, F.S.; providing for filing of articles of dissolution; amending s. 608.448, F.S.; specifying grounds for administrative dissolution; creating s. 608.4481, F.S.; providing procedures for and effects of administrative dissolution; creating s. 608.4482, F.S.; providing for reinstatement; creating s. 608.4483, F.S.; providing for appeal from denial of reinstatement; amending s. 608.449, F.S.; providing grounds for judicial dissolution; creating s. 608.4491, F.S.; providing procedure for judicial dissolution; creating s. 608.4492, F.S.; providing for receivership or custodianship; creating s. 608.4493, F.S.; providing for decree of dissolution; creating s. 608.4494, F.S.; requiring deposit of assets of dissolved company with the Depart-

ment of Banking and Finance; creating s. 608.4511, F.S.; requiring filing of annual reports with the Department of State; amending s. 608.452, F.S.; specifying fees of the Department of State; amending s. 608.455, F.S.; providing for waiver of certain required notices; amending s. 608.471, F.S.; providing for determination of tax under chapter 220, F.S.; creating s. 608.501, F.S.; requiring a foreign limited liability company to obtain a certificate of authority prior to transacting business; creating s. 608.502, F.S.; specifying consequences of transacting business without authority; creating s. 608.503, F.S.; providing for application for certificate of authority; creating s. 608.504, F.S.; providing for amendment of certificate of authority; creating s. 608.505, F.S.; specifying effect of certificate of authority; creating s. 608.506, F.S.; providing requirements for name of foreign limited liability company; creating s. 608.507, F.S.; requiring registered office and registered agent; creating s. 608.508, F.S.; providing for change of registered office and registered agent; creating s. 608.509, F.S.; providing for resignation of registered agent; creating s. 608.5101, F.S.; providing for service of process; creating s. 608.511, F.S.; providing for withdrawal of foreign limited liability company; creating s. 608.512, F.S.; specifying grounds for revocation of authority to transact business; creating s. 608.513, F.S.; specifying procedure for and effect of revocation of authority; creating s. 608.5135, F.S.; providing for revocation and reinstatement of certificates of authority; creating s. 608.514, F.S.; providing for appeal from revocation; amending s. 617.01201, F.S.; providing that certain documents filed by corporations not for profit must be legible; amending s. 617.0122, F.S.; providing fees for filing documents; providing a fee exemption for certain nonprofit organizations; creating s. 617.01225, F.S.; imposing a supplemental corporate fee on not-for-profit corporations; providing an exemption; providing for payment of the fee; providing for a late charge; authorizing the Department of State to adopt rules; providing for deposit of the fee and late charge into the General Revenue Fund; amending s. 617.0123, F.S.; revising language with respect to the effective date of a document; amending s. 617.0124, F.S.; revising language with respect to correcting filed documents; amending s. 617.01301, F.S.; specifying documents which the Department of State is not required to file; authorizing the Department of State to bring certain court actions and certify to the Department of Legal Affairs for further action; amending s. 617.0202, F.S.; providing additional required information to be set forth in the articles of incorporation; amending s. 617.0401, F.S.; revising language with respect to the corporate name; amending s. 617.0501, F.S.; revising language with respect to a registered agent; amending s. 617.0502, F.S.; revising language with respect to the resignation of a registered agent; creating s. 617.0503, F.S.; providing for duties of registered agents; creating 617.0604, F.S.; providing for liability of corporation members; amending s. 617.0808, F.S.; revising language with respect to removal of directors; amending s. 617.0833, F.S., relating to loans to directors or officers; amending s. 617.1001, F.S.; providing for amendments to the articles of incorporation; amending s. 617.1002, F.S.; revising language with respect to the procedure for amendments to the articles of incorporation; amending s. 617.1007, F.S.; revising language with respect to restated articles of incorporation; amending s. 617.1401, F.S.; providing that articles of dissolution must be executed in a certain manner; amending s. 617.1433, F.S.; providing for judgment of dissolution; amending s. 617.1502, F.S.; authorizing the Department of State rather than the Department of Legal Affairs to collect penalties from foreign corporations; amending s. 617.1504, F.S.; providing an additional set of circumstances requiring an amended certificate of authority; amending s. 617.1506, F.S.; revising language with respect to the corporate name of a foreign corporation; amending s. 617.1507, F.S.; revising language with respect to the registered office and registered agent of a foreign corporation; amending s. 617.1508, F.S.; revising language with respect to change of address of a registered agent; amending s. 617.1509, F.S.; providing for the termination of agency appointments for foreign corporations; amending s. 617.1601, F.S.; revising language with respect to corporate records; creating s. 617.1602, F.S.; providing for inspection of records by members; creating s. 617.1603, F.S.; providing for the scope of the inspection right; creating s. 617.1604, F.S.; providing for court ordered inspection; creating s. 617.1605, F.S.; providing for financial reports for members; amending s. 617.1622, F.S.; providing for additional information in an annual report; amending s. 617.1623, F.S.; revising language with respect to corporate information available to the public; amending s. 617.1908, F.S.; providing for the applicability of the Florida Business Corporation Act; creating s. 617.2102, F.S.; providing for fines and penalties against members; creating s. 617.2103, F.S.; providing exemptions for certain corporations; amending s. 620.103, F.S.; revising language with respect to the name of a limited partnership; amending ss. 620.108, 620.109, 620.123, 620.177, F.S.; providing requirements for general partners under certain circumstances; amending ss.

