



The Journal OF THE House of Representatives

Number 8

Thursday, March 25, 1999

The House was called to order by the Speaker at 10:00 a.m.

Prayer

The following prayer was offered by the Reverend Don Pickerill of Hiland Park Baptist Church of Panama City, upon invitation of Rep. Bense:

Father God, I thank you, this morning, for the opportunity to pray for these men and women. My prayer is that you give them a special measure of your grace and your wisdom. I pray that they will fear you more than they do any man, more than they do their constituency, more than they do the media. May their hearts' desire be to do what is right before you.

Lord, your Word tells us that, if we humble ourselves before you, you will lift us up. May these men and women exhibit before you a sense of humility and utter dependence upon you. May they lead us in such a way that our state would be known for its principle and its values, not just its sunshine and its attractions.

I ask, Father, today, that their hands would be clean, that their hearts would be pure, and that their consciences would be clear as they seek to make those decisions that affect the people of the state of Florida. And, Father, this morning, together we all ask that you would protect and bless this great state. Amen.

The following Members were recorded present:

The Chair	Casey	Gay	Levine
Albright	Chestnut	Goode	Littlefield
Alexander	Constantine	Goodlette	Logan
Andrews	Cosgrove	Gottlieb	Lynn
Argenziano	Crady	Green, C.	Maygarden
Arnall	Crist	Greene, A.	Melvin
Bainter	Crow	Greenstein	Merchant
Ball	Dennis	Hafner	Miller, J.
Barreiro	Detert	Harrington	Miller, L.
Bense	Diaz de la Portilla	Hart	Minton
Betancourt	Dockery	Healey	Morrone
Bilirakis	Edwards	Henriquez	Murman
Bitner	Effman	Heyman	Ogles
Bloom	Eggelton	Hill	Patterson
Boyd	Farkas	Jacobs	Peaden
Bradley	Fasano	Johnson	Posey
Bronson	Feeney	Jones	Prieguez
Brown	Fiorentino	Kelly	Pruitt
Brummer	Flanagan	Kilmer	Putnam
Bullard	Frankel	Kosmas	Rayson
Bush	Fuller	Kyle	Reddick
Byrd	Futch	Lacasa	Ritchie
Cantens	Garcia	Lawson	Ritter

Roberts	Smith, K.	Suarez	Wallace
Rojas	Sobel	Sublette	Warner
Russell	Sorensen	Trovillion	Wasserman Schultz
Ryan	Spratt	Tullis	Waters
Sanderson	Stafford	Turnbull	Wiles
Sembler	Stansel	Valdes	Wilson
Smith, C.	Starks	Villalobos	Wise

A quorum was present.

Pledge

The Members, led by Lauren Rickenbacker of Tallahassee, Monica Batts, Ashley J. Jones, and Alyssa Licitra, pledged allegiance to the Flag. Monica Batts of Maitland served at the invitation of Rep. Starks. Ashley J. Jones of Fort Pierce served at the invitation of Rep. Minton. Alyssa Licitra of Winter Springs served at the invitation of the Speaker.

House Physician

The Speaker introduced Dr. Emmett Ferguson, Jr., of Jacksonville, who served in the Clinic today upon invitation of Rep. Crady. Dr. Ferguson was recognized for his 35th year of service as Doctor of the Day.

Correction of the Journal

The *Journal* of March 24 was corrected and approved as corrected.

Reports of Councils and Standing Committees

Special Orders

The Honorable John Thrasher March 22, 1999
Speaker, House of Representatives

Dear Mr. Speaker:

In accordance with the vote of the House, the following report is the Special Order for Thursday, March 25, 1999. Consideration of the House bills on Special Order shall include the Senate companion measures on the House Calendar.

- I. Consideration of the following bill(s):
 - HB 1941—Fla. Residents Tax Relief Act
 - HB 1943—Intangible Personal Property Taxes
 - HB 1945—State Taxes Rebate/Utility Credit
 - HB 1947—Tax Administration
 - HB 1949—Sales Tax/Telecommunication Service
 - HB 1951—Unemployment Compensation
 - HB 1953—School Impact Fees
 - HB 1955—Alcoholic Beverage Surcharge/Reduced

- II. CONSIDERATION OF THE CEREMONIAL RESOLUTIONS
 CALENDAR FOR Thursday, March 25, 1999:
 HR 9031—Mathews, Dr. Charles R.
 HR 9049—Florida HMO Day
 HR 9055—Clothes/Food/Education/Poor & Needy

Respectfully submitted,
Joseph Arnall
 Chair
 Committee on Rules & Calendar

On motion by Rep. Arnall, the above report was adopted.

Motions Relating to Committee References

On motion by Rep. Gay, agreed to by two-thirds vote, HB 527 was withdrawn from further consideration of the House.

On motion by Rep. Morroni, agreed to by two-thirds vote, HB 167 was taken from the Calendar of the House and referred to the Committee on Community Affairs.

Bills and Joint Resolutions on Third Reading

CS/HBs 751, 753 & 755—A bill to be entitled An act relating to a high-quality education system; amending s. 229.0535, F.S.; revising provisions relating to the authority of the State Board of Education to enforce school improvement; creating s. 229.0537, F.S.; providing findings and intent language; requiring private school opportunity scholarships to be provided to certain public school students; providing student eligibility requirements; providing school district requirements; providing an alternative to accepting a state opportunity scholarship; providing private school eligibility criteria; providing student attendance requirements; providing parental involvement requirements; providing a district reporting requirement; providing for calculation of the amount and distribution of state opportunity scholarship funds; authorizing the adoption of rules; amending s. 229.512, F.S.; revising provisions relating to the authority of the Commissioner of Education regarding the implementation of the program of school improvement and education accountability; amending s. 229.555, F.S., relating to educational planning and information systems; revising to conform; amending s. 229.565, F.S.; eliminating the requirement that the Commissioner of Education designate program categories and grade levels for which performance standards are to be approved; amending s. 229.57, F.S.; revising the purpose of the student assessment program; revising provisions relating to participation in the National Assessment of Educational Progress; revising the statewide assessment program; revising requirements relating to the annual report of the results of the statewide assessment program; providing for the identification of schools by performance grade category according to student and school performance data; providing for the identification of school improvement ratings; increasing the authority that each school identified in a certain performance grade category has over the allocation of the school's total budget; authorizing the negotiation of a contract for annual assessment; providing contract requirements; assigning responsibility for local assessments in subjects and grade levels other than those included in the statewide assessment program; providing for funding based on school performance; amending s. 229.58, F.S.; removing a reference to the Florida Commission on Education Reform and Accountability; amending s. 229.591, F.S.; revising provisions relating to the system of school improvement and education accountability to reflect that students are not required to attend schools designated in a certain performance grade category; revising the state education goals; amending s. 229.592, F.S., relating to the implementation of the state system of school improvement and education accountability; removing obsolete language; removing references to the Florida Commission on Education Reform and Accountability; deleting the requirement that the Commissioner of Education appear before the Legislature; revising duties of the Department of Education; revising duties of the State Board of Education; revising provisions relating to waivers from statutes; correcting cross references; repealing s. 229.593, F.S., relating to the Florida Commission on Education Reform and Accountability; repealing s. 229.594, F.S., relating to the powers and duties of the commission;

amending s. 229.595, F.S., relating to the implementation of the state system of educational accountability for school-to-work transition; revising provisions relating to the assessment of readiness to enter the workforce; removing a reference to the Florida Commission on Education Reform and Accountability; amending s. 230.23, F.S., relating to powers and duties of school boards; revising provisions relating to the compensation and salary schedules of school employees; revising provisions relating to courses of study and other instructional aids to include the term "instructional materials"; revising school board duties regarding the implementation and enforcement of school improvement and accountability; revising policies regarding public disclosure; requiring school board adoption of certain policies; amending s. 231.29, F.S.; revising the assessment procedure for school district instructional, administrative, and supervisory personnel; amending s. 231.2905, F.S.; revising provisions of the Florida School Recognition Program relating to financial awards based on employee performance; revising initial criteria for identification of schools; amending s. 232.245, F.S.; relating to pupil progression; revising requirements relating to the provision of remedial instruction; providing requirements for the use of resources for remedial instruction; requiring the adoption of rules regarding pupil progression; eliminating requirements relating to student academic improvement plans; deleting duplicative requirements relating to mandatory remedial reading instruction; amending s. 228.053, F.S.; relating to developmental research schools; removing references to "Blueprint 2000"; correcting cross references; amending s. 228.054, F.S., relating to the Joint Developmental Research School Planning, Articulation, and Evaluation Committee; correcting a cross reference; amending s. 228.056, F.S.; conforming references to testing programs; amending s. 233.17, F.S., relating to the term of adoption of instructional materials; correcting cross references; amending s. 236.685, F.S., relating to educational funding accountability; correcting a cross reference; amending s. 20.15, F.S., relating to the creation of the Department of Education; removing a reference to the Florida Commission on Education Reform and Accountability; creating s. 236.08104, F.S.; establishing a supplemental academic instruction categorical fund; providing findings and intent; providing requirements for the use of funds; providing for dropout prevention program funding to be included in Group 1 FEFP programs; amending s. 236.013, F.S.; eliminating certain provisions relating to calculations of the equivalent of a full-time student; revising provisions relating to membership in programs scheduled for more than 180 days; amending s. 239.101, F.S., relating to career education; correcting cross references; amending s. 239.229, F.S., relating to vocational standards; correcting cross references; amending s. 240.529, F.S., relating to approval of teacher education programs; correcting a cross reference; creating s. 231.002, F.S.; stating an intent to increase standards for the preparation, certification, and professional development of educators; directing the Department of Education to review statutes and rules governing certification to increase efficiency, rigor, and alternatives in the certification process; requiring a report; amending s. 24.121, F.S.; specifying conditions for withholding allocations from the Educational Enhancement Trust Fund; amending s. 229.592, F.S.; prohibiting the waiver of a required report of out-of-field teachers; amending s. 230.23, F.S., relating to district school board powers and duties; requiring certain performance-based pay for school administrators and instructional personnel; amending s. 231.02, F.S.; correcting a reference; amending s. 231.0861, F.S.; requiring the State Board of Education to approve criteria for selection of certain administrative personnel; authorizing school districts to contract with private entities for evaluation and training of such personnel; amending s. 231.085, F.S.; specifying principals' responsibilities for assessing performance of school personnel and implementing the Sunshine State Standards; amending s. 231.087, F.S.; requiring the State Board of Education to adopt rules governing the training of school district management personnel; providing for review and repeal of the Management Training Act; requiring recommendations; amending s. 231.09, F.S.; prescribing duties of instructional personnel; amending s. 231.096, F.S.; requiring a school board plan to ensure the competency of teachers with out-of-field teaching assignments; amending s. 231.145, F.S.; revising purpose to reflect increased requirements for certification; amending s. 231.15, F.S.; authorizing certification based on demonstrated competencies; requiring rules of the State Board of Education to specify certain

