



Journal of the Senate

Number 16

Thursday, March 25, 1993

CALL TO ORDER

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

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

Excused: Senator Grogan

PRAYER

The following prayer was offered by the Rev. Asa Meadows, Pastor, Presbyterian Church of Palm Harbor, Palm Harbor:

Lord God of creation, such a hollow gesture this could be. This very moment could become a perfunctory thing. . . a mere tipping of our hats. Save us from this inclination. Instead, may this become a quiet interval when we pause from our busy agendas to give genuine expression of our gratitude.

How blessed we are. . . how favored in all the world. You have smiled upon this land and upon us as individuals. In remarkable fashion, you have made us. We can see and hear and dream and reason. We can think and speak and explore and achieve. We can also give you all manner of praise for making our shared lives a reality.

Lord God of this land, you know well the circumstances and challenges facing the State of Florida. All manner of issues are being debated in this chamber. You know well these women and men of the Senate. You know their needs and their situations. Grant these elected officials wisdom and courage for the facing of these days. Guide them as they seek to guide us to the better days that are yet to be. Amen.

PLEDGE

Senate Page, Sean McManus, of Atlantic Beach led the Senate in the pledge of allegiance to the flag of the United States of America.

CONSIDERATION OF RESOLUTIONS

On motion by Senator Holzendorf, by two-thirds vote **SR 2230** was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Holzendorf—

SR 2230—A resolution urging that the Naval Aviation Depot in Jacksonville not be closed.

WHEREAS, the Naval Aviation Depot Jacksonville is the most cost-effective of all the naval aviation depots, with revenues exceeding expenses by over \$30 million for each of fiscal years 1991 and 1992, and

WHEREAS, the Naval Aviation Depot Jacksonville is strategically located with proximity to over 50 percent of the Navy's antisubmarine warfare and F/A-18 strike fighter aircraft, and

WHEREAS, the Naval Aviation Depot Jacksonville is capable of accepting and producing a wide range of aircraft, engines, avionics, and engineering assignments from other depots or private contractors without significant capital investment in new facilities, and

WHEREAS, the Naval Aviation Depot Jacksonville has the most efficient and environmentally compliant engine repair facility of all engine repair facilities under the Department of Defense, and this engine facility has the capability and capacity to repair all of the Navy's aircraft engines, and

WHEREAS, the Naval Aviation Depot Jacksonville provides employment for more than 3,000 employees, including more than 500 minorities, and

WHEREAS, the Naval Aviation Depot Jacksonville is recognized by the Governor, the City of Jacksonville, and the National Industries for the Severely Handicapped for its policies, programs, and accomplishments in equal employment opportunities and in employment of the handicapped, and

WHEREAS, the Naval Aviation Depot Jacksonville has been awarded the Secretary of the Navy's Energy Conservation Award for 1991, and

WHEREAS, the Naval Aviation Depot Jacksonville has been selected as part of the Navy's Environmental Showcase, and

WHEREAS, the Naval Aviation Depot Jacksonville has demonstrated its ability to win competitive contract awards resulting in savings to the Navy of over \$60 million, and

WHEREAS, the cost of closing the Naval Aviation Depot Jacksonville would not be recovered for more than 18 years, a cost-recovery period longer than that of four of the other depots and the same as that of one other depot, **NOW THEREFORE,**

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

That in recognition of the Naval Aviation Depot Jacksonville's outstanding achievements and its demonstrated value to the Navy and the United States Government, and for its potential for continuing to play a major role in the cost-reduction efforts of the Navy and the Department of Defense, the Florida Senate expresses its desire that the Naval Aviation Depot Jacksonville not be closed but be used as a model for cost savings throughout the Department of Defense, and that additional workload be assigned to the Naval Aviation Depot Jacksonville to utilize its full capacity and to exploit the investment already made in the depot to achieve even greater levels of cost reduction and savings.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to members of the Florida Congressional Delegation.

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

On motion by Senator Holzendorf, by two-thirds vote **SR 2256** was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Holzendorf—

SR 2256—A resolution requesting that the Mayport Naval Station be upgraded for servicing nuclear-powered aircraft carriers.

WHEREAS, Mayport Naval Station is a well-located, strategic asset to the United States Navy, and

WHEREAS, Mayport Naval Station has long played a key role in the national defense of our country, and

WHEREAS, Mayport Naval Station only berths conventionally-powered aircraft carriers, and

WHEREAS, only one Navy port on the East Coast accommodates nuclear-powered aircraft carriers, and

WHEREAS, three ports on the West Coast berth nuclear-powered aircraft carriers, and

WHEREAS, the Navy has no plans to begin building new conventionally-powered aircraft carriers, and

WHEREAS, the Navy is phasing out conventionally-powered aircraft carriers, and

WHEREAS, under present policy, aircraft carriers will not be stationed at Mayport in the future unless Mayport is upgraded to berth nuclear-powered aircraft carriers, and

WHEREAS, the removal of aircraft carriers from Mayport would result in all East Coast aircraft carriers being berthed in one port, and

WHEREAS, allowing all East Coast aircraft carriers to be berthed in one port could present a security risk and would directly contravene the Navy's ongoing Strategic Homeporting Program to disperse the Navy fleet more widely throughout the nation for security reasons, and

WHEREAS, Navy officials have indicated support for upgrading Mayport for nuclear-powered aircraft carriers, but have suggested it not be done until the turn of the century, and

WHEREAS, it would be prudent to start the process of upgrading Mayport Naval Station immediately to save costs and to ensure that there is no transition period in which all East Coast carriers are berthed in a single port, and

WHEREAS, the Defense Authorization Act for fiscal year 1993 specifically designates that the Mayport Naval Station be upgraded to become the second East Coast Homeport for nuclear-powered aircraft carriers, and

WHEREAS, \$1.35 million was included in the accompanying Military Construction Appropriations Act to begin that process at Mayport Naval Station, and

WHEREAS, the \$1.35 million has not yet been expended by the Department of Defense, NOW, THEREFORE,

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

That the Florida Senate urges the Department of Defense to comply with the Congressional directive contained in the Defense Authorization Act and the Military Construction Appropriation Act, and make immediately available the \$1.35 million earmarked by congressional legislation to start the process of upgrading Mayport Naval Station for nuclear-powered aircraft carriers.

That the Florida Senate urges the Florida Congressional Delegation to take appropriate action to ensure that the \$1.35 million earmarked in fiscal year 1993 is spent, and to make additional appropriations to ensure that the upgrades for the Mayport Naval Station go forward.

BE IT FURTHER RESOLVED that a copy of this resolution with the Seal of the Senate affixed, be dispatched to each member of Florida Congressional Delegation and to the U.S. Department of Defense.

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

On motion by Senator Holzendorf, the rules were waived by unanimous consent and the following resolution was introduced out of order:

By Senator Holzendorf—

SR 2410—A resolution expressing support for Naval Air Station Cecil Field.

WHEREAS, Naval Air Station Cecil Field is the largest military base in the Jacksonville area, occupying over 22,000 acres of property and employing over 8,500 military and civilian employees, with an estimated annual payroll of \$229.2 million and a current plant value of \$751 million, and

WHEREAS, the Naval Air Station Cecil Field is a combat-ready Master Training Jet Base with exceptional flexibility to support its assigned units and expand for future requirements without the need for additional property acquisition, and

WHEREAS, Naval Air Station Cecil Field supports the F/A-18 (Hornet) attack squadrons of Light Attack Wing ONE, and the S-3 (Viking) squadrons of Sea-Strike Wing ONE as well as the staff of Commander Carrier Air Wing ONE and Commander Reserve Carrier Wing Twenty, and

WHEREAS, Naval Air Station Cecil Field includes major facilities for F/A-18 and S-3B aircrew and maintenance training, including Flight Simulators and Weapon System Trainers, a fully functional fixed-site Aircraft Intermediate Maintenance production facility, and has near immediate access to outlying landing fields and the least congested military training air space on the East Coast, and

WHEREAS, Naval Air Station Cecil Field is strategically located, providing access to southern training areas, the Caribbean operation areas, and South America; providing the best NAS "AICUZ" regulations on the East Coast, which protects the base from population encroachment; providing the best flying weather of any East Coast Master Jet Base; providing the only alternative East Coast Space Shuttle landing site; and providing training and maintenance enhancements due to its proximity to the Mayport Naval Station and Naval Air Station Jacksonville, and the Aircraft Intermediate Maintenance Department and Naval Aviation Depot located at those bases, and its proximity to the Navy Submarine Base at Kings Bay, and

WHEREAS, the long tradition of support and cooperation of the entire Jacksonville community has consistently resolved all military-civilian problems locally, while providing the best and most sought-after quality of life for the sailors and marines assigned, NOW, THEREFORE,

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

That the Naval Air Station Cecil Field be continued as an active Naval Base given its effectiveness and strategic importance as a vital part of our national defense.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be dispatched to each member of the Florida Congressional Delegation and to the U.S. Department of Defense.

On motion by Senator Holzendorf, **SR 2410** was read by title and was read the second time in full and adopted.

Special Guests

Senator Holzendorf introduced the following guests from Jacksonville: Ed Austin, Mayor, who was seated in the chamber; Ronnie Ferguson, Deputy Mayor; Ray Miley, Undersheriff; Tommie Bell, Supervisor of Elections; Don Davis, Councilman and President Pro Tem; and Jim Rinaman, Chairman-Elect, Jacksonville Chamber of Commerce; who were seated in the gallery.

Upon request of the President, Senator Holzendorf escorted Mayor Austin to the rostrum where he was presented a copy of the resolution.

On motion by Senator Holzendorf, the rules were waived by unanimous consent and the following resolution was introduced out of order:

By Senator Holzendorf—

SR 2408—A resolution recognizing Charlie "Hoss" Singleton for his musical accomplishments.

WHEREAS, Charlie "Hoss" Singleton was born on September 17, 1913, in Jettys Quarters, Gainesville, Florida, and was the eldest son of six born to Mr. and Mrs. Joseph Singleton, and

WHEREAS, Mr. and Mrs. Singleton and their family moved to Jacksonville in early March of 1915, and

WHEREAS, Charlie "Hoss" Singleton was educated in the public school system of Jacksonville and graduated, in 1935, from Old Stanton High School, the oldest high school in Jacksonville, and served as the vice president of his class and as a trustee with New St. James A.M.E. Church, and

WHEREAS, Mr. Singleton was encouraged to enter the field of music in 1931 by Mr. E. L. Harris, who recognized the wealth of talent Charlie "Hoss" possessed as a writer, singer, producer, and promoter, and

WHEREAS, during his early days, Charlie "Hoss" and Mr. Gardner "Nip" Sams cofounded the Community Recreation Centers in this state, of which Mr. Singleton became the first supervisor, and

WHEREAS, in April 1945, Charlie "Hoss" presented the "April Frolics," which became an annual event in Jacksonville, creating a new trend in the music industry and a vehicle with which to promote and showcase talent from the community, and

WHEREAS, in December 1950 he moved to New York City and obtained employment with MCA Records, formerly DECCA Records, as a staff writer, and was later employed with Fred Fisher Music and several major recording companies, and

WHEREAS, Mr. Singleton and Leroy Kirkland started "Rock-N-Roll" music in New York City in the mid-1950's, and

WHEREAS, Mr. Singleton was nominated to the songwriters' Hall of Fame in November of 1984 by the National Academy of Popular Music, and

WHEREAS, he was a prolific songwriter, arranger, and talent scout, whose credits include "Strangers in the Night," by Frank Sinatra; "Spanish Eyes," by Elvis Presley; "Apple Green," by June Valli; "Don't Forbid Me," by Pat Boone; and "If I May," by Nat "King" Cole, to name just a few, and

WHEREAS, some of Mr. Singleton's discoveries include Sam & Dave, the Five Keyes, Dakota Station, Nell Carter, Neil Diamond, Jimmy Rick, Little Willie John, Annie Lauri, and Big Maybell, and

WHEREAS, recently, Mr. Singleton was recognized for his outstanding achievements in the music industry by President Ronald Reagan, Governor Bob Graham, Mayor Jake Godbold, Senator Paula Hawkins, Senator Lawton Chiles, Congressman Bill Chappel, Congressman Charles Bennett, Frances Albert Sinatra, the City Council of Jacksonville, and Mr. Edward M. Cramer, President of BMI, and

WHEREAS, those honors were bestowed upon Mr. Singleton during the roast that was given on his behalf by the CEDC, INC., of Jacksonville and a group of friends and relatives, and

WHEREAS, it is appropriate that the Florida Senate should add its commendation to the honors received by the late Mr. Singleton, NOW, THEREFORE,

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

That the Florida Senate commends the talents and accomplishments of outstanding songwriter Charlie "Hoss" Singleton and honors his extraordinary perseverance and creativity.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Mr. Singleton's goddaughter, Dr. Jeannette Norman, as a tangible token of the sentiments of the Florida Senate.

On motion by Senator Holzendorf, **SR 2408** was read by title and was read the second time in full and adopted.

Special Guests

Senator Holzendorf introduced the following guests who were seated in the chamber: Harriet Singleton Williams and Dorothy Singleton Smith, Mr. Singleton's sisters; and Dr. Jeanette Norman, Mr. Singleton's goddaughter.

Upon request of the President, Senator Holzendorf escorted the guests to the rostrum where they were presented a copy of the resolution.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Jennings, by two-thirds vote **SB 24** was withdrawn from the Committee on Corrections, Probation and Parole; **SB 670** was withdrawn from the Committee on Criminal Justice; **Senate Bills 1786, 2184, CS for SB 1844 and CS for SB 2260** were withdrawn from the Committee on Governmental Operations; **CS for SB 1998** was withdrawn from the Committee on Community Affairs; **CS for SB 932** was withdrawn from the Committee on Judiciary; **SB 972 and CS for SB 2086** were withdrawn from the Committee on Health Care; **CS for SB 1904 and SB 2258** were withdrawn from the Com-

mittee on Rules and Calendar; **CS for SB 1442** was withdrawn from the Committees on Criminal Justice; and Corrections, Probation and Parole; **CS for SB 1794** was withdrawn from the Committee on Professional Regulation; and **CS for SB 1018** was withdrawn from the Committees on Health and Rehabilitative Services; and Finance, Taxation and Claims.

On motions by Senator Grant, by two-thirds vote **SB 1228** was withdrawn from the committees of reference and further consideration.

On motions by Senator Kurth, by two-thirds vote **SB 2066** was withdrawn from the committees of reference and further consideration.

On motions by Senator Scott, by two-thirds vote **SB 820, SB 832, CS for SB 1018, CS for SB's 1052 and 1324, CS for SB 1344, SB 1424, CS for SB 1438, CS for CS for SB 1606, CS for SB 1656, CS for SB 1658, CS for SB 1904, CS for SB 2382 and CS for CS for SB 1080** were withdrawn from the Committee on Appropriations.

COMMITTEE MEETING CHANGE

On motion by Senator Kirkpatrick, the rules were waived and the Committee on Education was granted permission to meet March 26 from 9:00 a.m. until 11:00 a.m. to consider **Senate Bills 2078, 1608, 1754, 424, 1154 and 1156**.

On motion by Senator Gutman, the rules were waived and the Committee on Health Care was granted permission to meet March 29 from 5:30 p.m. until completion.

MOTION

On motion by Senator Dantzler, the rules were waived and **SB 498**, which passed March 24, was ordered immediately certified to the House.

RECONSIDERATION

On motion by Senator Jenne, the rules were waived and the Senate reconsidered the vote by which—

SB 1640—A bill to be entitled An act relating to public fairs and expositions; amending s. 616.001, F.S.; revising and providing definitions; amending s. 616.07, F.S.; providing that directors and trustees of fair associations incorporated under ch. 616, F.S., are not personally liable for debts of the association; amending s. 616.08, F.S.; providing additional powers of fair associations; renumbering and amending s. 616.091, F.S., relating to trade standards for operation at public fairs and expositions; renumbering and amending s. 616.0915, F.S., relating to safety standards for operation at public fairs and expositions; providing for revocation of permit or imposition of an administrative fine for operating an amusement device or amusement attraction following an accident resulting in a serious injury or death; adding certain individuals and their qualifications who may inspect amusement devices; exempting amusement attractions from nondestructive tests for metal fatigue; revising provisions regulating companies engaged in the rental of amusement devices and amusement attractions to provide certain minimum thresholds for regulation at public events; amending s. 616.11, F.S.; authorizing fair associations to contract with the state or any of its agencies or subdivisions for property or services; amending s. 616.13, F.S.; requiring persons engaged in the business of providing temporary amusement devices and amusement attractions within 5 miles of a fair association under certain circumstances to pay a specified daily license tax; amending s. 616.15, F.S.; increasing all fair associations' fee for a permit from the department; amending s. 616.17, F.S.; authorizing the Department of Agriculture and Consumer Services to waive minimum exhibit requirements under certain circumstances; amending s. 616.251, F.S.; clarifying that the authority is under the jurisdiction of the state; conforming changes; amending s. 616.252, F.S.; increasing and revising the membership of the authority; conforming changes; amending s. 616.255, F.S.; requiring the authority to develop a master plan for certain purposes; conforming changes; amending s. 616.263, F.S.; requiring specified information to be included in the authority's annual report; conforming changes; amending ss. 616.01, 616.02, 616.03, 616.04, 616.05, 616.051, 616.06, 616.09, 616.101, 616.12, 616.121, 616.14, 616.15, 616.19, 616.21, 616.22, 616.23, 616.253, 616.254, 616.256, 616.257, 616.258, 616.259, 616.260, 616.261, 616.262, and 616.265, F.S.; providing conforming changes; renumbering and amending s. 616.266, F.S., relating to trespass; renumbering and amending ss. 616.27 and 616.28, F.S., relating to rules and enforcement, respectively; dividing ch. 616, F.S., into parts; saving ss. 616.21(2) and 616.251, F.S., from Sun-down repeal; repealing s. 92, ch. 92-291, Laws of Florida, relating to future repeal of s. 616.0915, F.S.; providing an effective date.