621.01, 621.02, 621.03, 621.04, 621.05, 621.06, 621.07, 621.08, 621.09, 621.10, 621.11, 621.12, 621.13, and 621.14, F.S.; broadening the scope of the Professional Service Corporation Act to include professional limited liability companies; providing intent; providing a short title; providing definitions; providing exemptions; providing for organization of corporations or limited liability companies to provide professional services; limiting rendition of professional services; specifying liability of officers, agents, employees, shareholders, and members; limiting business transactions and issuance and transfer of ownership interests; providing for administrative dissolution; restricting alienation of shares and ownership interests; requiring use of certain terms in the corporation's or company's name; specifying applicability of chapters 607 and 608, F.S.; providing a rule of construction; creating s. 621.051, F.S.; providing for organization of limited liability companies; repealing ss. 608.435, 608.442, 608.443, 608.451, 608.453, 621.15, F.S., relating to liabilities of members, filing of statement of intent to dissolve, effect of statement of intent to dissolve, filings by the Department of State, miscellaneous charges, and applicability of ch. 67-590, Laws of Florida; providing an effective date.

By the Committee on Corrections, Probation and Parole; and Senator Wexler—

CS for SB 488—A bill to be entitled An act relating to restitution; amending s. 775.089, F.S.; expanding criteria for ordering restitution; providing for binding nature of restitution orders entered as part of plea agreements; providing for continuation of unsatisfied restitution obligations; providing for interest on outstanding unpaid amounts of restitution orders, and for liens on real estate owned by the defendant; precluding discharge of the obligation in bankruptcy or other relief proceeding; reenacting ss. 39.022(4)(c), 538.07(2), 538.23(4), 810.115, 921.187(2), 944.17(5)(f), 947.147, 947.181(2), 948.03(1)(e), 948.032, and 960.001(1)(h), F.S., relating to juvenile delinquency jurisdiction, secondhand dealers, secondary metals recyclers, breaking or injuring fences, disposition and sentencing, correctional commitments and classification, victim restitution as condition of control release or parole, terms and conditions of probation and community control, and guidelines for fair treatment of victims, to incorporate said amendment in references thereto; requiring clerks of circuit courts to survey unclaimed restitution accounts and requiring the Governor's Office of Victims' Rights to make recommendations as to disbursement; providing for payment of unclaimed funds to direct support organizations; amending s. 924.07, F.S.; authorizing the state to appeal orders denying restitution; providing effective dates.

By the Committee on Professional Regulation and Senator Dudley—

CS for SB 520—A bill to be entitled An act relating to lodging and food service establishments and member campgrounds; exempting persons or establishments licensed under ch. 509, F.S., from the licensure requirements of ch. 475, F.S., relating to real estate brokers, salesmen, schools, and appraisers; amending s. 509.242(1), F.S.; modifying the definition of the terms "resort condominium" and "resort dwelling"; providing an effective date.

By the Committee on Commerce and Senator Holzendorf—

CS for SB 548—A bill to be entitled An act relating to secondhand dealers; amending s. 538.03, F.S.; revising certain definitions; revising certain exemptions; adding motor vehicles to the list of secondhand goods; exempting motor vehicle dealers; amending s. 538.06, F.S.; requiring secondhand dealers to maintain actual physical possession of certain goods; prohibiting a secondhand dealer from accepting certain security in lieu of possession; providing a penalty; allowing a court to hold suspected stolen property; reenacting s. 538.05, F.S., relating to inspection of records and premises of secondhand dealers; amending s. 538.08, F.S.; clarifying provisions; authorizing the state to file a motion in criminal cases involving the same property as in civil petitions for return; providing procedures; amending s. 538.16, F.S.; clarifying the disposal of pawned property; providing an effective date.

By the Committee on Transportation and Senator Myers—

CS for SB 572—A bill to be entitled An act relating to traffic control; amending s. 316.1935, F.S.; increasing the penalty for fleeing or attempting to elude a police officer under certain circumstances; requiring the adoption of guidelines for vehicle pursuits; providing an effective date.

By the Committee on Commerce and Senator Casas—

CS for SB's 582 and 584—A bill to be entitled An act relating to the authority of the Public Service Commission; creating s. 364.015, F.S.; providing for injunctive relief against telecommunications companies; creating s. 364.016, F.S.; authorizing reimbursement by telecommunications companies of certain commission travel costs relating to audits; amending s. 366.05, F.S.; providing for injunctive relief against public utilities and authorizing reimbursement by electric and gas utilities of certain commission travel costs relating to audits; amending s. 364.055, F.S.; changing procedures for establishing interim telecommunications rates; amending s. 366.06, F.S.; authorizing the commission to permit gas and electric utilities to elect the proposed agency action procedure; amending s. 366.071, F.S.; changing procedures for establishing interim gas and electric rates; creating s. 366.8255, F.S.; providing for environmental cost recovery; amending s. 367.011, F.S.; authorizing the commission to use its economic expertise in reviewing jurisdictional and, upon request, nonjurisdictional water and wastewater utilities; amending s. 367.031, F.S.; requiring a water or wastewater utility to obtain a certificate or an exemption order from the commission prior to obtaining a permit; amending s. 367.082, F.S.; changing procedures for establishing interim water and wastewater rates; amending s. 367.111, F.S.; extending the commission's authority to enforce water and wastewater standards; amending s. 367.121, F.S.; authorizing the commission to provide economic expertise to other regulatory agencies; providing for injunctive relief against water and wastewater utilities; authorizing the commission to receive reimbursement of travel costs from water and wastewater utilities; repealing s. 367.145(3), F.S., relating to restrictions on the use of regulatory assessment and application fees; amending s. 368.021, F.S.; exempting from commission regulation entities supplying compressed natural gas for transportation purposes; amending s. 368.061, F.S.; increasing the level of civil fines for gas safety violations; creating s. 368.1085, F.S.; authorizing reimbursement by natural gas transmission companies of certain commission travel costs relating to audits; creating s. 368.1115, F.S.; providing for injunctive relief against natural gas transmission companies; providing for the use of a projected test-year rate base to determine interim rates or revenues subject to refund; providing an effective date.