competencies; requiring consultation with postsecondary education boards; amending s. 231.17, F.S.; revising prerequisites for certification; increasing the requirement that teachers know and use mathematics, technology, and intervention strategies with students; deleting alternative ways to demonstrate general knowledge competency; requiring demonstration of ability to maintain collaborative relationships with students' families; amending s. 231.1725, F.S.; providing legal protections for clinical field experience students; amending s. 231.174, F.S., relating to district programs for adding certification coverages; removing limitation to specific certification areas; amending s. 231.29, F.S.; revising assessment procedures for instructional personnel and school administrators; revising provisions relating to the probation of certain employees; amending s. 231.546, F.S.; specifying duties of the Education Standards Commission; amending s. 231.600, F.S.; prescribing the responsibilities of school district professional-development programs; amending s. 236.08106, F.S.; revising provisions of the Excellent Teaching Program; providing for withholding of wages to repay the certification fee subsidy owed the state by an employee who defaults; providing exceptions; authorizing the State Board of Education to adopt rules; amending s. 240.529, F.S.; requiring the Commissioner to appoint a Teacher Preparation Program Committee to recommend core curricula for state-approved teacher preparation programs and requiring the State Board of Education to adopt rules establishing uniform core curricula; revising criteria for initial and continuing approval of teacher-preparation programs; increasing the requirements for a student to enroll in and graduate from a teacher-education program; requiring preservice field experience programs to include supervised contact with lower achieving students; requiring annual reports of program performance; creating s. 231.6135, F.S.; establishing a statewide system for in-service professional development; authorizing professional development academies to meet human resource development and education instruction training needs of educators, schools, and school districts; providing for organization and operation by public and private partners; providing for funding; specifying duties of the Commissioner of Education; repealing s. 231.601, F.S., relating to purpose of inservice training for instructional personnel; amending s. 230.23, F.S.; requiring school improvement plans to include additional issues; amending s. 230.2316, F.S.; specifying the elements of dropout prevention and academic intervention programs; revising the intent of the program; revising student eligibility and program criteria; revising reporting requirements for district evaluation; providing for applications by school districts to the Department of Education for grants to operate second chance schools; establishing grant and program requirements; providing for the generation of operating funds through programs of the Florida Education Finance Program; providing new requirements for students seeking to reenter traditional schools; amending s. 231.085, F.S.; requiring principals to ensure the accuracy and timeliness of school reports; requiring principals to provide staff training opportunities; creating s. 232.001, F.S.; allowing certain district school boards to implement pilot projects to raise the compulsory age of attendance for children; providing requirements for school boards that choose to participate in pilot projects; providing for the applicability of state law and State Board of Education rule; providing an exception from the provisions relating to a declaration of intent to terminate school enrollment; requiring a study; amending s. 232.09, F.S.; clarifying scope of reference to term "criminal prosecution"; amending s. 232.17, F.S.; providing legislative findings; placing responsibility on school district superintendents for enforcing attendance; establishing requirements for school board policies; revising the current steps for enforcing regular school attendance; requiring public schools to follow the steps; establishing the requirements for school principals, primary teachers, child study teams, and parents; providing for parents to appeal; allowing the superintendent to seek criminal prosecution for parental noncompliance; requiring the parent or guardian or the superintendent to file certain petitions involving ungovernable children in certain circumstances; requiring the superintendent to provide the court with certain evidence; allowing for court enforcement for children who refuse to comply; revising the notice requirements to parents, guardians, or others; eliminating a current condition for notice; eliminating the option for referral to case staffing committees; requiring the superintendent to take steps to bring about criminal prosecution and requiring related

notice; authorizing superintendents to file truancy petitions; allowing for the return of absent children to additional locations; requiring parental notification; deleting certain provisions relating to escalating series of truancy activities; amending s. 232.19, F.S., relating to habitual truancy; authorizing superintendents to file truancy petitions; requiring that a court order for school attendance be obtained as a part of services; revising the requirements that must be met prior to filing a petition; amending s. 236.081, F.S.; amending procedures that must be followed in determining the annual allocation to each school district for operation; requiring the average daily attendance of the student membership to be calculated by school and by district; requiring the district's FTE membership to be adjusted by multiplying by the average daily attendance factor; amending s. 240.529, F.S.; providing the criteria for continued program approval; providing for the requirements for instructors in postsecondary teacher preparation programs who instruct or supervise preservice field experience courses or internships; eliminating the requirement related to a commitment to teaching in the public schools for a period of time; providing additional requirements for school district and instructional personnel who supervise or direct certain teacher preparation students; amending s. 984.03, F.S.; redefining the term "habitual truant"; requiring the state attorney or the appropriate jurisdictional agency to file a child-in-need-of-services petition in certain circumstances; eliminating the requirement for referral for evaluation; providing definitions for "truancy court" and "truancy petition"; creating s. 984.151, F.S.; providing procedure for truancy petitions; providing for truancy hearings and penalties; reenacting s. 24.121(5)(b) and (c), F.S., relating to the Educational Enhancement Trust Fund, s. 120.81(1)(b), F.S., relating to tests, test scoring criteria, or testing procedures, s. 228.056(9)(e), F.S., relating to charter schools, s. 228.0565(6)(b), (c), and (d), F.S., relating to deregulated public schools, s. 228.301(1), F.S., relating to test security, s. 229.551(1)(c) and (3), F.S., relating to educational management, s. 230.03(4), F.S., relating to school district management, control, operation, administration, and supervision, s. 230.2316(4)(b), F.S., relating to dropout prevention, s. 231.24(3)(a), F.S., relating to the process for renewal of professional certificates, s. 231.36(3)(e) and (f), F.S., relating to contracts with instructional staff, supervisors, and principals, s. 232.2454(1), F.S., relating to district student performance standards, instruments, and assessment procedures, s. 232.246(5)(a) and (b), F.S., relating to general requirements for high school graduation, s. 232.248, F.S., relating to confidentiality of assessment instruments, s. 232.2481(1), F.S., relating to graduation and promotion requirements for publicly operated schools, s. 233.09(4), F.S., relating to duties of instructional materials committees, s. 233.165(1)(b), F.S., relating to the selection of instructional materials, s. 233.25(3)(b), F.S., relating to publishers and manufacturers of instructional materials, s. 236.08106(2)(a) and (c), F.S., relating to the Excellent Teaching Program, s. 236.685(6), F.S., relating to educational funding accountability, s. 239.101(7), F.S., relating to career education, s. 239.229(1) and (3), F.S., relating to vocational standards, s. 240.118(4), F.S., relating to postsecondary feedback of information to high schools, s. 240.529(1), F.S., relating to approval of teacher preparation programs, to incorporate references; providing rulemaking authority for the State Board of Education to ensure access for nonprofit professional teacher associations; providing for severability; providing effective dates.

—was read the third time by title.

The Committee on Rules & Calendar offered the following:

Technical Amendment 76 (with title amendment)—On page 169, line 30, through page 171, line 4, remove from the bill: all of said lines on page 161, lines 25-30, remove from the bill all of said lines

And the title is amended as follows:

On page 13, lines 8-10, remove from the title of the bill: all of said lines

and insert in lieu thereof: of instructional materials, s. 236.685(6), F.S., relating

On page 12, lines 19-20,
remove from the title of the bill: all of said lines

and insert: supervision, s. 231.24(3)(a), F.S.,

Rep. Arnall moved the adoption of the amendment, which was adopted.

Representative(s) Wilson, Wasserman Schultz, and Bloom offered the following:

Amendment 77—On page 81, line 29,

after the period insert: *Preference shall be given to providing adequate funding to low performing schools designated as performance category "F" and "D" in order to assure reduction of class size for kindergarten through grade 3 necessary to reach a ratio of one teacher to 15 students.*

Rep. Wilson moved the adoption of the amendment, which failed to receive the necessary two-thirds vote for adoption. The vote was:

Yeas—45

Betancourt	Eggelletion	Kosmas	Sorensen
Bloom	Fiorentino	Levine	Spratt
Boyd	Frankel	Logan	Stafford
Brown	Gottlieb	Miller, L.	Stansel
Bullard	Greene, A.	Rayson	Suarez
Bush	Greenstein	Reddick	Turnbull
Chestnut	Hafner	Ritchie	Wasserman Schultz
Cosgrove	Healey	Ritter	Wiles
Crist	Henriquez	Ryan	Wilson
Dennis	Heyman	Smith, C.	
Edwards	Hill	Smith, K.	
Effman	Jacobs	Sobel	

Nays—74

The Chair	Crow	Kelly	Pruitt
Albright	Detert	Kilmer	Putnam
Alexander	Diaz de la Portilla	Kyle	Roberts
Andrews	Dockery	Lacasa	Rojas
Argenziano	Farkas	Lawson	Russell
Arnall	Fasano	Littlefield	Sanderson
Bainter	Feeney	Lynn	Sembler
Ball	Flanagan	Maygarden	Starks
Barreiro	Fuller	Melvin	Sublette
Bense	Futch	Merchant	Trovillion
Bilirakis	Garcia	Miller, J.	Tullis
Bitner	Gay	Minton	Valdes
Bronson	Goode	Morrone	Villalobos
Brummer	Goodlette	Murman	Wallace
Byrd	Green, C.	Ogles	Warner
Cantens	Harrington	Patterson	Waters
Casey	Hart	Peaden	Wise
Constantine	Johnson	Posey	
Crady	Jones	Prieguez	

Representative(s) Roberts and Logan offered the following:

Amendment 78 (with title amendment)—On page 56, between lines 2 & 3,

insert:

(d) The department shall assign a community assessment team to each school district with a school designated as performance grade category "D" or "F" to review the school performance data and determine causes for the low performance. The team shall make recommendations to the school board, to the department, and to the State Board of Education for implementing an assistance and intervention plan that will address the causes of the school's low performance. The assessment team shall include, but not be limited to, a department representative, parents, business representatives, educators, and community activists, and shall represent the demographics of the community from which they are appointed.

