



The Journal OF THE House of Representatives

Number 10

Tuesday, March 30, 1999

The House was called to order by the Speaker at 8:50 a.m.

Prayer

The following prayer was offered by Lieutenant Colonel Dudley Denton Sumrall, Chaplain, 417th Signal Battalion of the Florida National Guard, upon invitation of Rep. Wiles:

Hear, O Lord, on our behalf, the prayer of your ancient servant, King David:

O Lord, we call to you; come quickly to us. Hear our voice when we call to you. May our prayers be set before you like incense. May the lifting up of your hands be like the evening sacrifice. Set a guard over our mouths, O Lord. Keep watch over the door of our lips. Let not our hearts be drawn to what is evil, to take part in wicked deeds with men who are evildoers. Let us not eat of their delicacies. But our eyes are fixed on you, O sovereign Lord; in you we trust. [Psalm 141:1-4, 8]

Watch over our state and nation in these troubled times. As our warplanes and missiles fly over distant lands, guard our forces and protect the innocent. We pray for a speedy end to conflict and a just resolution to the enmity and hate that has brought war and death. Grant our leaders understanding, insight, and compassion whether at home or abroad, in war or government, that right may prevail.

Thus we pray, Lord, that we may exalt freedom, employ wisdom, and exemplify righteousness. Amen.

The following Members were recorded present:

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

Posey	Rojas	Stafford	Villalobos
Prieguez	Russell	Stansel	Warner
Pruitt	Ryan	Starks	Wasserman Schultz
Putnam	Sanderson	Suarez	Waters
Rayson	Smith, C.	Sublette	Wiles
Reddick	Smith, K.	Trovillion	Wilson
Ritchie	Sobel	Tullis	Wise
Ritter	Sorensen	Turnbull	
Roberts	Spratt	Valdes	

(A list of excused Members appears at the end of the *Journal*.)

A quorum was present.

Presentation of the Colors

The Adjutant General's Honor Guard from St. Augustine presented the colors. Members of the Honor Guard included Sergeant Major Roger Williams, Master Sergeant Emilo Gelfenstein, Sergeant First Class Frank Morgan, Corporal Dan Harris, and Specialist Jeff Beck.

Pledge

The Members, led by Sadé Blackshear, Ernest Bradley, Christopher Cantens, Joseph Cantens, Courtney Gardner, Allison Hebert, Lindsay C. Hebert, Whitney Louise Humphries, Brooke Johnson, Charles T. Ketterer, Caroline E. Leary, Lindsay Levine, Calvin Lomas, Griffin Michael Mann, Kristen Sobeck, and Corry Elizabeth Taylor, pledged allegiance to the Flag. Sadé Blackshear of Fort Pierce served at the invitation of Rep. Goode. Ernest Bradley of St. Petersburg served at the invitation of his father, Rep. Bradley. Christopher Cantens and Joseph Cantens of Miami served at the invitation of their father, Rep. Cantens. Courtney Gardner of Coral Gables served at the invitation of Rep. Valdes. Allison Hebert of Clearwater served at the invitation of Rep. Farkas. Lindsay C. Hebert of Clearwater served at the invitation of Rep. Waters. Whitney Louise Humphries of Brandon served at the invitation of Rep. Murman. Brooke Johnson of Winter Garden served at the invitation of her father, Rep. Johnson. Charles T. Ketterer of Milton served at the invitation of Rep. J. Miller. Caroline E. Leary of Palatka served at the invitation of Rep. Ritter. Lindsay Levine of Boca Raton served at the invitation of her father, Rep. Levine. Calvin Lomas of Miami served at the invitation of Rep. Logan. Griffin Michael Mann of Tallahassee served at the invitation of Rep. Sanderson. Kristen Sobeck of Kissimmee served at the invitation of Rep. Bronson. Corry Elizabeth Taylor of Palatka served at the invitation of Rep. K. Smith.

Presentation of Guests

Rep. Wiles introduced the Adjutant General of Florida, Major General Ronald O. Harrison of St. Augustine, and the Assistant Adjutant General, Brigadier General Jimmy Watson of St. Augustine.

House Physician

The Speaker introduced Dr. David Kline of Port Charlotte, who served in the Clinic today upon invitation of Rep. Harrington.

Correction of the Journal

The *Journal* of March 26 was corrected and approved as corrected.

Reports of Councils and Standing Committees

Suspension of Rule 127 for Special Order Calendar

On motion by Rep. L. Miller, Rule 127 was suspended and the Chair of the Committee on Rules & Calendar, in consultation with Rep. L. Miller, was given permission to set the Special Order Calendar for the week of April 5.

Special Orders

The Honorable John Thrasher March 26, 1999
Speaker, House of Representatives

Dear Mr. Speaker:

In accordance with the vote of the House, the following report is the Special Order for Tuesday, March 30, 1999. Consideration of the House bills on Special Order shall include the Senate companion measures on the House Calendar.

- I. Consideration of the following bills as AMENDED by motion on March 26, 1999 by Representatives Arnall and L. Miller:
 HB 209—Alcohol Sales/By the Drink
 HB 229—Weapons & Firearms/Nonresidents
 HB 241—School Enrollment/Swim Lessons
 CS/HB 425—Robbery by Sudden Snatching
 CS/HB 259—School Readiness Program
 HB 295—Personal Injury Protection
 CS/CS/HB 301—Probate/Elective Share
 CS/HB 423—Trial Testimony/Sexual Offenses
- II. CONSIDERATION OF THE CEREMONIAL RESOLUTIONS CALENDAR FOR Tuesday, March 30, 1999:
 HR 9003—Child Nutrition Day
 HR 9065—Florida Housing Week
 HR 9067—Delta Sigma Theta Sorority
 HR 9079—Florida National Guard

Respectfully submitted,
Joseph Arnall
Chair
Committee on Rules & Calendar

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

General Calendar

The Honorable John Thrasher March 24, 1999
Speaker, House of Representatives

Dear Mr. Speaker:

In accordance with the vote of the House, the following report is the General Calendar for Tuesday, March 30, 1999. Consideration of the House bills on General Calendar shall include the Senate companion measures on the House Calendar.

- HB 167—Beverage License/Dunedin Fine Arts
- CS/HB 199—Trespass/School Grounds or Facility
- HB 257—Fla. School for Deaf & Blind
- HB 281—Election Protests & Contests
- CS/HB 425—Robbery by Sudden Snatching
- HB 515—UCC/Letters of Credit
- HB 521—Florida Independent Living Council
- HB 535—Financial Institutions
- HB 735—Health Facilities Authorities Law
- HB 771—Hospices/Elderly Affairs Dept.

HB 817—Motor Vehicle Lease Disclosure
HB 989—Physician Assistants/Licensure

Respectfully submitted,
Joseph Arnall
Chair
Committee on Rules & Calendar

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

Admitted for Introduction

On motion by Rep. Arnall, Rule 44(d) was suspended to permit the introduction of HB 2023.

Motions Relating to Committee References

On motion by Rep. Constantine, agreed to by two-thirds vote, CS/HB 967 was withdrawn from the Committee on Agriculture and remains referred to the Committees on Finance & Taxation and Transportation & Economic Development Appropriations.

On motion by Rep. Constantine, agreed to by two-thirds vote, HB 1423 was withdrawn from the Committee on Environmental Protection and remains referred to the Committee on Finance & Taxation.

On motion by Rep. Peaden, agreed to by two-thirds vote, HBs 481 and 1879 were withdrawn from the Committee on Children & Families and remain referred to the Committee on Health & Human Services Appropriations.

On motion by Rep. Peaden, agreed to by two-thirds vote, HB 863 was withdrawn from the Committee on Health Care Licensing & Regulation and remains referred to the Committees on Community Affairs and Health & Human Services Appropriations.

On motion by Rep. Peaden, agreed to by two-thirds vote, CS/HB 319 was withdrawn from the Committee on Health Care Services and remains referred to the Committees on Insurance and Health & Human Services Appropriations.

On motion by Rep. Pruitt, agreed to by two-thirds vote, HB 85 and CS/HB 183 were withdrawn from the Committee on Criminal Justice Appropriations and placed on the appropriate Calendar.

On motion by Rep. Pruitt, agreed to by two-thirds vote, CS/CS/HB 95; CS/HB 361; and HBs 533 and 613 were withdrawn from the Committee on Finance & Taxation. CS/CS/HB 95 was placed on the appropriate Calendar. CS/HB 361 and HB 613 remain referred to the Committee on Transportation & Economic Development Appropriations. HB 533 remains referred to the Committee on General Government Appropriations.

On motion by Rep. Pruitt, agreed to by two-thirds vote, HB 509 was withdrawn from the Committee on Transportation & Economic Development Appropriations and placed on the appropriate Calendar. The vote was:

Yeas—78

The Chair	Byrd	Gay	Melvin
Albright	Cantens	Goode	Merchant
Alexander	Casey	Goodlette	Miller, J.
Andrews	Constantine	Green, C.	Morrone
Argenziano	Crady	Harrington	Murman
Arnall	Crist	Hart	Ogles
Bainter	Crow	Healey	Patterson
Ball	Detert	Johnson	Peaden
Barreiro	Dockery	Jones	Posey
Bense	Farkas	Kelly	Prieguez
Bilirakis	Fasano	Kilmer	Pruitt
Bitner	Feeney	Kyle	Putnam
Boyd	Fiorentino	Lacasa	Roberts
Bradley	Flanagan	Littlefield	Rojas
Bronson	Fuller	Lynn	Russell
Brummer	Futch	Maygarden	Sanderson

Sembler	Starks	Valdes	Waters
Smith, K.	Sublette	Villalobos	Wise
Sorensen	Trovillion	Wallace	
Spratt	Tullis	Warner	
Nays—37			
Betancourt	Eggelletion	Lawson	Stafford
Bloom	Frankel	Levine	Stansel
Brown	Gottlieb	Logan	Suarez
Bullard	Greene, A.	Miller, L.	Turnbull
Bush	Greenstein	Rayson	Wasserman Schultz
Chestnut	Hafner	Reddick	Wiles
Cosgrove	Henriquez	Ritchie	Wilson
Dennis	Heyman	Ritter	
Edwards	Jacobs	Smith, C.	
Effman	Kosmas	Sobel	

Votes after roll call:

Nays—Ryan

Nays to Yeas—Eggelletion, Henriquez

On motion by Rep. Pruitt, agreed to by two-thirds vote, HB 675 was withdrawn from the Committee on Transportation & Economic Development Appropriations and placed on the appropriate Calendar.

Bills and Joint Resolutions on Third Reading

HB 1789—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1999, and ending June 30, 2000, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of State government; providing an effective date.