By the Committee on Professional Regulation and Senator Meadows—

CS for SB 588—A bill to be entitled An act relating to telemarketing; amending s. 501.604, F.S.; clarifying exemption for persons who do not complete a sale during a telephone solicitation; modifying exemption for persons selling periodicals or magazines; adding an exemption for licensed real estate brokers and salespeople; correcting a reference; amending s. 501.608, F.S.; requiring notarized affidavit of exemption; requiring display of affidavit of exemption; revising enforcement of license display requirement; requiring exhibition of certain documents before receiving or renewing occupational license; creating s. 205.1969, F.S.; providing requirements for certain occupational licenses; providing an appropriation; providing an effective date.

By the Committee on Professional Regulation and Senator Myers—

CS for SB 598—A bill to be entitled An act relating to medicinal drugs; creating s. 465.0255, F.S.; requiring the display of expiration dates on all medicinal drugs manufactured, repackaged, or distributed and all medicinal drugs dispensed; requiring certain use and storage instructions on all medicinal drugs dispensed; providing for future review and repeal; providing an effective date.

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

CS for SB 602—A bill to be entitled An act relating to elections; amending s. 99.012, F.S.; providing for removing from the ballot the name of a candidate who is decertified by the Department of State; amending s. 99.021, F.S.; providing for decertification of candidates; requiring the Division of Elections to adopt rules for decertification proceedings, including rules for notice and hearing; providing an effective date.

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

CS for SB 640—A bill to be entitled An act relating to elections; amending s. 99.021, F.S.; requiring candidates for statewide or legislative office to sign a fair campaign practices pledge; amending ss. 99.095, 99.0955, 99.096, and 112.312, F.S., to conform; amending s. 104.271, F.S.; clarifying existing law; amending s. 106.143, F.S.; providing additional requirements for political advertisements that endorse a candidate running for public office; providing penalties; amending s. 106.08, F.S.; limiting to \$25,000 the amount of contributions a candidate may accept from a political party within 28 days before an election; amending s. 106.29, F.S., relating to reports by political parties; requiring such reports to be filed on the same days as are reports filed by candidates; requiring such reports to itemize expenditures made on behalf of candidates for statewide or legislative office; requiring the Division of Elections to audit such reports in a timely manner and to file complaints arising therefrom with the Florida Elections Commission; increasing the fines for late reporting and for knowingly filing an incorrect, false, or incomplete report; providing a penalty for political parties contributing funds to a candidate in excess of the limit the candidate is allowed to accept; eliminating a provision providing for an assessment on contributions which has been declared unconstitutional; amending s. 106.141, F.S.; providing a cap on the amount of surplus funds that may be disposed of by giving the funds to the candidate's political party; providing penalties; amending ss. 106.04 and 106.07, F.S., and repealing s. 106.32(3), F.S.; eliminating provisions providing for an assessment on contributions which has been declared unconstitutional; repealing s. 100.091, F.S., relating to the second primary election; repealing s. 100.096, F.S., relating to special local elections to be held at the second primary election; amending s. 100.061, F.S.; providing for a single primary election, including the date for holding that election; providing that candidates receiving the highest number of votes in the primary election be declared nominated; providing a method for deciding tie votes; eliminating the second primary; amending ss. 10.1008, 97.021, 98.051, 98.081, 99.061, 99.095, 99.103, 100.071, 100.081, 100.111, 100.141, 101.141, 101.251, 101.252, 101.62, 102.012, 103.021, 103.022, 103.091, 105.031, 105.041, 105.051, 106.07, and 106.08, F.S.; conforming language; modifying provisions relating to ballots sent to absent qualified electors overseas; amending s. 102.031, F.S.; expanding the area at each polling place within which solicitation of voters is prohibited on election day; creating s. 99.013, F.S., relating to the residency requirement of law for candidates for public office and elected and appointed public officers; defining "residence," "residency requirement," and "resident"; requiring that certain candidates or public officers have only one declared residence; providing factors to be considered; requiring candidates for certain offices to meet the residency requirement at the time of qualifying for office and certain appointed public officers to meet the residency requirement at the time of appointment; providing for investigation of violations by the Florida Elections Commission; amending s. 106.18, F.S.; requiring omission from the ballot of the name of any candidate found in violation of the residency requirement; amending s. 106.25, F.S.; granting the Florida Elections Commission authority to investigate, consider, and determine such violations; providing procedure; amending s. 106.26, F.S.; providing procedure upon a determination that such a violation has occurred or has not occurred; providing an effective date.

By the Committee on Commerce and Senators Grogan, Sullivan, Harrett and Johnson—

CS for SB's 644, 632, 1346 and 1408—A bill to be entitled An act relating to supplemental corporate fees; amending s. 607.193, F.S.; exempting certain nonprofit corporations from such fee; providing an effective date.

By the Committee on Professional Regulation and Senator Grant—

CS for SB 686—A bill to be entitled An act relating to the Self-storage Facility Act; amending s. 83.803, F.S.; defining the term "self-contained storage unit"; revising other terms to conform; amending s. 83.805, F.S.; conforming provisions relating to liens to add new term "self-contained storage unit"; amending s. 83.8055, F.S.; providing owners of self-contained storage units a procedure to gain access to tenants personal property; amending s. 83.806, F.S.; revising provisions relating to the enforcement of liens to conform to new definition of term "self-contained storage unit"; providing an effective date.

By the Committee on Transportation and Senator Burt—

CS for SB 688—A bill to be entitled An act relating to outdoor advertising; amending s. 479.26, F.S.; providing additional criteria for the permitting of specific information panels; directing the Department of Transportation to adopt rules for administering the section; providing an effective date.