And the title is amended as follows:

On page 2, line 31, after goals;

insert: revising the duties of the Department of Education with regard to school improvement;

Rep. Roberts moved the adoption of the amendment, which was adopted by the required two-thirds vote.

Point of Order

Rep. L. Miller raised a point of order that Amendment 78 by Rep. Roberts had a fiscal impact and that the bill therefore should be referred to a fiscal committee for further review.

The Chair [Speaker Thrasher] inquired of Rep. L. Miller whether the point of order was being raised under Rule 117. Rep. L. Miller responded that it was.

Rep. Pruitt, Chair of the Fiscal Responsibility Council, indicated that funds were available to cover any costs associated with the previously adopted amendment.

The Chair noted that, under Rule 117, when an amendment with a fiscal impact was adopted, the Speaker, upon the recommendation of the Chair of the Fiscal Responsibility Council, had the discretion to refer a bill to the appropriate fiscal committee.

Pursuant to the rule and after receiving the recommendation of the Chair of the Fiscal Responsibility Council, the Chair determined that no further reference of the bill was required.

Representative(s) Diaz de la Portilla and Warner offered the following:

Amendment 79—On page 19, line 29,
remove from the bill:
closest to the student's residence

and insert in lieu thereof:
of the parent's or guardian's choice, regardless of space availability,

Rep. Warner moved the adoption of the amendment, which failed to receive the necessary two-thirds vote for adoption.

Representative(s) Melvin and Cantens offered the following:

Amendment 80—On page 153, lines 27-31,
remove from the bill: all of said lines

and insert in lieu thereof:

(57) "Truancy court" means, with respect to all truancy proceedings, the circuit court of the county in which the truancy proceeding is pending, and includes any general or special master that may be appointed by the chief judge to preside over all or part of such proceeding.

Rep. Melvin moved the adoption of the amendment, which was adopted by the required two-thirds vote.

Representative(s) Melvin and Cantens offered the following:

Amendment 81—On page 154, line 18
remove from the bill: *"special hearing"*

and insert in lieu thereof: *general or special*

Rep. Melvin moved the adoption of the amendment, which was adopted by the required two-thirds vote.

THE SPEAKER PRO TEMPORE IN THE CHAIR

THE SPEAKER IN THE CHAIR

Rep. Arnall suggested the absence of a quorum. A quorum was present.

The question recurred on the passage of CS/HBs 751, 753 & 755. The vote was:

Yeas—71

The Chair	Crow	Kyle	Rojas
Albright	Diaz de la Portilla	Lacasa	Russell
Alexander	Dockery	Littlefield	Sanderson
Andrews	Farkas	Logan	Sembler
Argenziano	Fasano	Lynn	Smith, K.
Arnall	Feehey	Maygarden	Sorensen
Bainter	Flanagan	Melvin	Spratt
Ball	Fuller	Merchant	Starks
Barreiro	Futch	Miller, J.	Sublette
Bense	Garcia	Murman	Trovillion
Bitner	Gay	Ogles	Tullis
Bronson	Goodlette	Patterson	Valdes
Brown	Harrington	Peaden	Villalobos
Brummer	Hart	Posey	Wallace
Byrd	Johnson	Prieguez	Warner
Cantens	Jones	Pruitt	Waters
Constantine	Kelly	Putnam	Wise
Crist	Kilmer	Roberts	

Nays—49

Betancourt	Edwards	Heyman	Ryan
Bilirakis	Effman	Hill	Smith, C.
Bloom	Eggelletion	Jacobs	Sobel
Boyd	Fiorentino	Kosmas	Stafford
Bradley	Frankel	Lawson	Stansel
Bullard	Goode	Levine	Suarez
Bush	Gottlieb	Miller, L.	Turnbull
Casey	Green, C.	Minton	Wasserman Schultz
Chestnut	Greene, A.	Morrioni	Wiles
Cosgrove	Greenstein	Rayson	Wilson
Crady	Hafner	Reddick	
Dennis	Healey	Ritchie	
Detert	Henriquez	Ritter	

Votes after roll call:

Yeas to Nays—Brown

So the bill passed, as amended, and was certified to the Senate after engrossment.

Explanation of Vote

With the sole exception of the provision of CS/HBs 751, 753 & 755, which provides for “opportunity scholarships”/vouchers, I support this bill. In an effort to amend CS/HBs 751, 753 & 755 so that I could vote for it, I supported an effort to remove the opportunity scholarship provision from the bill. Having failed in that effort, I am compelled to vote against the final product despite my support for other provisions of the bill. It is a core principle with me that we should provide an “opportunity scholarship” for every student, and, for those students in failing schools, we should be willing to do what it takes to improve those schools. In Florida, Public Education is Job #1.

*Rep. Robert K. “Bob” Casey
District 22*

Explanation of Vote

CS/HBs 751, 753 & 755 contains measures regarding accountability in schools, teacher quality, and school safety. I am in agreement with these sections of the bill. However, due to the Opportunity Scholarship section, I cannot vote for CS/HBs 751, 753 & 755. The constituents of District 46, that I represent, have overwhelmingly requested me to vote against school vouchers. I am in agreement with my constituents and will support their views.

*Rep. Heather Fiorentino
District 46*

Explanation of Vote

CS/HBs 751, 753 & 755 is a combined effort of numerous hours of input from various legislators from across the state of Florida. The legislation found in this bill is for the most part good public policy, yet I am opposed to the portion of the bill on “Opportunity Scholarships.” The major reason I cannot support these scholarships is my concern on the constitutionality of this issue. I am honored to represent District 75, where the Lee and Collier School Boards do an excellent job of educating their students. This legislation will be ineffective in Lee and Collier Counties because school choice is offered to the parents and students. In an effort to be supportive of my fellow House colleagues, I was supportive of numerous amendments which strengthened this bill, yet my fundamental opposition has not waived. It is for this reason that today I have cast a negative vote for this bill.

*Rep. Carole Green
District 75*

Governor and Lieutenant Governor

The Speaker announced the presence of the Honorable Jeb Bush, Governor, and the Honorable Frank Brogan, Lieutenant Governor, on the House floor.

Special Orders

The Speaker granted permission for Rep. Albright to approach the well where he gave a brief explanation of the following taxation bills on Special Orders.

Motion

On motion by Rep. Albright, the rules were suspended by the required two-thirds vote and the House reordered the consideration of bills on Special Orders from HBs 1941, 1943, 1945, 1947, 1949, 1951, 1953, and 1955 to HBs 1941, 1949, 1955, 1951, 1947, 1953, 1945, and 1943.

HB 1941—A bill to be entitled An act relating to tax on sales, use, and other transactions; providing a short title; specifying a period during which the sale of clothing below a specified value shall be exempt from such tax; defining “clothing”; providing exceptions; authorizing the Department of Revenue to adopt rules; providing an appropriation; providing an effective date.

—was read the second time by title and, under Rule 121(b), referred to the Engrossing Clerk.

HB 1949—A bill to be entitled An act relating to tax on sales, use, and other transactions; amending s. 212.05, F.S.; reducing the rate of the tax on charges for telecommunication service from 7 percent to 6.5 percent; providing for application of such tax; providing legislative intent to further reduce the rate in a subsequent year; amending s. 212.12, F.S., to conform; providing an effective date.

—was read the second time by title.

Representative(s) Albright offered the following:

Amendment 1 (with title amendment)—On page 5, between lines 21 and 22, of the bill

insert:

Section 3. *With respect to charges for telecommunication service that are regularly billed on a monthly cycle, the changes in the sales tax rate provided for in this act shall apply to charges appearing on any bill dated on or after February 1, 2000.*

And the title is amended as follows:

On page 1, line 9, after the semicolon

insert: specifying the application date of such reduced rate for charges billed on a monthly cycle;

Rep. Albright moved the adoption of the amendment, which was adopted.

Under Rule 121(b), the bill was referred to the Engrossing Clerk.

HB 1955—A bill to be entitled An act relating to the alcoholic beverage surcharge; amending s. 561.501, F.S.; reducing the surcharges on liquor, wine, cider, and beer sold for consumption on the premises; amending s. 561.121, F.S.; increasing the portion of the surcharge which is transferred to the Children and Adolescents Substance Abuse Trust Fund; providing an effective date.

—was read the second time by title and, under Rule 121(b), referred to the Engrossing Clerk.

HB 1951—A bill to be entitled An act relating to unemployment compensation; amending s. 1, ch. 97-29, Laws of Florida; directing the Division of Unemployment Compensation to reduce employers' tax rates for the year 2000; providing exceptions; providing a reduced initial tax rate for certain employers for the year 2000; amending s. 443.101, F.S.; clarifying provisions relating to disqualification for benefits; amending s. 443.111, F.S.; providing a temporary increase in the maximum weekly and yearly benefit amounts for unemployment compensation benefits for a specified period; amending s. 443.231, F.S.; providing an extension for the Florida Training Investment Program; providing effective dates.

—was read the second time by title and, under Rule 121(b), referred to the Engrossing Clerk.