—passed March 24.

On motion by Senator Jenne, by two-thirds vote the Senate reconsidered the vote by which **SB 1640** was read the third time.

Senator Jenne moved the following amendments which were adopted:

Amendment 1—On page 26, lines 4-15, strike all underscored material

Amendment 2—On page 26, lines 27-31 and on page 27, lines 1-7, strike all underscored material

Amendment 3—In title, on page 1, strike all of lines 20-22 and insert: death; exempting amusement attractions from

On motion by Senator Jenne, by two-thirds vote **SB 1640** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37 Nays—None

Motion

On motion by Senator Jenne, the rules were waived and **SB 1640** was ordered immediately certified to the House.

SPECIAL ORDER

Consideration of **CS for SB 1554** was deferred.

CS for SB 1730—A bill to be entitled An act relating to sovereign immunity; amending s. 768.28, F.S.; providing that the state, an agency, or a subdivision is not deemed to have waived sovereign immunity or increased the limits of its liability as a result of entering a contract with another state agency or subdivision; providing an effective date.

—was read the second time by title. On motion by Senator Wexler, by two-thirds vote **CS for SB 1730** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37 Nays—None

CS for SB 176—A bill to be entitled An act relating to alcohol and other drug abuse; amending s. 893.13, F.S.; authorizing the court to provide an additional assessment for any criminal violation of s. 316.193, s. 856.011, s. 856.015, or chapter 562, chapter 567, or chapter 568; amending s. 893.16, F.S.; including alcohol along with drug abuse programs and providing for the use of the assessment; providing for a County Alcohol and Other Drug Abuse Trust Fund; providing for a Community Alcohol and Other Drug Abuse Services Grants and Donations Trust Fund; amending s. 893.165, F.S.; providing for county alcohol and other drug abuse treatment or education trust funds; conforming to the act; providing an effective date.

—was read the second time by title. On motion by Senator Dantzer, by two-thirds vote **CS for SB 176** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35 Nays—None

Consideration of **SB 110** was deferred.

CS for SB's 256 and 244—A bill to be entitled An act relating to the exemption of homestead property from ad valorem taxation; amending s. 196.081, F.S.; revising procedures and requirements for qualifying for the homestead exemption for totally and permanently disabled veterans; providing for granting the exemption to the surviving spouse under certain conditions; amending s. 196.101, F.S., which provides an exemption for totally and permanently disabled persons; authorizing osteopathic physicians, chiropractic physicians, and podiatrists to certify total and permanent disability for such purpose; providing an effective date.

—was read the second time by title. On motion by Senator McKay, by two-thirds vote **CS for SB's 256 and 244** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37 Nays—None

Motion

On motion by Senator McKay, the rules were waived and **CS for SB's 256 and 244** was ordered immediately certified to the House.

CS for SB 1128—A bill to be entitled An act relating to bingo; repealing s. 6 of ch. 92-280, Laws of Florida, which provides for review and repeal of ch. 92-280, Laws of Florida, relating to bingo; providing an effective date.

—was read the second time by title.

Senators Grant, Johnson, Brown-Waite, Kiser, Siegel, Dudley and Sullivan offered the following amendment which was moved by Senator Grant:

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

Section 1. Section 849.0931, Florida Statutes, 1992 Supplement, is amended to read:

(Substantial rewording of section. See s. 849.0931, F.S., 1992 Supp., for present text.)

849.0931 Conduct of bingo authorized; licensing and registration; conditions for conduct; prohibitions and penalties.—

(1) **INTENT.**—It is the intent of the Legislature to provide a statutory basis for regulating bingo activities in the state adequate to shield such activity from corrupting influences; to ensure that only charitable, nonprofit, veterans', and community organizations are the beneficiaries of such bingo activity; and to ensure that bingo is conducted and played honestly and fairly. It is further the express intent of the Legislature that no authorized organization serve as the sponsor of any bingo game conducted by another organization.

(2) **DEFINITIONS.**—As used in this section:

(a) "Authorized expenses" means the actual business expenses essential to the conduct and playing of bingo, consisting of the following: the rental amount for the use of premises if rented exclusively for the purpose of conducting bingo; custodial services; equipment and supplies; accounting services for records and reports; bingo license and registration fees; advertising; security personnel; pro rata amounts for the cost of insurance and utilities, comprised of electricity, water, gas, and sewerage, incurred in conducting bingo; and the cost of refreshments sold or otherwise provided to patrons and volunteers.

(b) "Authorized organization" means:

1. Any nonprofit charitable, religious, educational, veterans', fraternal, service, civic, medical, volunteer rescue service, or volunteer firefighters' organization which has qualified for exemption from federal income tax and which is engaged in charitable, civic, community, benevolent, religious, or scholastic works or endeavors; a subsidiary of an organization which was established by state legislative action, which organization is exempt from federal income tax and which is engaged in charitable, civic, community, benevolent, or scholastic works or endeavors; or a veteran's organization chartered under chapter 617. An organization is tax exempt if it has a determination letter currently in effect from the Internal Revenue Service stating that the organization is exempt from federal income taxation under s. 501(c) of the Internal Revenue Code. To be eligible, an organization described in this subparagraph must also have been in continuous existence and active in the state for at least 3 years, unless the organization's function is to support the charitable, civic, community, benevolent, or scholastic works or similar activities of an organization that was established by state legislative action and that has been in continuous existence and active in the state for at least 3 years.

2. A facility licensed or certified under chapter 400, chapter 651, or s. 410.026 or which is elderly housing financed or insured by the Federal Government.

3. A community association.

(c) "Bingo card" means the flat piece of paper or cardboard employed by players in the game of bingo. The card shall have not fewer than 24

numbers printed on it. The numbers shall range from 1 through 75, inclusive. More than one set of numbers may be printed on a piece of paper, thereby creating multiple cards. The bingo card shall be part of a deck, group, or series, with recorded control numbers.

(d) "Bingo game" means a single game of the activity commonly known as "bingo" in which participants pay a sum of money for the use of one or more bingo cards. When the game commences, numbers are drawn by chance, one by one, and announced. The players cover or mark those numbers on the bingo card until a player receives a given order of numbers in an arrangement that has been preannounced for that particular game. The player calls out "bingo" and, after verification is made of the required arrangement of numbers, is declared the winner of a predetermined prize. More than one game may be played upon a bingo card, and numbers called for one game may be used for a succeeding game or games. Only bingo games in which the winner, in competition among all players in the game, is determined by the matching of letters and numbers on a bingo card with letters and numbers appearing on the numbered objects drawn and announced by the caller shall be considered bingo for purposes of this section.

(e) "Charitable purpose" means the use of proceeds by an authorized organization or governmental agency exclusively for, or the giving, donating, or otherwise transferring to an authorized organization or governmental agency for use exclusively for, the relief of poverty, indigence, or personal distress; help for disadvantaged persons; treatment and prevention of physical or mental distress; relief of suffering caused by pestilence, famine, fire, floods, and other state, national, or international calamities and undertakings to prevent such; advancement of education and learning; youth programs; advancement of religion; activities which reduce the burdens of government to provide such types of services to the public; and, in the case of volunteer rescue service or firefighters' organizations, for financial support of such organizations.

(f) "Community association" means a residential homeowners' association comprised of persons who own or lease: a unit in a planned unit development which is a part of a residential development scheme; a lot for a home or a mobile home which is a part of a residential development scheme; or a townhouse, villa, condominium, cooperative, or other residential unit which is a part of a residential development scheme, which association is authorized to impose a fee which may become a lien on the parcel. In the case of a mobile home park as defined in chapter 723, "community association" means, in addition to the homeowners' association, a group of residents in such mobile home park.

(g) "Conducting bingo" or "the conduct of bingo" means to direct or assist in the operating of a bingo game.

(h) "Distributor" means any person who sells, leases, or otherwise provides or distributes bingo supplies or equipment to authorized organizations conducting bingo. The term does not include printers who print bingo cards or bingo game programs or merchants who sell directly to players items used by players to play bingo.

(i) "Division" means the Division of Pari-mutuel Wagering of the Department of Business Regulation.

(j) "Gross receipts" means all money collected at a session, excluding refreshment, concessionaire, and canteen sales related only to food and beverages, unless the authorized organization conducting the session derives a monetary benefit from such sales, in which case the amount received from the sales shall be a part of the gross receipts.

(k) "Leased bingo facility" means premises which are owned or leased by any person, including an authorized organization, and which are offered for leasing to authorized organizations for the purpose of conducting such organizations' bingo sessions, except that premises owned or leased by an authorized organization shall not be considered a leased bingo facility if the facility is used by no more than three authorized organizations per week for the purpose of conducting bingo.

(l) "Member" or "bona fide member" means a person who holds full and regular membership status in the authorized organization and active members of a bona fide auxiliary of the authorized organization.

(m) "Net proceeds" means all money collected or received from all bingo activities remaining after payment of all prizes and authorized expenses.

(n) "Objects" means a set of 75 balls or other precision shapes identical in size, shape, weight, and balance on which are printed numbers and

letters, with numbers 1 through 15 being marked with the letter "B," numbers 16 through 30 being marked with the letter "I," numbers 31 through 45 being marked with the letter "N," numbers 46 through 60 being marked with the letter "G," and numbers 61 through 75 being marked with the letter "O."

(o) "Premises" means an entire building or group of buildings at one location. Division by floors or rooms to create multiple premises within a building for the purpose of qualifying as different premises is not permitted.

(p) "Principal" means, with respect to any enterprise: each of its officers and directors; each of its principal management employees, including any chief executive officer, chief financial officer, chief operating officer, or general manager; each of its owners or partners if an unincorporated business; each of its shareholders who owns 10 percent or more of the shares of the corporation, if a corporation; and each person other than a banking institution who has provided financing for the enterprise constituting 10 percent or more of the total financing of the enterprise.

(q) "Rack" means the container in which the objects are placed after being drawn and announced.

(r) "Receptacle" means the container from which the objects are drawn or ejected.

(s) "Security personnel" means a certified law enforcement officer, as defined in s. 943.10, or employee of a private security firm licensed under chapter 493, hired to provide security for a bingo session.

(t) "Volunteer" means any person, other than security personnel, who participates in any manner in the conduct of bingo by an authorized organization.

(3) AUTHORITY OF DIVISION.—The Division of Pari-mutuel Wagering of the Department of Business Regulation shall:

(a) Adopt rules governing: the issuance or denial of licenses, registrations, or preliminary approvals and the revocation or suspension of licenses or registrations for the conduct of bingo, the operation of a leased bingo facility, or acting as a distributor of bingo equipment and supplies; the conduct of bingo; activities involved in operating a leased bingo facility or distributing bingo equipment and supplies; recordkeeping and reporting requirements; the disposition of funds derived from the conduct of bingo; and any other areas necessary to ensure the integrity of bingo activities within the state and the proper disposition of all funds derived therefrom.

(b) Conduct investigations and monitor the conduct of bingo, the operation of leased bingo facilities, and the distribution of bingo equipment and supplies.

(c) Inspect and review the books, accounts, records, and documents related to the bingo operation of any current or former licensee or registrant.

(d) Have access to and inspect all premises used for the conduct of bingo or the storage of bingo equipment and supplies without notice during normal business hours in order to verify compliance with this section. Inspections made pursuant to this section shall not be conducted in a manner which disrupts normal business operations.

(e) Suspend or revoke any license or registration, after hearing, for any violation of this section or the rules adopted pursuant thereto.

(f) Take testimony, issue summons and subpoenas for any witness, and issue subpoenas duces tecum in connection with any matter within its jurisdiction.

(g) Prohibit any person from attending any bingo session who has engaged in conduct which threatens the integrity of or is disruptive of the bingo game.

(h) Monitor and ensure the proper disposition of funds generated from the conduct of bingo.

(i) Report to the President of the Senate and the Speaker of the House of Representatives, by January 1, 1995, the status of bingo regulation in the state, including any recommendations for changes.

(4) BINGO AUTHORIZED.—

(a) Nothing in this chapter shall be construed to prohibit an authorized organization holding a valid license or registration certificate to conduct bingo issued by the division from conducting bingo if conducted pursuant to this section.

1. The gross receipts derived from bingo may only be used for authorized expenses, charitable purposes, or as prizes awarded to players, as provided in this section.

2. The gross receipts derived from bingo shall be expended as follows:

a. For prizes awarded to players, subject to the limitations provided in this section.

b. Organizations licensed to conduct bingo may deduct a maximum of 24 percent of their annual gross receipts from bingo for the payment of authorized expenses attributable to that annual period. This percentage cap on expenses does not include prizes awarded. Organizations which are registered to conduct bingo may deduct the actual cost of authorized expenses attributable to each session conducted.

c. After the expenditures authorized by sub-subparagraphs a. and b., the remaining proceeds may only be used for charitable purposes, or may be carried over to the next scheduled day of play to conduct bingo games without charge to players until the proceeds carried over from the previous day's play have been exhausted.

3. No part of the gross receipts may be used by any organization for the construction, acquisition, improvement, maintenance, or repair of real or personal property or for debt reduction payments for such property, except property used for charitable purposes.

4. An authorized community association may deduct the actual expenses it incurs in conducting the bingo session but must return all remaining proceeds from such games to the players in the form of prizes, except that any proceeds remaining after payment of prizes to players may be carried over to the next day of play as provided in subparagraph 2. or donated to a charitable, nonprofit, or veterans' organization which is exempt from federal income tax under the provisions of s. 501(c) of the Internal Revenue Code to be used by such recipient organization for a charitable purpose. No part of the gross receipts may be used for any other purpose.

(b) Bingo games for patients only in federally or state designated veterans' hospitals, domiciliaries, and nursing homes may be conducted and such bingo sessions shall be exempt from the registration, licensing, recordkeeping, and reporting requirements of this section. Any funds generated over and above the actual cost of conducting the games and prizes awarded shall be used in conducting future games for the patients.

(c) Bingo games attended exclusively by the residents or clients of facilities licensed or certified under chapter 400, chapter 651, or s. 410.026, or their guests, or by residents or their guests of housing for the elderly financed or insured by the Federal Government, may be conducted by such facilities and shall be exempt from the registration, licensing, recordkeeping, and reporting requirements of this section if neither the facility nor any third party derives financial benefit from such games.

(5) LICENSE OR REGISTRATION REQUIRED; APPLICATION.—

(a) Only those persons holding an appropriate valid license, registration, or preliminary approval issued by the division are authorized to conduct bingo, to operate a leased bingo facility, or to act as a distributor. The division shall establish, by rule, a schedule for the annual renewal of licenses and registrations. A license or certificate of registration issued under this section is not transferable.

(b) Any authorized organization which generates annual gross bingo receipts of \$104,000 or less shall not be required to hold a license to be authorized to conduct bingo, but shall be required to register with the division. Such organization shall submit an application form to the division and, if the organization is eligible for registration, the division shall notify the applicant that it has been properly registered and is authorized to conduct bingo. The division shall issue to duly registered organizations a certificate of registration.

(c) The division shall have the authority to issue to any authorized organization a special event bingo license which shall authorize the organization to conduct bingo at festivals or short-term special events. The

special event bingo license shall have a maximum term of 5 days and no more than two special event bingo licenses shall be issued to any organization per year. The license fee for a special event bingo license, not to exceed \$25, shall be determined by the division. The two days per week limitation on the conduct of bingo by an authorized organization shall not apply to any special events licensed separately under this paragraph.

(d) An authorized organization seeking a license or registration or renewal thereof to conduct bingo shall make application on forms prescribed by the division. Such application shall contain the following information: the name and address of the applicant; if applicable, a determination letter from the Internal Revenue Service certifying that the applicant is exempt under federal tax law; evidence that the organization is eligible under this section to conduct bingo and, where applicable, has been in continuous existence in this state for at least 3 years; the address or location of the premises to be used for conducting bingo and, if the premises are to be leased, the name and address of the owner, together with a copy of the lease; projected annual gross bingo receipts; and other information determined necessary by rule by the division.