—was read the third time by title. On passage, the vote was:

Yeas—116

The Chair	Crow	Jones	Ritter
Albright	Dennis	Kelly	Roberts
Alexander	Detert	Kilmer	Rojas
Andrews	Diaz de la Portilla	Kosmas	Russell
Argenziano	Dockery	Kyle	Ryan
Arnall	Edwards	Lacasa	Sanderson
Bainter	Effman	Lawson	Sembler
Ball	Eggelletion	Levine	Smith, C.
Barreiro	Farkas	Littlefield	Smith, K.
Bense	Fasano	Logan	Sobel
Betancourt	Feeney	Lynn	Sorensen
Bilirakis	Fiorentino	Maygarden	Spratt
Bitner	Flanagan	Melvin	Stafford
Bloom	Frankel	Merchant	Stansel
Boyd	Fuller	Miller, J.	Starks
Bradley	Futch	Miller, L.	Suarez
Bronson	Gay	Minton	Sublette
Brown	Goode	Morrone	Trovillion
Brummer	Goodlette	Murman	Tullis
Bullard	Gottlieb	Ogles	Turnbull
Bush	Green, C.	Patterson	Valdes
Byrd	Greene, A.	Peaden	Villalobos
Cantens	Greenstein	Posey	Wallace
Casey	Hafner	Prieguez	Warner
Chestnut	Harrington	Pruitt	Wasserman Schultz
Constantine	Hart	Putnam	Waters
Cosgrove	Henriquez	Rayson	Wiles
Craday	Heyman	Reddick	Wilson
Crist	Johnson	Ritchie	Wise

Nays—2

Healey Jacobs

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

Special Orders

Ceremonial Resolutions Calendar

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

WHEREAS, Delta Sigma Theta Sorority, Incorporated, is a public service organization founded in 1913 by 22 women at Howard University in Washington, D.C., and

WHEREAS, Delta Sigma Theta Sorority, nationwide, comprises over 916 chapters and more than 195,000 members and has shown exemplary leadership and dedication to public service for 86 years, and

WHEREAS, one of Delta's founding members, Winona Cargile Alexander, resided in Jacksonville, Florida, until her death, and Florida is most proud of its distinguished sorors in the Florida Legislature, as well as over 41 collegiate and alumnae chapters representing the national body, and

WHEREAS, Delta Sigma Theta Sorority forged a partnership with Habitat for Humanity and has successfully built over 100 homes across the nation in five years, fifteen of which were built in two weeks, including one home in Miami, Florida, NOW, THEREFORE,

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

That the House of Representatives joins the nation in recognizing the accomplishments of Delta Sigma Theta Sorority and its strong commitment to public service nationally and internationally.

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

Continuation of Bills and Joint Resolutions on Third Reading

HB 1791—A bill to be entitled An act relating to implementing the 1999-2000 General Appropriations Act; providing legislative intent; amending s. 239.115, F.S.; suspending certain funding provisions for workforce development education; amending s. 239.117, F.S.; suspending certain postsecondary student fee provisions for workforce development education; amending s. 239.301, F.S.; suspending certain provisions relating to evaluation and funding of adult basic and secondary education and vocational-preparatory courses; amending s. 240.3341, F.S.; authorizing community colleges to lease their incubator facilities for small business concerns; amending s. 409.9115, F.S.; specifying how the Agency for Health Care Administration shall make payments for the Medicaid disproportionate share program for mental health hospitals; requiring the Agency for Health Care Administration to use a specified disproportionate share formula, specified audited financial data, and a specified Medicaid per diem rate in fiscal year 1999-2000 for qualifying hospitals; amending s. 409.9116, F.S.; providing a formula for rural hospital disproportionate share payments; amending s. 216.181, F.S.; authorizing the Department of Children and Family Services and the Department of Health to advance certain moneys for certain contract services; directing the Agency for Health Care Administration to include health maintenance organization recipients in the county billing for a specified purpose; authorizing the Departments of Children and Family Services, Revenue, Labor and Employment Security, and Health and the Agency for Health Care Administration to transfer positions and funds to comply with the 1998-1999 General Appropriations Act or the WAGES Act; amending s. 216.181, F.S.; authorizing the Department of Children and Family Services to use certain funds for fixed capital outlay expenditures to meet certain federal standards; requiring the Agency for Health Care Administration to take necessary actions to ensure that expenditures for Medicaid transportation do not exceed the amount budgeted and to take certain steps if that becomes impossible; amending s. 409.912, F.S.; requiring the Agency for Health Care Administration to develop a program on prescription practice patterns; amending s. 402.3015, F.S.; expanding eligibility for subsidized child care to certain children; amending s. 39.3065, F.S.; providing for the Broward County sheriff to

conduct all child protective investigations in that county; amending s. 216.181, F.S.; authorizing the Department of Law Enforcement to transfer some positions and associated budget and a certain percentage of salary rate between budget entities and providing requirements with respect thereto; authorizing the Correctional Privatization Commission and the Department of Juvenile Justice to make certain expenditures to defray costs incurred by a municipality or county as a result of opening and operating a facility of the commission or the department; amending s. 403.7095, F.S.; revising the expiration date of the solid waste management grant program; requiring a specified level of funding for counties receiving solid waste management and recycling grants; providing for allocation of funds for innovative programs to address recycling practices and procedures; authorizing the Administration Commission to approve exceptions to state personnel, payroll, and benefit rules, policies, and practices and exemptions from certain statutory provisions relating to state employees for a specified pilot project; amending s. 110.1239, F.S.; providing requirements for the funding of the state group health insurance program; amending s. 259.032, F.S.; authorizing the appropriation of certain funds in the Conservation and Recreation Lands Trust Fund for outdoor recreation grants; amending s. 373.59, F.S.; requiring release of certain moneys by the Secretary of Environmental Protection to water management districts, upon request; amending s. 86, ch. 93-213, Laws of Florida, as amended; deferring repayment requirements for certain funding provided to the state NPDES program; amending s. 287.161, F.S.; requiring the Department of Management Services to charge all persons receiving transportation from the executive aircraft pool a specified rate; providing for deposit and use of such fees; providing for employment rights and benefits of pari-mutuel laboratory employees under certain circumstances; amending s. 216.181, F.S.; authorizing the Department of Transportation to transfer salary rate to the turnpike budget entity to facilitate transfer of personnel to the new turnpike headquarters; amending s. 253.034, F.S.; authorizing the Department of Transportation to sell certain property utilized by the Department of Highway Safety and Motor Vehicles; amending s. 334.0445, F.S.; extending authorization for the model career service classification and compensation system; amending s. 15.09, F.S.; authorizing the appropriation of funds from the Public Access Data Systems Trust Fund for the operations of the Department of State; amending s. 252.373, F.S.; providing for the transfer of certain funds for the purchase of radios for use by state and local entities in emergencies; providing for future repeal of various provisions; providing performance measures and standards for individual programs in specific agencies for the 1999-2000 fiscal year; adopting performance measures for certain agencies to use in preparing their fiscal year 2000-2001 legislative budget requests; requiring such agencies to propose standards and associated costs for such measures; providing effect of veto of specific appropriation or proviso to which implementing language refers; providing applicability to other legislation; providing severability; providing an effective date.

—was read the third time by title. On passage, the vote was:

Yeas—115

The Chair	Brummer	Fasano	Henriquez
Albright	Bullard	Feeney	Heyman
Alexander	Bush	Fiorentino	Jacobs
Andrews	Byrd	Flanagan	Johnson
Argenziano	Cantens	Frankel	Jones
Arnall	Casey	Fuller	Kelly
Bainter	Constantine	Futch	Kilmer
Ball	Cosgrove	Gay	Kosmas
Barreiro	Crist	Goode	Kyle
Bense	Crow	Goodlette	Lacasa
Betancourt	Dennis	Godtlieb	Lawson
Bilirakis	Detert	Green, C.	Levine
Bitner	Diaz de la Portilla	Greene, A.	Littlefield
Bloom	Dockery	Greenstein	Lynn
Boyd	Edwards	Hafner	Maygarden
Bradley	Effman	Harrington	Melvin
Bronson	Eggelletion	Hart	Merchant
Brown	Farkas	Healey	Miller, J.

Miller, L.	Rayson	Smith, K.	Turnbull
Minton	Reddick	Sobel	Valdes
Morrone	Ritchie	Sorensen	Villalobos
Murman	Ritter	Spratt	Wallace
Ogles	Roberts	Stafford	Warner
Patterson	Rojas	Stansel	Wasserman Schultz
Peaden	Russell	Starks	Waters
Posey	Ryan	Suarez	Wiles
Prieguez	Sanderson	Sublette	Wilson
Pruitt	Semler	Trovillion	Wise
Putnam	Smith, C.	Tullis	

Nays—None

Votes after roll call:

Yeas—Chestnut

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

Continuation of Special Orders

HB 209—A bill to be entitled An act relating to alcohol sales; amending s. 567.01, F.S.; providing for local option elections to determine sales of intoxicating liquors, wines, or beer by the drink; amending s. 567.06, F.S.; providing ballot instructions for local option elections; amending s. 567.07, F.S.; providing for a local option election for sole purpose of determining whether intoxicating liquors, wines, or beer may be sold by the drink for consumption on premises; providing an effective date.

—was read the second time by title.

The Committee on Rules & Calendar offered the following:

Technical Amendment 1—On page 1, line 20, of the bill

after “Whether” insert: the sale of

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

Representative(s) Bitner offered the following:

Amendment 2 (with title amendment)—

Remove from the bill: Everything after the enacting clause

and insert in lieu thereof:

Section 1. Subsections (2) and (6) of section 567.01, Florida Statutes, are amended to read:

567.01 Petition, order, notice of election.—

(2) The election so ordered shall be to decide *either*:

(a) Whether the sale of intoxicating liquors, wines, or beer shall be prohibited or permitted in said county, and to decide also whether such sale, if permitted by said election, shall be restricted to sales by the package as hereinafter defined; *or*

(b) *After a prior election has authorized such sale and has restricted sales to by the package only, whether intoxicating liquors, wines, or beer shall be sold by the drink for consumption on premises as provided in s. 567.07(2)(c).*

(6) It is the purpose and intent of the Legislature that such election shall obviate the necessity for holding two separate elections, *except as provided in s. 567.07(2)(c)*, by determining in one election:

(a) Whether the sale of intoxicating liquors, wines, or beer shall be prohibited or permitted, and

(b) If such sales are determined to be permitted, to further determine whether the sales so made shall be limited to sales by the package as herein before defined, or whether sales by the drink on the premises, as well as sales by the package, may be permitted.

A majority of those legally voting at such election must cast their votes for selling intoxicating liquors, wines, or beer in order that the results of the election on the second question shall be effective and binding.

Section 2. Subsection (3) is added to section 567.06, Florida Statutes, to read:

567.06 Form of ballot; canvassing votes.—

(3) *However, for a local option election authorized by s. 567.01(2)(b) on the sole question of whether intoxicating liquors, wines, or beer may be sold by the drink for consumption on premises, ballot instructions shall be presented in the following form:*

INSTRUCTIONS: Local Option Election on the Following Question:

THE QUESTION BEFORE THE ELECTORATE is to decide whether intoxicating liquors, wines, or beer, containing more than 6.243 percent of alcohol by volume, may be sold by the drink for consumption on premises in () County, Florida.