HB 1947—A bill to be entitled An act relating to tax administration; amending s. 212.11, F.S.; revising the filing deadline applicable to sales tax dealers who are required to calculate and pay estimated tax liability; increasing the threshold for determining whether a dealer is subject to said requirement; amending ss. 212.04 and 212.15, F.S., to conform; creating s. 213.235, F.S.; providing for determination of the annual rate of interest applicable to tax payment deficiencies; creating s. 213.255, F.S.; providing for payment of interest on overpayments of taxes, payment of taxes not due, or taxes paid in error with respect to taxes administered by the Department of Revenue if refund is not made within a specified period; providing requirements for refund applications and determination of completeness thereof; requiring a bond or other security under certain conditions; providing for interest and penalties with respect to refunds paid in error; providing application; providing for rules; amending ss. 198.15 and 198.18, F.S., relating to the rate of interest on delinquent estate taxes and taxes for which an extension is granted, s. 198.155, F.S., relating to the rate of interest on delinquent tax on generation-skipping transfers, s. 198.16, F.S., relating to the rate of interest on deficiencies in such taxes, s. 199.282, F.S., relating to the rate of interest on delinquent intangible personal property taxes, s. 201.17, F.S., relating to the rate of interest on delinquent excise taxes on documents, and s. 203.06, F.S., relating to the rate of interest on delinquent gross receipts taxes, to conform; reenacting s. 203.62, F.S., relating to the gross receipts tax on interstate and international telecommunications services, to incorporate the amendment to s. 203.06, F.S., in a reference thereto; amending s. 206.44, F.S., relating to the rate of interest on delinquent motor fuel taxes, to conform; reenacting ss. 206.06(1), 206.94, 206.97, 206.9915(3), 336.021(2)(a), and 336.025(2)(a), F.S., relating to estimated fuel taxes, tax on diesel fuel, tax on fuel and other pollutants, the ninth-cent fuel tax on motor and diesel fuel, and the local option tax on motor and diesel fuel for county transportation systems, to incorporate the amendment to s. 206.44, F.S., in references thereto; amending s. 207.007, F.S., relating to the rate of interest on delinquent tax on the operation of commercial motor vehicles, ss. 211.076 and 211.33, F.S., relating to the rate of interest on delinquent taxes and underpayment of estimated taxes on oil and gas production and severance of minerals, and s. 212.12, F.S., relating to the rate of interest on delinquent taxes on sales, use, and other transactions, to conform; reenacting ss. 193.501(6)(e), 193.503(9)(b), and 193.505(8), F.S., relating to the interest on a deferred tax liability due upon a change in assessment status of certain conservation or recreation land or historic properties, and s. 196.1997(7), F.S., relating to the interest on taxes which become due when property is no longer eligible for a historic property tax exemption, to incorporate the amendment to s. 212.12, F.S., in references thereto; amending s. 220.807, F.S., relating to the interest rate applicable to the corporate income tax code, and s. 624.5092, F.S., relating to the rate of

interest on delinquent insurance premium taxes, to conform; directing the Department of Revenue to examine and report on the impact of the act; providing an effective date.

—was read the second time by title.

Representative(s) Rayson offered the following:

Amendment 1 (with title amendment)—On page 10 between lines 2 and 3, of the bill

insert:

Section 4. Subsection (6) is added to section 212.18, Florida Statutes, 1998 Supplement, to read:

212.18 Administration of law; registration of dealers; rules.—

(6) *As used in s. 212.08(7)(o), "social welfare services" shall be construed by the department to include consumer credit counseling services provided by tax-exempt social welfare organizations as defined by the Internal Revenue Code.*

And the title is amended as follows:

On page 1, line 9 after "conform;"

insert: amending s. 212.18, F.S.; providing that "social welfare services" shall be construed to include certain consumer credit counseling services for sales tax exemption purposes;

Rep. Rayson moved the adoption of the amendment. Subsequently, **Amendment 1** was withdrawn.

Under Rule 121(b), the bill was referred to the Engrossing Clerk.

HB 1953—A bill to be entitled An act relating to school impact fees; prohibiting any county which was not levying such a fee on January 1, 1999, from levying such fee during a specified period; limiting the amount of such fees that may be collected by a county during that period; providing procedures for reimbursing a county for revenues lost during that period based on fees which exceed the limitation which were in effect on January 1, 1999; providing duties of the Comptroller; specifying the purposes for which such reimbursed funds may be used; providing for rules; creating a Florida School Impact Fee Policy Commission; providing for appointment and qualifications of members; providing administrative duties of the Legislative Committee on Intergovernmental Relations; providing duties of the commission; providing for a report; providing an appropriation; providing an effective date.

—was read the second time by title.

Representative(s) Sublette offered the following:

Amendment 1—On page 2, line 14, of the bill

after the period insert: *However, if the county adopted an ordinance increasing their school impact fee on or before February 1, 1999, the county shall report the fees which would have been collected under that ordinance for the period beginning July 1, 1999, through June 30, 2000.*

Rep. Sublette moved the adoption of the amendment, which was adopted.

Representative(s) Sublette offered the following:

Amendment 2—On page 3, line 3, of the bill

after the period insert: *However, if the county adopted an ordinance increasing their school impact fee on or before February 1, 1999, then the Comptroller shall distribute the funds appropriated by the Legislature to that county based on the difference between the school impact fees permitted to be collected for the quarter pursuant to this act, and the fees which would have been in place under that ordinance.*

Rep. Sublette moved the adoption of the amendment, which was adopted.

Under Rule 121(b), the bill was referred to the Engrossing Clerk.

HB 1945—A bill to be entitled An act relating to state taxation; providing for a rebate of state taxes in the form of a residential electric utility credit; providing conditions with respect to the credit; providing for submission of certain information to the Public Service Commission by utilities providing residential electric utility service; providing for calculation of reimbursement amounts by the commission; providing for distribution of funds to such utilities; providing for audits; providing legislative intent with respect to the credit; directing the commission to provide certain services; providing rulemaking authority; providing an appropriation; providing an effective date.

—was read the second time by title.

Representative(s) Wasserman Schultz, Turnbull, and Reddick offered the following:

Amendment 1 (with title amendment)—On page 1, line 22, through page 7, line 2 remove from the bill: all of said lines

and insert in lieu thereof:

WHEREAS, the Legislature has deemed it appropriate to use surplus state tax revenues paid by the residents of the State of Florida to provide funds to reduce class size in public schools.

Be It Enacted by the Legislature of the State of Florida:

Section 1. *There is hereby appropriated \$177 million from the General Revenue Fund to be disbursed among the school districts of Florida based upon each district's October, 1998 student membership for kindergarten and grade one. These funds shall be utilized for the reduction of class size.*

And the title is amended as follows:

On page 1, lines 3-16, remove from the title of the bill: all of said lines

and insert in lieu thereof: that certain surplus tax revenue be used for the reduction of public school class size; providing an effective date.

Rep. Wasserman Schultz moved the adoption of the amendment.

On motion by Rep. Maygarden, the amendment was laid on the table. The vote was:

Yeas—70

The Chair	Crady	Kelly	Roberts
Albright	Crow	Kilmer	Rojas
Andrews	Detert	Kyle	Russell
Argenziano	Dockery	Littlefield	Sanderson
Arnall	Farkas	Logan	Sembler
Bainter	Fasano	Lynn	Smith, K.
Ball	Feeney	Maygarden	Sorensen
Barreiro	Flanagan	Melvin	Starks
Bense	Fuller	Miller, J.	Trovillion
Bilirakis	Garcia	Morrone	Tullis
Bitner	Gay	Murman	Valdes
Bradley	Goode	Ogles	Villalobos
Bronson	Goodlette	Patterson	Wallace
Brummer	Green, C.	Peaden	Warner
Byrd	Harrington	Posey	Waters
Cantens	Hart	Priguez	Wise
Casey	Johnson	Pruitt	
Constantine	Jones	Putnam	

Nays—43

Betancourt	Bullard	Dennis	Frankel
Bloom	Bush	Edwards	Gottlieb
Boyd	Chestnut	Effman	Greene, A.
Brown	Cosgrove	Eggelletion	Greenstein

Hafner	Lawson	Ritchie	Stansel
Healey	Levine	Ritter	Suarez
Henriquez	Merchant	Ryan	Turnbull
Heyman	Miller, L.	Smith, C.	Wasserman Schultz
Hill	Minton	Sobel	Wiles
Jacobs	Rayson	Spratt	Wilson
Kosmas	Reddick	Stafford	

Votes after roll call:

Yeas—Crist
Nays—Fiorentino

Representative(s) Bloom and Reddick offered the following:

Amendment 2 (with title amendment)—On page 7, line 3, of the bill

insert:

Section 5. *Notwithstanding any other provision of this act, any electric utility providing residential service may elect to provide these funds to the school district governing the service area covered. The amount of these funds shall be calculated as \$25 multiplied by the number of residential customers eligible for the rebate within the school district. These funds shall be utilized for the reduction of public school class size.*

And the title is amended as follows:

On page 1, line 16, after appropriation;

insert: allowing electric utilities to refund monies to school districts.

Rep. Bloom moved the adoption of the amendment.

On motion by Rep. Bloom, further consideration of **Amendment 2** was temporarily postponed under Rule 141.

Rep. Cosgrove moved that, under Rule 142(h), a late-filed amendment be allowed for consideration, which was not agreed to.

Rep. Merchant moved that, under Rule 142(h), a late-filed amendment be allowed for consideration, which was not agreed to. The vote was:

Yeas—56

Andrews	Diaz de la Portilla	Hill	Ryan
Argenziano	Edwards	Jacobs	Smith, C.
Ball	Effman	Johnson	Smith, K.
Betancourt	Eggelletion	Kosmas	Sobel
Bilirakis	Frankel	Lawson	Spratt
Bloom	Goodlette	Levine	Stafford
Boyd	Gottlieb	Lynn	Stansel
Brown	Greene, A.	Merchant	Suarez
Bullard	Greenstein	Miller, J.	Trovillion
Bush	Hafner	Miller, L.	Turnbull
Cantens	Harrington	Rayson	Warner
Cosgrove	Healey	Reddick	Wasserman Schultz
Dennis	Henriquez	Ritchie	Wiles
Detert	Heyman	Ritter	Wilson

Nays—57

The Chair	Constantine	Hart	Ogles
Albright	Crady	Jones	Patterson
Alexander	Crow	Kelly	Peaden
Arnall	Dockery	Kilmer	Posey
Bainter	Fasano	Kyle	Priguez
Barreiro	Feeney	Littlefield	Pruitt
Bense	Fiorentino	Logan	Putnam
Bitner	Flanagan	Maygarden	Roberts
Bradley	Fuller	Melvin	Rojas
Bronson	Garcia	Minton	Russell
Brummer	Goode	Morrone	Sanderson
Casey	Green, C.	Murman	Sembler

Sorensen Tullis Villalobos Waters
Starks Valdes Wallace Wise
Sublette

Votes after roll call:
Nays—Crist

The question recurred on the adoption of **Amendment 2**, which failed of adoption. The vote was:

Yeas—26

Betancourt	Effman	Jacobs	Ryan
Bloom	Eggelation	Kosmas	Smith, C.
Bullard	Frankel	Levin	Sobel
Bush	Greene, A.	Miller, L.	Wasserman Schultz
Chestnut	Healey	Posey	Wilson
Cosgrove	Heyman	Reddick	
Dennis	Hill	Ritter	

Nays—88

The Chair	Detert	Kilmer	Rojas
Albright	Dockery	Kyle	Russell
Alexander	Edwards	Lacasa	Sanderson
Andrews	Farkas	Lawson	Sembler
Argenziano	Fasano	Littlefield	Smith, K.
Arnall	Feeny	Logan	Sorensen
Bainter	Fiorentino	Lynn	Spratt
Ball	Flanagan	Maygarden	Stafford
Barreiro	Fuller	Melvin	Stansel
Bense	Garcia	Merchant	Starks
Bilirakis	Gay	Miller, J.	Suarez
Bitner	Goode	Minton	Sublette
Boyd	Goodlette	Morroni	Trovillion
Bradley	Gottlieb	Murman	Tullis
Bronson	Green, C.	Ogles	Turnbull
Brown	Hafner	Patterson	Valdes
Brummer	Harrington	Peaden	Villalobos
Byrd	Hart	Prieguez	Wallace
Cantens	Henriquez	Pruitt	Warner
Constantine	Johnson	Putnam	Waters
Crady	Jones	Rayson	Wiles
Crow	Kelly	Ritchie	Wise

Votes after roll call:
Nays—Crist, Greenstein
Yeas to Nays—Posey

Under Rule 121(b), the bill was referred to the Engrossing Clerk.