By the Committee on Commerce and Senator Forman—

CS for SB 758—A bill to be entitled An act relating to limited liability companies; amending ss. 621.01, 621.02, 621.03, 621.04, 621.05, 621.06, 621.07, 621.08, 621.09, 621.10, 621.11, 621.12, 621.13, and 621.14, F.S.; broadening the scope of the Professional Service Corporation Act to include professional limited liability companies; providing intent; providing a short title; providing definitions; providing exemptions; providing for organization of corporations or limited liability companies to provide professional services; limiting rendition of professional services; specifying liability of officers, agents, employees, shareholders, and members; limiting business transactions and issuance and transfer of ownership interests; providing for administrative dissolution; restricting alienation of shares and ownership interest; requiring use of certain terms in the corporation's or company's name; specifying applicability of chapters 607 and 608, F.S.; providing a rule of construction; creating s. 621.051, F.S.; providing for organization of limited liability companies; amending ss. 473.309 and 473.3101, F.S.; authorizing the practice of public accounting through a limited liability company meeting certain requirements; amending s. 473.321, F.S.; adding public accounting limited liability companies to the list of organizations prohibited from using certain fictitious names; providing an effective date.

By the Committee on Professional Regulation and Senator Kirkpatrick—

CS for SB 770—A bill to be entitled An act relating to physician assistants; amending ss. 458.347, 459.022, F.S.; providing an application procedure for physician assistants previously certified by the Board of Medicine or the Board of Osteopathic Medicine to be certified by the Board of Medicine or the Board of Osteopathic Medicine; providing an effective date.

By the Committee on Commerce—

CS for SB 920—A bill to be entitled An act relating to elevators; amending s. 399.01, F.S.; providing definitions; amending s. 399.02, F.S.; providing for the adoption of an elevator safety code; providing certain reports are confidential; amending s. 399.035, F.S.; providing elevator accessibility requirements for the handicapped; amending s. 399.045, F.S.; providing fees for certificates of competency; authorizing revocation of a certificate of competency for failure to comply with rules of Division of Hotels and Restaurants of the Department of Business Regulation; amending s. 399.05, F.S.; providing for a construction permit fee; amending s. 399.07, F.S.; providing for suspension of certificates of operation; providing for a delinquency fee for certain certificate renewals; amending s. 399.105, F.S.; providing time limit to comply with order; repealing s. 17, ch. 83-145, and s. 1(5), ch. 86-286, Laws of Florida; abrogating repeals of ch. 399, F.S., regulating elevators, which were scheduled under the Regulatory Sunset Act; providing an effective date.

By the Committee on Governmental Operations and Senator Grant—

CS for SB 968—A bill to be entitled An act relating to tax payments; amending s. 213.67, F.S.; authorizing the Department of Revenue to submit information relating to delinquent taxpayers to the Comptroller; authorizing the Comptroller to withhold payment to persons or businesses providing commodities or services to the state, leasing real property to the state, or constructing public buildings or public works for the state; providing an effective date.

By the Committee on Governmental Operations—

CS for SB 1064—A bill to be entitled An act relating to awarding state building construction contracts; providing for a task force; providing duties; providing for a report; providing for expiration; providing an effective date.

By the Committee on Community Affairs and Senator Jones—

CS for SB 1074—A bill to be entitled An act relating to historic preservation boards; amending s. 266.0037, F.S.; revising provisions relating to composition, membership qualifications, and terms of office of the architectural review board of the City of Key West to provide for establishment thereof by city ordinance; providing that the board shall make any recommendations regarding denial or grant of variances from zoning ordinances applicable to historical districts to the board of adjustment rather than the zoning board; amending s. 266.0057, F.S.; revising the membership of architectural review boards in Hillsborough County; revising powers of such boards relating to variances from ordinances; amending s. 266.00572, F.S.; revising the membership of the Barrio Latino Commission; providing an effective date.

By the Committee on Professional Regulation and Senator Hargrett—

CS for SB 1112—A bill to be entitled An act relating to regulation of professionals; amending s. 458.307, F.S.; revising requirements for members of the Board of Medicine; providing an effective date.

By the Committee on Transportation and Senator Silver—

CS for SB 1146—A bill to be entitled An act relating to motor vehicle fees; amending s. 320.072, F.S.; providing for the refund of an additional fee paid on certain motor vehicle registration transactions for certain licensed motor vehicle dealers; amending s. 320.15, F.S.; conforming to the act; amending s. 320.0607, F.S.; providing for suspension of motor vehicle registration; providing an effective date.

By the Committee on Transportation and Senator Turner—

CS for SB 1148—A bill to be entitled An act relating to transportation planning organizations; amending s. 339.175, F.S.; increasing the number of voting members on a metropolitan planning organization; providing for a school board member to be appointed by the Governor to each metropolitan planning organization; providing an exception; providing similar requirements for a charter county metropolitan planning organization; providing an effective date.

By the Committee on Commerce and Senator Weinstein—

CS for SB 1212—A bill to be entitled An act relating to the Uniform Commercial Code; amending s. 679.402, F.S.; requiring certain financial statements to be printed in certain type; providing for certain notice requirements; amending s. 679.501, F.S.; providing for discharge of certain security interests under certain circumstances; providing an effective date.

By the Committee on Agriculture and Senator Foley—

CS for SB 1260—A bill to be entitled An act relating to chemical standards; amending s. 501.916, F.S.; clarifying criteria for mislabeled antifreeze; repealing s. 501.918(6), F.S., relating to use of the term "ethylene glycol"; amending s. 501.921, F.S.; authorizing certain rules of the Department of Agriculture and Consumer Services to include certain standards or specifications; amending s. 525.037, F.S.; making it unlawful to sell or distribute certain petroleum fuel; creating s. 531.415, F.S.; establishing certain fees for the performance of certain services by the department; providing for payment and deposit of the fees; providing for notification to the Legislature regarding certain fees; providing an exception; repealing s. 20.13(2)(d), F.S., relating to the Division of Liquefied Petroleum Gas in the Department of Insurance; amending s. 527.01, F.S., 1992 Supplement; redefining the term "department," for purposes of sales of liquified petroleum gas, to mean the Department of Agriculture and Consumer Services; transferring the powers, duties, records, personnel, property, and certain funds of the Division of Liquefied Petroleum Gas to the Department of Agriculture and Consumer Services; providing an effective date.