For Sales by the Drink:

followed by the word "yes" and also by the word "no," and shall be styled in such a manner that a "yes" vote will indicate approval of the question and a "no" vote will indicate rejection.

Section 3. Section 567.07, Florida Statutes, is amended to read:

567.07 Results of election.—

(1) ~~If should~~ a majority of those legally voting at any election under s. 567.01 cast their votes "Against Selling Intoxicating Liquors, Wines, or Beer" on question number 1, then no intoxicating liquors, wines, or beer shall be sold in the county in which ~~the said~~ election was held until otherwise determined by an election, which shall not be held oftener than once in every 2 years.

(2) ~~If should~~ a majority of those legally voting at any such election cast their votes "For Selling Intoxicating Liquors, Wines, or Beer" on question number 1 and a majority of votes legally cast on question number 2 be cast "For Sales by the Package Only," then:

(a) No intoxicating liquors, wines, or beer shall be sold in said county that are not contained in sealed containers. ~~and~~

(b) No intoxicating liquors, wines, or beer shall be consumed in said county on the premises where such intoxicating liquors, wines, or beer are sold or on any other premise under the control, either directly or indirectly, of the licensee, until otherwise determined in an election, which shall not be held oftener than once in every 2 years.

(c) *After the expiration of 2 years, an election pursuant to s. 567.01(2)(b) may be held to determine the sole question of whether intoxicating liquors, wines, or beer may be sold by the drink for consumption on premises. If a majority of those legally voting cast their votes for selling intoxicating liquors, wines, or beer by the drink for consumption on premises, such alcoholic beverages may be sold as otherwise provided by law in that county until otherwise determined in an election, which shall not be held oftener than once every 2 years. If a majority of those legally voting cast their vote against the sale of intoxicating liquors, wines, or beer by the drink for consumption on premises, sales by the package only shall continue.*

Section 4. This act shall take effect July 1, 1999.

And the title is amended as follows:

remove from the title of the bill: the entire title

and insert in lieu thereof: A bill to be entitled An act relating to alcohol sales; amending s. 567.01, F.S.; providing for local option elections to determine sales of intoxicating liquors, wines, or beer by the drink; amending s. 567.06, F.S.; providing ballot instructions for local option elections; amending s. 567.07, F.S.; providing for a local option election for sole purpose of determining whether intoxicating liquors, wines, or beer may be sold by the drink for consumption on premises; providing an effective date.

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

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

HB 229—A bill to be entitled An act relating to weapons and firearms; providing that a nonresident who is a United States citizen may carry a concealed weapon or firearm in this state if the nonresident has attained a specified age and holds a valid license to carry a concealed weapon or firearm issued in another state; providing that a nonresident is subject to the same laws and restrictions as a licensee in Florida; providing that an out-of-state license to carry a concealed weapon or firearm remains in effect for a certain period following the date on which the holder of the license establishes legal residence in this state; specifying how legal residence is established; providing applicability; providing an effective date.

—was read the second time by title.

Representative(s) Crady offered the following:

Amendment 1—On page 2, lines 4 through 12, remove from the bill: all of said lines

and insert in lieu thereof:

this state by registering to vote, or making a statement of domicile pursuant to s. 222.17, Florida Statutes, or filing for homestead tax exemption on property in this state, the license shall remain in effect for 90 days following the date on which the holder of the license establishes legal state residence. This section applies only to nonresident concealed weapon or concealed firearm licenseholders from states that honor Florida concealed weapon or concealed firearm licenses.

Rep. Crady moved the adoption of the amendment.

Representative(s) Brown, Jacobs, Reddick, and Kosmas offered the following:

Amendment 1 to Amendment 1—On page 1, line 24 of the amendment

insert after "states that": *have licensing requirements equal to or greater than the standards in section 790.233, Florida Statutes, and that*

Rep. Brown moved the adoption of the amendment to the amendment, which failed of adoption.

Representative(s) L. Miller offered the following:

Amendment 2 to Amendment 1—On page 1, line 25 remove from the amendment: all of said lines

and insert in lieu thereof: *having licensing requirements equal to or greater than the standards in s. 790.06, Florida Statutes, and that honor Florida concealed firearm licenses.*

Rep. L. Miller moved the adoption of the amendment to the amendment, which failed of adoption.

The question recurred on the adoption of **Amendment 1**, which was adopted.

Representative(s) Cosgrove offered the following:

Amendment 2 (with title amendment)—On page 2, between lines 12 and 13, of the bill

insert:

Section 2. Paragraph (b) of subsection (5) of section 790.06, Florida Statutes, 1998 Supplement, is amended to read:

790.06 License to carry concealed weapon or firearm.—

(5) The applicant shall submit to the Department of State:

(b) A nonrefundable license fee not to exceed \$85, if he or she has not previously been issued a statewide license, or a nonrefundable license fee not to exceed \$70 for renewal of a statewide license. Costs for

processing the set of fingerprints as required in paragraph (c) shall be borne by the applicant. However, an individual holding an active certification from the Criminal Justice Standards and Training Commission as a "law enforcement officer," "correctional officer," or "correctional probation officer" as defined in s. 943.10(1), (2), (3), (6), (7), (8), or (9) is exempt from the licensing requirements of this section. If any individual holding an active certification from the Criminal Justice Standards and Training Commission as a "law enforcement officer," a "correctional officer," or a "correctional probation officer" as defined in s. 943.10(1), (2), (3), (6), (7), (8), or (9) wishes to receive a concealed weapons or firearms license, such person is exempt from the background investigation and all background investigation fees, but shall pay the current license fees regularly required to be paid by nonexempt applicants. Further, a law enforcement officer, a correctional officer, or a correctional probation officer as defined in s. 943.10(1), (2), or (3) is exempt from the required fees and background investigation for a period of 1 year subsequent to the date of retirement of said officer as a law enforcement officer, a correctional officer, or a correctional probation officer. *A law enforcement officer as defined in s. 943.10(1) who has retired with honorable distinction is exempt from the license fees regularly required to be paid by nonexempt applicants and shall, after submission to the Department of State of written documentation verifying that such law enforcement officer has retired with honorable distinction, pay a nonrefundable one-time license fee of \$10 for a statewide license or renewal of a statewide license.*

And the title is amended as follows:

On page 1, line 17,

after the semicolon insert: amending s. 790.06, F.S.; providing a separate nonrefundable license fee for a license to carry a concealed weapon or firearm for law enforcement officers who have retired with honorable distinction;

Rep. Cosgrove moved the adoption of the amendment. Subsequently, **Amendment 2** was withdrawn.

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

HB 241—A bill to be entitled An act relating to education; creating s. 232.042, F.S.; requiring each child, prior to enrollment in school, to submit evidence of whether or not he or she has learned to swim; requiring the district school board to provide certain information; providing an effective date.

—was read the second time by title.

The Committee on Education Innovation offered the following:

Amendment 1—On page 1, line 22, of the bill, after the period

insert: *No civil liability shall be incurred by any school district based on this section.*

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

The Committee on Education Innovation offered the following:

Amendment 2 (with title amendment)—On page 1, between lines 22 and 23, of the bill

insert a new section:

Section 2. *This section is repealed on July 1, 2005 and shall be reviewed prior to that date.*

And the title is amended as follows:

On page 1, line 7 after "information;"

insert: providing for review and repeal;

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

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

CS/HB 425—A bill to be entitled An act relating to robbery by sudden snatching; creating s. 812.131, F.S.; defining the offense of robbery by sudden snatching; providing penalties for robbery by sudden snatching; providing construction; amending s. 921.0022, F.S.; providing for ranking robbery by sudden snatching within levels 5 and 7 categories of the offense severity ranking chart; providing an effective date.

—was read the second time by title.

Representative(s) Sanderson offered the following:

Amendment 1—On page 1, line 18,

insert after *person*: *, with intent to permanently or temporarily deprive the victim or the owner of the money or other property,*

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

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

CS/HB 259—A bill to be entitled An act relating to school readiness; creating s. 411.01, F.S.; providing legislative intent; providing definitions; creating the State School Readiness Governing Board; providing membership requirements, meeting requirements, public records requirements, and responsibilities and duties of the governing board; authorizing the governing board to adopt rules; providing eligibility requirements for the school readiness program; requiring performance standards and outcome measures developed and approved by the governing board to meet certain guidelines; providing for the establishment of a school readiness coalition in each county; providing membership of the coalitions; providing for implementation and phasing-in of the school readiness program; requiring the development of a plan; providing for exceptions to law; providing for coalition initiation grants; providing incentive bonuses; providing for the funding of the school readiness program; requiring each coalition to develop a reimbursement rate schedule for all programs funded by the coalition; providing requirements for school readiness agents; providing for parental choice with respect to child care arrangements and payments; requiring the governing board to adopt an electronic funds transfer system; requiring the Office of Program Policy Analysis and Government Accountability to provide consultation and assess outcomes; requiring each coalition to conduct an annual evaluation and submit a report to the governing board and requiring an annual report by the governing board that includes coalition report information; creating s. 229.567, F.S.; requiring the Department of Education to require use by the school districts of a school readiness screening system adopted by the governing board; amending s. 216.136, F.S.; creating the School Readiness Program Estimating Conference; requiring the conference to develop information relating to school readiness programs; specifying the principals of the conference; amending s. 236.013, F.S.; deleting half-day kindergarten and prekindergarten disabilities programs from the FEFP; amending s. 414.026, F.S.; adding the chair of the State School Readiness Governing Board to the WAGES Program State Board of Directors; amending s. 624.91, F.S.; requiring the Florida Healthy Kids Corporation to work cooperatively with the State School Readiness Governing Board; authorizing the Governor to transfer funds; authorizing the State School Readiness Governing Board to make staffing recommendations; providing an effective date.

—was read the second time by title.

The Committee on Education Appropriations offered the following:

Amendment 1—On page 4, lines 15 through 16, remove from the bill: *prekindergarten disabilities programs,*

and on page 15, line 19, remove from the bill: *and (e)*

and on page 17, line 19, after the period,

insert: *These recommendations must include recommendations for the inclusion or noninclusion of prekindergarten disabilities programs and funding.*

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

The Committee on Education Appropriations offered the following:

Amendment 2—On page 15, line 17, of the bill, after “ss.”

insert: *125.901(2)(a)3.*

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

The Committee on Education Appropriations offered the following:

Amendment 3—On page 16, between lines 5 and 6, of the bill

insert:

(g) A coalition may, subject to approval of the governing board as part of the coalition’s plan, receive subsidized child care funds for all children eligible for any federal subsidized child care program and be the provider of the program services.

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

The Committee on Education Appropriations offered the following:

Amendment 4—On page 16, between lines 13 and 14 of the bill

insert:

3. Funds appropriated for coalition initiation grants shall be allocated on a first-come first-served basis.

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

The Committee on Education Appropriations offered the following:

Amendment 5—On page 20, lines 17 through 26, remove from the bill: All of said lines

and insert in lieu thereof:

1. The School Readiness Program Estimating Conference shall develop such estimates and forecasts of the number of children eligible for school readiness programs in accordance with the eligibility standards established pursuant to this act as the Conference determines are needed to support the State planning, budgeting, and appropriations process.