HB 1943—A bill to be entitled An act relating to intangible personal property taxes; amending ss. 199.023 and 199.052, F.S.; revising the definition of "affiliated group" to include limited liability companies connected through membership interest with a common parent; revising provisions which allow affiliated groups to file a consolidated return, to include such limited liability companies; amending s. 199.032, F.S.; reducing the rate of the annual tax; amending s. 199.033, F.S.; reducing the rates of the tax on securities in a Florida's Future Investment Fund to conform; amending s. 199.185, F.S.; increasing the percentage of accounts receivable that is exempt from intangible personal property taxes; retaining legislative intent to exempt all accounts receivable on a future date; increasing the exemption from the annual tax granted to natural persons; providing an exemption from the annual tax for taxpayers who are not natural persons; providing an effective date.

—was read the second time by title.

Representative(s) Cosgrove, Wasserman Schultz, Bloom, Bush, and Brown offered the following:

Amendment 1 (with title amendment)—On page 1, line 27 remove from the bill: everything after the enacting clause and insert in lieu thereof:

Section 1. Section 199.185, Florida Statutes, is amended to read:

199.185 Property exempted from annual and nonrecurring taxes.—

(1) The following intangible personal property shall be exempt from the annual and nonrecurring taxes imposed by this chapter:

(a) Money.

(b) Franchises.

(c) Any interest as a partner in a partnership, either general or limited, other than any interest as a limited partner in a limited partnership registered with the Securities and Exchange Commission pursuant to the Securities Act of 1933, as amended.

(d) Notes, bonds, and other obligations issued by the State of Florida or its municipalities, counties, and other taxing districts, or by the United States Government and its agencies.

(e) Intangible personal property held in trust pursuant to any stock bonus, pension, or profit-sharing plan or any individual retirement account which is qualified under s. 530, s. 401, s. 408, or s. 408A of the United States Internal Revenue Code, 26 U.S.C. ss. 530, 401, 408, and 408A, as amended.

(f) Intangible personal property held under a retirement plan of a Florida-based corporation exempt from federal income tax under s. 501(c)(6) of the United States Internal Revenue Code, 26 U.S.C., if the primary purpose of the corporation is to support the promotion of professional sports and the retirement plan is either a qualified plan under s. 457 of the United States Internal Revenue Code or the contributions to the plan, pursuant to a ruling by the United States Internal Revenue Service, are not taxable to plan participants until actual receipt or withdrawal by the participant.

(g) Notes and other obligations, except bonds, to the extent that such notes and obligations are secured by mortgage, deed of trust, or other lien upon real property situated outside the state.

(h) The assets of a corporation registered under the Investment Company Act of 1940, 15 U.S.C. s. 80a-1-52, as amended.

(i) All intangible personal property issued in or arising out of any international banking transaction and owned by a banking organization.

(j) Units of a unit investment trust organized under an agreement or declaration of trust and registered under the Investment Company Act of 1940, as amended, whose portfolio of assets consists solely of assets exempt under this section.

(k) Interests in real estate securitizations, including, but not limited to, real estate mortgage investment conduits (REMIC) and financial asset securitization trusts (FASITS), which are directly or indirectly secured by or payable from notes and obligations that are in turn secured solely by a mortgage, deed of trust, or other lien upon real property situated in or outside the state, including, but not limited to, mortgage pools, participations, and derivatives.

(l) ~~All One-third of the~~ accounts receivable arising or acquired in the ordinary course of a trade or business which are owned, controlled, or managed by a taxpayer on January 1, 2000 1999, and thereafter. ~~It is the intent of the Legislature that, pursuant to future legislative action, the portion of such accounts receivable exempt from taxation be increased to two-thirds for taxes levied on January 1, 2000, and further increased to all such accounts receivable on January 1, 2001, and thereafter.~~ This exemption does not apply to accounts receivable which arise outside the taxpayer's ordinary course of trade or business. For the purposes of this chapter, the term "accounts receivable" means a business debt that is owed by another to the taxpayer or the taxpayer's assignee in the ordinary course of trade or business and is not supported by negotiable instruments. Accounts receivable include, but are not limited to, credit card receivables, charge card receivables, credit receivables, margin receivables, inventory or other floor plan financing, lease payments past due, conditional sales contracts, retail installment

sales agreements, financing lease contracts, and a claim against a debtor usually arising from sales or services rendered and which is not necessarily due or past due. The examples specified in this paragraph shall be deemed not to be supported by negotiable instruments. The term "negotiable instrument" means a written document that is legally capable of being transferred by indorsement or delivery. The term "indorsement" means the act of a payee or holder in writing his or her name on the back of an instrument without further qualifying words other than "pay to the order of" or "pay to" whereby the property is assigned and transferred to another.

(m) Stock options granted to employees by their employer pursuant to an incentive plan, if the employees cannot transfer, sell, or mortgage the options. Stock purchased by an employee from an employer pursuant to an incentive plan shall be treated as a nontaxable stock option if part of the purchase price of the stock is nonrecourse debt secured by the stock and the stock cannot be sold, transferred, or assigned by the employee until the nonrecourse debt is discharged. Such stock becomes taxable stock when it can be sold, transferred, or assigned by the employee.

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

~~(b) With respect to the last mill of the annual tax, every natural person is entitled each year to an exemption of the first \$100,000 of the value of property otherwise subject to said tax. A husband and wife filing jointly are entitled to shall have an exemption of \$200,000. Every taxpayer that is not a natural person is entitled each year to an exemption of the first \$100,000 of the value of property otherwise subject to the tax.~~

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

(3) Every natural person who is a widow or widower, or who is blind, or who is totally and permanently disabled, is entitled each year to an additional exemption of \$500 of property otherwise subject to the annual or nonrecurring tax. This exemption is afforded by s. 3, Art. VII of the State Constitution and is available only to the extent not used against real property or tangible personal property taxes.

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

(5) Those organizations defined in s. 220.62(1), (2), (3), or (4) are exempt from the tax imposed by s. 199.032.

~~(6) Every liquor distributor that is domiciled in this state, that is authorized to do business under the Beverage Law, and that has paid the license taxes required by s. 565.03(2) is exempt from paying tax on accounts receivable owned by the taxpayer which are derived from, arise out of, or are issued in connection with a sale of alcoholic beverages transacted in another state with a customer in another state.~~

~~(6)(7)~~ A national bank that has its principal place of business in another state, processes credit card credit applications in this state or performs customer service or collection operations in this state, and is not a bank under 12 U.S.C. s. 1941(c)(2)(F), is exempt from paying tax on credit card receivables owed to the bank by a credit card holder domiciled outside this state.

~~(7)(8)~~ Every insurer, as defined in s. 624.03, whether the insurer is authorized or unauthorized as defined in s. 624.09, is exempt from the tax imposed by s. 199.032.

Section 2. Subsection (3) of section 199.292, Florida Statutes, is amended to read:

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

(3) Of the remaining intangible personal property taxes collected, an amount equal to ~~45.67~~ ^{35.3} percent ~~in state fiscal year 1998-1999 and an amount equal to 37.7 percent in each year thereafter,~~ shall be transferred to the Revenue Sharing Trust Fund for Counties. Of the remaining taxes collected, an amount equal to ~~54.33~~ ^{64.7} percent ~~in state fiscal year 1998-1999 and an amount equal to 62.3 percent in each year thereafter,~~ shall be transferred to the General Revenue Fund of the state.

Section 3. This act shall take effect July 1, 1999.

And the title is amended as follows:

On page 1, lines 3-23
remove from the title of the bill: all of said lines

and insert in lieu thereof: taxes; amending ss. 199.185, F.S.; exempting accounts receivable; increasing exemptions for taxpayers who are natural persons; creating exemptions for taxpayers who are not natural persons; amending s. 199.292, F.S.; changing distributions of tax proceeds to the General Revenue Fund and the Revenue Sharing Trust Fund for Counties; providing an effective date.

Rep. Cosgrove moved the adoption of the amendment.

Rep. L. Miller suggested the absence of a quorum. A quorum was present.