By the Committee on Agriculture and Senator Dantzler—

CS for SB 1464—A bill to be entitled An act relating to pesticides; amending s. 487.021, F.S.; revising the definitions of the terms "commercial applicator," "labeling," and "licensed applicator" and defining the term "fumigant"; amending s. 487.031, F.S.; providing that it is unlawful to engage in the application of chlorine gas for the treatment of swimming pools, spas, or hot tubs without a certified applicator's license; prohibiting the application of a restricted-use pesticide by an unlicensed person under the direct supervision of a licensed applicator if the pesticide label prohibits application by anyone other than a licensed applicator; providing conforming and other editorial changes; providing penalties; amending s. 487.044, F.S.; deleting reference to the standard core examination requirement for licensure; amending s. 487.046, F.S.; revising provisions relating to proof of liability insurance required of aerial applicators and eliminating the option of posting a surety bond in lieu thereof; providing for waiver of the requirement of a certified applicator's license for persons licensed under chapter 388 or chapter 482, F.S., under certain circumstances; granting the Department of Agriculture and Consumer Services rulemaking authority for such exemptions; amending s. 487.047, F.S.; revising provisions relating to purchase and application of restricted-use pesticides, and purchase of those pesticides by nonresidents, and sales of those pesticides outside the country; amending s. 487.15, F.S.; revising provisions for recall, reimbursement, and disposal of dangerous pesticides; providing for voluntary and mandatory procedures; providing for injunctive relief; amending s. 487.159, F.S.; requiring registrants to report to the department additional factual information regarding documented unreasonable damage or injury to health or the environment from the use of a pesticide; amending s. 487.163, F.S.; providing for cooperation and formal agreements with Indian tribes; amending s. 487.175, F.S., relating to penalties; reenacting s. 487.101(2), F.S., relating to stop-sale, stop-use, removal, or hold orders, to incorporate the amendment to s. 487.175, F.S., in reference thereto; repealing s. 487.13, F.S., relating to cooperation with other state and federal agencies; providing an effective date.

By the Committee on Professional Regulation and Senator Dyer—

CS for SB 1596—A bill to be entitled An act relating to the sale or lease of business opportunities; amending s. 559.801, F.S., and creating s. 559.8015, F.S.; revising and adding definitions of terms related thereto; rearranging provisions; creating s. 559.802, F.S.; providing for a 1-year exemption from ss. 559.80-559.815, F.S., for the sale of a franchise if the franchisor files a notice with the Department of Agriculture and Consumer Services stating that it is in substantial compliance with the Federal Trade Commission rule requirements and pays a fee; providing for annual renewal of the exemption and for a renewal fee; limiting the information about the franchisor that may be required by the department; providing for rules; amending s. 559.803, F.S.; providing for a revised timeframe to provide disclosures to purchasers; requiring an index to disclosure documents; amending s. 559.805, F.S.; changing the annual and updating fees; amending s. 559.809, F.S.; providing an additional prohibition; amending s. 559.813, F.S.; clarifying remedies and enforcement; providing an appropriation; providing an effective date.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

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>
Board of Clinical Laboratory Personnel Appointee: Krothapalli, Swarna, Pensacola	10/31/94
Board of Trustees of Okaloosa-Walton Community College Appointee: Hill, Walter B. (Mike), Ft. Walton Beach	05/31/93
Tampa-Hillsborough County Expressway Authority Appointee: Melo, O. E., Tampa	07/01/96
Game and Fresh Water Fish Commission Appointee: Hedgpeeth, Quinton L., Miami	01/06/98
Health Care Board Appointee: Martin, Joseph E., Tallahassee	09/30/93
Florida Housing Finance Agency Appointee: Tompkins, Thomas N., Kissimmee	11/13/96
Board of Medicine Appointees: Echevarria, Emilio D., Tampa Fenwick, Martin J., Coral Springs	10/31/95 10/31/95
Postsecondary Education Planning Commission Appointees: Bailey, Inez W., Niceville Berlin, Bret, Gainesville	02/04/94 08/31/93
Public Employees Relations Commission Appointee: Anthony, Linoria, Tallahassee	01/01/97
Florida Real Estate Commission Appointee: Steele, Jason, Palm Bay	10/31/96
South Florida Regional Planning Council, Region 11 Appointees: Boyd, Charles W., Ft. Lauderdale Krinzman, Richard N., Miami	10/01/95 10/01/95
Alafia River Basin Board of the Southwest Florida Water Management District Appointee: McNair, Theodore, Brandon	03/01/93
Peace River Basin Board of the Southwest Florida Water Management District Appointees: Burtscher, John E., Arcadia Satchel, Frank R., Jr., Mulberry	03/01/95 03/01/94

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

Board of Regents
Appointee: Watson, Welcom H., Ft. Lauderdale 1/1/96

Referred to the Committees on Education; and Executive Business, Ethics and Elections.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Ander Crenshaw, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 81, CS for HB 583, CS for HB's 1169 and 87, HB 1713, HB 1769, HB 1775, HB 1783; has passed as amended CS for HB 89, HB 173, CS for HB 231, HB 1767, HB 1781; has adopted HCR 119 and requests the concurrence of the Senate.

John B. Phelps, Clerk

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

CS for HB 81—A bill to be entitled An act relating to crime victim assistance; amending s. 960.07, F.S.; extending the period of time for minors to file claims for crime victims' compensation; amending s. 775.0835, F.S.; correcting a reference relating to a specified additional cost designated for deposit in the Crimes Compensation Trust Fund; providing an effective date.

—was referred to the Committee on Commerce.