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

The Committee on Education Appropriations offered the following:

Amendment 6—On page 28, line 30 through page 29, line 1, remove from the bill: All of said lines

and insert in lieu thereof: *shall recommend to the Legislature by February 15, 2000, whether the current appropriations and positions for Department of Children and Family Services contract managers and Department of Education Prekindergarten Early Intervention and School Readiness personnel should be phased out, or transferred in whole or in part*

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

Representative(s) Warner and Lynn offered the following:

Amendment 7—On page 3, lines 3-7, remove from the bill: all of said lines

and insert in lieu thereof:

WHEREAS, the Legislature recognizes the primacy of parents as their children’s first teachers and the importance of children entering the education system ready to learn, and

WHEREAS, the Legislature seeks to assist parents by providing opportunities for the state’s at-risk birth-to-kindergarten population to enhance their chances for educational success by participating in quality school readiness programs that can better prepare them for school, NOW, THEREFORE,

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

Representative(s) Lynn, Warner, and Logan offered the following:

Amendment 8—On page 9, line 2, of the bill

after the period insert:

The governing board shall also adopt a system for evaluating the performance of students through the third grade to compare the performance of those who participated in school readiness programs with the performance of students who did not participate in school readiness programs in order to identify strategies for continued successful student performance.

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

Representative(s) Murman, Warner, and Lynn offered the following:

Amendment 9—On page 9, between lines 4 and 5, of the bill

insert:

7.a. Use the resources and capabilities of the State University System and the Division of Community Colleges in improving school readiness programs, including establishing a career path for employees in school readiness professions that leads from entry-level employment to a bachelor’s degree. The State University System and the Division of Community Colleges shall assist and support the governing board and the coalitions in utilizing existing resources.

b. In consultation with the Postsecondary Education Planning Commission and the Education Standards Commission, assess the expertise of public and private Florida postsecondary institutions in the areas of infant and toddler developmental research; the related curriculum of training, career, and academic programs; and the status of articulation among those programs. Based on this assessment, the governing board shall provide recommendations to the Governor and the Legislature for postsecondary program improvements to enhance school readiness initiatives.

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

Representative(s) Lynn and Wallace offered the following:

Amendment 10—On page 10, line 5, before the period,

insert: *and to provide family literacy activities and programs*

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

Representative(s) Melvin, Warner, and Lynn offered the following:

Amendment 11—On page 12, line 8, remove “Serve” and

insert: *As long as funding or eligible populations do not decrease, serve*

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

Representative(s) Warner, Melvin, and Logan offered the following:

Amendment 12—On page 13, lines 21-28, remove from the bill: all of said lines

and insert in lieu thereof:

(b) No member of a coalition may appoint a designee to act in his or her place. A member who is unable to attend may send a representative to coalition meetings, but that representative will have no voting privileges.

(c) Members of the coalition are subject to the ethics provisions in part III of chapter 112.

(d) *No member of a coalition may appoint a designee to act in his or her place. A member who is unable to attend may send a representative to coalition meetings, but that representative will have no voting privileges.*

(e) *Members of the coalition are subject to the ethics*

Rep. Logan moved the adoption of the amendment.

On motion by Rep. Logan, under Rule 142(h), the following late-filed substitute amendment was considered.

Representative(s) Warner, Melvin, and Logan offered the following:

Substitute Amendment 12—On page 13, lines 21-29, remove from the bill: all of said lines

and insert in lieu thereof:

(b) *No member of a coalition may appoint a designee to act in his or her place. A member who is unable to attend may send a representative to coalition meetings, but that representative will have no voting privileges.*

(c) *Members of the coalition are subject to the ethics provisions in part III of chapter 112.*

Rep. Logan moved the adoption of the substitute amendment, which was adopted.

Representative(s) Melvin, Warner, and Murman offered the following:

Amendment 13—On page 13, between lines 29 & 30,

insert:

(e) *Multicounty coalitions shall include representation from each county.*

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

Representative(s) Warner and Lynn offered the following:

Amendment 14—On page 14, between lines 26 & 27, of the bill

insert:

6. *Strategies to meet the needs of unique populations, such as migrant workers.*

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

Representative(s) Warner and Lynn offered the following:

Amendment 15—On page 14, lines 21-26, remove from the bill: all of said lines

and insert in lieu thereof:

5. *Systems support services, including a central agency, child care resource and referral, eligibility determinations, training of providers, and parent support and involvement.*

6. *Direct enhancement services to families and children. System support and direct enhancement services shall be in addition to payments for the placement of children in school readiness programs.*

7. *A business plan, which must include the contract with a school readiness agent if the coalition is not a legally established corporate entity. Coalitions may contract with other coalitions to achieve efficiency in multiple-county services, and such contracts may be part of the coalition's business plan.*

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

Representative(s) Warner, Lynn, and Merchant offered the following:

Amendment 16—On page 16, between lines 5 and 6,

insert:

(g) *Coalitions are authorized to enter into multiparty contracts with statewide service providers in order to meet the needs of unique populations such as migrant workers.*

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

Representative(s) Warner and Lynn offered the following:

Amendment 17—On page 15, line 21, through page 16, line 5, remove from the bill: all of said lines

and insert in lieu thereof: (e) *All cost savings and all revenues received through a mandatory sliding fee scale shall be used to help fund the local school readiness program.*

Rep. Warner moved the adoption of the amendment.

Representative(s) Warner and Lynn offered the following:

Substitute Amendment 17—On page 15, line 21, through page 16, line 5,

remove from the bill: all of said lines

and insert in lieu thereof:

(e) *Two or more counties may join for the purpose of planning and implementing a school readiness program.*

Rep. Warner moved the adoption of the substitute amendment, which was adopted.

Representative(s) Warner and Lynn offered the following:

Amendment 18—On page 14, line 20, before the period,

insert: *establishing a copayment for parents based on their ability to pay, which is the same for all program providers, to be implemented and reflected in each program's budget*

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

Presentation of Pages

Reps. Byrd, Littlefield, and Murman presented the following students, who were participating in Developmental Disability Awareness in the Florida House of Representatives by serving as pages today in the House Chamber: Ryan Crosby, Tallahassee; Anthony Brewington, Monticello; Adam Evans, Tallahassee; Katy Flagg, Tallahassee; Jamall Tice, Monticello; Jennifer Vause, Crawfordville.

Continuation of Special Orders

Continuation of Consideration of CS/HB 259

Representative(s) Merchant, Warner, and Lynn offered the following:

Amendment 19—On page 17, line 15, after the period

insert:

As part of plan approval and periodic plan review, the governing board shall require that administrative costs be kept to the minimum necessary for efficient and effective administration of the plan.

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

Representative(s) Warner, Merchant, and Murman offered the following:

Amendment 20—On page 19, line 31, after the period

insert: *This report must conform to the content and format specifications set by the governing board. The governing board must include an analysis of the coalition reports in its annual report.*

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

Representative(s) Warner and Lynn offered the following:

Amendment 21 (with title amendment)—On page 21, line 15, through page 26, line 3, remove from the bill: all of said lines

And the title is amended as follows:

On page 2, line 15 through 18, remove from the title of the bill: all of said lines

and insert in lieu thereof: principals of the conference; amending s. 414.026, F.S.; adding the

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

Representative(s) Warner and Logan offered the following:

Amendment 22 (with title amendment)—On page 29, between lines 3 & 4,

and insert in lieu thereof:

Section 9. *Subject to appropriation by the Legislature, the Inter-University Consortium on Child and Family Studies, with Florida State University as the lead university, is authorized to design and develop the concept for a child care and development center, which may be used as a model for demonstrating best practices in children's readiness for school.*

And the title is amended as follows:

On page 2, line 27, after the semicolon,

and insert in lieu thereof: authorizing the Inter-University Consortium on Child and Family Studies to design and develop the concept for a child care and development center;

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

Representative(s) Frankel and Logan offered the following:

Amendment 23 (with title amendment)—On page 28, between lines 24 and 25,

insert:

Section 7. Paragraph (e) is added to subsection (1) of section 240.115, Florida Statutes, 1998 Supplement, to read:

240.115 Articulation agreement; acceleration mechanisms.—*The Commissioner of Education, in conjunction with the State School Readiness Governing Board, the Postsecondary Education Planning Commission, and the Education Standards Commission, shall conduct a statewide assessment to determine the extent and nature of instruction for those who work or are training to work in the fields of child care and early childhood education, as well as an assessment of the market demand for individuals trained at various levels.*

(1)

(e) The Articulation Coordinating Committee shall establish an articulated career path for school readiness-related professions, which shall lead from entry-level employment in child care and early childhood education to a baccalaureate degree. The career path shall provide for the articulation of:

1. *Vocational credit to college credit;*
2. *Associate in science and associate in arts degrees to baccalaureate degree programs;*
3. *Credit awarded by public and private institutions; and*
4. *Credit for experiential learning associated with minimum training requirements for employment. The Articulation Coordinating Committee*

shall ensure that the articulation of such credit does not jeopardize the receiving institution's accreditation status.

By fall semester 2001, the articulation agreement must guarantee the statewide articulation of appropriate coursework as established in the career path.

And the title is amended as follows:

On page 2, line 24,

after the semicolon insert: amending s. 240.115, F.S.; requiring the Articulation Coordinating Committee to establish a career path for school readiness-related professions;

Rep. Frankel moved the adoption of the amendment.

Representative(s) Frankel and Logan offered the following:

Substitute Amendment 23 (with title amendment)—On page 28, between lines 24 and 25,

insert:

Section 7. Paragraph (e) is added to subsection (1) of section 240.115, Florida Statutes, 1998 Supplement, to read:

240.115 Articulation agreement; acceleration mechanisms.—

(1)

(e) The Commissioner of Education, in conjunction with the State School Readiness Governing Board, the Postsecondary Education Planning Commission, and the Education Standards Commission, shall conduct a statewide assessment to determine the extent and nature of instruction for those who work or are training to work in the fields of child care and early childhood education, as well as an assessment of the market demand for individuals trained at various levels. The Articulation Coordinating Committee shall establish an articulated career path for school readiness-related professions, which shall lead from entry-level employment in child care and early childhood education to a baccalaureate degree. The career path shall provide for the articulation of:

1. *Vocational credit to college credit;*
2. *Associate in science and associate in arts degrees to baccalaureate degree programs;*
3. *Credit awarded by public and private institutions; and*
4. *Credit for experiential learning associated with minimum training requirements for employment. The Articulation Coordinating Committee shall ensure that the articulation of such credit does not jeopardize the receiving institution's accreditation status.*

By fall semester 2001, the articulation agreement must guarantee the statewide articulation of appropriate coursework as established in the career path.