(e) A person seeking a distributor's license or renewal thereof shall make application on forms prescribed by the division. Such application shall contain the following information: the full name, address, and social security number or federal employment identification number of the applicant; the address of each location to be operated by the distributor; the name and address of all owners if the business is not a corporation; if a corporation, the name and address of each officer and director and each shareholder having a 10 percent or more interest; the name and address of the person designated as registered agent within the state; and other information determined necessary by rule by the division.

(f) A person seeking a license to operate a leased bingo facility or a renewal thereof shall make application on forms prescribed by the division. Such application shall contain the following information: the full name and address of the person who owns or holds a leasehold interest in the facility; the full name, address, and social security number or federal employment identification number of the applicant; the address of each location to be operated by the applicant; the name and address of all owners if the business is not a corporation; if a corporation, the name and address of each officer and director and each shareholder having a 10 percent or more interest; the name and address of the person designated as registered agent within the state; and other information determined necessary by rule by the division.

(g) Each principal of an applicant for a distributor's license or a license to operate a leased bingo facility; the management personnel of a leased bingo facility; the person who owns or holds a leasehold interest in a leased bingo facility, if affiliated with the applicant for a license to operate such facility; and the members-in-charge of sessions conducted by licensed organizations whose gross annual bingo receipts exceed \$104,000 shall have their backgrounds investigated by the division, including fingerprinting of such individuals, to ensure eligibility. Each such individual shall file with the division a complete set of his fingerprints that has been taken by an authorized law enforcement officer, which shall be submitted to the Department of Law Enforcement for state processing and to the Federal Bureau of Investigation for federal processing; the costs of processing shall be borne by the applicant.

(6) LICENSE FEES.—

(a) The annual fee for issuance or renewal of a license to operate a leased bingo facility shall be \$1,000. In addition, leased bingo facility licensees shall pay a daily operation fee of \$75 per day for each day the facility is used for conducting two or less bingo sessions and \$100 for each day the facility is used for conducting more than two bingo sessions. The daily operation fee shall be remitted to the division with the required monthly report for the preceding month's operation of the facility.

(b) The fee for issuance or renewal of a license for a distributor shall be \$2,000.

(c) The fee for issuance or renewal of a license or registration to conduct bingo shall be based upon the applicant's annual gross receipts from bingo according to the following schedule:

| Gross Receipts | Fees |
|------------------------|-------|
| \$0-104,000 | \$ 0 |
| \$104,001-300,000 | \$100 |
| in excess of \$300,000 | \$250 |

(d) Authorized organizations may also be licensed to operate a leased bingo facility. The total annual fee for the license issued to an authorized organization shall be \$250 per facility, in lieu of the fee provided in paragraph (a), if the organization was leasing its facility to other authorized organizations for the purpose of conducting bingo prior to January 1, 1993.

(e) The division shall have the authority to prorate fees and to stagger license and registration renewal dates and report submission dates.

(7) CONDITIONS FOR CONDUCTING BINGO.—

(a) Bingo may be conducted only between the hours of 10 a.m. and 1 a.m. Each bingo session may be sponsored and conducted by only one authorized organization. An authorized organization may conduct bingo a maximum of 2 days per week; any bingo session which continues after midnight, but not later than 1 a.m., shall be considered conducted on 1 day. Bingo may only be conducted 6 days per week at any premises, including leased bingo facilities.

(b) Each authorized organization conducting bingo shall designate up to three members of that organization to be in charge of each session, one of whom shall be designated the member-in-charge of the session. The member-in-charge may change from session to session. The member-in-charge shall be present during the entire session and be familiar with provisions of this section and all applicable rules for conducting bingo.

(c) Security for bingo sessions may be, but is not required to be, provided by an authorized organization. If the organization elects to provide security, it may be provided only by security personnel hired by the organization or members of the organization. Persons providing security services must be present during the entire session and actively engaged in performing only security duties. The maximum compensation for security services shall not exceed \$150 per security person per day. A member of the authorized organization who is providing security services may not be compensated and is not required to meet the requirements for security personnel.

(d) An organization conducting sessions open to the public may refuse entry to any person who is objectionable or undesirable, but such refusal of entry shall not be on the basis of race, creed, color, religion, sex, national origin, marital status, physical handicap, or age, except as provided in this section. An organization may establish rules for limiting or prohibiting attendance by minors at bingo sessions conducted by the organization.

(e) The gross receipts from all bingo activities shall be received by each organization by use of a receipting system approved by the division as sufficient to ensure that all gross receipts are properly documented. The division shall by rule prescribe various acceptable receipting systems or methods.

(f) Each organization authorized to conduct bingo shall employ adequate internal controls to safeguard receipts and maintain a separate bank account for its bingo activities, except that organizations which are registered to conduct bingo shall not be required to maintain a separate bank account. Gross receipts from each session less the amounts awarded as cash prizes or cash payments for expenses paid at the conclusion of the session shall be deposited into such account no later than the next business day following the date of the bingo session. All disbursements must be paid from this account on preprinted, serially numbered checks. Such checks must be payable to a specific payee and may not be made payable to cash.

(g) An authorized organization conducting bingo may lease or purchase equipment or supplies only from a licensed distributor or an organization licensed or registered to conduct bingo. When an authorized organization rents or leases bingo equipment or supplies, the price paid must be a lump sum or hourly rate established in the competitive market and shall not be based upon a percentage of the receipts or attendance at a bingo session.

(h) No person other than a member of the authorized organization conducting the bingo session may assist in the conduct of any bingo game conducted as part of that session.

(i) No person assisting in the conduct of a bingo game may receive any form of compensation for assisting in the conduct of a bingo game. This provision shall not be construed to prohibit tipping by patrons or compensation authorized by this section.

(j) Each volunteer and member-in-charge assisting in the conduct of a bingo session shall at all times during the session wear an identification tag or badge which displays the person's name, whether he is a volunteer or member-in-charge, and the name of the organization.

(8) PRIZES.—Prize limitations apply to all games, whether a fee is charged or the game is free. Game prizes shall not exceed \$50 in cash or items of equivalent value. Jackpot prizes shall not exceed \$250 in cash or items of equivalent value, and no more than three jackpots shall be awarded per day by any organization. The value of merchandise awarded as a prize is the suggested retail price or fair market value as of the date it is awarded, regardless of whether the item was purchased by or donated to the organization. All prizes shall be awarded by the end of the session, and merchandise offered as prizes must have been paid for in full prior to being offered as a prize.

(9) CONDUCT OF BINGO GAMES.—All games, regardless of the type or name, shall be conducted as follows:

(a) The objects, whether drawn or ejected, shall be equal as to size, shape, weight, and balance and as to all other characteristics that may control their selection from the receptacle. The caller shall cancel any game if, during the course of a game, the mechanism used in the drawing or ejection of objects becomes jammed in such a manner as to interfere with the accurate determination of the next number to be announced or if the caller determines that more than one object is labeled with the same number or that there is a number to be drawn without a corresponding object in the receptacle. Players in a game canceled pursuant to this paragraph shall be permitted to play the next game free of charge.

(b) Prior to commencement of any bingo session, the member-in-charge shall cause a verification to be made of all objects to be placed in the receptacle and shall inspect the objects in the presence of a disinterested player to ensure that all objects are present and that there are no duplications or omissions. Any player may call for a verification of numbers before, during, or after a session.

(c) The card on which the game is played shall be part of a deck, group, or series, with recorded control numbers, no two of which may be alike in any given game.

(d) After drawing each object, the caller shall manually display the object to the players before placing it in the rack. All numbers shall be announced in the same order that they are ejected from the receptacle.

(e) A winner or bona fide bingo is determined when a predetermined specified arrangement of called numbers appears on a bingo card that corresponds with the numbers on the objects drawn and announced. Numbers announced in error, objects misplaced in the rack, or errors in the numbers lit on the verification board shall not be recognized as a bingo.

(f) The particular arrangement of numbers required to be covered in order to win must be clearly described and announced to the players immediately before each game.

(g) Organizations are not required to have verification boards in order to conduct bingo, but if an organization uses a verification board in conducting its bingo session, it must be used during the entire session and cannot be turned off during any game unless it is inoperative.

(h) If an object has been drawn but the caller has not yet begun to vocally announce the number and a player declares a bingo on a previously called number, the object must be removed from the receptacle and shall be the next number to be called if the declared bingo is not valid. If the caller has started to vocally announce the number and a player declares a bingo on a previously called number, the caller shall complete the call of the new number and if the player's bingo on a previously called number is valid, such player shall share the prize for that game with any player who gained a bingo on the last number called.

(i) Numbers on the winning card shall be announced and verified as provided in this paragraph. A disinterested player shall review the card as the numbers on the card are announced. The caller shall check the numbers being announced against the numbers appearing on the objects in the rack. Any player shall be entitled, at the time the winner is determined, to call for a verification of the numbers drawn, and such verification shall be made against the objects in the rack in the presence of the player and the member-in-charge for that bingo session.

(j) After determining a winner, the caller shall ask, "Are there any other bingos?" The caller shall allow a reasonable time for other players to respond. If no one replies, the caller shall declare the game closed. No player is entitled to share the prize unless the player has declared a bingo prior to the announcement that the game is closed.

(k) The prize shall be awarded after a bingo is validated.

(10) ASSISTANCE FOR HANDICAPPED AND OTHER PLAYERS.—It is the intent of the Legislature to insure that handicapped players and players who are temporarily absent from his or her seat is not prevented from playing bingo due to a lack of assistance from other persons in attendance at the bingo session.

(a) Nothing in this chapter shall be construed to prohibit handicapped players from receiving assistance in the playing of bingo games which is provided by persons who accompany the player to the bingo session, another player, or persons who are assisting in the conducting of the bingo session. Organizations conducting bingo sessions shall not deny entry to or charge an entry fee of a person who seeks entry to a bingo session for the sole purpose of assisting a handicapped player.

(b) Nothing in this chapter shall prohibit the playing of player's bingo cards by another player or persons assisting in the conduct of the bingo session while the player whose cards are being played is temporarily away from his or her seat.

(11) NOTICES REQUIRED.—A person who is licensed to operate a leased bingo facility shall conspicuously post on the premises of the facility a copy of his license. An authorized organization conducting bingo shall conspicuously post on the premises where bingo is conducted a notice which contains a copy of its bingo license or registration notice; a description of all prizes to be awarded and how the prizes may be won; the rules under which bingo is to be played; all costs to play; the organization's name; how the net proceeds are to be distributed and, if the proceeds are to be donated to another organization, the name of such other organization; and the name of the member-in-charge for that session.

(12) LOCATION OF GAMES.—

(a) An organization licensed or registered to conduct bingo may conduct bingo games only at the premises designated on its application for a license or registration to conduct bingo and only within the county or within a 15-mile radius of the licensee's or registrant's headquarters or primary place of operation for purposes other than conducting bingo.

(b) Bingo may be conducted either outdoors or indoors.

(c) Bingo may only be conducted at any of the following premises:

1. Property owned by the authorized organization which is conducting the bingo session.

2. Property owned by the organization that is eligible and designated to receive the proceeds.

3. Property leased full time, for a minimum of 1 year, exclusively by the authorized organization which is conducting the bingo session.

4. Property leased from or donated by another authorized organization which may or may not be licensed or registered to conduct bingo at such location.

5. Property owned or leased by a county, municipality, or other governmental entity.

6. Property leased from a leased bingo facility operator licensed by the division.

7. Community associations may conduct bingo only at premises owned or leased by the association and located within the residential development. With respect to a mobile home park as defined in chapter 723, bingo may be conducted at premises owned or leased by the association or residents, or at premises which are common facilities of the park. Such bingo games shall not be open to the public and shall be restricted to members and residents of the association community or mobile home park and their guests.

Property described in subparagraphs 1. through 4. may be used by a maximum of three authorized organizations per week for the purpose of conducting bingo. Any such facility used by more than three authorized organizations per week for the purpose of conducting bingo shall be considered and must be licensed as a leased bingo facility.

(d) Bingo may only be conducted pursuant to the following lease arrangements:

1. Property used for conducting bingo must be leased for a minimum of 1 year, except in situations involving a special events license.

2. A lease agreement for the lease of premises for the conduct of bingo may provide at a reasonable market rate for concessions or concession operators, security personnel, bingo equipment (tables and chairs, receptacle, rack, verification boards, and television monitors), advertising, and custodial services related to the conduct of bingo. No organization, however, shall be required by any lessor, including an operator of a leased bingo facility, as a condition of leasing the facility, to lease anything in addition to the facility and the equipment specified in this paragraph. The lease agreement between a leased bingo facility operator and an authorized organization may not provide for the facility operator or his employees, agents, or family members to participate in the conduct of bingo by the authorized organization.

3. The lease may not be based upon a percentage of the gross receipts or net proceeds from, or the number of patrons attending, a bingo session. The lease must be based on a flat rate rental amount which does not exceed the fair market rental rates charged for premises of similar size in the same locale for similar rental time periods. The division shall prescribe by rule the acceptable method of determining fair market rental rates.

4. An organization licensed or registered to conduct bingo may lease or sublease premises it owns or leases full time to other authorized organizations for use by such other organizations for the purpose of conducting bingo.

5. A governmental entity may lease or sublease premises it owns or leases full time to any authorized organization for use by the organization for the purpose of conducting bingo.

6. A person licensed to operate a leased bingo facility must enter into a written lease with each authorized organization electing to use the facility for conducting bingo sessions. All of the remuneration to be received by an operator of a leased bingo facility from the authorized organization leasing such facility must be stated in the lease, and the lease must provide a breakdown of rental charges. A copy of each such lease shall be submitted by the operator to the division along with the report required by subsection (12) which is due for the month in which the lease is executed.

(e) The division or any law enforcement agency with jurisdiction may conduct inspections of premises where bingo is conducted or bingo equipment and supplies are stored to ensure compliance with the requirements of this section during regular business hours.

(13) RECORDS AND REPORTS.—

(a) Each authorized organization licensed to conduct bingo shall keep and maintain permanent records of its bingo activities and shall maintain such records for a period of not less than 3 years. These records shall contain sufficient detail to allow the division to determine compliance with this section and shall be available for audit and inspection by the division or other law enforcement agencies with jurisdiction during the organization's regular business hours. The records shall contain the following information for each reporting period: the number of sessions conducted; the total gross receipts from all sessions; the total cost of prizes, both cash and merchandise, awarded for all sessions; the total authorized expenses for all sessions and to whom such expenses were paid; and the amount of any net proceeds remaining after payment of prizes and the purpose for which any proceeds were or are to be used.

(b) Each organization licensed to conduct bingo shall file semiannually with the division a report containing the required bingo records. The required reports shall be submitted on forms prescribed by the division, shall contain the information set forth in paragraph (a) and any additional information required by the division, and shall be deemed public records.

(c) Each authorized organization registered to conduct bingo shall be exempt from the recordkeeping and reporting requirements of this section, except that such organization shall be required to submit annually to the division a sworn affidavit disclosing, for all bingo sessions conducted, the total gross receipts, the total amount spent on authorized expenses and the total amount awarded as prizes.

(d) Each person licensed as a distributor shall keep and maintain permanent records of his bingo activities and shall maintain such records for a period of not less than 3 years. These records shall contain sufficient detail to allow the division to determine compliance with this section and shall be available for audit and inspection by the division or other law enforcement agencies with jurisdiction during the distributor's normal business hours. Each bingo distributor shall file quarterly with the division a report which discloses all receipts and expenditures relating to its bingo-related activities in the state and which identifies the authorized organizations to which such equipment and supplies were supplied. The required reports shall be on forms prescribed by the division and shall be deemed public records once filed.

(e) Each person licensed to operate a leased bingo facility shall keep and maintain permanent records of his bingo activities and shall maintain such records for a period of not less than 3 years. These records shall contain sufficient detail to allow the division to determine compliance with this section and shall be available for audit and inspection by the division or other law enforcement agencies with jurisdiction during the operator's regular business hours. Each leased bingo facility operator shall file monthly with the division a report which discloses all receipts and expenditures relating to its bingo activities in the state and the number of bingo sessions which were conducted at the facility per day, and which identifies the authorized organizations which conducted each bingo session conducted at the facility. The required reports shall be submitted on forms prescribed by the division, shall contain whatever additional information is deemed necessary by the division, and shall be deemed public records once filed. The division shall review the financial reports submitted by such operators to ensure their compliance with this section.

(f) A uniform reporting system shall be developed by the division to provide acceptable uniform financial data and statistics concerning organizations conducting bingo, outside concessionaire operations, concessions operated by any licensee, distributors, and leased bingo facility operators, which the division may use to review the operation of these organizations in order to exercise a reasonable degree of control over the activity of the bingo industry. Each licensed distributor and leased bingo facility operator shall submit to the division, in addition to any other required reports, a complete annual report of its accounts, certified by a public accountant licensed to practice in the state. The division shall adopt rules for the form and content of such reports, including, but not limited to, a requirement for a statement of assets and liabilities, operating revenues and expenses, and net worth, which statement shall be certified by a public accountant licensed to practice in this state, and any other information deemed necessary by the division.