By the Committee on Employee and Management Relations; and Representatives Davis and Ritchie—

CS for HB 583—A bill to be entitled An act relating to public pension or retirement benefits and subsidies; amending s. 20.13, F.S., relating to the structure of the Department of Insurance, to delete duties of the Division of Benefits that are assigned or eliminated by this act; amending s. 112.363, F.S.; increasing the employer contribution rate to fund the retiree health insurance subsidy; providing legislative intent with respect to governmental retirement systems; amending s. 121.021, F.S.; conforming the definition of the term "covered group" as used with respect to the Florida Retirement System to a change in terminology made by this act; amending ss. 121.052, 121.055, 121.071, 121.40, F.S.; revising contribution rates applicable to members of the Elected State and County Officers' Class, the Senior Management Service Class, and the Regular, Special Risk, and Special Risk Administrative Support Classes of the Florida Retirement System and the contribution rate applicable to the supplemental retirement plan for the Institute of Food and Agricultural Sciences of the University of Florida; amending s. 121.091, F.S.; revising death benefit provisions under the Florida Retirement System to provide for reinstatement of benefits to a surviving spouse whose benefit terminated due to remarriage; amending s. 121.122, F.S., relating to renewed membership to correct a reference; amending ss. 175.021, 175.032, 175.041, 175.061, 175.071, 175.081, 175.091, 175.101, 175.111, 175.121, 175.122, 175.131, 175.141, 175.152, 175.162, 175.191, 175.201, 175.211, 175.251, 175.261, 175.291, 175.301, 175.311, 175.321, 175.341, 175.351, 175.361, 175.401, 185.02, 185.05, 185.09, 185.10, 185.221, 185.23, 185.35, 185.37, and 185.50, F.S., relating to municipal firefighters' and police officers' pension or retirement plans and retiree health insurance subsidies; transferring certain powers, duties, and functions of the Department of Insurance respecting those plans and subsidies to the Department of Management Services and assigning them to the Division of Retirement; providing for transfer of related records, personnel, property, and funds; providing for continuation of certain existing rules; abolishing the Bureau of Municipal Police Officers' and Firefighters' Pension Funds of the Division of Benefits of the Department of Insurance; eliminating certain reports to the Department of Banking and Finance; specifying certain duties of the Department of Revenue; providing for disposition of premium tax moneys collected under chs. 175 and 185, F.S.; providing for annual appropriation of such moneys; providing for investment of such moneys by the Insurance Commissioner and Treasurer; providing for payment of certain administrative expenses of the Division of Retirement and the Department of Insurance; providing legislative intent that firefighters employed by special fire control districts should be entitled to the retirement benefits available to municipal firefighters under ch. 175, F.S.; providing for pension funds, retirement benefits, and retiree health insurance subsidies for firefighters employed by special fire control districts, which funds, benefits, and subsidies are subject to the same statutory requirements as pension funds and retirement benefits for municipal firefighters; clarifying that undistributed funds are annually transferred to support the firefighters' supplemental compensation program; providing for redistribution of certain surplus funds; conforming the provisions of chs. 175 and 185, F.S., to this act; conforming cross-references, deleting obsolete provisions, and revising terminology to improve clarity; repealing s. 185.24, F.S., relating to annual appropriations for administrative expenses, which section is superseded by this act; amending s. 624.520, F.S., relating to preemption by the state of insurer premium taxes, to conform; amending s. 633.382, F.S., relating to the Firefighters Supplemental Compensation Trust Fund; providing for curing of deficits; providing for redistribution of certain funds; providing legislative intent with respect to other acts affecting contribution rates; providing an effective date.

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

By the Committee on Employee and Management Relations; and Representative Davis and others—

CS for HB's 1169 and 87—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.052, F.S.; clarifying benefit payment and calculation procedure; providing for dual calculation of benefits whenever a member of the Elected State and County Officers' Class has creditable service in that class, followed by service in another class of the Florida Retirement System, on or after January 1, 1995; providing for matters relative thereto; providing an effective date.

—was referred to the Committees on Personnel, Retirement and Collective Bargaining; and Rules and Calendar.

By the Committee on Business and Professional Regulation; and Representative Tobin—

HB 1713—A bill to be entitled An act relating to public fairs and expositions; amending s. 616.21, F.S., and creating s. 616.235, F.S., relating to expenditures for agricultural and livestock exhibit buildings and to the Agricultural and Livestock Fair Council; saving s. 616.21(2), (3), and (4), F.S., relating to the council, from Sunset and Sundown repeal; providing for future review and repeal; providing an effective date.

—was referred to the Committee on Agriculture.

By the Committee on Corrections and Representative Smith and others—

HB 1769—A bill to be entitled An act relating to the state correctional system; amending s. 944.598, F.S., relating to emergency release of prisoners; revising conditions which constitute a state of emergency in the state correctional system; revising eligibility guidelines for inmates subject to emergency release and amounts of emergency increments awarded to such inmates; revising conditions under which the award of such emergency increments will cease; providing for emergency control release dates for parole ineligible inmates; providing an effective date.

—was referred to the Committees on Corrections, Probation and Parole; and Appropriations.

By the Committee on Business and Professional Regulation; and Representative Tobin—

HB 1775—A bill to be entitled An act relating to the Florida Firefighters, Paramedics, and Police Officers Health Project; repealing s. 112.185, F.S.; relating to the project within the University of Miami School of Medicine; providing an effective date.

—was referred to the Committee on Personnel, Retirement and Collective Bargaining.

By the Committee on Business and Professional Regulation; and Representative Tobin—

HB 1783—A bill to be entitled An act relating to the Investment Advisory Council; amending s. 215.444, F.S.; deleting obsolete provisions; revising terms of membership on the council; providing for annual election of a chairman and vice chairman; saving s. 215.444, F.S., from Sunset repeal; providing for future review and repeal; saving s. 215.475(2), F.S., relating to specified duties of the advisory council, from Sunset repeal; providing for future review and repeal; providing an effective date.

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

By the Committee on Employee and Management Relations; and Representative Davis and others—

CS for HB 89—A bill to be entitled An act relating to law enforcement officers; amending ss. 112.531, 112.532, 112.533, and 112.534, F.S.;

including deputy sheriffs under provisions of law relating to the rights of law enforcement and correctional officers; exempting sheriffs and deputy sheriffs from provisions relating to complaint review boards; reenacting s. 316.2935(4), F.S., relating to air pollution control equipment, to incorporate the amendment to s. 112.531, F.S., in a reference thereto; clarifying the applicability of the act; providing an effective date.