And the title is amended as follows:

On page 2, line 24,

after the semicolon insert: amending s. 240.115, F.S.; requiring the Articulation Coordinating Committee to establish a career path for school readiness-related professions;

Rep. Frankel moved the adoption of the substitute amendment, which was adopted.

Representative(s) Logan offered the following:

Amendment 24—On page 6, line 25 & 26, remove from the bill: all of said lines

and insert in lieu thereof: *who are not providers of early education or child care. The members must be geographically and*

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

Representative(s) Kosmas, Frankel, Bloom, and Dennis offered the following:

Amendment 25—On page 15, line 18, remove from the bill: 230.2305,

Rep. Kosmas moved the adoption of the amendment, which failed of adoption. The vote was:

Yeas—38

Table with 4 columns: Betancourt, Bloom, Brown, Bullard, Bush, Cosgrove, Dennis, Edwards, Effman, Eggelletion, Fiorentino, Frankel, Gottlieb, Greene, A., Greenstein, Hafner, Hart, Healey, Henriquez, Heyman, Jacobs, Kosmas, Lawson, Levine, Miller, L., Rayson, Reddick, Ritchie, Ritter, Ryan, Smith, C., Sobel, Stafford, Suarez, Turnbull, Wasserman Schultz, Wiles, Wilson

Nays—78

Table with 4 columns: The Chair, Albright, Alexander, Andrews, Argenziano, Arnall, Bainter, Ball, Barreiro, Bense, Bilirakis, Bitner, Boyd, Bradley, Bronson, Brummer, Byrd, Cantens, Casey, Chestnut, Constantine, Crady, Crist, Crow, Detert, Diaz de la Portilla, Dockery, Farkas, Fasano, Feeney, Flanagan, Fuller, Futch, Gay, Goode, Goodlette, Green, C., Harrington, Johnson, Jones, Kilmer, Kyle, Lacasa, Littlefield, Logan, Lynn, Maygarden, Melvin, Merchant, Miller, J., Morroni, Murman, Ogles, Patterson, Peaden, Posey, Prieguez, Pruitt, Putnam, Roberts, Rojas, Russell, Sanderson, Sembler, Smith, K., Sobel, Sorensen, Spratt, Stafford, Stansel, Starks, Sublette, Trovillion, Tullis, Valdes, Villalobos, Wallace, Warner, Waters, Wise

Votes after roll call:

Yeas to Nays—Fiorentino
Nays to Yeas—K. Smith

Representative(s) Kosmas, Frankel, Bloom, and Dennis offered the following:

Amendment 26—On page 15, line 19, remove from the bill: 402.3015,

Rep. Kosmas moved the adoption of the amendment.

On motion by Rep. Arnall, further consideration of CS/HB 259, with pending amendment, was temporarily postponed under Rule 141.

On motion by Rep. Arnall, the rules were suspended and the House moved to the order of—

Messages from the Senate

The Honorable John Thrasher, Speaker

I am directed to inform the House of Representatives that the Senate has passed SB 2500, as amended, and requests the concurrence of the House.

Faye W. Blanton, Secretary

By the Committee on Budget—

SB 2500—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1999, and

ending June 30, 2000, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of State government; providing an effective date.

—was read the first time by title. On motion by Rep. Arnall, the rules were suspended and the bill was read the second time by title.

Rep. Pruitt offered an amendment striking everything after the enacting clause and inserting the text of HB 1789. Under Rule 37(a)(5)a., the amendment was not printed in the Journal.

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

On motion by Rep. Pruitt, the rules were suspended and SB 2500, as amended, was read the third time by title. On passage, the vote was:

Yeas—117

Table with 4 columns: The Chair, Albright, Alexander, Andrews, Argenziano, Arnall, Bainter, Ball, Barreiro, Bense, Bilirakis, Bitner, Bloom, Boyd, Bradley, Bronson, Brown, Brummer, Bullard, Bush, Byrd, Cantens, Casey, Chestnut, Constantine, Cosgrove, Crady, Crist, Crow, Dennis, Detert, Diaz de la Portilla, Dockery, Edwards, Effman, Eggelletion, Farkas, Fasano, Feeney, Fiorentino, Flanagan, Frankel, Fuller, Futch, Gay, Goode, Goodlette, Gottlieb, Green, C., Greene, A., Greenstein, Hafner, Harrington, Hart, Henriquez, Heyman, Jacobs, Johnson, Jones, Kelly, Kilmer, Kosmas, Kyle, Lacasa, Lawson, Littlefield, Logan, Lynn, Maygarden, Melvin, Merchant, Miller, J., Minton, Morroni, Murman, Ogles, Patterson, Peaden, Posey, Prieguez, Pruitt, Putnam, Rayson, Reddick, Ritchie, Ritter, Roberts, Rojas, Russell, Ryan, Sanderson, Sembler, Smith, K., Sobel, Sorensen, Spratt, Stafford, Stansel, Starks, Suarez, Sublette, Trovillion, Tullis, Turnbull, Valdes, Villalobos, Wallace, Warner, Wasserman Schultz, Waters, Wiles, Wilson, Wise

Nays—1

Healey

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

The Honorable John Thrasher, Speaker

I am directed to inform the House of Representatives that the Senate has passed SB 2502, as amended, and requests the concurrence of the House.

Faye W. Blanton, Secretary

By the Committee on Fiscal Policy—

SB 2502—A bill to be entitled An act implementing the 1999-2000 General Appropriations Act; providing legislative intent; amending s. 216.292, F.S.; authorizing the Department of Children and Family Services and the Agency for Health Care Administration to transfer general revenue funds between them; providing that specified funds are to be used to increase the adult mental health equity funding in specified districts of the Department of Children and Family Services and are not subject to the provisions of s. 394.908, F.S.; amending s. 409.9115, F.S.; specifying how the Agency for Health Care Administration shall make payments for the Medicaid disproportionate

share program for mental health hospitals; requiring the Agency for Health Care Administration to use a specified disproportionate share formula, specified audited financial data, and a specified Medicaid per diem rate in fiscal year 1999-2000 for qualifying hospitals; amending s. 409.9116, F.S.; providing a formula for rural hospital disproportionate share payments; amending s. 216.181, F.S.; authorizing the Department of Children and Family Services and the Department of Health to advance certain moneys for certain contract services; directing the Agency for Health Care Administration to include health maintenance organization recipients in the county billing for a specified purpose; authorizing the Departments of Children and Family Services, Revenue, Labor and Employment Security, and Health and the Agency for Health Care Administration to transfer positions and funds to comply with the 1999-2000 General Appropriations Act or the WAGES Act; amending s. 402.3015, F.S.; providing eligibility guidelines for subsidized child care; amending s. 216.181, F.S.; authorizing the Department of Children and Family Services to use certain funds for fixed capital outlay expenditures to meet certain federal standards; requiring the Agency for Health Care Administration to take necessary actions to ensure that expenditures for Medicaid transportation do not exceed the amount budgeted and to take certain steps if that becomes impossible; amending s. 39.3065, F.S.; providing for the Broward County Sheriff to provide child protective investigative services; requiring Healthy Families Florida service providers to furnish participants with certain disclaimers and documentation; prohibiting disclosure of certain records by such providers; providing for disposal of records after a specified period; amending s. 409.912, F.S.; providing standards for certain prepaid health care services entities; amending s. 216.181, F.S.; authorizing the Department of Law Enforcement to transfer some positions and associated budget and a certain percentage of salary rate between budget entities and providing requirements with respect thereto; authorizing the Department of Law Enforcement to participate in the model career service classification and compensation system, subject to certain conditions; authorizing the Department of Law Enforcement to use certain moneys to provide meritorious-performance bonuses for employees, subject to approval; authorizing the Correctional Privatization Commission and the Department of Juvenile Justice to make certain expenditures to defray costs incurred by a municipality or county as a result of opening a facility of the commission or the department; amending s. 287.064, F.S.; authorizing the Department of Law Enforcement to finance, through the Comptroller's consolidated major equipment financing program, the purchase of certain equipment, software, and services for the Florida Crime Information Center; amending s. 212.20, F.S.; providing for use of moneys allocated to the Solid Waste Management Trust Fund; providing for certain counties to use moneys received for aquatic weed control for recycling purposes; amending s. 403.7095, F.S.; revising the expiration date of the solid waste management grant program; requiring a specified level of funding for counties receiving solid waste management and recycling grants; providing for allocation of funds for innovative programs to address recycling practices and procedures; amending s. 110.1239, F.S.; providing requirements for the funding of the state group health insurance program; amending s. 373.59, F.S.; requiring release of certain moneys by the Secretary of Environmental Protection to water management districts, upon request; amending s. 110.205, F.S.; providing additional exemptions from the Career Service System for personnel of the office of the Governor; amending s. 287.161, F.S.; requiring the Department of Management Services to charge all persons receiving transportation from the executive aircraft pool a specified rate; providing for deposit and use of such fees; amending s. 15.09, F.S.; authorizing the appropriation of funds from the Public Access Data Systems Trust Fund for the operations of the Department of State; amending s. 253.034, F.S.; authorizing the Department of Transportation to sell certain property used by the Department of Highway Safety and Motor Vehicles; amending s. 334.0445, F.S.; revising the expiration date for the model career service classification and compensation plan; amending s. 216.181, F.S.; authorizing the Department of Transportation to transfer salary rate to the turnpike budget entity to facilitate transferring personnel to the turnpike headquarters facility in Orange County; prescribing powers of the Commissioner of Education to reorganize personnel, entities, duties, and functions within the Department of Education; providing a

limitation; providing for a report; authorizing the Commissioner of Education to establish and implement student achievement measures; providing for allocation of moneys provided for workforce development and providing for budget amendment when a program is moved; providing for future repeal of various provisions; amending s. 240.3341, F.S.; authorizing community colleges to lease their incubator facilities for small business concerns; providing effect of veto of specific appropriation or proviso to which implementing language refers; providing applicability to other legislation; providing performance measures and standards for individual programs within state agencies; providing that the performance measures and standards are directly linked to the appropriations made in the 1999-2000 General Appropriations Act, as required by the Government Performance and Accountability Act of 1994; providing severability; providing an effective date.

—was read the first time by title. On motion by Rep. Pruitt, the rules were suspended and the bill was read the second time by title.

Rep. Pruitt offered an amendment striking everything after the enacting clause and inserting the text of HB 1791. Under Rule 37(a)(5)a., the amendment was not printed in the *Journal*.