(14) PROHIBITED ACTIVITIES.—

(a) The use of computer and electronic devices for conducting bingo is prohibited.

(b) Door prizes, give-aways, and any gaming activity other than bingo are prohibited on the premises on any day bingo is conducted, except games authorized by chapter 24 and promotions conducted by the authorized organization conducting the bingo session. Promotions offered pursuant to this paragraph are subject to the prize limitations provided in this section.

(c) Leased bingo facility operators and their employees, agents, or family members may not participate in the conduct of an authorized organization's bingo session conducted at a leased bingo facility. An authorized organization may not allow the operator of a leased bingo facility or his employees, agents, or family members to participate in the conduct of the authorized organization's bingo sessions.

(d) Authorized organizations conducting bingo may not lease premises to conduct bingo from any person other than an authorized organization, a person licensed to operate a leased bingo facility, or a municipality, county, or other governmental entity as provided herein, and may lease, purchase, or otherwise acquire bingo equipment or supplies only from a person duly licensed as a distributor or an organization licensed or registered to conduct bingo.

(e)1. No person who:

a. Has been convicted within the last 5 years of a felony which was designed and intended to obtain or dispose of money or property through false pretenses, including fraud, embezzlement, theft, and racketeering;

b. Has been convicted of or pleaded nolo contendere to any illegal gambling activity or forfeited bond for not appearing while charged with such;

c. Directly or indirectly leases premises or sells, leases, or otherwise distributes bingo equipment or supplies to an organization for the purposes of conducting bingo; or

d. Has violated any provision of this section or any rules adopted pursuant thereto;

may participate in the operation or conduct of the bingo activities of an authorized organization.

2. No person who:

a. Has been convicted within the last 5 years of a felony which was designed and intended to obtain or dispose of money or property through false pretenses, including fraud, embezzlement, theft, and racketeering;

b. Has been convicted of or pleaded nolo contendere to any illegal gambling activity or forfeited bond for not appearing while charged with such; or

c. Has violated any provision of this section or any rule adopted pursuant thereto;

may be licensed as a bingo distributor or be employed by a licensed distributor.

3. No person who:

a. Has been convicted within the last 5 years of a felony which was designed and intended to obtain or dispose of money or property through false pretenses, including fraud, embezzlement, theft, and racketeering;

b. Has been convicted of or pleaded nolo contendere to any illegal gambling activity or forfeited bond for not appearing while charged with such; or

c. Has violated any provision of this section or any rule adopted pursuant thereto;

may be licensed to operate a leased bingo facility or be employed by a person licensed to operate a leased bingo facility.

(f) No authorized organization or other person shall lend or sell the name of an authorized organization or allow such organization's identity to be used by anyone for the purpose of operating, conducting, or advertising any bingo game. Authorized organizations are not, however, prohibited from advertising sessions they conduct or how the proceeds are to be used. Operators of leased bingo facilities licensed by the division are not prohibited from advertising sessions that are conducted by an authorized organization at the leased facility if the authorized organization has given written approval for the advertising. No authorized organization or other person may enter into any agreement to have anyone conduct a bingo session on behalf of the authorized organization or other person, except as provided in this section.

(g) Any person assisting in the conduct of any game played during a bingo session shall not be allowed to participate as a player during that session.

(h) No person under the age of 18 years may participate in conducting or playing bingo.

(i) Seats or bingo cards shall not be held, set aside, or reserved for any player by anyone assisting in the conduct of any session, except braille cards for use by legally blind players.

(j) No service or thing of value shall be given or offered by any authorized organization or other person to encourage or entice participation in any bingo game, except that the furnishing of nonalcoholic beverages and edibles to patrons without cost and promotions as provided in this section are allowed.

(k) An authorized organization conducting bingo on premises at which it is also licensed to serve alcoholic beverages may not engage in both activities at the same time unless done in two separate rooms which are closed off from one another. No authorized organization may conduct bingo or allow bingo to be played in the room designated for selling alcoholic beverages, nor may it allow anyone to possess or consume any alcoholic beverage in the room designated for conducting bingo.

(1) No operator of a leased bingo facility, employee, agent, or family member of such operator, or person holding a financial or managerial interest in a leased bingo facility may:

1. Provide any person to conduct or assist in the conduct of bingo at the facility.
2. Provide accounting services to an organization conducting bingo on the premises of the facility.
3. Solicit, suggest, encourage, or make any expenditure of gross receipts of an authorized organization conducting bingo on the premises.
4. Charge any fee to any person wishing to play bingo-conducted by an authorized organization at the facility.
5. Provide assistance for or participate in the conduct of bingo at the facility.

(15) SUSPENSION, REVOCATION, OR DENIAL OF LICENSE OR REGISTRATION; FINE.—

(a) The division may deny a license or registration or renewal thereof or may suspend or revoke any license or registration when the applicant, organization licensed or registered to conduct bingo, licensed distributor, or licensed leased bingo facility operator has violated or failed to comply with the provisions of this section or any rules adopted pursuant thereto; knowingly caused, aided, abetted, or conspired with another to cause any person to violate this section or any rules adopted pursuant thereto; obtained a license or registration by fraud, misrepresentation, or concealment; or if any principal of the licensed distributor, licensed leased bingo facility operator, or authorized organization is found to be no longer eligible under this section.

(b) Notwithstanding any other provision of this section, the division may impose an administrative fine not to exceed \$5,000 for each violation against any person who has violated or failed to comply with the provisions of this section or any rules adopted pursuant thereto.

(16) CRIMINAL PENALTY; INJUNCTIONS.—

(a) Any person who conducts a bingo game, operates a leased bingo facility, or distributes bingo equipment and supplies without a valid license or registration certificate issued as provided in this section commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b) The division, any state attorney, the statewide prosecutor, or the Attorney General may, within their respective jurisdictions, conduct inspections of premises where bingo is conducted or bingo equipment and supplies are stored and inspect the records of any registrant or licensee to ensure compliance with this section. Such authorities may apply for a temporary or permanent injunction restraining further violation of this section and such injunction shall issue without bond.

(17) **DEPOSITS.**—All moneys collected under this section shall be deposited in the Pari-mutuel Wagering Trust Fund and shall be used exclusively for the bingo-related activities of the division.

(18) **LOCAL ORDINANCES.**—The bingo regulations provided in this section constitute the minimum regulations for bingo conducted in this state. This section does not prohibit additional stricter bingo regulations being imposed by counties or municipalities through local ordinances. Local governments may also adopt zoning ordinances designed to protect the public's health, safety, and welfare which affect bingo activities in that jurisdiction.

Section 2. (1) There is hereby appropriated from the Pari-mutuel Wagering Trust Fund to the Department of Business Regulation for fiscal year 1993-1994 sufficient funds and positions as required for the purpose of administering the provisions of this act.

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

Section 3. Any unrefunded license fees paid pursuant to chapter 91-206, Laws of Florida, by applicants for licensure or registration as provided in this act shall be applied toward the first year's license or registration fee, if any, required hereunder, and any unused portion shall be refunded to such applicants at the time they are approved by the division for licensure or registration.

Section 4. (1) Section 6 of chapter 92-280, Laws of Florida, is hereby repealed.

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

Section 5. Except as otherwise provided herein, this act shall take effect October 1, 1993, except that paragraphs (a) and (b) of subsection (3) of section 849.0931, Florida Statutes, as amended by this act, shall take effect upon this act becoming a law.

And the title is amended as follows:

In title, strike everything before the enacting clause and insert: A bill to be entitled An act relating to bingo; amending s. 849.0931, F.S.; revising provisions which regulate the conduct of bingo; providing intent; providing definitions; providing that the Division of Pari-mutuel Wagering shall supervise bingo activities and specifying powers and duties of the division; authorizing the conduct of bingo by authorized organizations; providing for use of bingo proceeds; providing requirements and conditions for the conduct of bingo; requiring licensing or registration of such organizations, operators of leased bingo facilities, and distributors of bingo equipment; providing exemptions; providing for special event licenses; providing for fees; providing assistance for certain players; providing limitations on prizes; providing requirements regarding the location of games and the lease of premises; providing requirements for records and reports; prohibiting certain activities in connection with bingo; providing for revocation or denial of licenses and registrations and administrative fines; providing a criminal penalty; providing for injunctions; providing for deposit of moneys collected in the Pari-mutuel Wagering Trust Fund; authorizing certain local ordinances relating to bingo; providing an appropriation and authorizing positions; providing a credit against first-year license or registration fees and refunds for license fees previously paid and not refunded; repealing s. 6 of ch. 92-280, Laws of Florida, which provides for review and repeal of s. 849.0931, F.S.; providing effective dates.

POINT OF ORDER

Senator Childers raised a point of order that pursuant to Rule 7.1, **Amendment 1** contained language of a bill not reported favorably by a Senate committee and was therefore out of order.

RULING ON POINT OF ORDER

On recommendation of Senator Jennings, Chairman of the Committee on Rules and Calendar, the President ruled the point well taken and the amendment out of order.

Senator Grant moved that **SB 738** be withdrawn from the Committees on Commerce; Finance, Taxation and Claims; and Appropriations. The motion failed.

Senator Gutman moved the following amendment which failed:

Amendment 2 (with Title Amendment)—On page 1, between lines 11 and 12, insert:

Section 2. Subsection (4) is added to section 849.231, Florida Statutes, to read:

849.231 Gambling devices; manufacture, sale, purchase or possession unlawful.—

(4) *This section and the other sections of this chapter which regulate or prohibit the possession, display, or use of certain devices, implements, apparatus, or paraphernalia do not apply to the state lottery operated pursuant to chapter 24 or to contracted lottery retailers when such devices, implements, apparatus, or paraphernalia are used exclusively for purposes of promoting the sale of tickets or other products of the department of the lottery.*

(Renumber subsequent section.)

And the title is amended as follows:

In title, on page 1, strike line 2 and insert: An act relating to gambling; amending s. 849.231, F.S.; providing that certain regulations do not apply to the state lottery; repealing s. 6 of ch.

On motion by Senator Grant, by two-thirds vote **CS for SB 1128** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35 Nays—2

Motion

On motion by Senator Grant, the rules were waived and **CS for SB 1128** was ordered immediately certified to the House.

SB 110—A bill to be entitled An act relating to delinquency; amending s. 39.045, F.S.; authorizing law enforcement agencies to release the names of certain offenders; creating s. 232.51, F.S.; prescribing a period of curfew for certain students and prescribing duties of law enforcement officers with respect to students found in violation of curfew; providing an effective date.

—was read the second time by title.

The Committee on Health and Rehabilitative Services recommended the following amendment which was moved by Senator Beard:

Amendment 1—On page 2, line 13, after “residence” insert: or deliver the student to a police station or sheriff’s office for supervision and monitoring in a section which is separated from any area used for adult offenders and which does not permit sight and sound contact with adult offenders other than on a haphazard or accidental basis. The law enforcement agency taking the student into custody shall attempt to immediately notify the student’s parent or guardian of the student’s location and shall thereafter release the student to the parent or guardian or if, the student’s parent or guardian is unavailable, unwilling, or unable to accept custody of the student, to any responsible adult including during the school day the principal of the student’s school

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

Amendment 1A—On page 1, line 23, following “school” insert: or the person in charge of a facility designated by the district school board to receive such students

Amendment 1 as amended was adopted.

On motion by Senator Beard, by two-thirds vote **SB 110** as amended was read the third time by title and failed to pass. The vote was:

Yeas—19 Nays—19

Reconsideration

On motion by Senator Kiser, the rules were waived and the Senate reconsidered the vote by which—

SB 110—A bill to be entitled An act relating to delinquency; amending s. 39.045, F.S.; authorizing law enforcement agencies to release the names of certain offenders; creating s. 232.51, F.S.; prescribing a period of curfew for certain students and prescribing duties of law enforcement officers with respect to students found in violation of curfew; providing an effective date.

—failed to pass.

Senator Dudley moved the following amendment which failed:

Amendment 2—On page 1, line 20, after “custody” insert: *and of the natural parents or legal guardian of such child*

Senator Holzendorf moved the following amendment which was adopted by two-thirds vote:

Amendment 3—On page 1, strike all of lines 23-26 and insert: ~~felony, or the name and address of any child 16 years of age or older who has been found by a court to have committed at least three or more violations of law which, if committed by an adult, would be misdemeanor.~~

On motion by Senator Beard, by two-thirds vote **SB 110** as amended was read by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—21 Nays—14

Motion

On motion by Senator Beard, the rules were waived and **SB 110** was ordered immediately certified to the House.

Consideration of **SB 1750** was deferred.

CS for CS for SB 42—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 that annual license taxes on insurers be credited to the Insurance Commissioner’s Regulatory Trust Fund; providing an effective date.

—was read the second time by title. On motion by Senator Childers, by two-thirds vote **CS for CS for SB 42** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38 Nays—None

CS for SB 1540—A bill to be entitled An act relating to building construction standards; amending s. 553.73, F.S.; prescribing requirements for building codes; creating s. 553.735, F.S.; providing minimum wind-load design standards; providing an effective date.

—was read the second time by title.

Senator Diaz-Balart moved the following amendments which were adopted:

Amendment 1 (with Title Amendment)—On page 1, between lines 10 and 11 insert:

Section 1. Subsection (8) is added to section 553.71, Florida Statutes, to read:

553.71 Definitions.—As used in this part, the term:

(8) *“Load management control device” means any device installed by any electric utility or its contractors which temporarily interrupts electric service to major appliances, motors, or other electrical systems contained within the buildings or on the premises of consumers for the purpose of reducing the utility’s system demand as needed in order to prevent curtailment of electric service in whole or in part to consumers and thereby maintain the quality of service to consumers, provided the device is in compliance with a program approved by the Florida Public Service Commission.*

Section 2. Subsection (1) of section 553.79, Florida Statutes, is amended to read:

553.79 Permits; applications; issuance; inspections.—

(1) After the effective date of the State Minimum Building Codes adopted as herein provided, it shall be unlawful for any person, firm, or corporation to construct, erect, alter, repair, or demolish any building within this state without first obtaining a permit therefor from the appropriate enforcing agency or from such persons as may, by appropriate resolution or regulation of the enforcing agency, be delegated authority to issue such permits, upon the payment of such reasonable fees adopted by the enforcing agency. The enforcing agency is empowered to revoke any such permit upon a determination by the agency that the construction, erection, alteration, repair, or demolition of the building for which the permit was issued is in violation of, or not in conformity with, the provisions of the State Minimum Building Codes. *Installation, replacement, removal, or metering of any load management control device is exempt from and shall not be subject to the permit process and fees otherwise required by this section.*

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 1, line 3, after “standards;” insert: amending s. 553.71, F.S.; providing a definition; amending s. 553.79, F.S.; exempting load management control devices from permit and fee requirements under this section;

Amendment 2—On page 5, strike all of lines 6-23 and insert:

(6) In adopting a wind-load standard, a local government or state agency that has building construction regulation responsibilities is limited to the design standards set forth in subsections (1) and (2), the specification standards approved under subsection (3), and the more stringent wind-load standards adopted under subsection (4). Each existing wind-load standard must be submitted to the board by October 1, 1993. Each wind-load standard adopted after October 1, 1993, must be submitted to the board for review within 90 days after the effective date of the standard. When a standard is submitted to the board for review under this subsection, the submitting entity must provide documentation sufficient to allow the board to make the determinations set forth in subsection (3). If the board determines that a wind-load standard that has been adopted is inconsistent with this section, the board may bring an action in circuit court to enforce the state minimum standard for wind-load or to seek any other relief that the board considers appropriate.

Senator Beard moved the following amendment which was adopted:

Amendment 3—On page 4, strike all of lines 17-20 and insert:

(a) Determine through a series of public hearings that the specification standards are based on engineering and empirical data and are at least equal, on a performance basis to the wind-load design standard from which they are derived.

On motion by Senator Diaz-Balart, by two-thirds vote **CS for SB 1540** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—35 Nays—3

CS for SB’s 1708 and 1884—A bill to be entitled An act relating to public assistance; creating the “Family Transition Act”; providing a short title; providing legislative intent; providing definitions; providing for demonstration projects; providing requirements for the projects; providing for evaluation of the projects and for recommendations for expanding the program to other areas of this state; providing responsibilities of the Department of Health and Rehabilitative Services; providing for limitations on benefits and for enhanced services, to promote self-sufficiency; providing exceptions to certain limitations on benefits; providing for exemptions from limitations; providing for the department to extend benefits in specified circumstances; providing limitations on the assets that a participant may have; providing for additional transitional child-care benefits; providing for suspension of benefits for unexcused absences from school; providing for waivers of certain limitations; providing for penalties for failure to participate in a required program activity; requiring AFDC participants to maintain required childhood immunizations and providing a penalty for failure to do so; providing for a waiver of the immunization requirement; requiring certain work to have been performed in the United States; providing for an appropriation; providing an effective date.