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

By Representative McAndrews and others—

HB 173—A bill to be entitled An act relating to elections; amending s. 99.061, F.S.; allowing a candidate to pay his qualifying fee by cashier's check under certain circumstances; amending s.106.11, F.S., relating to expenditures from campaign accounts, to conform; providing an effective date.

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

By the Committee on Criminal Justice and Representative De Grandy and others—

CS for HB 231—A bill to be entitled An act relating to breast feeding; creating s. 383.015, F.S.; encouraging breast feeding and authorizing breast feeding in public; amending ss. 800.02 and 800.03, F.S.; clarifying language and providing that breast feeding a baby does not violate prohibitions against unnatural and lascivious acts or exposure of sexual organs, and reenacting s. 933.18(7)(b) and (c), F.S., relating to search warrants, to incorporate said amendments in references thereto; amending s. 800.04, F.S.; clarifying language and providing that breast feeding a baby does not violate prohibitions against lewd, lascivious, or indecent conduct in the presence of a child; amending s. 847.001, F.S.; providing that breast feeding a baby does not violate prohibitions against obscenity, is not harmful to minors, and does not constitute unlawful nudity or sexual conduct, and reenacting s. 847.0133(1), F.S., relating to protection of minors, to incorporate said amendment in a reference thereto; providing an effective date.

—was referred to the Committee on Criminal Justice.

By the Committee on Corrections and Representative Smith and others—

HB 1767—A bill to be entitled An act relating to the Parole Commission; amending s. 947.02, F.S.; providing procedures for filling of vacancies; amending s. 947.04, F.S.; requiring the Governor and Cabinet to select a chair; amending s. 947.002, F.S.; deleting obsolete provisions relating to the organization of the commission; revising language and providing purpose of chapter; amending s. 947.13, F.S.; clarifying the powers and duties of the commission in establishing terms and conditions of inmates released under conditional release, control release, or conditional medical release; amending s. 947.141, F.S.; providing additional duties of the commission in determining violations of control release and conditional medical release; authorizing such determinations to be made by a panel of two or more commissioners; amending s. 947.146, F.S.; providing for the Control Release Authority to establish a control release date for offenders whose release has been revoked; providing additional circumstances under which the authority may extend, advance, or postpone an inmate's control release date; providing circumstances under which the authority may vacate a grant of control release; amending s. 947.165, F.S.; conforming terminology and a cross-reference to changes made by the act; amending s. 947.173, F.S.; limiting review by the commission of an inmate's presumptive parole release date; amending s. 947.1745, F.S.; providing circumstances under which the commission may extend an inmate's presumptive parole release date; amending s. 947.24, F.S.; providing requirements for discharging persons from supervision pursuant to control release or conditional release; providing an effective date.

—was referred to the Committees on Corrections, Probation and Parole; and Appropriations.

By the Committee on Business and Professional Regulation; and Representative Tobin—

HB 1781—A bill to be entitled An act relating to aquaculture; amending s. 597.001, F.S., relating to the short title of the “Florida Aquaculture Policy Act”; revising a reference; amending s. 597.0021, F.S., relating to legislative intent; revising a reference; referring to regulatory agencies; revising the definition of aquaculture; amending s. 597.003, F.S., relating to powers and duties of the Department of Agriculture and Consumer Services; revising language; amending s. 597.005, F.S., relating to the Aquaculture Review Council; deleting obsolete language; revising responsibilities; amending s. 597.006, F.S., relating to the Aquaculture Interagency Coordinating Council; eliminating the Department of Health and Rehabilitative Services as a coordinating agency for aquaculture; deleting obsolete language; revising composition and responsibilities; saving ss. 597.0021(5), 597.005, and 597.006, F.S., from Sundown repeal; providing for future review and repeal; providing an effective date.

—was referred to the Committee on Agriculture.

By Representative Hawkins and others—

HCR 119—A concurrent resolution designating Collier County as Purple Martin Capital of Florida.

—was referred to the Committee on Rules and Calendar.

RETURNING MESSAGES ON SENATE BILLS

The Honorable Ander Crenshaw, President

I am directed to inform the Senate that the House of Representatives has passed with amendment SB 222 and requests the concurrence of the Senate.

John B. Phelps, Clerk

SB 222—A bill to be entitled An act relating to the Arabian Horse Council; amending s. 570.382, F.S.; revising the terms of office for members of the council; deleting a future repeal under the Sundown Act of provisions that establish the council; providing an effective date.

House Amendment 1 (with Title Amendment)—On page 1, line 11, strike everything after the enacting clause and insert:

Section 1. Section 570.382, Florida Statutes, as created by section 61 of chapter 92-348, Laws of Florida, is amended to read:

570.382 Arabian horse racing; breeders' awards; Arabian Horse Council; horse registration fees; Florida Arabian Horse Racing Promotion Fund.—

(1) **LEGISLATIVE FINDINGS.**—It is the finding of the Legislature that:

(a) Breed improvement is an important factor in encouraging Arabian horse racing in this state.

(b) Acquisition and maintenance of Arabian horse breeding farms in this state will greatly enhance the tax revenues derived by the state and counties.

(c) Many jobs will be created through the encouragement of the Arabian horse breeding industry in this state, thereby supplying much needed taxes and revenues to the state and counties.

(d) By encouraging Arabian horse breeding farms, better horses will be available for racing, thereby increasing the pari-mutuel handle which will increase taxes for the state and counties.

(2)(3) **POWERS AND DUTIES OF THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES.**—The Department of Agriculture and Consumer Services shall administer this section and have the following powers and duties:

(a) To establish a registry for Florida-bred Arabian horses on a voluntary basis.