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

On motion by Rep. Pruitt, the rules were suspended and SB 2502, as amended, was read the third time by title. On passage, the vote was:

Yeas—118

The Chair	Dennis	Jones	Roberts
Albright	Detert	Kelly	Rojas
Alexander	Diaz de la Portilla	Kilmer	Russell
Andrews	Dockery	Kosmas	Ryan
Argenziano	Edwards	Kyle	Sanderson
Arnall	Effman	Lacasa	Sembler
Bainter	Eggelation	Lawson	Smith, C.
Ball	Farkas	Levine	Smith, K.
Barreiro	Fasano	Littlefield	Sobel
Bense	Feeney	Logan	Sorensen
Betancourt	Fiorentino	Lynn	Spratt
Bilirakis	Flanagan	Maygarden	Stafford
Bitner	Frankel	Melvin	Stansel
Bloom	Fuller	Merchant	Starks
Boyd	Futch	Miller, J.	Suarez
Bradley	Gay	Miller, L.	Sublette
Bronson	Goode	Minton	Trovillion
Brown	Goodlette	Morrone	Tullis
Brummer	Gottlieb	Murman	Turnbull
Bullard	Green, C.	Ogles	Valdes
Bush	Greene, A.	Patterson	Villalobos
Byrd	Greenstein	Peaden	Wallace
Cantens	Hafner	Posey	Warner
Casey	Harrington	Prieguez	Wasserman Schultz
Chestnut	Hart	Pruitt	Waters
Constantine	Healey	Putnam	Wiles
Cosgrove	Henriquez	Rayson	Wilson
Crady	Heyman	Reddick	Wise
Crist	Jacobs	Ritchie	
Crow	Johnson	Ritter	

Nays—None

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

On motion by Rep. Pruitt, the House requested the Senate to concur in the amendments to **SB 2500** and **SB 2502**, or failing to concur, requested the Senate to appoint a committee of conference to meet with a like committee appointed by the House.

Immediately Certified

On motion by Rep. Pruitt, the rules were suspended and **SB 2500** and **SB 2502**, which passed the House earlier today, were immediately certified to the Senate.

On motion by Rep. Arnall, the rules were suspended and the House moved to the order of—

Continuation of Special Orders

CS/HB 259—A bill to be entitled An act relating to school readiness; creating s. 411.01, F.S.; providing legislative intent; providing definitions; creating the State School Readiness Governing Board; providing membership requirements, meeting requirements, public records requirements, and responsibilities and duties of the governing board; authorizing the governing board to adopt rules; providing eligibility requirements for the school readiness program; requiring performance standards and outcome measures developed and approved by the governing board to meet certain guidelines; providing for the establishment of a school readiness coalition in each county; providing membership of the coalitions; providing for implementation and phasing-in of the school readiness program; requiring the development of a plan; providing for exceptions to law; providing for coalition initiation grants; providing incentive bonuses; providing for the funding of the school readiness program; requiring each coalition to develop a reimbursement rate schedule for all programs funded by the coalition; providing requirements for school readiness agents; providing for parental choice with respect to child care arrangements and payments; requiring the governing board to adopt an electronic funds transfer system; requiring the Office of Program Policy Analysis and Government Accountability to provide consultation and assess outcomes; requiring each coalition to conduct an annual evaluation and submit a report to the governing board and requiring an annual report by the governing board that includes coalition report information; creating s. 229.567, F.S.; requiring the Department of Education to require use by the school districts of a school readiness screening system adopted by the governing board; amending s. 216.136, F.S.; creating the School Readiness Program Estimating Conference; requiring the conference to develop information relating to school readiness programs; specifying the principals of the conference; amending s. 236.013, F.S.; deleting half-day kindergarten and prekindergarten disabilities programs from the FEFP; amending s. 414.026, F.S.; adding the chair of the State School Readiness Governing Board to the WAGES Program State Board of Directors; amending s. 624.91, F.S.; requiring the Florida Healthy Kids Corporation to work cooperatively with the State School Readiness Governing Board; authorizing the Governor to transfer funds; authorizing the State School Readiness Governing Board to make staffing recommendations; providing an effective date.

—was taken up, having been read the second time, and amended, earlier today; now pending on motion by Rep. Kosmas to adopt Amendment 26.

The question recurred on the adoption of **Amendment 26**.

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

The question recurred on the adoption of **Amendment 26**, which failed of adoption. The vote was:

Yeas—37

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

Nays—77

The Chair	Andrews	Bainter	Bense
Albright	Argenziano	Ball	Bilirakis
Alexander	Arnall	Barreiro	Bitner

Bradley	Fuller	Maygarden	Sanderson
Bronson	Futch	Melvin	Sembler
Brummer	Garcia	Merchant	Sorensen
Cantens	Gay	Miller, J.	Stansel
Casey	Goode	Minton	Starks
Chestnut	Goodlette	Morrone	Sublette
Constantine	Green, C.	Murman	Trovillion
Crady	Harrington	Ogles	Tullis
Crow	Hart	Patterson	Valdes
Detert	Johnson	Peaden	Villalobos
Diaz de la Portilla	Jones	Posey	Wallace
Dockery	Kelly	Prieguez	Warner
Farkas	Kilmer	Pruitt	Waters
Fasano	Kyle	Putnam	Wise
Feeney	Littlefield	Roberts	
Fiorentino	Logan	Rojas	
Flanagan	Lynn	Russell	

Votes after roll call:

- Nays—Crist
- Yeas to Nays—Boyd

Representative(s) Kosmas, Gottlieb, Heyman, and Bloom offered the following:

Amendment 27—On page 19, lines 4-12, remove from the bill: all of said lines

and insert in lieu thereof: *(a) The school readiness program shall maximize parental choice through the use of federal child care certificates for informal child care arrangements.*

(b) If it has been determined that a provider has provided any cash or other unlawful remuneration to the beneficiary in return for receiving the federal child care certificate, the school readiness

Rep. Kosmas moved the adoption of the amendment, which failed of adoption. The vote was:

Yeas—35

Betancourt	Frankel	Kosmas	Smith, C.
Bloom	Gottlieb	Lawson	Sobel
Brown	Greene, A.	Levine	Stafford
Bullard	Greenstein	Miller, L.	Suarez
Bush	Hafner	Rayson	Turnbull
Dennis	Healey	Reddick	Wasserman Schultz
Edwards	Henriquez	Ritchie	Wiles
Effman	Heyman	Ritter	Wilson
Eggelletion	Jacobs	Ryan	

Nays—80

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

Votes after roll call:

Nays—Farkas

Amendment 28 was withdrawn.

Representative(s) Kosmas and Heyman offered the following:

Amendment 29 (with title amendment)—On page 29, between lines 3 and 4 of the bill

insert:

Section 9. *The recurring sum of \$165,000,000 is appropriated for the 1999-2000 fiscal year from the Tobacco Settlement Trust Fund to the Department of Education to fund Florida's Pre-Kindergarten Early Intervention program.*

And the title is amended as follows:

On page 2, line 27

after the semicolon insert: providing an appropriation;

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

Amendments 30, 31, and 32 were withdrawn.

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

HB 295—A bill to be entitled An act relating to personal injury protection; amending s. 627.739, F.S.; authorizing insured certain multiple deductible elections; requiring certain premium reductions; providing requirements for offers of certain limitations; providing an effective date.

—was read the second time by title.

The Committee on Insurance offered the following:

Amendment 1—On page 2, line 19 of the bill

after “made”, insert: *in writing, in a clear and unambiguous manner,*

Rep. Villalobos moved the adoption of the amendment.

On motion by Rep. Villalobos, under Rule 142(h), the following late-filed amendment to the amendment was considered.

Representative(s) Villalobos offered the following:

Amendment 1 to Amendment 1—On page 1, line 16,

remove from the amendment: *in writing,*

Rep. Villalobos moved the adoption of the amendment to the amendment, which was adopted.

The question recurred on the adoption of **Amendment 1**, as amended, which was adopted.

On motion by Rep. Villalobos, under Rule 142(h), the following late-filed amendment was considered.

Representative(s) Villalobos offered the following:

Amendment 2—On page 2, line 23,

remove from the bill: October 1, 1999

and insert in lieu thereof: July 1, 2000

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

On motion by Rep. Jones, under Rule 142(h), the following late-filed amendment was considered.

Representative(s) Jones and Bullard offered the following:

Amendment 3 (with title amendment)—On page 2, between lines 22 and 23,

insert:

Section 2. *Charges for magnetic resonance imaging (MRI) or computed tomography (CT) scan services shall be unenforceable against the recipient of such services, an insurer, a third-party payor, and any other person or entity unless such charges are billed and collected by the 100-percent owner or the 100-percent lessee of the equipment used to perform such services. Such owner or lessee may be an individual, a corporation, a partnership, or any other entity and any of its 100-percent-owned affiliates and subsidiaries. For purposes of this section, “lessee” means a long-term lessee under a capital or operating lease but does not include a part-time lessee. This section does not preclude billing and collection by a hospital, a hospital or physician management company whose MRI or CT scan services are ancillary to the practices managed, a debt collection agency, or an entity that has contracted with an insurer or third-party payor to obtain a discounted rate for such services provided such entity does not retain for its services more than 25 percent of the amount remitted to such owner or lessee.*

And the title is amended as follows:

On page 1, line 6,

after the semicolon, insert: providing for unenforceability against certain persons or entities of charges for certain services under certain circumstances; providing a definition; providing a limitation; providing an exception;

Rep. Jones moved the adoption of the amendment.

Further consideration of **HB 295**, with pending amendment, was temporarily postponed under Rule 141.

On motion by Rep. Arnall, the rules were suspended and the House moved to the order of—

Messages from the Senate

The Honorable John Thrasher, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for SB 172, as amended, and requests the concurrence of the House.

Faye W. Blanton, Secretary

By the Committee on Fiscal Resource and Senator Horne and others—

CS for SB 172—A bill to be entitled An act relating to taxation; amending ss. 95.091, 193.063, 212.07, 212.11, 212.18, 213.053, 215.26, F.S.; creating ss. 213.235, 213.255, F.S.; amending certain statutes of limitations; reducing the period for tolling of the statute of limitations; prescribing circumstances for the tolling of the statute of limitations as a result of administrative or judicial proceedings; providing for an extension for filing tangible personal property tax returns; providing for the annual issuance of resale certificates to active accounts; delaying the date for paying estimated taxes; increasing the minimum threshold for requiring payment of estimated taxes; authorizing the Department of Revenue to disclose to a dealer or taxpayer whether a specified certificate is active, canceled, inactive, or invalid; providing for periodic adjustment of the rate of interest to be charged on certain tax deficiencies; providing circumstances under which the Department of Revenue is to pay interest to the taxpayer; specifying when applications for refunds must be filed; directing the Department of Revenue to establish a toll-free number for the verification of valid registration numbers and resale certificates; directing the Department of Revenue to establish a system for receiving information from dealers regarding certificate numbers; directing the Department of Revenue to expand its dealer education program regarding the proper use of resale certificates; providing appropriations; providing an effective date.

—was read the first time by title. On motion by Rep. Albright, the rules were suspended and the bill was read the second time by title.

Representative(s) Albright offered the following:

Amendment 1 (with title amendment)—
Remove from the bill: Everything after the enacting clause

and insert in lieu thereof:

Section 1. (1) This section may be cited as the "Florida Residents Tax Relief Act of 1999." (2) No tax levied under the provisions of chapter 212, Florida Statutes, shall be collected on sales of clothing having a taxable value of \$50 or less during the period from 12:01 a.m., July 31, 1999, through midnight, August 6, 1999.