—was read the second time by title.

Senators Bankhead, Jones, Hargrett and Burt offered the following amendment which was moved by Senator Bankhead:

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

Section 1. Short title.—This act may be cited as the “Family Transition Act.”

Section 2. Legislative intent.—

(1) The purpose of the family transition program is to provide short-term comprehensive services that are concentrated on moving participants along the continuum from dependence on society through independence to the opportunity to contribute to society.

(a) The family transition program exists to meet the transitional needs of program participants who need assistance toward achieving independent, productive lives and gaining the responsibility that comes with self-sufficiency.

(b) The family transition program must be delivered in a manner consistent with the preservation and encouragement of self-worth, both for those who receive the services and for those who deliver the services.

(2) It is the intent of the Legislature to implement this act statewide as soon as practicable.

(3) It is the intent of the Legislature that the family transition program be implemented in its entirety and that the provisions authorizing enhanced benefits not be implemented without specific benefit limitations.

Section 3. Definitions.—As used in this act, the term:

(1) “AFDC” means aid to families with dependent children.

(2) “Bootstrap training” means a process in which an employed person who has been a participant in the family transition program continues his education through self-study instruction, technical-skills training, or other educational endeavors.

(3) “Department” means the Department of Health and Rehabilitative Services.

(4) “Family transition program” means the AFDC client’s transition program and involves a pact between service deliverers and participants under which enhanced benefits and services are provided in exchange for increased participant responsibility.

(5) “Participant” means any person participating in the family transition program.

(6) “Review panel” means the local panel selected by the department’s health and human services board to assist in reviewing the sufficiency of the department’s delivery of enhanced P.A.C.T. program services and the progress of P.A.C.T. program participants.

(7) "Workfare" means an employability-skills training program, consisting primarily of unpaid work performed for a public agency or a non-profit agency, which provides to the participant, in exchange for benefits under the family transition program, the opportunity to develop basic work skills, to practice and improve existing skills, and to acquire on-the-job experience. A participant in workfare is not an employee of the state and is not subject to chapter 440, Florida Statutes.

Section 4. Family transition program; general provisions.—

(1)(a) Any provision of law to the contrary notwithstanding, the department shall begin to implement the family transition program, as soon as possible, but no later than 3 months after it receives federal waiver approval and sufficient funds. In order to satisfy the requirements for obtaining federal waivers, the department shall initially implement two variations of the family transition program as demonstration projects, with the goal of having the program implemented statewide as early as practicable, subject only to the availability of funding and federal waivers. The demonstration projects must be implemented in distinct, urban locations that are as closely matched demographically as is feasible, each consisting of at least one county, selected by the department as appropriate test locations for the purpose of collecting the data necessary for evaluation in accordance with this act.

(b) The department shall select the locations of the demonstration projects within the following guidelines:

1. Locations must be manageable sites consistent with the evaluation design, and selection factors must include labor markets, transportation system, ethnic composition, concentrations of low-income families, local employment capacities, and the capacities of local service delivery systems.

2. The department must consult with the district health and human service boards in the process of site selection and must encourage community input into the selection process through the boards.

(c) The department shall immediately request all federal waivers necessary to implement the program demonstration project. The department may redirect current support funds offered to family transition program participants to optimize the effectiveness of the funds in this program, shall report to the chairmen of the appropriate substantive committees of the Senate and the House of Representatives on the waivers that are being used, shall compile data evaluating the use of waivers as part of evaluating the program, and shall recommend annually any program changes that need to be incorporated as progress toward statewide implementation is made.

(2) The demonstration projects must provide an identical array of time-limited, concentrated transitional services, except that:

(a) In one of the demonstration projects, participation in the family transition program, as well as in a workfare program for participants, must be mandatory. Each participant who is assessed as job-ready must, after an initial 3 weeks of job search, participate in the employability-skills training program for at least 30 hours per week. However, a participant may be exempted from participation in the employability-skills training program if daycare and transportation are not available or if the participant is participating in an allowable federal job-opportunities and basic-skills activity that provides education or training, for at least 30 hours per week or full time, as designated by the education or training institution. The employability-skills training program must meet all federal requirements.

(b) In the other demonstration project public assistance applicants and recipients must be provided with the option to participate in the family transition program by entering into a written contract. The written contract must include an agreement to accept the time-limited benefits described in this act in exchange for the concentrated transitional services. As part of this demonstration project, workfare may be used where appropriate or as a component in a participant's employability plan.

(3) If a participant family ceases to receive AFDC benefits in a transitional demonstration project because the family moves out of the project area or becomes ineligible for AFDC benefits and the family later begins again to receive AFDC benefits, the duration limitation on the monthly payment applies as though the family never ceased to receive AFDC benefits in the transitional demonstration project. However, if the family has been ineligible for AFDC benefits for at least 36 consecutive months before reapplying for AFDC, this subsection does not apply.

Section 5. Federal waivers and evaluation.—

(1) The department shall conduct, through contract, a comprehensive evaluation of the demonstration projects operated under this act. An initial phase of such evaluation must be designed to monitor the extent to which the family transition program is being implemented and to make recommendations on how best to expand the Family Transition Program to other sites including validation of estimated program costs and savings related to factors such as child care, other support services, AFDC benefits, staffing ratios and service integration.

(2) The initial phase of the evaluation must provide information on the preliminary outcomes of the program, including rates of job placement and job retention and participant salary levels. The department shall report results of the initial evaluation within 18 months after the demonstration projects begin.

(3) Following the initial implementation of the demonstrations projects, a subsequent phase of evaluation must be conducted to determine the impact of the Family Transition Program on participants. The evaluation must include, but is not limited to:

(a) The effect of the programs on post-program levels of earnings and public assistance receipt.

(b) The effect of the program on longer term job retention and welfare recidivism.

(c) Estimates of the impact of the Family Transition Program on aggregate expenditures for AFDC, Food Stamps, Medicaid, child care, other support services, funds expended under the Job Opportunities and Basic Skills Training (JOBS) program, the Job Training Partnership Act (JTPA), and similar publicly funded programs and services.

(4) In order to provide evaluation findings with the highest feasible level of scientific validity, the department is specifically authorized to contract for an evaluation design that includes random assignment of program participants to program groups and control groups. Under such design, members of control groups must be given the level of benefits and services generally available to recipients who are not included in the Family Transition Program demonstration areas. The provisions of section 402.105, Florida Statutes, or similar provisions of federal or state law do not apply under this section.

(5) If the secretary determines that procurement procedures for the evaluation will delay the application or approval of any required federal waivers or would otherwise delay initial implementation of Family Transition Program demonstration sites beyond January 1, 1994, the secretary may proceed with such procurement, notwithstanding any provisions of Chapter 287, Florida Statutes. However, the professional standards of any contractor selected are consistent with the provisions of this section and the amount of the contract must not exceed the funds provided for this purpose.

Section 6. Responsibilities of the department.—

(1) To improve efficiency, the department shall promote innovative approaches to the delivery of program services that foster the development of entrepreneurial program efforts among participants.

(2) To the greatest possible extent, there must be a single location at which participants can receive program services.

(3) The department shall develop a procedure for determining the employability of program participants when they enter the program. Those participants who are found to be job-ready must be referred to job-search programs. Screening criteria may include, but are not limited to, work experience, academic or vocational aptitudes, and length of time on public assistance.

(4) Each participant who is not initially referred to a job-search program, must be provided with family-centered case-management beginning with screening or with an assessment to determine appropriate services, followed by development and implementation of a mutually understood employability plan that includes, but need not be limited to, the provision of necessary education, training, motivation, and other related support services, and culminating in the participant family's self-sufficiency through employment.

(5) For staff who deal directly with participants, the department shall provide training to encourage a positive staff attitude, an understanding of the goals of the family transition program, and the necessary capabilities to accomplish these goals.

(6) The department shall provide to participants full notification of all benefit limitations and mutual expectations. Full notification must be made a part of the employability plan.

(7) The department shall expand project independence and establish bootstrap training programs that include education, training, apprenticeship, and work internships, with priority placed on assisting participants to achieve self-sufficiency by obtaining employment or higher-paying jobs. The department may establish a bootstrap training initiative, including formal motivational training, to cultivate positive attitudes, self-esteem, and personal responsibility and to increase the participants' likelihood of achieving self-sufficiency.

(8) At least once every 6 months, the case manager shall conduct a review to assure that the participant is making progress on the employability plan. After the evaluation, the case manager must advise the participant as to his progress.

(9) The department shall work with other units of state and local government, including housing authorities, through innovative, cooperative rent-subsidy programs, toward reducing disincentives to employment, and shall conduct public-awareness programs that provide effective community understanding of the new opportunities to achieve self-sufficiency.

(10) The department may offer, where appropriate, vouchers for the purchase of various types of program services from a menu of appropriate services, which may include child care and transportation.

Section 7. Benefits limitations and enhanced services applicable to all participants.—

(1)(a) Except as otherwise provided in this act, AFDC benefits may not be received for more than 24 months in any 60-month period by applicants and current recipients, except that those recipients who have received AFDC for 36 of the past 60 months, or who are under 24 years old, have no high school diploma or are not currently in high school or a high school equivalency program, and have little or no work history in the past year, may not receive AFDC benefits for more than 36 months out of any 72-month period.

(b) The family transition program family review panel may approve or disapprove a maximum of two extensions of the time limit on AFDC benefits of up to 4 months each. Such extensions may be granted only if the participant has substantially met the requirements of the participant's employability plan and has encountered extraordinary difficulties in obtaining employment. Participants who are granted an extension to the benefit time limits remain responsible for meeting all program requirements.

(c) The following persons are exempt from the time limits on AFDC benefits contained in this act:

1. A disabled or incapacitated adult;
2. A full-time caretaker of a disabled dependent person;
3. A caretaker relative whose needs are not included in the AFDC benefits;
4. A person who is under 18 years of age who remains in an educational program or is working at least 30 hours per week to support his family;
5. A parent who has a child who is 3 months of age or younger; and
6. A recipient who is 62 years of age or older.

Section 8. Review panels; selection and responsibilities.—

(1) Upon selection of the demonstration project locations, there shall be established for each demonstration project, at least one review panel to assist in reviewing the sufficiency of the department's delivery of enhanced family transition program services as required in this act and the progress of participants. Each review panel must consist of seven members and must include a member of the local health and human services board, a member of the Private Industry Council, a participant or former participant in the family transition program, two members of the local business community, one member of the education community, and one member at large. The district administrator shall submit nominees for each review panel to the health and human services board for confirmation. The member of the review panel designated from the health and human services board shall serve as interim chair until a permanent chair is elected by the members of the panel.

(b) The department shall provide support staff and services for the review panels, and shall provide all review panel members with intensive training in public assistance issues and the goals of the family transition program.

(c) Review panels shall operate under the auspices of the health and human services boards, but all determinations must be made independently of the department. Review panel members, while serving on review panels, are agents of the state for purposes of sovereign immunity under section 768.28, Florida Statutes.

(2) The review panels shall:

(a) Review every 9 months the cases of those participants who are failing to meet the requirements of their employability plans or to meet program requirements. This review should include an evaluation of the sufficiency of the department's efforts to meet its responsibilities under the program.

(b) Approve or disapprove applications for the extension of the time limit in AFDC benefits pursuant to this act. Failure by the department to substantially provide sufficient services as specified in the family transition program may be considered by the review panel in evaluating an application for the extension of the time limit on benefits. The participant and the participant's advocate may review and obtain copies of all documents concerning the participant, including documents submitted to the review panel, at least 10 days before the review hearing is held. The participant and the participant's advocate may question the case manager at the review hearing and submit information for consideration by the review committee. The review panel's decision must be in writing.

(3) The participant's case manager shall submit the participant's entire case file and prepare the information presented to the review panel for the participant's review hearing, and the participant may bring an advocate to the review hearing.

(4) Review panel members shall serve without compensation, but are entitled to receive reimbursement for per diem and travel expenses as provided in section 112.061, Florida Statutes.

(5) Nothing precludes any participant from seeking a standard fair hearings process review procedure in addition to the review panel proceedings. The participant must be informed of this option by the department.

Section 9. Immediately before each participant reaches the end of the participant's eligibility for benefits, the district administrator shall conduct a review to determine whether payment of any continuing benefits to the participant's dependent children should be made to the participant or to a protective payee.

Section 10. Enhanced services; participant responsibilities.—

(1)(a) The asset-accumulation limit for each participating family is \$5,000 per family, plus the equity value of a vehicle in an amount up to \$6,000, if the asset is used primarily for self-sufficiency purposes, in order not to discourage the accumulation of assets for purposes such as education, employment, training, improved housing, or the development of a business.

(b) A vehicle that is owned by an applicant before applying for AFDC is not restricted in equity value.

(2) In computing a participant family's eligibility for basic AFDC benefits, the following amounts must be disregarded:

(a) The first \$200 of a participant's monthly gross earnings and 50 percent of all additional earned income.

(b) Amounts earned during the summer by a teenager who has remained in school throughout the previous academic year and who has not yet been graduated from high school.

(c) The income of a stepparent whose needs are not included in the AFDC assistance group. The duration of the income exclusion allowed under this paragraph may not exceed 6 months.

(3) The department shall inform participants of the advantages of the earned-income tax-credit option that is available as a wage supplement for low-wage working families with children and encourage them to take advantage of that credit.

(4) A child who is a full-time student in secondary school or vocational training, or the equivalent, and who is expected to complete his program by age 19, is eligible for basic AFDC benefits until his 19th birthday.

(5) A participant family that meets the requirements of section 402.3015(4), Florida Statutes, may receive 12 additional months of transitional child care benefits, in addition to the 12 months of transitional child care benefits provided under section 402.3015, Florida Statutes. During the second year of subsidized child care benefits, participants shall pay a higher child care fee, based on a sliding scale and as specified in section 409.029, Florida Statutes.

(6) With respect to Medicaid, the department shall eliminate the periodic reporting requirement and extend benefits for 12 full months for employed participant families who lose their AFDC eligibility due to earnings.

(7) Each participant is required to have a conference with an appropriate school official of the child's school during each grading period to assure that the participant is involved in the child's educational progress and is aware of any existing attendance or academic problems.

(8) Participants who are eligible for the AFDC unemployed parent program as provided for under section 409.255, Florida Statutes, must be granted a waiver of the AFDC unemployed parent program 100-hour rule.

(9) The department may grant case-by-case exceptions to the AFDC unemployed parent program 6-month time limit on the availability of cash benefits, which limit is provided under section 409.255, Florida Statutes, for the purpose of enabling the family's principal wage earner to complete an employability plan, based on whether the employability plan could reasonably be completed in 6 months.

(10) If a participant fails without good cause, as defined by department rule, to participate in any required family transition program activity, the department must impose sanctions against the participant to the fullest extent allowable under federal law. The department shall request a waiver from the United States Department of Agriculture, Food and Nutrition Service so that, when a participant's AFDC benefits are reduced due to sanctions, that participant's food stamp benefits do not increase because of the reduced benefits.

Section 11. Court-ordered participation.—Upon notification that a dependent child's parent who is absent from the home is unemployed or underemployed, the court may order that parent to participate in work experience, job training activities, or education for up to 40 hours per week. A parent who fails without good cause participate as ordered by the court may be held in contempt.

Section 12. Incentives for employers.—In order to promote job availability for participants who are hard to place at a level equal to or exceeding the average wage at placement, certain incentives to private employers are provided. The minimum wage level must be defined based upon the situation at the time the participant enters the job. The employer incentives apply only to full-time jobs, 40 hours a week.

(1) The department, if a federal waiver is obtained, may pay employers who employ those participants who are hard to place 70 percent of the individual's AFDC benefits for up to 1 year to compensate them for intensive training in the skills necessary for the particular position and general skills for retaining employment. The employer must demonstrate to the department's satisfaction that no other employees are displaced due to the employment of the recipient.

(2) The department may establish a work supplementation program to further promote the placement of the hard to place individuals, as provided in section 482 of Title IV-F of the Social Security Act and as established pursuant to section 201 of the Family Support Act of 1988, Pub. L. No. 100-485.

(3) For the purposes of this section a participant is hard to place if, during the preceding 12 months, he has been unable to retain any job for at least 3 months, he has held more than two jobs during the preceding 12 months, and he meets at least one of the following federal criteria for enhanced funding:

(a) He has been on AFDC for 36 of the past 60 months; or

(b) He is under 24 years of age, has no high school diploma or is not currently enrolled in a high school equivalency program, and has little or no work history during the past 12 months.

Section 13. The department shall adopt rules governing the family transition program and shall provide programmatic features by rule when appropriate.