The question recurred on the adoption of **Amendment 1**, which failed of adoption. The vote was:

Yeas—43

Arnall	Goodlette	Levine	Smith, C.
Betancourt	Gottlieb	Merchant	Sobel
Bloom	Greene, A.	Miller, L.	Sorensen
Brown	Greenstein	Minton	Spratt
Bullard	Hafner	Ogles	Stafford
Chestnut	Healey	Posey	Suarez
Cosgrove	Henriquez	Rayson	Turnbull
Dennis	Heyman	Reddick	Warner
Edwards	Hill	Ritchie	Wasserman Schultz
Effman	Jacobs	Ritter	Wilson
Frankel	Kosmas	Ryan	

Nays—67

The Chair	Constantine	Jones	Rojas
Albright	Crady	Kelly	Russell
Alexander	Detert	Kilmer	Sanderson
Andrews	Dockery	Kyle	Sembler
Bainter	Farkas	Lacasa	Smith, K.
Ball	Fasano	Littlefield	Stansel
Barreiro	Feeny	Logan	Starks
Bense	Fiorentino	Maygarden	Sublette
Billrakis	Flanagan	Melvin	Trovillion
Bitner	Fuller	Miller, J.	Tullis
Boyd	Futch	Morrone	Valdes
Bradley	Garcia	Patterson	Villalobos
Bronson	Goode	Peaden	Wallace
Brummer	Green, C.	Prieguez	Waters
Byrd	Harrington	Pruitt	Wiles
Cantens	Hart	Putnam	Wise
Casey	Johnson	Roberts	

Votes after roll call:

Yeas—Bush, Lynn

Nays—Crist, Murman
Nays to Yeas—Harrington

Representative(s) Cosgrove offered the following:

Amendment 2 (with title amendment)—On page 6, between lines 20 and 21 of the bill

insert:

Section 6. Subsection (3) of section 199.292, Florida Statutes, is amended to read:

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

(3) Of the remaining intangible personal property taxes collected, an amount equal to ~~45.67~~ 35.3 percent in state fiscal year 1998-1999 and an amount equal to ~~37.7~~ percent in each year thereafter, shall be transferred to the Revenue Sharing Trust Fund for Counties. Of the remaining taxes collected, an amount equal to ~~54.33~~ 64.7 percent in state fiscal year 1998-1999 and an amount equal to ~~62.3~~ percent in each year thereafter, shall be transferred to the General Revenue Fund of the state.

And the title is amended as follows:

On page 1, line 22

and insert after the semicolon: amending subsection (3) of s. 199.292, F.S.; revising the percentage transferred to the Revenue Sharing Trust Fund for Counties;

Rep. Cosgrove moved the adoption of the amendment, which failed of adoption.

Under Rule 121(b), the bill was referred to the Engrossing Clerk.

Ceremonial Resolutions Calendar

HR 9031—A resolution in recognition of Dr. Charles R. Mathews.

WHEREAS, Charles R. Mathews was born on January 31, 1923, in Norman, Oklahoma, and

WHEREAS, Charles R. Mathews received his degree in medicine from the University of Oklahoma and, following a distinguished medical career of more than 30 years in Rochester, New York, and Sarasota, Florida, Dr. Charles R. Mathews served as Medical Director of Sarasota Memorial Hospital from 1984 to 1989, and

WHEREAS, since November 1989, Dr. Charles R. Mathews has served as the Assistant Secretary for Health Services of the Florida Department of Corrections, and

WHEREAS, as Assistant Secretary for Health Services, Dr. Charles R. Mathews is the highest ranking health care professional in the Department of Corrections, and is directly responsible for the delivery of health care to the inmate population in the State of Florida, and

WHEREAS, Dr. Mathews is the ultimate authority in the Department of Corrections for health care decisions and is responsible for planning, budgeting, allocation of health care resources, establishment of health care standards and policies, provision of technical assistance, and quality evaluation of the health care programs within the department, and

WHEREAS, Dr. Mathews is responsible for the health care of more than 68,000 inmates currently incarcerated within the Florida correctional system, plus approximately 20,000 persons who are admitted into the system annually, and

WHEREAS, there are more than 2,800 health care professionals who function under the direction of Dr. Mathews, providing for the health care needs of Florida's inmates and handling 2.9 million health care encounters within the system annually, and

WHEREAS, during Dr. Mathews' tenure, the health care system of the Florida Department of Corrections has achieved national recognition for the quality of health care delivered to the inmate population and for its cost-effectiveness, and

WHEREAS, among Dr. Mathews' many other accomplishments as Assistant Secretary for Health Services is the founding of the Correctional Bioethics Committee in 1994, of which Dr. Mathews has served as chairperson since its inception, and

WHEREAS, the Correctional Bioethics Committee, which includes a majority of ethicists from outside the various state correctional systems, considers issues of special concern regarding treatment of the incarcerated population, and

WHEREAS, under the direction of Dr. Mathews, the Florida Department of Corrections has assured that treatment of inmates with HIV and AIDS meets current community standards, and

WHEREAS, among the efforts to this end are the ongoing education of medical staff and inmates, a planned 120-bed Special Care Unit for advanced or complicated AIDS cases, and close affiliation with University of Miami AIDS researchers and clinicians, and

WHEREAS, in 1997, the Assistant Secretary for Health Services began offering carefully selected AIDS patients access to new investigational drugs, under FDA-approved protocols, in cooperation with University of Miami AIDS specialists, and

WHEREAS, in 1998, a miniresidency of correctional health care providers rotating through the AIDS Special Care Unit was begun, with faculty drawn from nationally recognized AIDS experts, and funding provided by grant, at no cost to the department, and

WHEREAS, Dr. Charles R. Mathews has assured that up-to-date training in inmate medical care is provided to physicians and other health care providers through regional programs and statewide workshops, and

WHEREAS, also during Dr. Mathews' tenure, the 21-year federal court supervision of the Florida Department of Corrections was brought to a close in March 1993, and

WHEREAS, as Assistant Secretary for Health Services, Dr. Charles R. Mathews is responsible for vast and far-reaching improvements in the delivery of inmate medical care in the State of Florida, improvements which serve as a model for correctional systems throughout the nation, and

WHEREAS, it is fitting and appropriate that the Legislature of the State of Florida recognize Dr. Charles R. Mathews for his numerous contributions as Assistant Secretary for Health Services, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That the House of Representatives of the State of Florida hereby recognizes Dr. Charles R. Mathews for his numerous contributions as Assistant Secretary for Health Services of the Florida Department of Corrections.

BE IT FURTHER RESOLVED that a copy of this resolution be transmitted to Dr. Charles R. Mathews as a tangible token of the sentiments expressed herein.

—was read the second time by title. On motion by Rep. Trovillion, the resolution was adopted.

HR 9049—A resolution commending the health maintenance organization industry and designating March 25, 1999, as "Florida HMO Day."

WHEREAS, health maintenance organizations are dedicated to providing Floridians with ready access to preventive care services, thus promoting better health and well-being among Florida residents, and

WHEREAS, health maintenance organizations have made health coverage more affordable for workers and their families, allowing more Floridians to become insured, and

WHEREAS, an overwhelming majority of health maintenance organizations cover primary care visits without deductibles or coinsurance, thereby encouraging their subscribers to seek preventive care earlier and avail themselves of the services of their physicians whenever they think it necessary, and

WHEREAS, according to a study of cancer screening among women conducted by the Centers for Disease Control and Prevention, women enrolled in health maintenance organizations are more likely to obtain preventive health care screenings, including pap smears, gynecological exams, and mammograms, than women in fee-for-service plans, and

WHEREAS, a study in the American Journal of Public Health shows that health maintenance organization members with breast cancer, cervical cancer, and other types of cancer were diagnosed at significantly earlier stages than fee-for-service patients, and

WHEREAS, Florida health maintenance organizations have taken an active role in preventing, identifying, and managing osteoporosis, and

WHEREAS, through programs developed by Florida health maintenance organizations, babies in Florida are being born healthier, with less premature infants being born to high-risk mothers and fewer neonatal intensive stays for infants, and

WHEREAS, the health and well-being of the residents of Florida is of vital concern to the members of this body, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That the House of Representatives hereby commends the health maintenance organization industry in Florida for its contributions to the health of the residents of the state and designates March 25, 1999, as "Florida HMO Day."

—was read the second time by title. On motion by Rep. Bainter, the resolution was adopted.

HR 9055—A resolution honoring the students who founded the charitable organization "Clothes, Food, and Education for the Poor and Needy."

WHEREAS, during his 1998 Thanksgiving break, eleventh grader Abhishek Gupta read several articles in South Florida newspapers describing the unfortunate situation of many poor and needy families in his local community and around the world, and

WHEREAS, Abhishek Gupta, with encouragement from his parents and help from several other local Broward County students, created a nonprofit organization called "Clothes, Food, and Education for the Poor and Needy," and set the goal of raising \$50,000 for this cause, and

WHEREAS, the students, ages 7 to 17, exceeded this goal by raising \$60,000 in just a few weeks, and the money was donated to the Sun-Sentinel Children's Fund, to the Miami Herald Wishbook in Southeast Florida, and to victims of Hurricane Mitch in Central America, and

WHEREAS, support from corporate sponsors allowed the organization to keep administrative costs to zero, thus ensuring that every dollar raised went directly to those in need, and

WHEREAS, in December 1998, Lynn Stephenson, R.N., and Abhishek Gupta accompanied a medical team on a mission of mercy to Honduras and Nicaragua, transporting 120 boxes of food, clothing, and medical supplies for distribution and, for 3 days, assisting the physicians as they provided medical care to those in need, and

WHEREAS, "Clothes, Food, and Education for the Poor and Needy" continues to be committed to supporting needy families and education in South Florida and around the world, and continues to seek contributions for this worthy cause, and

WHEREAS, the students are currently working with a philanthropist who is considering giving "Clothes, Food, and Education for the Poor and Needy" a donation of \$250,000 which would require \$250,000 in matching funds to be raised, and

WHEREAS, it is only fitting that the House of Representatives should pause in its deliberations to honor the remarkable endeavors of this exemplary group of young people, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That the House of Representatives hereby recognizes and commends the students who founded the charitable organization "Clothes, Food, and Education for the Poor and Needy": Abhishek Gupta, Adam and Diana Deitsch, Connie and Hakeem Campbell, Shaun Krueger, Edward and Monique McDuffie, Laurel Stephenson, and Samantha Voehringer, for the vision and compassion they have demonstrated and the outstanding service they have performed by raising money for needy families and children in South Florida and around the world.

BE IT FURTHER RESOLVED that copies of this resolution be presented to the individuals named herein as a tangible token of the sentiments of the House of Representatives.

—was read the second time by title. On motion by Rep. Wasserman Schultz, the resolution was adopted.

Messages from the Senate

First Reading by Publication

The Honorable John Thrasher, Speaker

I am directed to inform the House of Representatives that the Senate has passed SBs 398, 520, 530, 532, 562, 564, 632, and 654 by the required Constitutional three-fifths vote of the members of the Senate; passed SB 656 and CS for SB 1014, as amended, by the required Constitutional three-fifths vote of the members of the Senate and requests the concurrence of the House.

Faye W. Blanton, Secretary

By the Committee on Fiscal Policy—

SB 398—A bill to be entitled An act relating to the re-creation of the Hurricane Andrew Disaster Relief Trust Fund within the Department of Agriculture and Consumer Services without modification; re-creating the Hurricane Andrew Disaster Relief Trust Fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

Referred to the Committee(s) on General Government Appropriations.