(3) As used in this section, "clothing" means any article of wearing apparel, including footwear, intended to be worn on or about the human body. For purposes of this section, "clothing" does not include watches, watchbands, jewelry, handbags, handkerchiefs, umbrellas, or headbands.

(4) This section does not apply to sales within a theme park or entertainment complex, as defined in s. 509.013(9), Florida Statutes, or within a public lodging establishment, as defined in s. 509.013(4), Florida Statutes.

(5) The provisions of chapter 120, Florida Statutes, to the contrary notwithstanding, the Department of Revenue is authorized to adopt rules to carry out the provisions of this section.

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

Section 2. (1) The sum of \$200,000 is appropriated from the General Revenue Fund to the Department of Revenue for the purpose of administering section 1 of this act.

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

Section 3. (1) Each residential electric utility customer account of an electric utility, as defined in s. 366.02(2), Florida Statutes, receiving active residential electric utility service on August 1, 1999, shall be provided a one-time, nonrecurring rebate. The rebate shall be given in the form of a \$25 credit, payable from the General Revenue Fund, on each account's electric utility service billing in August of 1999. The credit shall be awarded as follows:

(1) The Florida Public Service Commission shall direct each utility to provide the credit on the electric service account of each residential electric service customer that is active on August 1, 1999, as provided by this section. The language to appear on the utility bill shall identify the credit as a "Florida Tax Rebate." The credit shall be reflected on the bills for applicable customer accounts starting on August 1, 1999, and continuing through the utility's standard billing cycles, said credit being applied to the bill up to the total amount owed each month for electric service. When a bill for electric service is less than the credit, the balance of the credit shall be applied toward the account in subsequent billing months until the total credit has been depleted. All undistributed credits which cannot be distributed, for whatever reason, shall be accounted for by the utility and returned to the Comptroller no later than January 1, 2000.

(2) Each electric utility providing residential electric utility service in the state shall, by July 10, 1999, certify to the Florida Public Service Commission the total number of residential electric utility accounts active on July 1, 1999.

(3) Upon receipt of the certification required by subsection (2), the commission shall promptly calculate the amount of funds necessary to reimburse the utilities for the credits by multiplying 75 percent of the total number of residential accounts active on July 1, 1999, by \$25. The commission shall also calculate the reasonable utility computer reprogramming costs necessary to administer the credit by multiplying 75 percent of the total number of residential accounts active on July 1, 1999, by the following rates:

(a) Two dollars for electric utilities providing residential electric service to fewer than 5,000 residential accounts on July 1, 1999.

(b) One dollar for electric utilities providing residential electric service to 5,000 to 10,000 residential accounts on July 1, 1999.

(c) Forty cents for electric utilities providing residential electric service to 10,001 to 50,000 residential accounts on July 1, 1999.

(d) Twenty cents for electric utilities providing residential electric service to 50,001 to 100,000 residential accounts on July 1, 1999.

(e) Fifteen cents for electric utilities providing residential electric service to 100,001 to 300,000 residential accounts on July 1, 1999.

(f) Five cents for electric utilities providing residential electric service to 300,001 to 1,500,000 residential accounts on July 1, 1999.

(g) Three cents for electric utilities providing residential electric service to more than 1,500,000 residential accounts on July 1, 1999.

(4) The commission shall produce a list of the utilities detailing the necessary funds to provide 75 percent of the \$25 credit and reprogramming costs. The commission shall certify this list to the Comptroller, the President of the Senate, the Speaker of the House of Representatives, and the Governor by July 20, 1999.

(5) On or before August 1, 1999, the Comptroller shall distribute funds to each individual electric utility based on the list submitted by the commission under subsection (4). The Comptroller shall make appropriate adjustments as funds are available to ensure an equal credit to each specified electric utility customer as provided by this section.

(6) Each electric utility providing residential electric utility service in the state shall, by August 10, 1999, recertify to the commission the total number of residential electric utility accounts active on August 1, 1999.

(7) Upon receipt of the certification required by subsection (6), the commission shall promptly calculate the amount of funds necessary to reimburse the utilities for the credits by multiplying the number of residential accounts active on August 1, 1999, by \$25. The commission shall also calculate the reasonable utility computer reprogramming costs necessary to administer the credit by multiplying the number of residential accounts active on August 1, 1999, by the following rates:

(a) Two dollars for electric utilities providing residential electric service to fewer than 5,000 residential accounts on August 1, 1999.

(b) One dollar for electric utilities providing residential electric service to 5,000 to 10,000 residential accounts on August 1, 1999.

(c) Forty cents for electric utilities providing residential electric service to 10,001 to 50,000 residential accounts on August 1, 1999.

(d) Twenty cents for electric utilities providing residential electric service to 50,001 to 100,000 residential accounts on August 1, 1999.

(e) Fifteen cents for electric utilities providing residential electric service to 100,001 to 300,000 residential accounts on August 1, 1999.

(f) Five cents for electric utilities providing residential electric service to 300,001 to 1,500,000 residential accounts on August 1, 1999.

(g) Three cents for electric utilities providing residential electric service to more than 1,500,000 residential accounts on August 1, 1999.

(8) The commission shall produce a list of the utilities detailing the necessary funds to provide the \$25 credit and reprogramming costs less payments already distributed under subsection (5). The commission shall certify this list to the Comptroller, the President of the Senate, the Speaker of the House of Representatives, and the Governor by August 20, 1999.

(9) On or before September 1, 1999, the Comptroller shall distribute funds to each individual electric utility based on the list submitted by the commission under subsection (8). The Comptroller shall make appropriate adjustments as funds are available to ensure an equal credit to each specified electric utility customer as provided by this section.

(10) Upon the request of the Comptroller, the President of the Senate, the Speaker of the House of Representatives, or the Governor, the commission shall audit the number of residential utility accounts filed by any one or more utilities pursuant to subsection (2) or subsection (6). The cost of any such audit shall be paid for out of the Florida Public Service Regulatory Trust Fund.

It is the intent of the Legislature that this electric utility credit represent a rebate of various state taxes paid by households to the State of Florida. It is also the intent of the Legislature that this credit not require any increase or decrease in current utility rates as established on the effective date of this act. Prior to the application of this credit, amounts owed by each customer and gross receipts of electric utilities shall be calculated without regard to the existence of the credit. As a result, the amounts due from each customer, including, but not limited to, rates, state and local taxes, franchise fees, and any other applicable charges, shall not be affected by the existence of this credit. Furthermore, gross receipts, for purposes of the gross receipts tax levied pursuant to s. 203.01, Florida Statutes, shall not be affected by the existence of this credit.

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

Section 4. (1) *The Florida Public Service Commission is directed to make arrangements for the efficient administration of section 3, including, but not limited to, providing a toll-free number for customer inquiries, and making supplemental information available through the Internet.*

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

Section 5. (1) *The Florida Public Service Commission has authority to adopt rules pursuant to ss. 120.536(1) and 120.54, Florida Statutes, to implement the provisions of this act.*

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

Section 6. (1) *There is hereby appropriated \$177 million from the General Revenue Fund to be disbursed to Florida utility companies for a one-time rebate of state taxes by means of a reduction in customer utility bills as provided by this act.*

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

Section 7. (1) *Any county which was not levying a school impact fee on January 1, 1999, may not levy any school impact fee during the period beginning July 1, 1999, through June 30, 2000.*

(2) *During the period beginning July 1, 1999, through June 30, 2000, any school impact fee collected by a county may not exceed \$500 per dwelling unit. If a county was levying a school impact fee in excess of \$500 per dwelling unit on January 1, 1999, the county may collect only the first \$500 of the fee due on each dwelling unit during that period.*

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

Section 8. (1) *If a county was levying a school impact fee in excess of \$500 per dwelling unit on January 1, 1999, and the fee becomes due during the period beginning July 1, 1999, through June 30, 2000, the county may receive funds from the Comptroller under the following procedures:*

(1) *The county must provide to the Comptroller the number of dwellings upon which the school impact fee would have been imposed and the amount of fees which would have been collected on those dwellings under the January 1, 1999, fee schedule during the period beginning July 1, 1999, through June 30, 2000. 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. The county shall also indicate how much money was actually collected on those dwellings during that period. This information shall be provided in a manner designated by the Comptroller's office.*

(2) *In the manner designated by the Comptroller's office, the county shall provide the information specified under subsection (1) and any additional information required by rule quarterly as follows: not later than November 15, 1999, for the quarter ending September 30, 1999; not later than February 15, 2000, for the quarter ending December 31, 1999; not later than May 15, 2000, for the quarter ending March 31, 2000; not later than August 15, 2000, for the quarter ending June 30, 2000.*

(3)(a) *Once all claims are received for the quarter, the Comptroller shall distribute the funds appropriated by the Legislature by paying each*

county which makes a proper and timely application the difference between the school impact fees permitted to be collected for the quarter pursuant to section 7 and this section, and the fees which would have been collected if the school impact fees in place on January 1, 1999, were fully enforceable during that quarter. 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 section 7 and this section, and the fees which would have been in place under that ordinance.

(b) *If the funds appropriated by the Legislature are insufficient to pay all valid and timely claims made for any quarter under this section, the Comptroller shall prorate the claims for such quarter and carry forward to the next quarter any unpaid claim amounts for payment after such next quarter's claims are paid.*

(c) *If additional funds remain after the distributions under this section, the Comptroller shall return the excess funds to the General Revenue Fund by September 30, 2000.*

(4) *Funds distributed pursuant to this section shall not be used to defray operating expenses, but shall be used only for the following purposes:*

(a) *To eliminate or reduce use of portable classrooms;*

(b) *To create new student stations; or*

(c) *To repair or renovate existing schools to increase capacity.*

(5) *The Comptroller has the authority to adopt rules to implement this section.*

(2) This section shall not take effect upon this act becoming a law.