Section 14. Reporting.—The department, in consultation with the Department of Labor and Employment Security, the Department of Commerce, and the Department of Education, shall provide to the Governor, the President and the Minority Leader of the Senate, and the Speaker and Minority Leader of the House of Representatives, a status report on the operation of the demonstration projects by November 1 of each year during which the demonstration projects are operational, and at the conclusion of the demonstration projects, and shall report annually thereafter on the effectiveness of the family transition program in meeting its objectives, accompanying the final report and each annual report with an analysis of welfare reform initiatives in other states and any recommendations for additional demonstration projects or changes in the law or rules governing the program.

Section 15. Family transition programs; awards of recognition.—The department may provide family transition program meritorious success and service awards, incentives, and recognition to program participants and service deliverers.

Section 16. Immunizations.—Statewide, the department shall advise applicants for aid to families with dependent children of the availability of standard childhood immunizations through the county public health unit. Within 12 months after a determination of eligibility for aid to families with dependent children or at the next scheduled full redetermination, the recipients must submit to the department proof that the children for whom they receive benefits have received their standard childhood immunizations. If a recipient fails to provide such proof of immunization, the parents' benefits must be suspended until the proof is provided to the department. The department shall waive this requirement if the failure to immunize the children is because of religious reasons or other good cause, or upon proof that the immunization sequence has been started.

Section 17. Required quarters of work for AFDC unemployed parent program.—The department should waive the required quarters of work for the AFDC unemployed parent program statewide except for recent refugee entrants who qualify for the Refugee Assistance Program.

Section 18. There is appropriated from the General Revenue Fund to the Department of Health and Rehabilitative Services an amount sufficient to implement the demonstration projects for the family transition program.

Section 19. This act shall take effect upon becoming a law.

And the title is amended as follows:

In title, strike everything before the enacting clause and insert: A bill to be entitled An act relating to public assistance; creating the "Family Transition Act"; providing a short title; providing legislative intent; providing definitions; providing for demonstration projects; providing requirements for the projects; providing for evaluation of the projects and for recommendations for expanding the program to other areas of this state; providing responsibilities of the Department of Health and Rehabilitative Services; providing for limitations on benefits and for enhanced services, to promote self-sufficiency; providing exceptions to certain limitations on benefits; providing for exemptions from limitations; providing for the department to extend benefits in specified circumstances; providing for selection and responsibilities of review panels; providing for support staff; providing for reimbursement for per diem and travel expenses of panel members; providing limitations on the assets that a participant may have; providing for additional transitional child care benefits; providing for suspension of benefits for unexcused absences from school; providing for waivers of certain limitations; providing for penalties for failure to participate in a required program activity; providing for court ordered work experience, job training, or education programs; providing incentives to employers; providing rule making authority to the department; providing for reporting; requiring AFDC participants to maintain required childhood immunizations and providing a penalty for failure to do so; providing for a waiver of the immunization requirement; requiring certain work to have been performed in the United States; providing for an appropriation; providing an effective date.

Senator Bankhead moved the following amendments to **Amendment 1** which were adopted:

Amendment 1A—On page 2, lines 24 and 25, strike “P.A.C.T. program” and insert: Family Transition Program

Amendment 1B—On page 13, line 30, strike “higher”

Amendment 1C—On page 17, strike all of lines 24 and 25 and insert: program within the family transition program except for recent refugee entrants who qualify for the Refugee Assistance Program. On a statewide basis, quarters of work must have been earned in the United States.

Senators Jones and Bankhead offered the following amendment to **Amendment 1** which was moved by Senator Jones and adopted:

Amendment 1D—On page 2, line 31 through page 3, line 1, strike all of said lines and insert: skills, to practice and improve existing skills, to acquire on-the-job experience, and to meet the goal of long-term self-sufficiency. A participant in workfare is

Senators Holzendorf and Hargrett offered the following amendment to **Amendment 1** which was moved by Senator Holzendorf and adopted:

Amendment 1E—On page 7, line 18, after “participants.” insert: To this end, the department will establish a task force comprised of the Department of Labor and Employment Security, the Department of Commerce, consumers, business leaders, Private Industry Councils, and other appropriate community agencies or organizations that can develop opportunities that emphasize enterprise development for participants in the demonstration sites.

Senators Hargrett and Holzendorf offered the following amendments to **Amendment 1** which were moved by Senator Bankhead and adopted:

Amendment 1F (with Title Amendment)—On page 16, between lines 12 and 13, insert:

Section 13. AFDC dependency diversion program.—

(1) The department shall fund a program targeted for children “at risk” of AFDC dependency or parenting to divert them from future welfare participation.

(a) The diversion efforts shall include case management, educational counseling, mentoring programs, educational enrichment programs, and extracurricular activities.

(b) The children targeted for this program will be receiving AFDC or residing in public housing projects and not be teen parents or school dropouts, or have been involved in delinquent activities.

(2) The department will establish a public education campaign in collaboration with the local school system to provide students ages 13 to 19 information regarding the changing welfare system, including transitional approach of time-limited benefits and parental responsibility of both boys and girls in being able to support their children themselves as self-sufficient, contributing members of their community.

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 19, line 13, following the semicolon (;) insert: providing for an AFDC dependency diversion program;

Amendment 1G (with Title Amendment)—On page 17, between lines 25 and 26, insert:

Section 18. Vendor payment for housing authority.—Statewide, the Department of Health and Rehabilitative Services will expand the vendor payment program for housing authorities that wish to participate in the Aid to Families with Dependent Children Two-Party Payment Program. The program will be implemented statewide as defined in section 409.185(6)(d), Florida Statutes.

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 19, line 20, following the semicolon (;) insert: providing for participation by housing authorities in the AFDC two-party payment program;

Amendment 1 as amended was adopted.

On motion by Senator Bankhead, by two-thirds vote **CS for SB's 1708 and 1884** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39 Nays—None

Motion

On motion by Senator Bankhead, the rules were waived and **CS for SB's 1708 and 1884** was ordered immediately certified to the House.

SB 2060—A bill to be entitled An act relating to county and municipal planning and land development regulation; amending s. 163.3184, F.S.; restricting the actions that the state land planning agency may take when reviewing and commenting on local government comprehensive plans or plan amendments, or as part of the process of compliance review or compliance agreement; providing an effective date.

—was read the second time by title.

The Committee on Community Affairs recommended the following amendment which was moved by Senator Williams and adopted:

Amendment 1 (with Title Amendment)—On page 1, lines 26-31 and on page 2, lines 1-4, strike all of said lines and insert: *When a federal, state, or regional agency has implemented a permitting program, the state land planning agency shall not require a local government to duplicate or exceed that permitting program in its comprehensive plan or to implement such a permitting program in its land development regulations. Nothing contained herein shall prohibit the department from requiring a local government to adopt suitable density and intensity criteria in its comprehensive plan.*

And the title is amended as follows:

In title, on page 1, strike all of lines 4-10 and insert: amending s. 163.3184, F.S.; prohibiting the state planning agency from duplicating or exceeding other agency permitting programs in a local government comprehensive plan or implementing a permitting program in its land development regulations; assuring the state planning agency's authority to require local governments to adopt appropriate density and intensity criteria in its comprehensive plan; providing an effective date.

On motion by Senator Williams, by two-thirds vote **SB 2060** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—35 Nays—None

SB 1318—A bill to be entitled An act relating to education; amending s. 229.551, F.S.; expanding participation in the common course designation and numbering system to the State Fire College; providing an effective date.

—was read the second time by title.

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

Amendment 1—On page 2, lines 22 and 26, after “College,” insert: *if accredited by the Commission on Colleges of the Southern Association of Colleges and Schools or the Accrediting Commission for Independent Colleges and Schools of the Career College Association*

On motion by Senator Williams, by two-thirds vote **SB 1318** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—35 Nays—None

SB 1706—A bill to be entitled An act relating to postsecondary education; amending s. 240.2475, F.S.; providing for the Legislature to determine the total number of faculty tenureships available for award each year; providing an effective date.

—was read the second time by title. On motion by Senator Williams, by two-thirds vote **SB 1706** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32 Nays—4

CS for SB 1614—A bill to be entitled An act relating to operating a vehicle while under the influence; amending s. 316.193, F.S.; requiring that a specified amount of the mandatory minimum term of imprisonment for a second conviction of driving under the influence must be served consecutively; amending ss. 322.2615 and 322.64, F.S.; providing a time period during which certain persons whose licenses have been suspended may not be eligible to receive a driver's license; providing an effective date.

—was read the second time by title. On motion by Senator Diaz-Balart, by two-thirds vote **CS for SB 1614** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36 Nays—None

Consideration of **SB 1872** was deferred.

On motion by Senator Foley, by two-thirds vote **CS for HB 1439** was withdrawn from the Committee on Agriculture.

On motion by Senator Foley—

CS for HB 1439—A bill to be entitled An act relating to packaged ice plants; amending s. 500.509, F.S.; specifying packaged ice label contents; providing a definition; providing for a single permit under certain circumstances; revising operating standards; prohibiting the imposition of criminal penalties under certain circumstances; providing an effective date.

—a companion measure, was substituted for **SB 2190** and read the second time by title. On motion by Senator Foley, by two-thirds vote **CS for HB 1439** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37 Nays—None

On motions by Senator Meadows, by two-thirds vote—

CS for HB 679—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; changing exemption for persons providing telemarketing services under contract; modifying exemption for persons selling periodicals or magazines; adding an exemption for licensed real estate brokers; correcting a reference; amending s. 501.608, F.S.; requiring 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 effective date.

—a companion measure, was substituted for **CS for SB 588** and by two-thirds vote read the second time by title.

Senator Williams moved the following amendment which was adopted:

Amendment 1—On page 4, line 7, after "*publisher by written agreement.*" and insert:

(29) *A person who is a licensed operator or an identification cardholder as defined in Chapter 482, and soliciting within the scope of the chapter.*

On motion by Senator Meadows, by two-thirds vote **CS for HB 679** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36 Nays—None

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Thursday, March 25, 1993: CS for SB 1554, CS for SB 1730, CS for SB 176, SB 110, CS for SB's 256 and 244, CS for SB 1128, SB 1750, CS for CS for SB 42, CS for SB 1540, CS for SB's 1708 and 1884, SB 2060, SB 1318, SB 1706, CS for SB 1614, SB 1872, SB 2190, CS for SB 588, SB 1760, SB 816, SB 2084

Respectfully submitted,
Toni Jennings, Chairman

The Committee on Finance, Taxation and Claims recommends the following pass: CS for HB 279, CS for HB 401, HB 403

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

The Committee on Finance, Taxation and Claims recommends the following pass: SJR 120

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

The Committee on Appropriations recommends the following pass: SB 74 with 1 amendment, CS for CS for SB 288, SB 356, SB 614 with 1 amendment, CS for SB 1030, CS for SB 1080, SB 2214 with 2 amendments

The bills were placed on the calendar.

The Committee on Finance, Taxation and Claims recommends the following not pass: SB 768

The bill was laid on the table.

The Committee on Criminal Justice recommends a committee substitute for the following: SB 1258

The Committee on Education recommends committee substitutes for the following: SB 772, SB 1314, SB 1742, SB 1814

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 Finance, Taxation and Claims recommends a committee substitute for the following: SB's 1772 and 2014

The bills with committee substitute attached were referred to the Committee on Community Affairs under the original reference.

The Committee on Commerce recommends committee substitutes for the following: SB 1080, SB 1338

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

The Committee on Commerce recommends a committee substitute for the following: SB 2260

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

The Committee on Professional Regulation recommends a committee substitute for the following: SB 1522

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

The Committee on Health Care recommends a committee substitute for the following: SB 1612

The Committee on Professional Regulation recommends a committee substitute for the following: SB 1632

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

The Committee on Appropriations recommends committee substitutes for the following: SB 1084, SB 1090

The bills with committee substitutes attached were referred to the Committee on Rules and Calendar under the original reference.

The Committee on Appropriations recommends committee substitutes for the following: CS for SB 156, SB 368, SB 540, SB 652, SB 952, SB 1092, CS for SB 1244, CS for SB 1410

The Committee on Community Affairs recommends committee substitutes for the following: SB 1510, SB 1988

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

COMMITTEE SUBSTITUTES

FIRST READING

By the Committees on Appropriations and Health Care—

CS for CS for SB 156—A bill to be entitled An act relating to medical tests and procedures; amending s. 483.021, F.S.; providing legislative intent; amending s. 483.031, F.S.; providing for application of part I, ch. 483, F.S.; creating s. 483.035, F.S.; providing for exclusive use clinical laboratories; amending s. 483.041, F.S.; providing definitions; amending s. 483.051, F.S.; providing powers and duties of the Agency for Health Care Administration in regulating clinical laboratories; requiring the agency to prescribe certain standards; amending s. 483.061, F.S.; requiring the agency to inspect clinical laboratories; authorizing inspections by private accrediting organizations; amending s. 483.091, F.S.; prohibiting the operation of certain clinical laboratories without a license issued by the agency; requiring certain out-of-state laboratories to be licensed by the agency; amending s. 483.101, F.S.; providing application requirements for licensure of clinical laboratories; creating s. 483.106, F.S.; providing requirements for clinical laboratories that perform certain tests under a certificate of exemption; amending s. 483.111, F.S.; providing certain limitations on licensure; amending s. 483.172, F.S.; revising license fees; amending s. 483.181, F.S.; providing requirements for reporting and accepting the results of clinical laboratory tests; amending s. 483.191, F.S.; providing requirements for branch offices and collection stations operated by clinical laboratories; amending s. 483.201, F.S.; providing grounds under which the agency may take disciplinary action against clinical laboratories; amending ss. 483.221, 483.23, F.S.; providing penalties; amending s. 483.245, F.S.; prohibiting rebates for referring patients to a clinical laboratory; providing penalties; amending s. 483.25, F.S.; providing for injunctions; authorizing the agency to establish a technical advisory panel; amending s. 483.800, F.S.; expanding legislative purpose and policy provisions; amending s. 483.801, F.S.; deleting an exemption for specified laboratories; amending s. 483.811, F.S.; directing the Board of Clinical Laboratory Personnel to approve certain laboratory technician training programs; repealing s. 30, ch. 92-178, Laws of Florida, appearing as s. 455.238, F.S., relating to a prohibition against a health care provider charging a markup for services rendered outside the provider's practice; repealing s. 30, ch. 83-276, Laws of Florida; abrogating the repeal of part I, ch. 483, F.S., under the Regulatory Sunset Act; providing an effective date.

By the Committee on Appropriations and Senator Sullivan—

CS for SB 368—A bill to be entitled An act relating to public school funding; amending s. 236.081, F.S.; revising provisions relating to computation of the basic amount to be allocated to each school district for operation of schools; providing additional funding for school districts that implement total system change, as defined, in a single school as an initial step in an extended-school-year program; prescribing the elements of "total system change"; prescribing goals for the program; providing an effective date.

By the Committee on Appropriations and Senator Forman—

CS for SB 540—A bill to be entitled An act relating to autism and related disabilities; establishing regional nonresidential autism centers; providing the purposes of the centers; prescribing service areas; providing for constituency boards; providing for an annual statewide conference; requiring each center to provide specified services; providing for rulemaking, providing an effective date.

By the Committee on Appropriations and Senator Jones—

CS for SB 652—A bill to be entitled An act relating to minority health; creating the "Minority Health Improvement Act"; providing definitions; providing legislative findings and intent; creating a study commission on minority health; providing membership; providing for administration, organization, and staff; providing duties; requiring an interim and final report to the Governor and Legislature; providing for the expiration of the commission; providing an appropriation; providing an effective date.

By the Committee on Education and Senator Kirkpatrick—

CS for SB 772—A bill to be entitled An act relating to educational technology; creating s. 228.0865, F.S.; providing Legislative intent; creating certain councils and advisory boards; providing for membership and administration; requiring a plan; providing educational technology incentive awards; establishing criteria for eligibility; providing for use of award funds; providing for reporting; providing an effective date.

By the Committee on Appropriations and Senators Bankhead, Crist and Diaz-Balart—

CS for SB 952—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.