By the Committee on Fiscal Policy—

SB 520—A bill to be entitled An act relating to trust funds; re-creating the Deferred Compensation Trust Fund within the Department of Insurance without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

Referred to the Committee(s) on General Government Appropriations.

By the Committee on Fiscal Policy—

SB 530—A bill to be entitled An act relating to trust funds within the Department of Insurance; abolishing the Fire College Trust Fund and transferring its balance to the Insurance Commissioner's Regulatory Trust Fund; re-creating the Insurance Commissioner's Regulatory Trust Fund; carrying forward current balances and continuing current sources and uses thereof; amending ss. 624.516, 633.445, 633.46, 633.461, 633.50, F.S., and repealing s. 633.45(1)(r), F.S., relating to the Fire College Trust Fund; conforming provisions to the transfer of the balance of the trust fund to the Insurance Commissioner's Regulatory Trust Fund; providing effective dates.

Referred to the Committee(s) on General Government Appropriations.

By the Committee on Fiscal Policy—

SB 532—A bill to be entitled An act relating to trust funds within the Department of Insurance; abolishing the Home Equity Conversion

Mortgage Guaranty Fund and transferring its balance to the Treasurer's Administrative and Investment Trust Fund; re-creating the Treasurer's Administrative and Investment Trust Fund; carrying forward current balances and continuing current sources and uses thereof; amending s. 697.205, F.S., and repealing s. 697.203, F.S., relating to the Home Equity Conversion Mortgage Guaranty Fund; conforming provisions to the transfer of the balance of the trust fund to the Treasurer's Administrative and Investment Trust Fund; providing effective dates.

Referred to the Committee(s) on General Government Appropriations.

By the Committee on Fiscal Policy—

SB 562—A bill to be entitled An act relating to the re-creation of the Challenger Astronauts Memorial Undergraduate Scholarship Trust Fund without modification; re-creating the trust fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

Referred to the Committee(s) on Education Appropriations.

By the Committee on Fiscal Policy—

SB 564—A bill to be entitled An act relating to the re-creation of the Florida Academic Improvement Trust Fund for Community Colleges without modification; re-creating the Florida Academic Improvement Trust Fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

Referred to the Committee(s) on Education Appropriations.

By the Committee on Fiscal Policy—

SB 632—A bill to be entitled An act re-creating the Hurricane Andrew Recovery and Rebuilding Trust Fund within the Department of Environmental Protection without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

Referred to the Committee(s) on General Government Appropriations.

By the Committee on Fiscal Policy—

SB 654—A bill to be entitled An act terminating specified trust funds and fund accounts within the Department of Environmental Protection; providing for disposition of balances in and revenues of such trust funds and fund accounts; prescribing procedures for the termination of such trust funds and fund accounts; amending ss. 253.781, 253.7824, 253.7829, 253.783, F.S.; removing reference to the Cross Florida Barge Canal Trust Fund; providing an effective date.

Referred to the Committee(s) on General Government Appropriations.

By the Committee on Fiscal Policy—

SB 656—A bill to be entitled An act relating to trust funds; declaring the findings of the Legislature that specified trust funds are exempt from the termination requirements of s. 19(f), Art. III of the State Constitution; amending s. 11.2423, F.S.; providing that acts declaring trust funds exempt from such requirements are not repealed by the adoption of the Florida Statutes; providing an effective date.

Referred to the Committee(s) on General Government Appropriations.

By the Committee on Fiscal Policy and Senator Cowin—

CS for SB 1014—A bill to be entitled An act relating to trust funds; creating the School Readiness Trust Fund within the Executive Office of the Governor; providing for sources of moneys and purposes; providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

Referred to the Committee(s) on Education Innovation and Education Appropriations.

Motion to Adjourn

Rep. Arnall moved that the House adjourn for the purpose of holding committee meetings and conducting other House business, to reconvene at 8:50 a.m., Friday, March 26. The motion was agreed to.

Recorded Votes

Rep. Minton:

Nay—Amendment 43 to CS/HBs 751, 753 & 755

Rep. Ogles:

Change from Nay to Yea—Amendment 61 to CS/HBs 751, 753 & 755

Cosponsors

HB 55—Bense, Posey
 HB 299—Brummer, Minton, Rojas, Stafford, Tullis
 HB 411—Heyman
 HB 447—Heyman
 HB 507—Ogles
 CS/HB 557—Heyman
 HB 561—Murman
 HB 599—Chestnut
 HB 641—Flanagan
 HB 667—Casey
 HB 705—Bitner
 HB 727—Roberts
 HB 771—Casey
 HB 879—Turnbull
 HB 883—Heyman
 HB 917—Heyman
 HB 951—Healey, Johnson, Kelly, Tullis
 HB 1123—Levine
 HB 1445—Boyd, Kilmer
 HB 1585—Melvin
 HB 1673—Trovillion
 HB 1809—Patterson
 HB 1875—Littlefield
 HR 9005—Casey

Introduction and Reference

By the Committee on Crime & Punishment; Representative Ball—

HB 2059—A bill to be entitled An act relating to sentencing; amending s. 775.021, F.S., relating to rules of construction; removing exceptions to certain construction guidelines which provide that the legislative intent is to convict and sentence for each criminal offense in the course of one criminal episode or transaction and not to allow the principle of lenity determine legislative intent; amending s. 874.04, F.S.; providing for enhanced penalties for commission of a felony or misdemeanor, or a delinquent act or violation of law that would be a felony or misdemeanor if committed by an adult, under specified circumstances when the defendant committed the charged offense for the purpose of furthering, benefiting, or promoting a criminal street gang; amending s. 921.0022, F.S., relating to the offense severity ranking chart of the Criminal Punishment Code; ranking the offense of knowingly transmitting or disseminating by computer any notice or advertisement for the purpose of facilitating, encouraging, offering, or soliciting sexual conduct of or with a minor, or visually depicting such conduct; amending s. 921.0024, F.S.; revising guidelines for application of a specified sentence multiplier for offenses related to criminal street gangs; conforming terminology; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Kelly—

HB 2061—A bill to be entitled An act relating to home-invasion robbery; amending s. 812.135, F.S.; providing additional offense classifications and revising the penalties for home-invasion robbery; providing that it is a life felony to commit a home-invasion robbery in

the course of which a firearm or other deadly weapon is carried; providing that it is a first degree felony punishable for a term of imprisonment not exceeding life to commit a home-invasion robbery in the course of which a weapon is carried; providing that it is a first degree felony to commit a home-invasion robbery in the course of which no firearm, deadly weapon, or other weapon is carried; providing penalties; specifying a minimum term of imprisonment; amending s. 775.087, F.S., to conform; reenacting s. 943.325(1)(a), F.S., relating to blood specimen testing for DNA analysis, to incorporate said amendment in a reference; amending s. 921.0022, F.S., relating to the Criminal Punishment Code offense severity ranking chart, to conform; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Bronson—

HB 2063—A bill to be entitled An act relating to credits against the corporate income tax; creating s. 220.193, F.S.; authorizing a credit against the corporate income tax for expenses related to qualified pooled and reusable pallets and container systems; amending s. 220.02, F.S.; providing for the order of credits against the tax; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative J. Miller—

HR 9065—A resolution designating the week of March 28-April 3, 1999, as “Florida Housing Week.”

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representatives Dennis, Roberts, Bullard, A. Greene, C. Smith, Lawson, Wilson, and Eggleton—

HR 9067—A resolution honoring Delta Sigma Theta Sorority for its accomplishments and commitment to public service.

First reading by publication (Art. III, s. 7, Florida Constitution).

Reference

HB 759—Referred to the Committee(s) on Community Affairs, Governmental Operations, Governmental Rules & Regulations, and Health & Human Services Appropriations.

First Reading of Committee Substitutes by Publication

By the Committee on Claims; Representative Sembler—

CS/HB 33—A bill to be entitled An act relating to the City of Tallahassee; providing for the relief of Warren Weathington for injuries sustained as a result of the negligent conduct of employees of the City of Tallahassee; providing for an appropriation by the City of Tallahassee; providing an effective date.

By the Committee on Insurance; Representatives Bense, Goode, Maygarden, Futch, Ritter, Logan, Jones, Warner, Flanagan, Rayson, Healey, Fuller, Kelly, Peaden, Andrews, Waters, Brummer, Ritchie, Russell, Goodlette, Fasano, Jacobs, Posey, Crow, Bilirakis, Levine, and Heyman—

CS/HB 377—A bill to be entitled An act relating to organ transplants; providing a short title; amending s. 381.0602, F.S.; increasing membership of the Organ Transplant Advisory Council; increasing the term of the council chair; amending s. 627.4236, F.S.; requiring that coverage for bone-marrow-transplant procedures include costs of the donor patient; providing a limitation; providing a legislative finding of an important state interest; providing an effective date.

By the Committee on Real Property & Probate; Representatives J. Miller, Goodlette, Kilmer, and Patterson—

CS/HB 417—A bill to be entitled An act relating to real estate brokers and salespersons; amending s. 475.01, F.S.; eliminating the definition of the term “first contact”; amending s. 475.011, F.S.; providing a

regulatory exemption for certain financial institutions in connection with certain transactions; amending s. 475.181, F.S.; referencing certification requirements of the Florida Real Estate Commission for licensure as a broker or salesperson; amending s. 475.25, F.S.; providing a ground for discipline relating to designation of salespersons as single agents for different customers in certain transactions; providing penalties; conforming cross references; amending s. 475.272, F.S.; revising intent of the Brokerage Relationship Disclosure Act to eliminate required disclosure of nonrepresentation; amending ss. 475.274 and 475.2755, F.S.; conforming cross references; repealing s. 475.276, F.S., relating to notice of nonrepresentation; amending s. 475.278, F.S.; requiring notice relating to disclosure of information prior to engaging in an authorized brokerage relationship; providing applicability or nonapplicability of brokerage relationship disclosure requirements to various real estate transactions; amending s. 475.2801, F.S.; removing a cross reference, to conform; amending ss. 475.482 and 475.483, F.S.; revising eligibility requirements for recovery from the Real Estate Recovery Fund; amending s. 475.5015, F.S.; removing a cross reference, to conform; providing an effective date.