(b) To make Arabian horse breeders' and stallion awards available to qualified individuals from funds derived from the Florida Arabian Horse Racing Promotion Fund under the authority of ss. 550.2625(8) and 550.2633 and under rules adopted.

(c) To establish a stallion award program.

(3) **ELIGIBILITY REQUIREMENTS.**—In order for the owner of the sire of a Florida-bred Arabian horse to be eligible for a stallion award, the following requirements must be met:

1.(a) The stallion shall stand permanently in the state.

2.(b) If the stallion is dead, it shall have stood permanently in the state for the year immediately prior to its death.

3.(c) The removal of a stallion from this state for the purpose of breeding shall bar the owner of the stallion from receiving a stallion award for offspring sired in the state in the breeding season commencing January 1st of the year of the stallion's removal.

4.(d) If a removed stallion is returned to the state, all offspring sired in the state subsequent to the stallion's return shall make the owner eligible for the stallion award.

(d)(e) To maintain complete records documenting:

1. The date a stallion arrived in the state for the first time.

2. Whether the stallion remained in the state permanently.

3. The location of the stallion.

4. Whether the stallion is still standing in the state.

5. Awards earned, received, and distributed.

~~The Department of Agriculture and Consumer Services shall charge the owner a reasonable fee set by rule, not to exceed \$100 annually, to cover all costs incurred for this service.~~

(3)(4) **ARABIAN HORSE COUNCIL.**—

(a) There is created an Arabian Horse Council consisting of seven members as follows:

1. A representative of the Department of Agriculture and Consumer Services designated by the commissioner.

2. Six members appointed by the Department of Agriculture and Consumer Services, the majority of whom must be Florida breeders of racing Arabian horses.

(b) Each member shall serve for a term of 4 2 years from date of appointment.

(c) At the first organizational meeting of the council, there shall be elected a chairman from the membership, and each 2 years thereafter the council shall elect a chairman from its then-constituted membership. The member representing the Department of Agriculture and Consumer Services shall be secretary of the council.

(d) Members of the council shall receive no compensation for their services, except that they shall receive per diem and travel expenses as provided in s. 112.061 when actually engaged in the business of the council.

(e) The council shall have the following powers and duties:

1. To recommend rules.

2. To receive and report to the Department of Agriculture and Consumer Services complaints or violations of this section.

3. To assist the Department of Agriculture and Consumer Services in the collection of information that the Department of Agriculture and Consumer Services deems necessary to the proper administration of this section.

(f) This subsection is repealed October 1, 2003 1993, and the Arabian Horse Council shall be reviewed by the Legislature pursuant to s. 11.611.

(4)(5) **FRAUDULENT ACTS AND MISREPRESENTATIONS.**—Any person who registers unqualified horses or misrepresents information in any way shall be denied any future participation in breeders' and stallion awards, and all horses misrepresented will no longer be deemed to be Florida-bred.

(5)(6) **REGISTRATION FEES TRUST FUND.**—

(a) To provide funds to defray the necessary expenses incurred by the Department of Agriculture and Consumer Services in the administration of this section:

1. Owners who participate in this program for Florida-bred Arabian foals under 1 year of age shall pay to the Department of Agriculture and Consumer Services a registration fee in the amount of \$25 per horse.

2. Owners who participate in this program for Florida-bred Arabian yearlings from 1 to 2 years of age shall pay to the Department of Agriculture and Consumer Services a registration fee in the amount of \$50 per horse.

3. Owners who participate in this program for Florida-bred Arabian horses 2 years of age or over shall pay to the Department of Agriculture and Consumer Services a registration fee in the amount of \$250 per horse.

4. *The Department of Agriculture and Consumer Services shall charge the stallion owner a reasonable fee set by rule, not to exceed \$100 annually, to cover all costs incurred for the stallion award program.*

(b) The fees collected under this subsection shall be deposited in the Florida Quarter Horse Racing Promotion Trust Fund in a special account to be known as the "Florida Arabian Horse Racing Promotion Fund," and the necessary expenses incurred by the Department of Agriculture and Consumer Services in the administration of this section shall be paid out of the fund only up to the amount of deposited registration fees.

Section 2. This act shall take effect October 1, 1993.

And the title is amended as follows:

On page 1, lines 2-7, strike all of said lines and insert: An act relating to arabian horse racing; amending s. 570.382, F.S.; expanding terms of members of the Arabian Horse Council; saving s. 570.382, F.S., from Sun-down repeal; providing for future review and repeal; providing an effective date.

On motion by Senator Foley, the Senate concurred in the House amendment.

SB 222 passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—33 Nays—None

RETURNING MESSAGES—FINAL ACTION

The Honorable Ander Crenshaw, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 460.

John B. Phelps, Clerk

The bill contained in the foregoing message was ordered enrolled.

ROLL CALLS ON SENATE BILLS

SB 222

Yeas—33

Mr. President	Dantzler	Johnson	Silver
Bankhead	Diaz-Balart	Jones	Sullivan
Beard	Dudley	Kirkpatrick	Thomas
Boczar	Dyer	Kurth	Turner
Brown-Waite	Foley	McKay	Weinstein
Burt	Forman	Meadows	Williams
Casas	Grant	Myers	
Childers	Grogan	Scott	
Crist	Jennings	Siegel	

Nays—None

CORRECTION AND APPROVAL OF JOURNAL

The Journal of February 23 was corrected and approved.

CO-SPONSORS

Senators Dyer and Meadows—SB 648; Senator Jones—SB 784; Senator Grant—SB 980, SB 1954; Senator Brown-Waite—SB 1536; Senator Williams—SB 1828; Senator Kurth—SB 1840; Senators Kirkpatrick, Kiser, Myers and Turner—SB 1954

RECESS

On motion by Senator Jennings, the Senate recessed at 1:51 p.m. for the purpose of holding committee meetings and conducting other Senate business until 9:00 a.m., Tuesday, March 2.