By the Committee on Commerce—

CS for SB 1080—A bill to be entitled An act relating to pari-mutuel wagering; amending s. 550.002, F.S., and repealing subsections (15), (28), (36), and (37) of that section; revising the definition of the term "harness racing" to delete unnecessary words and repealing several unnecessary definitions; amending s. 550.01215, F.S., to provide for other authorized uses for permitted facilities; creating s. 550.022, F.S.; restricting financial arrangements by pari-mutuel permit holders; amending s. 550.0235, F.S.; revising a limitation-of-liability provision; amending s. 550.0251, F.S.; revising powers and duties of the Division of Pari-mutuel Wagering of the Department of Business Regulation; amending s. 550.0351, F.S., to add a charity to the authorized list of charities on file with the division; repealing s. 550.0425(4), F.S.; deleting a provision allowing minors access to

kennel compound areas; amending s. 550.054, F.S.; revising application requirements; providing permit procedures when a pari-mutuel facility is taken by eminent domain; revising reporting requirements when there is a change in ownership of a pari-mutuel permitholder; amending s. 550.0951, F.S.; providing tax exemptions; revising daily license fees for racetracks and jai alai games; deleting breaks tax on jai alai; revising tax rates; providing tax credits; providing a surtax; creating s. 550.09512, F.S.; providing for taxes on jai alai; providing for escheat of an abandoned interest in permit for nonpayment of taxes; providing for reissuance of an escheated permit; providing for expiration of section and for legislative review in advance thereof; amending s. 550.105, F.S.; revising application requirements for occupational licenses; amending s. 550.125, F.S., pertaining to bond requirements; improving clarity; amending s. 550.155, F.S.; providing limitations on takeout; providing for additional withholdings; amending s. 550.1625, F.S.; prescribing purse distributions for dog-racing; creating s. 550.16355, F.S.; providing for Greyhound Race of Champions Meet; amending s. 550.1815, F.S.; revising provisions respecting persons who are prohibited from holding pari-mutuel permits; amending s. 550.2415, F.S.; revising procedures pertaining to euthanizing greyhounds; providing for the establishment of greyhound-adoption facilities under certain circumstances; amending s. 550.2614, F.S., pertaining to distribution of certain funds to a horsemen's association; revising a cross-reference; amending s. 550.2625, F.S.; providing an additional percentage of handle on exotic wagering which may be paid to the purse pool for use as additional overnight purses; revising certain purse and prize requirements pertaining to quarter horse racing; providing for certain funds to be withheld from purse pools; specifying the purposes for which such funds are to be used; creating s. 550.26352, F.S.; providing for the Breeders' Cup Meet; repealing s. 550.26353, F.S., pertaining to tax credits and tax exemptions; creating s. 550.26354, F.S.; providing for exemption from taxes on handle, breeders' award and purse requirements, and horsemen's payments on intertrack wagers; repealing s. 35, ch. 92-348, Laws of Florida, which limits the applicability of specified exemptions; creating s. 550.26365, F.S.; providing for the Breeders' Crown Meet; amending s. 550.334, F.S., pertaining to quarter horse racing; revising distance limitations; amending s. 550.3551, F.S., pertaining to transmission of racing and jai alai information; providing for takeout under certain circumstances; amending s. 550.3615, F.S., deleting a provision relating to certain pending bookmaking prosecutions; amending s. 550.375, F.S., pertaining to the operation of harness tracks; revising distance limitations; amending s. 550.495, F.S.; revising bond requirements for totalizator owners or operators; providing circumstances under which such bond may be waived by the division; revising fees for totalizator licenses; amending s. 550.5251, F.S., allowing thoroughbred permitholders to operate any extra hour; providing circumstances under which a tax credit may be provided to a thoroughbred racing permitholder not running during the Breeders' Cup Meet; allowing thoroughbred permitholders to conduct up to three additional races composed of quarter horses; amending s. 550.615, F.S., providing tax rates and takeout distribution for certain thoroughbred permitholders conducting intertrack wagers; amending s. 550.70, F.S.; providing for additional player prize money from breaks; providing for reconversion of former jai alai permit; creating s. 550.71, F.S.; providing for the Jai Alai Tournament of Champions Meet; repealing s. 570.381(3), F.S., which provides for the Appaloosa Advisory Council; amending s. 772.102, F.S., pertaining to definitions for "criminal activity," to conform cross-references; amending s. 895.02, F.S., pertaining to definition of "racketeering activity," to conform cross-references; exempting certain permitholders from paying taxes on handle generated during the Breeders' Cup Meet and the Breeders' Crown Meet for the 1992-1993 racing season; providing a tax credit for certain permitholders located within 35 miles of the Breeders' Cup Meet conducted during that racing season; providing for an audit and for the repayment of certain overpayments; requiring review of occupational licensing scheme and submission of recommendations to the Legislature; providing for termination of existing administrative rules and for adoption of new rules governing the conduct of pari-mutuel wagering; directing the Department of Business Regulation to review and consider certain costs relating to its racing laboratory and report to the Legislature; repealing s. 68, ch. 92-348, Laws of Florida, pertaining to retroactivity of that law, which provides for regulation of pari-mutuel wagering; providing an effective date.

By the Committee on Appropriations and Senator Scott—

CS for SB 1084—A bill to be entitled An act relating to trust funds; amending s. 215.32, F.S.; eliminating the authority of the Administration Commission and the Chief Justice to create trust funds, to conform to the

requirements of the State Constitution; providing for the establishment of accounts within trust funds and for payment therefrom; conforming the list of funds exempt from automatic termination under requirements of the State Constitution; creating s. 215.3206, F.S.; providing for the review and termination or re-creation of trust funds; providing for transfer to general revenue of cash balances and revenues of terminated trust funds and for the payment of any outstanding debts thereof; requiring the Comptroller to provide the Legislature each year with a list of trust funds scheduled for termination and a list of trust funds exempt from automatic termination; amending s. 215.3207, F.S.; providing for establishment of trust funds by a three-fifths vote of each house of the Legislature and for a specified lifespan, to conform to the requirements of the State Constitution; creating s. 215.3208, F.S.; providing a schedule for the review of trust funds administered by specified agencies and branches of state government; providing for review of other trust funds; amending s. 240.213, F.S., relating to the self-insurance program of the Board of Regents, to conform; providing an effective date.

By the Committee on Appropriations and Senator Scott—

CS for SB 1090—A bill to be entitled An act relating to trust funds; abolishing trust funds within the State University System, the state courts system, the Justice Administrative Commission, and various state departments; providing for transfer of current balances to general revenue; renaming a trust fund within the Department of Community Affairs; providing for the paying of outstanding debts and obligations of the abolished trust funds and for the removal of the abolished trust funds from the various state accounting systems; repealing ss. 395.803 and 395.804, F.S., relating to the Medical Education and Tertiary Care Trust Fund; repealing s. 240.258, F.S., relating to the Florida Vietnam Veterans' Memorial Trust Fund; repealing s. 240.4985, F.S., relating to the Good-Gulfstream Trust Fund for Higher Education; amending s. 240.518, F.S.; changing the Historically Black College and University Trust Fund to the Historically Black College and University Program and providing for annual general revenue funding; repealing s. 240.415, F.S., relating to the Student Financial Aid Trust Fund; amending ss. 240.417 and 240.429, F.S., to conform; amending s. 163.517, F.S.; changing the Safe Neighborhoods Trust Fund to the Safe Neighborhoods Program; amending ss. 163.504, 163.508, and 163.519, F.S., to conform; repealing s. 945.32, F.S., relating to the Court-Ordered Payment Trust Fund; amending s. 945.31, F.S., to conform; amending s. 410.401, F.S.; eliminating the Alzheimer's Disease Research Trust Fund and providing for other funding and awarding of research grants related to Alzheimer's disease by the Department of Elderly Affairs; amending s. 513.045, F.S.; eliminating the Mobile Home and Recreational Vehicle Park Trust Fund and providing for deposit of permit fees in the County Health Unit Trust Fund; amending s. 513.055, F.S., to conform; amending s. 39.442, F.S.; eliminating the Child in Need of Services Trust Fund; amending s. 404.056, F.S.; eliminating the Radon Trust Fund and providing for deposit of the radon surcharge into the Radiation Protection Trust Fund; amending s. 553.98, F.S., to conform; amending s. 404.131, F.S.; eliminating the Low-Level Radioactive Waste Trust Fund and providing for deposit into the Radiation Protection Trust Fund of moneys collected in relation to the transport of low-level radioactive waste; amending ss. 210.20, 287.088, 394.4786, 394.4787, 394.4788, 394.4789, 395.003, 395.1041, 395.701, 395.7015, 400.34, 408.040, 408.07, 408.08, 409.2673, 409.701, and 768.73, F.S., to conform; amending s. 408.033, F.S.; eliminating the Local and State Health Trust Fund and transferring its depository duties to the Health Care Trust Fund; repealing s. 376.22, F.S., relating to the Port Trust Fund; amending s. 215.20, F.S., to conform; repealing s. 403.0615(4), F.S., relating to the Water Resources Restoration and Preservation Trust Fund; repealing s. 458.3125, F.S., relating to the Physician Training Trust Fund; amending s. 256.031, F.S.; eliminating the Flag Trust Fund; authorizing the Department of State to buy and sell flags and providing for deposit of the proceeds from such sale; amending ss. 267.061 and 267.0617, F.S., to conform; amending s. 550.2415, F.S.; eliminating the Research Trust Fund and transferring its functions to the Pari-mutuel Wagering Trust Fund; amending s. 290.034, F.S.; renaming the Community Development Support and Assistance Trust Fund as the Operating Trust Fund to function as the depository of funds appropriated to the Community Development Corporation Support and Assistance Program; amending ss. 290.033, 290.036, 290.037, 290.038, and 290.039, F.S., to conform; amending s. 252.84, F.S.; eliminating the Hazardous Materials Administration Trust Fund and transferring its duties to the Operating Trust Fund; amending ss. 252.82, 252.83, 252.86, and 252.91, F.S., to conform; amending s. 553.795, F.S.; eliminating the Build-

ing Inspector Certification Trust Fund and transferring its duties to the Operating Trust Fund; amending s. 189.427, F.S.; eliminating the Special District Administrative Trust Fund and transferring its duties to the Operating Trust Fund; amending s. 943.25, F.S.; eliminating the Trust Fund for Grant Matching and transferring its duties to the Operating Trust Fund; repealing s. 420.35, F.S., relating to the Florida Elderly Housing Trust Fund; amending s. 420.34, F.S.; providing that funding for the Elderly Homeowner Rehabilitation Program shall be appropriated from the State Housing Trust Fund; amending ss. 409.504 and 409.506, F.S.; eliminating the Community Service Trust Fund and providing general revenue funding of the program for community services; amending s. 426.009, F.S.; eliminating the Handicapped and Elderly Security Assistance Trust Fund and providing for funding of the Handicapped and Elderly Security Assistance Program through the General Revenue Fund; amending ss. 426.003, 775.0836, and 939.015, F.S., to conform; repealing ss. 420.424(3) and 420.4255, F.S., relating to the Neighborhood Housing Services Grant Fund; amending ss. 239.505 and 420.429, F.S., to conform; repealing s. 186.911, F.S., relating to the Growth Management Trust Fund; amending s. 311.07, F.S.; changing the Florida Seaport Transportation and Economic Development Trust Fund to the Florida Seaport Transportation and Economic Development Program and providing for funding through a designated program account in the State Transportation Trust Fund; amending s. 311.09, F.S., to conform; renaming the Accident Reports Trust Fund as the Highway Safety Operating Trust Fund, to be used to fund the general operations of the department; abolishing the Drivers' Education Trust Fund, the Florida Real Time Vehicle Information System Trust Fund, the Motor Vehicle Inspection Trust Fund, the Motor Vehicle License Plate Replacement Trust Fund, and the Odometer Fraud Prevention and Detection Trust Fund and providing for depositing revenues that are currently deposited into those funds into the Highway Safety Operating Trust Fund; repealing s. 215.20(4)(j), F.S., relating to the Motor Vehicle Inspection Trust Fund; amending ss. 316.2124, 318.1451, 319.324, 320.06, 320.0607, 320.08, 320.0848, 320.089, 320.131, 320.27, 320.77, 321.23, 322.025, 322.095, 322.12, 322.17, 322.20, 325.214, 627.733, F.S.; providing for deposit or revenues into the Highway Safety Operating Trust Fund; providing effective dates.

By the Committee on Appropriations and Senators Jenne, Scott, Weinstein, Grant, Jones, Boczar, Siegel and Dudley—

CS for SB 1092—A bill to be entitled An act relating to the judiciary; amending s. 26.031, F.S.; increasing the number of judges for specified judicial circuits; amending s. 34.022, F.S.; increasing the number of judges for specified county courts; amending s. 35.06, F.S.; increasing the number of judges for specified district courts of appeal; providing for filling vacancies occurring as a result of the creation of judicial offices; providing effective dates.

By the Committees on Appropriations and Health Care and Senators Foley, Siegel, Brown-Waite and Gutman—

CS for CS for SB 1244—A bill to be entitled An act relating to sudden infant death syndrome; providing legislative findings and intent; defining the term "Sudden Infant Death Syndrome," or "SIDS"; requiring basic training programs for first responders to include instruction on sudden infant death syndrome; providing for the development and adoption as a rule of a sudden infant death syndrome curriculum; requiring medical examiners to perform autopsies in certain infant deaths; requiring the Medical Examiners Commission to develop and implement a protocol for those autopsies; providing an exemption from liability; providing for performance of autopsies; requiring visitation to parents or caretakers by certain county public health unit personnel; providing for training of the county public health unit personnel; creating the Sudden Infant Death Syndrome Advisory Council; providing for council membership, terms of office, meetings, and duties; requiring the State Health Office to administer and provide support staff to the council; providing for reimbursement; providing duties of the State Health Office; restricting implementation of the act; providing an appropriation; providing an effective date.

By the Committee on Criminal Justice and Senator Foley—

CS for SB 1258—A bill to be entitled An act relating to criminal offenses; amending s. 796.03, F.S.; increasing the age of the victim applicable to the crime of procuring prostitution, and reenacting ss. 772.102(1)(a)14., 787.01(3)(a)4., 787.02(3)(a)4., and 895.02(1)(a)17., F.S., relating to criminal activities, kidnapping, false imprisonment, and racketeering, to incorporate said amendment in references thereto; amending ss. 796.06, 796.07, and 796.08, F.S.; increasing penalties for second and subsequent violations of renting space for use for prostitution, prostitution, and clarifying language; increasing penalty for unlawful transmission of human immunodeficiency virus and clarifying language; reenacting s. 893.138(1), F.S., relating to prostitution-related public nuisances, to incorporate the amendment to s. 796.07, F.S., in a reference thereto; creating s. 775.0877, F.S.; requiring HIV testing of offenders in certain circumstances and requiring certain disclosures; authorizing, as additional criminal penalty for criminal transmission upon a second or subsequent commission of specified offenses, a term of criminal quarantine community control; providing evidentiary and procedural matters and providing consent as an affirmative defense; amending s. 921.187, F.S.; establishing criminal quarantine community control as a sentencing disposition for offenders sentenced for criminal transmission of HIV; amending s. 381.004, F.S., relating to testing for HIV, to conform a cross-reference and to clarify provisions; amending s. 384.29, F.S., relating to confidentiality, to incorporate the amendment to s. 796.08, F.S., and to clarify provisions; reenacting ss. 384.26(2), 384.282(3), 384.30(2), F.S., relating to reporting, contact investigation, naming of parties, and minors' consent to treatment, to incorporate the amendments to s. 384.29, F.S., in references thereto; amending s. 948.001, F.S.; defining "criminal quarantine community control"; amending s. 948.01, F.S.; authorizing placement of certain offenders on criminal quarantine community control; requiring the Department of Corrections to develop and administer a criminal quarantine community control program; amending s. 948.03, F.S.; providing conditions of criminal quarantine community control; amending s. 951.27, F.S., to conform; amending s. 960.003, F.S.; authorizing testing of offenders for HIV in certain circumstances; amending s. 796.09, F.S., to incorporate the amendment to s. 796.07, F.S., and to clarify provisions; providing an effective date.

By the Committee on Education and Senator Wexler—

CS for SB 1314—A bill to be entitled An act relating to education; amending s. 232.246, F.S.; providing for high school credit for student service work; providing an effective date.

By the Committee on Commerce and Senator Siegel—

CS for SB 1338—A bill to be entitled An act relating to the sale of alcoholic beverages; creating the Alcoholic Beverage Surcharge Study Committee; providing for membership; providing duties and responsibilities; requiring a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives; providing an effective date.

By the Committees on Appropriations; Personnel, Retirement and Collective Bargaining; and Senators Kurth and Burt—

CS for CS for SB 1410—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.021, F.S.; revising the definition of the terms "compensation" and "normal retirement date" and defining the terms "effective date of retirement" and "local agency employer" for purposes of that system; amending s. 121.052, F.S.; deleting the word "compulsory" with respect to membership in the Elected State and County Officers' Class of that system; amending s. 121.091, F.S.; making the filing of a proper application a prerequisite to the receipt of benefits under the system; providing that the election of an option is void if the member dies before the effective date of retirement; providing that an option becomes final when a benefit payment is cashed or deposited; revising provisions pertaining to payment of benefits to beneficiaries upon the death of a member; improving clarity; amending s. 121.055, F.S.; authorizing local agency employers, including community college boards of trustees, to elect to cover additional positions in the Senior Management Service Class, subject to certain limits and eligibility criteria; authorizing local participants to withdraw from the class and alterna-

tively participate in an employer-provided annuity program, under certain circumstances; providing for expansion of the class to include specified positions in the judicial branch; authorizing state attorneys and public defenders to elect to cover additional positions in the class, subject to certain limits and eligibility criteria; authorizing judicial participants to withdraw from the class and alternatively participate in the Senior Management Optional Annuity Program; providing for purchase of additional retirement credit for service in the class occurring on or after February 1, 1987; providing a restriction upon removal of a position from the class; providing for adjustments in contribution rates for the Senior Management Service Class and the Regular Class; providing individual certificates for group annuity contracts under the Senior Management Service Optional Annuity Program; amending s. 121.122, F.S., pertaining to renewed membership in the system; revising a cross-reference related to the required employer contributions for such membership; amending s. 121.35, F.S.; providing individual certificates for group annuity contracts under the State University System Optional Retirement Program; providing an effective date.