By the Committees on Business Regulation & Consumer Affairs; Law Enforcement & Crime Prevention; Representative Bloom—

CS/CS/HB 555—A bill to be entitled An act relating to pawnbroking, secondhand dealers, and stolen property; amending s. 539.001, F.S.; providing that the Division of Consumer Services of the Department of Agriculture and Consumer Services must approve the design and format of pawnbroker transaction forms in consultation with the Florida Department of Law Enforcement; revising recordkeeping requirements for pawnbrokers to provide that the sheriff or the director of the department of public safety is designated as the central repository for specified pawn ticket information collected by the appropriate law enforcement official in the county; providing for submission of specified pawn ticket information to the sheriff or public safety director upon request; providing for the submission of additional information under certain circumstances; providing for a statewide system for collecting and accessing pawnshop ticket and secondhand dealer information; requiring the Florida Sheriffs’ Association Statewide Task Force to administer the system; providing authorized law enforcement officials access to the Florida Sheriffs’ Association Property Recovery Database; designating the sheriffs or public safety directors as central repositories responsible for all pawnshop ticket and secondhand dealer information collected in each county; requiring the sheriffs or public safety directors to transfer such information to the statewide property recovery database; providing for the establishment of standards and requirements with respect to the transfer of such information; providing for access and approval fees; amending s. 538.04, F.S.; providing for electronic transfer of transactions of secondhand goods; authorizing the appropriate law enforcement agency to provide a secondhand dealer with a computer and necessary equipment for the electronic transfer of transactions of secondhand goods; providing procedures with respect to the electronic transfer of transactions of secondhand goods; amending s. 812.155, F.S.; removing the exclusion of rental-purchase agreements from provisions which provide criminal penalties for hiring, leasing, or obtaining personal property with intent to defraud and failing to return hired or leased personal property or equipment; providing an effective date.

By the Committee on Real Property & Probate; Representative Merchant—

CS/HB 681—A bill to be entitled An act relating to construction liens and bonds; amending s. 255.05, F.S., relating to payment bonds of contractors constructing public buildings; providing that the time periods required for providing certain notices or bringing certain actions are not determined by the issuance of a certificate of occupancy or a certificate of substantial completion; amending s. 713.06, F.S.; clarifying certain notice requirements with respect to perfecting a lien for labor, services, or materials furnished under contract; amending s. 713.08, F.S.; providing that the time period required for recording a claim of lien is not determined by the issuance of a certificate of occupancy or a certificate of substantial completion; amending s. 713.135, F.S.;

clarifying circumstances under which an entity issuing a building permit is subject to disciplinary procedures; providing an exception; amending s. 713.18, F.S., relating to service of notices and other instruments; providing for overnight delivery or second-day delivery under certain circumstances; amending s. 713.23, F.S.; providing that the time periods required for serving a notice of nonpayment or bringing certain actions are not determined by the issuance of a certificate of occupancy or a certificate of substantial completion; providing an effective date.

By the Committee on Business Regulation & Consumer Affairs; Representative Minton—

CS/HB 715—A bill to be entitled An act relating to bulk sales; amending s. 726.105, F.S.; specifying certain transfers or incurred obligations as fraudulent absent notice to unsecured creditors; creating s. 726.202, F.S.; specifying certain transfers as fraudulent absent actual notice to unsecured creditors; providing notice criteria; providing an exemption; creating s. 726.203, F.S.; providing for liability of affiliates or insiders under certain circumstances; including costs and attorney's fees; providing an effective date.

By the Committee on Judiciary; Representatives Byrd and Roberts—

CS/HB 727—A bill to be entitled An act relating to state contracts with religious organizations; providing a definition; authorizing certain agencies to contract with religious organizations under certain programs or allow religious organizations to accept certificates, vouchers, or other forms of disbursement under certain programs; specifying eligibility of religious organizations; providing certain protections for religious organizations; requiring certain agencies to prepare implementation plans and submit the plans to the Governor and the Legislature; providing an effective date.

By the Committee on Real Property & Probate; Representative Bronson—

CS/HB 1063—A bill to be entitled An act relating to condominiums; amending s. 718.105, F.S.; requiring the filing of a certificate or receipted bill with the clerk of circuit court when a declaration of condominium is recorded showing payment of property taxes; amending s. 468.4315, F.S.; authorizing the Regulatory Council of Community Association Managers to adopt rules related to continuing education providers; providing an effective date.

By the Committee on Agriculture; Representative Bronson—

CS/HB 1143—A bill to be entitled An act relating to aquaculture; amending s. 370.027, F.S.; revising rulemaking authority relating to marine aquaculture products; amending s. 370.06, F.S.; revising provisions relating to issuance of certain special activity licenses and consolidation of permits; amending s. 370.081, F.S.; providing an exemption from provisions relating to importation or possession of nonindigenous marine plants and animals; amending s. 370.10, F.S.; authorizing taking saltwater species from the wild for certain purposes; amending s. 370.1107, F.S.; providing a penalty for illegal possession of live bait traps or cages; amending s. 370.26, F.S.; revising definitions; amending ss. 372.0225 and 372.65, F.S.; clarifying respective responsibilities of the Division of Fisheries of the Game and Fresh Water Fish Commission and the Department of Agriculture and Consumer Services with respect to freshwater organisms, aquaculture products, and regulation of holders of aquaculture certificates of registration; deleting authority of the commission to require a tag and fee for cultured game fish sold; amending s. 597.0015, F.S.; revising a definition; amending s. 597.004, F.S.; revising provisions relating to aquaculture certificates of registration and sale of aquaculture products; amending s. 597.0041, F.S., relating to prohibited acts and penalties; creating s. 597.0045, F.S.; providing a program of rewards for information regarding illegal possession or harvest of cultured shellfish; providing for rules; providing for funding; providing severability of provisions or applications of this act; providing an effective date.

By the Committee on Agriculture; Representative Stansel—

CS/HB 1683—A bill to be entitled An act relating to tax on sales, use, and other transactions; amending s. 212.02, F.S.; defining "agricultural

production"; amending s. 212.08, F.S.; revising application of the partial exemption for self-propelled, power-drawn, or power-driven farm equipment used exclusively on a farm or in a forest in specified activities and including rental or lease of such equipment in such exemption; reducing the rate of tax on such equipment over a specified period and exempting such equipment beginning January 1, 2002; requiring that the purchaser, renter, or lessee sign a certificate regarding the use of such equipment; specifying effect of possession of such certificate by a seller or other dealer; amending s. 212.12, F.S., relating to promulgation of tax brackets by the Department of Revenue, to conform; providing an effective date.

Reports of Councils and Standing Committees

Committee Reports

Received March 25:

The Committee on Governmental Operations recommends the following pass:

HB 1463 (unanimous)

HB 1575, with one amendment (unanimous)

The above bills were placed on the appropriate Calendar.

The Committee on Real Property & Probate recommends committee substitutes for the following:

HB 417 (unanimous)

HB 681 (unanimous)

The above committee substitutes were placed on the appropriate Calendar, subject to review under Rule 113(b), and, under the rule, HBs 417 and 681 were laid on the table.

The Committee on Business Regulation & Consumer Affairs recommends a committee substitute for the following:

CS/HB 555 (unanimous)

The above committee substitute was referred to the Committee on Criminal Justice Appropriations, subject to review under Rule 113(b), and, under the rule, CS/HB 555 was laid on the table.

The Committee on Insurance recommends a committee substitute for the following:

HB 377 (unanimous)

The above committee substitute was referred to the Committee on General Government Appropriations, subject to review under Rule 113(b), and, under the rule, HB 377 was laid on the table.

The Committee on Claims recommends a committee substitute for the following:

HB 33 (unanimous)

The above committee substitute was referred to the Committee on Health & Human Services Appropriations, subject to review under Rule 113(b), and, under the rule, HB 33 was laid on the table.

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

HB 727

The above committee substitute was referred to the Committee on Transportation & Economic Development Appropriations, subject to review under Rule 113(b), and, under the rule, HB 727 was laid on the table.

The Committee on Children & Families recommends the following pass:

HB 931, with 1 amendment (unanimous)

The above bill was referred to the Committee on Community Affairs.

The Committee on Children & Families recommends the following pass:

HB 599 (unanimous)

The above bill was referred to the Committee on Family Law & Children.

The Committee on Elder Affairs & Long-Term Care recommends the following pass:

HB 1123, with 5 amendments (unanimous)

The above bill was referred to the Committee on Family Law & Children.

The Committee on Children & Families recommends the following pass:

HB 763, with 1 amendment (unanimous)

The above bill was referred to the Committee on Financial Services.

The Committee on Children & Families recommends the following pass:

HB 845 (unanimous)

The above bill was referred to the Committee on Governmental Operations.

The Committee on Business Regulation & Consumer Affairs recommends the following pass:

HB 299, with 4 amendments

The above bill was referred to the Committee on Governmental Rules & Regulations.

The Committee on Education/K-12 recommends the following pass:
HB 341 (unanimous)

The above bill was referred to the Committee on Health Care Services.

The Committee on Real Property & Probate recommends a committee substitute for the following:

HB 1063 (unanimous)

The above committee substitute was referred to the Committee on Community Affairs, subject to review under Rule 113(b), and, under the rule, HB 1063 was laid on the table.

The Committee on Agriculture recommends a committee substitute for the following:

HB 1683 (unanimous)

The above committee substitute was referred to the Committee on Finance & Taxation, subject to review under Rule 113(b), and, under the rule, HB 1683 was laid on the table.

The Committee on Business Regulation & Consumer Affairs recommends a committee substitute for the following:

HB 715 (unanimous)

The above committee substitute was referred to the Committee on Judiciary, subject to review under Rule 113(b), and, under the rule, HB 715 was laid on the table.

The Committee on Agriculture recommends a committee substitute for the following:

HB 1143 (unanimous)

The above committee substitute was referred to the Committee on Water & Resource Management, subject to review under Rule 113(b), and, under the rule, HB 1143 was laid on the table.

Communications

The Governor advised that he had filed in the Office of the Secretary of State the following bills, which he approved:

March 25—HBs 1037, 1043, 1045, 1047, 1049, 1051, 1053, 1055, 1057, and 1515

Adjourned

Pursuant to the motion previously agreed to, the House adjourned at 5:39 p.m., to reconvene at 8:50 a.m., Friday, March 26.