By the Committee on Community Affairs and Senator Jones—

CS for SB 1510—A bill to be entitled An act relating to public construction; amending s. 255.20, F.S.; requiring counties, municipalities, special districts, and other political subdivisions to competitively bid construction projects exceeding \$200,000 in costs; defining the term “competitive award”; providing for competitive bidding of public lease-purchase projects; providing for exceptions; providing for the lowest responsive and qualified bidder; providing for the purpose of this subsection; providing for the nondisplacement of the requirements of applicable minority business enterprise programs or local preference ordinances; requiring the Advisory Council on Intergovernmental Relations to perform a study evaluating the competitive award selection process for construction projects; providing an effective date.

By the Committee on Professional Regulation and Senator Grant—

CS for SB 1522—A bill to be entitled An act relating to the regulation of professions and occupations; amending s. 455.225, F.S.; providing limitations on the commencement of certain investigations and administrative complaints of professionals under the jurisdiction of the Agency for Health Care Administration; providing an effective date.

By the Committee on Health Care and Senator Silver—

CS for SB 1612—A bill to be entitled An act relating to the Florida Birth-Related Neurological Injury Compensation Act; amending s. 766.313, F.S.; changing the period of limitations on claims from 7 years to 5 years; amending s. 766.302, F.S.; providing definitions; amending s. 766.304, F.S.; providing for determination of claims by hearing officers of the Division of Administrative Hearings of the Department of Management Services; providing for rules; specifying effect of precedents; amending s. 766.305, F.S.; providing for filing of claims; amending s. 766.308, F.S.; providing for appointment of a medical advisory panel; specifying duties of the Department of Insurance; amending s. 766.311, F.S.; providing for determination of claims by hearing officer; providing for appeal to the District Court of Appeal, First District; providing a directive to the Division of Statutory Revision of the Joint Legislative Management Committee; providing an effective date.

By the Committee on Professional Regulation and Senator Forman—

CS for SB 1632—A bill to be entitled An act relating to unfair discrimination in drug pricing; creating s. 499.4015, F.S.; providing definitions; requiring sellers of drugs to offer drugs from the list of drugs approved by the federal Food and Drug Administration to every purchaser in the state at comparable prices and under comparable conditions; requiring purchasers to offer such drugs to consumers at comparable prices and under comparable conditions; providing for treble damages for violations; providing an effective date.

By the Committee on Education and Senator Grant—

CS for SB 1742—A bill to be entitled An act relating to education; amending s. 228.041, F.S.; revising definitions for the Florida School Code to replace the term “handicapped” with “students with disabilities” and expanding definition of exceptional student; providing definition of year-round school; amending s. 228.195, F.S.; revising provisions relating to availability of breakfast programs; amending s. 229.808, F.S.; changing the annual nonpublic school survey to a biennial survey; amending ss. 229.8341, 230.15, 230.16, 230.21, 230.2303, 230.2305, 232.26, 234.041, 236.0835, 236.145, 242.332, F.S.; revising terminology to provide for gender neutrality; replacing the term “handicapped” with “students with disabilities” and providing related terminology; requiring demonstration of certain knowledge by principals and other school district administrative and supervisory personnel having direct responsibility for the pre-kindergarten early intervention program; revising the membership of the district interagency coordinating councils; amending s. 230.23, F.S.; revising provisions relating to school board provision of special instruction and services for exceptional students; amending and renumbering s. 235.439, F.S.; providing for school board monitoring of full school utilization programs; amending s. 230.2316, F.S.; requiring each program to include individual and group counseling each day, rather than as an activity for a minimum of two class periods daily; amending s. 230.2318, F.S.; revising requirements for a school resource officer program plan; amending s. 230.33, F.S.; providing requirements for school district planned school programs; amending s. 232.01, F.S.; clarifying language relating to eligibility for special education programs; amending s. 232.2462, F.S.; providing student requirements relating to the awarding of credits for full-year courses; amending ss. 233.056 and 233.25, F.S.; replacing the term “visually handicapped” with “visually impaired”; amending s. 233.16, F.S.; authorizing a cash deposit in lieu of a bond for contracts relating to instructional materials; amending s. 233.18, F.S.; revising provisions relating to the deposit of specimen copies of textbooks; amending s. 234.01, F.S.; authorizing transportation for other persons under certain circumstances; amending s. 234.02, F.S.; expanding conditions under which motor vehicles other than school buses may be used; amending s. 236.013, F.S.; revising provisions relating to student membership in certain programs; amending s. 236.081, F.S.; revising provisions relating to determination of full-time equivalent membership; deleting a definition; revising provisions relating to district required local effort; amending s. 236.0815, F.S.; revising funding for additional educational services for certain students; amending s. 236.083, F.S.; revising provisions relating to funding for certain student transportation and authorizing rules for funding for transportation to year-round-school programs; amending s. 236.135, F.S.; deleting a requirement that each district school board, community college board of trustees, and the Board of Regents secure approval from the Commissioner of Education before purchasing or leasing electronic data processing equipment or software; authorizing those boards to obtain the equipment or software to maintain the comprehensive management information systems; requiring that the boards, rather than the commissioner, ensure that the software or equipment is compatible with the Florida Information Resources Network and that costs are reduced by making the best use of existing hardware and software; requiring that the commissioner request supplemental funding for school districts to accomplish the objectives of the comprehensive management information systems; amending s. 236.25, F.S.; revising provisions relating to use of the tax levy for capital outlay purposes; amending s. 237.041, F.S.; revising provisions relating to examination of annual budgets; amending s. 237.081, F.S.; revising provisions relating to transmission of adopted budgets; amending s. 237.161, F.S.; conforming provisions relating to obligations for certain purchases; amending s. 240.405, F.S.; revising provisions relating to eligibility for grants and courses for certain teachers for training in exceptional student education; amending s. 200.065, F.S.; conforming provisions relating to tax levy and notice for certain purchases; amending s. 413.011, F.S.; revising provisions relating to the Advisory Council for the Blind; providing an effective date.

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

CS for SB's 1772 and 2014—A bill to be entitled An act relating to the Economic and Demographic Research Division of the Joint Legislative Management Committee; requiring the division to study the state and local taxes that are imposed on each major industry group in this state; requiring the division to identify taxes that are duplicative,

unfairly applied, and difficult to administer; requiring the division to describe alternatives to the current tax system which address the problems identified; requiring a report to the Governor and Legislature; providing an effective date.

By the Committee on Education and Senator Kirkpatrick—

CS for SB 1814—A bill to be entitled An act relating to education; providing legislative intent; creating the Enterprise Florida Jobs and Training Partnership; providing for a system of enhancement to applied technology education; requiring strategies; providing for employment of consultants; providing for designation of institutes of applied technology; creating enhancement grants and challenge grants for school district vocational technical centers; providing for funding of, administration of, eligibility for, and allocation of grants; amending s. 20.15, F.S.; changing the name of the Division of Vocational, Adult, and Community Education; amending s. 228.041, F.S.; redefining the term "vocational education"; amending s. 230.23, F.S.; requiring school boards to conduct certain occupational and professional programs; amending s. 231.0861, F.S.; conforming provisions; amending s. 231.614, F.S.; conforming terminology; amending s. 235.15, F.S.; conforming terminology; amending s. 235.435, F.S.; conforming terminology; amending s. 236.02, F.S.; providing minimum requirements of the Occupational and Professional Fund; amending s. 236.081, F.S.; deleting certain vocational education programs from the Florida Education Finance Program; providing a method of calculating students in dual enrollment instruction; amending s. 237.34, F.S.; providing for cost accounting and reporting relating to the Occupational and Professional Fund; amending s. 239.101, F.S.; conforming terminology; amending s. 239.105, F.S.; defining and redefining terms; amending s. 239.109, F.S.; conforming terminology; amending s. 239.113, F.S.; conforming terminology; creating s. 239.115, F.S.; creating the Occupational and Professional Fund; providing legislative intent; providing that the fund must be limited to state or federal moneys; authorizing certain programs to be eligible for receipt of moneys from the fund; providing maximum expenditures from the fund; providing for funding dually enrolled high school students in certain community college programs; creating a formula for determining funding for programs; requiring the Department of Education to plan program incentives; providing due dates and methodology for program incentives; providing fund adjustments for declining attendance; authorizing the State Board for Vocational Education to adopt rules; amending s. 239.117, F.S., providing for calculation of post-secondary student fees; amending ss. 239.201, 239.205, 239.213, 239.229, F.S.; conforming terminology; amending s. 239.233, F.S.; conforming terminology; revising minimum performance standards and reports required for certain vocational education programs; amending ss. 239.237, 239.245, 239.301, F.S.; conforming terminology; amending s. 239.509, F.S.; providing for incentive grants to community colleges for the startup or expansion of programs of occupational training; amending s. 240.233, F.S.; requiring the Board of Regents to analyze certain high school courses and to assist the Department of Education in making them equivalent to courses required for university admission; amending ss. 240.301, 240.35, F.S.; conforming terminology; amending s. 240.359, F.S.; requiring certain programs at community colleges to participate in the Occupational and Professional Fund; amending ss. 240.4093, 446.011, 446.041, 446.052, 616.21, F.S.; conforming terminology; repealing s. 239.517, F.S.; relating to the Industry Services Training Program; providing effective dates.

By the Committee on Community Affairs and Senator Wexler—

CS for SB 1988—A bill to be entitled An act relating to energy efficiency in buildings; amending s. 553.71, F.S.; defining "load management control device"; amending s. 553.79, F.S.; exempting load management control devices from permit and fee requirements under the State Minimum Building Codes; amending s. 553.901, F.S.; providing for triennial determinations and updates of the Florida Thermal Efficiency Code; amending ss. 553.903, 553.904, and 553.905, F.S.; providing applicability of thermal efficiency standards to products covered by the Florida Energy Efficiency Code for Building Construction; amending s. 553.9085, F.S.; requiring energy performance levels for new residential buildings to be disclosed upon request by prospective purchasers; requiring the energy performance level display card to be signed, completed, and certified by the builder as accurate and correct and included as an addendum to each sales contract; amending ss. 553.909 and 553.963, F.S.; modifying certain energy conservation standards; authorizing inclusion of standards for certain additional appliances in the energy efficiency construction

code; amending s. 553.955, F.S.; redefining the term "energy conservation standard"; creating part XI of chapter 553, F.S., the Florida Building Energy-Efficiency Rating Act, consisting of ss. 553.990-553.998, F.S.; requiring the Department of Community Affairs to develop and maintain a statewide uniform energy-efficiency rating system for new and existing buildings to encourage the consideration of the energy-efficiency rating in the market and provide market rewards for energy-efficient buildings; providing definitions and applicability; providing rating system schedules for the different classes of buildings; providing minimum requirements of the system; providing for an interest group of volunteers to advise and assist the department; providing for training and certification of raters, including a fee therefor; providing for rating disclosure and supplemental information; providing for compliance; providing an effective date.

By the Committee on Commerce and Senator Harden—

CS for SB 2260—A bill to be entitled An act relating to the duties of the Comptroller and the Department of Banking and Finance; amending s. 17.19, F.S.; revising requirements for examination of public official surety bonds; amending s. 17.20, F.S.; authorizing a collection agent of the department to add a fee for services to the amount collected; amending s. 17.26, F.S.; revising the procedure for reporting and remitting funds represented by canceled state warrants as unclaimed property; amending s. 175.111, F.S.; eliminating a requirement for filing with the department copies of certain municipal ordinances; amending s. 185.09, F.S.; eliminating a requirement for insurance companies to file with the department reports of certain premiums received; amending s. 215.422, F.S.; eliminating applicability of the section to payments made to state agencies, the judiciary, and the legislature; amending s. 216.102, F.S.; imposing requirements on certain governmental entities regarding the form of financial information submitted to the Comptroller; amending s. 218.34, F.S.; revising requirements regarding special district financial matters; providing an effective date.

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 as amended CS for HB 679 and requests the concurrence of the Senate.

John B. Phelps, Clerk

By the Committee on Agriculture and Consumer Services; and Representative Stafford and others—

CS for HB 679—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; changing exemption for persons providing telemarketing services under contract; modifying exemption for persons selling periodicals or magazines; adding an exemption for licensed real estate brokers; correcting a reference; amending s. 501.608, F.S.; requiring 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 effective date.

(Substituted for CS for SB 588 on the Special Order Calendar this day.)

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's 340 and 358, CS for SB 488, CS for SB 568, SB 682, CS for SB 718, SB 720, CS for SB 1066, SB 1300 and SB 1508.

John B. Phelps, Clerk

The bills contained in the foregoing message were ordered enrolled.

ROLL CALLS ON SENATE BILLS

CS for CS for SB 42

Yeas—38

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

Nays—None

SB 110

Yeas—19

| | | | |
|---------------|------------|-------------|----------|
| Mr. President | Dudley | Jennings | Scott |
| Bankhead | Grant | Kirkpatrick | Thomas |
| Beard | Harden | Kurth | Turner |
| Burt | Hargrett | McKay | Williams |
| Casas | Holzendorf | Myers | |

Nays—19

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|-------------|-------------|---------|-----------|
| Boczar | Diaz-Balart | Johnson | Silver |
| Brown-Waite | Dyer | Jones | Sullivan |
| Childers | Foley | Kiser | Weinstein |
| Crist | Forman | Meadows | Wexler |
| Dantzler | Jenne | Siegel | |

SB 110—After Reconsideration

Yeas—21

| | | | |
|---------------|------------|----------|----------|
| Mr. President | Dudley | Jennings | Thomas |
| Bankhead | Grant | Johnson | Turner |
| Beard | Gutman | Kiser | Williams |
| Burt | Harden | Kurth | |
| Casas | Hargrett | McKay | |
| Dantzler | Holzendorf | Myers | |

Nays—14

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|-------------|--------|----------|-----------|
| Boczar | Dyer | Meadows | Weinstein |
| Brown-Waite | Foley | Siegel | Wexler |
| Crist | Forman | Silver | |
| Diaz-Balart | Jones | Sullivan | |

Vote after roll call:

Yea—Kirkpatrick

CS for SB 176

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Kirkpatrick

CS for SB's 256 and 244

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Kirkpatrick

CS for SB 1128

Yeas—35

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

Nays—2

Dudley Foley

SB 1318

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Kirkpatrick

CS for SB 1540

Yeas—35

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

Nays—3

Beard Hargrett Holzendorf

CS for SB 1614

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Kirkpatrick

CS for SB 1730

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Kirkpatrick

SB 1640

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Kirkpatrick

SB 2060

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Kirkpatrick

ROLL CALLS ON HOUSE BILLS

SB 1706

Yeas—32

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

Nays—4

| | | | |
|--------|------|----------|------------|
| Boczar | Dyer | Hargrett | Holzendorf |
|--------|------|----------|------------|

Vote after roll call:

Yea—Kirkpatrick

CS for HB 679

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Kirkpatrick

CS for SB's 1708 and 1884

Yeas—39

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

Nays—None

CS for HB 1439

Yeas—37

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

Nays—None

March 25, 1993

JOURNAL OF THE SENATE

477

Vote after roll call:

Yea—Kirkpatrick

VOTES RECORDED AFTER ROLL CALL

On motion by Senator Kirkpatrick, by unanimous consent of the Senate, he was recorded as voting "yea" on **CS for HB 679, CS for HB 1439, CS for SB 1614, SB 1706, SB 1318, SB 2060, SB 110, CS for SB's 256 and 244, CS for SB 176, CS for SB 1730 and SB 1640.**

ENROLLING REPORTS

SB 34, CS for SB 132, CS for SB 224, SB 456, CS for SB 512, CS for SB 578, CS for SB 586, CS for SB 1074 and CS for SB 1536 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on March 25, 1993.

Joe Brown, Secretary

CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 24 was corrected and approved.

CO-SPONSORS

Senator Meadows—SB 290, CS for SB 536; Senator Williams—CS for SB 536, SB 2146; Senator Siegel—CS for SB 776; Senator Grogan—SB 1570, CS for SB 1794; Senator Hargrett—CS for SB 1714

MOTION

On motion by Senator Jennings, time of adjournment was extended until completion of motions and announcements.

RECESS

On motion by Senator Jennings, the Senate recessed at 5:07 p.m. to reconvene at 10:00 a.m., Monday, March 29.