Section 9. (1) *The Florida School Impact Fee Policy Commission is hereby created, to serve through June 30, 2000.*

(2)(a) *The commission shall be composed of the following 15 members, who shall be appointed within 30 days after the effective date of this section:*

1. *Six members selected by the Governor, none of whom shall be a member of the Legislature at the time of appointment, as follows: one representative from a local school board, and five representatives at large.*

2. *Four members selected by the Speaker of the House of Representatives, as follows: one member of the majority party and one member of the minority party in the House of Representatives, one representative from a local school board, and one representative at large.*

3. *Four members selected by the President of the Senate, as follows: one member of the majority party and one member of the minority party in the Senate, one representative from a local school board, and one representative at large.*

4. *The Commissioner of Education or the commissioner's designee.*

(b) *Vacancies in the membership of the commission shall be filled in the same manner as the original appointments.*

(c) *All state agencies are directed to cooperate with and assist the commission to the fullest extent possible. All local governments are encouraged to assist and cooperate with the commission as necessary.*

(d) *The Legislative Committee on Intergovernmental Relations is authorized to employ technical support and to incur expenses related to the official duties of the commission, and to expend funds appropriated to the committee for carrying out the official duties of the commission.*

(e) *Commission members shall not receive remuneration for their services but shall be reimbursed by the Legislative Committee on Intergovernmental Relations for travel and per diem expenses in accordance with s. 112.061, Florida Statutes.*

(3)(a) *The commission shall act as an advisory and recommendatory body to the Governor and the Legislature.*

(b) *The commission shall convene its initial meeting within 60 days after the effective date of this section. At its initial meeting, the commission shall select a chair and shall adopt rules of procedure. Thereafter, the commission shall convene at the call of the chair.*

(c) *The commission shall study the use of impact fees to finance school construction, the alternative methods of funding school construction, and the pros and cons of each method of funding.*

(d) *The commission shall formulate tax policies which take into account school construction revenue needs, the availability of alternative funding mechanisms, and other accepted tax policy goals, including fairness and ease of administration.*

(e) *The commission shall issue a report to the Governor, the Speaker of the House of Representatives, and the President of the Senate no later than February 1, 2000, summarizing its findings, stating its conclusions, and proposing any recommended statutory changes related to the tax laws of the state.*

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

Section 10. (1) *There is appropriated to the Legislative Committee on Intergovernmental Relations from the General Revenue Fund the sum of \$150,000 to be used for the Florida School Impact Fee Policy Commission.*

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

Section 11. Effective January 1, 2000, subsection (8) of section 199.023, Florida Statutes, 1998 Supplement, is amended to read:

199.023 Definitions.—As used in this chapter:

(8) “Affiliated group of corporations” means one or more chains of corporations or limited liability companies connected through stock ownership or membership interest in a limited liability company with a common parent corporation or limited liability company, providing that:

(a) Stock or membership interest in a limited liability company possessing at least 80 percent of the voting power of all classes of stock or membership interest in a limited liability company and at least 80 percent of each class of the nonvoting stock or membership interest in a limited liability company of each corporation or limited liability company, except for the common parent corporation or limited liability company, is owned directly by one or more of the other corporations or limited liability companies; and

(b) The common parent corporation or limited liability company directly owns stock or membership interest in a limited liability company possessing at least 80 percent of the voting power of all classes of stock or membership interest in a limited liability company and at least 80 percent of each class of the nonvoting stock or membership interest in a limited liability company of at least one of the other corporations or limited liability companies.

As used in this subsection, the term “nonvoting stock or membership interest in a limited liability company” does not include nonvoting stock or membership interest in a limited liability company which is limited and preferred as to dividends. For the purposes of this chapter, a common parent may be a corporation or a limited liability company.

Section 12. Effective January 1, 2000, section 199.032, Florida Statutes, is amended to read:

199.032 Levy of annual tax.—An annual tax of 1.752 mills is hereby imposed on each dollar of the just valuation of all intangible personal property which has a taxable situs in this state, except for notes and other obligations for the payment of money, other than bonds, which are secured by mortgage, deed of trust, or other lien upon real property situated in the state. This tax shall be assessed and collected as provided in this chapter.

Section 13. Effective January 1, 2000, subsection (1) of section 199.033, Florida Statutes, is amended to read:

199.033 Securities in a Florida's Future Investment Fund; tax rate.—

(1) Notwithstanding the provisions of this chapter, the tax imposed under s. 199.032 on securities in a Florida's Future Investment Fund shall apply at the rate of 1.604-85 mills when the average daily balance in such funds exceeds \$2 billion and at the rate of 1.454-79 mills when the average daily balance in such funds exceeds \$5 billion.

Section 14. Effective January 1, 2000, subsection (10) of section 199.052, Florida Statutes, 1998 Supplement, is amended to read:

199.052 Annual tax returns; payment of annual tax.—

(10) An affiliated group of corporations may elect to make a consolidated return for any year. The election shall be made by timely filing a consolidated return. Once made, an election may not be revoked, and it is binding for the tax year. The mere making of a consolidated return shall not in itself provide a business situs in this state for intangible personal property held by a corporation or limited liability company. The fact that members of an affiliated group own stock in corporations or membership interest in limited liability companies which do not qualify under the stock ownership or membership interest in a limited liability company requirements as members of an affiliated group shall not preclude the filing of a consolidated return on behalf of the qualified members. Where a consolidated return is made, intercompany accounts, including the capital stock or membership interest in a limited liability company of an includable corporation or limited liability company, other than the parent, owned by another includable corporation or limited liability company, shall not be subject to annual taxation. However, capital stock or membership interest in a limited liability company and other intercompany accounts of a nonqualified member of the affiliated group shall be subject to annual tax. Each consolidated return shall be accompanied by documentation identifying all intercompany accounts and containing such other information as the department shall require. Failure to timely file a consolidated return shall not prejudice the taxpayer's right to file a consolidated return, provided that the failure to file a consolidated return is limited to 1 year and the taxpayer's intent to file a consolidated return is evidenced by the taxpayer having filed a consolidated return for the 3 years prior to the year the return was not timely filed.

Section 15. Effective January 1, 2000, paragraph (l) of subsection (1) and subsection (2) of section 199.185, Florida Statutes, 1998 Supplement, are 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:

(l) ~~Two-thirds~~ ~~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.

(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 \$100,000 ~~\$20,000~~ 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 ~~\$40,000~~. 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 tax.

(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 shall have an exemption of \$200,000.~~

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).

Section 16. Paragraph (e) of subsection (1) of section 212.05, Florida Statutes, 1998 Supplement, is amended to read:

212.05 Sales, storage, use tax.—It is hereby declared to be the legislative intent that every person is exercising a taxable privilege who engages in the business of selling tangible personal property at retail in this state, including the business of making mail order sales, or who rents or furnishes any of the things or services taxable under this chapter, or who stores for use or consumption in this state any item or article of tangible personal property as defined herein and who leases or rents such property within the state.

(1) For the exercise of such privilege, a tax is levied on each taxable transaction or incident, which tax is due and payable as follows:

(e)1. ~~Effective January 1, 2000, at the rate of 6.5 6 percent on the total charge charges for:~~

~~a. All telegraph messages and long distance telephone calls beginning and terminating in this state, telecommunication service as defined in s. 203.012, and those services described in s. 203.012(2)(a). The tax shall be applied to the total charge for each message, call, or other segment or component of telecommunication service for which a customer is charged. It is the intent of the Legislature that, pursuant to future legislative action, the rate at which telecommunication service as defined in s. 203.012 and those services described in s. 203.012(2)(a) are taxed be reduced to 6 percent on January 1, 2001, except that the tax rate for charges for telecommunication service is 7 percent.~~

~~2. At the rate of 7 percent on the total charge for electrical power or energy.~~

~~3. At the rate of 6 percent on charges for:~~

~~a.b. Any television system program service.~~

~~b.e. The installation of telecommunication and telegraphic equipment.~~

~~d. Electrical power or energy, except that the tax rate for charges for electrical power or energy is 7 percent.~~

~~4.2. For purposes of this chapter, "television system program service" means the transmitting, by any means, of any audio or video signal to a subscriber for other than retransmission, or the installing, connecting, reconnecting, disconnecting, moving, or changing of any equipment related to such service. For purposes of this chapter, the term "telecommunication service" does not include local service provided through a pay telephone. The provisions of s. 212.17(3), regarding credit~~

for tax paid on charges subsequently found to be worthless, shall be equally applicable to any tax paid under the provisions of this section on charges for telecommunication or telegraph services or electric power subsequently found to be uncollectible. The word "charges" in this paragraph does not include any excise or similar tax levied by the Federal Government, any political subdivision of the state, or any municipality upon the purchase or sale of telecommunication, television system program, or telegraph service or electric power, which tax is collected by the seller from the purchaser.

5.3. Telegraph messages and telecommunication services which originate or terminate in this state, other than interstate private communication services, and are billed to a customer, telephone number, or device located within this state are taxable under this paragraph. Interstate private communication services are taxable under this paragraph as follows:

a. One hundred percent of the charge imposed at each channel termination point within this state;

b. One hundred percent of the charge imposed for the total channel mileage between each channel termination point within this state; and

c. The portion of the interstate interoffice channel mileage charge as determined by multiplying said charge times a fraction, the numerator of which is the air miles between the last channel termination point in this state and the vertical and horizontal coordinates, 7856 and 1756, respectively, and the denominator of which is the air miles between the last channel termination point in this state and the first channel termination point outside this state. The denominator of this fraction shall be adjusted, if necessary, by adding the numerator of said fraction to similarly determined air miles in the state in which the other channel termination point is located, so that the summation of the apportionment factor for this state and the apportionment factor for the other state is not greater than one, to ensure that no more than 100 percent of the interstate interoffice channel mileage charge can be taxed by this state and another state.

6.4. The tax imposed pursuant to this paragraph shall not exceed \$50,000 per calendar year on charges to any person for interstate telecommunications services defined in s. 203.012(4) and (7)(b), if the majority of such services used by such person are for communications originating outside of this state and terminating in this state. This exemption shall only be granted to holders of a direct pay permit issued pursuant to this subparagraph. No refunds shall be given for taxes paid prior to receiving a direct pay permit. Upon application, the department may issue a direct pay permit to the purchaser of telecommunications services authorizing such purchaser to pay tax on such services directly to the department. Any vendor furnishing telecommunications services to the holder of a valid direct pay permit shall be relieved of the obligation to collect and remit the tax on such service. Tax payments and returns pursuant to a direct pay permit shall be monthly. For purposes of this subparagraph, the term "person" shall be limited to a single legal entity and shall not be construed as meaning a group or combination of affiliated entities or entities controlled by one person or group of persons.

7.5. If the sale of a television system program service, as defined in this paragraph, also involves the sale of an item exempt under s. 212.08(7)(j), the tax shall be applied to the value of the taxable service when it is sold separately. If the company does not offer this service separately, the consideration paid shall be separately identified and stated with respect to the taxable and exempt portions of the transaction as a condition of the exemption, except that the amount identified as taxable shall not be less than the cost of the service.

Section 17. Subsection (11) of section 212.12, Florida Statutes, 1998 Supplement, is amended to read:

212.12 Dealer's credit for collecting tax; penalties for noncompliance; powers of Department of Revenue in dealing with delinquents; brackets applicable to taxable transactions; records required.—

(11) The department is authorized to provide by rule the tax amounts and brackets applicable to all taxable transactions that occur in counties that have a surtax at a rate other than 1 percent which transactions would otherwise have been transactions taxable at the rate of 6 percent. Likewise, the department is authorized to promulgate by rule the tax amounts and brackets applicable to transactions taxable at 3 percent pursuant to s. 212.08(3), transactions taxable at ~~7 percent~~ pursuant to s. 212.05(1)(e) *1. and 2.*, and on transactions which would otherwise have been so taxable in counties which have adopted a discretionary sales surtax.

Section 18. *With respect to charges for telecommunication service that are regularly billed on a monthly cycle, the changes in the sales tax rate provided for by the amendment to s. 212.05, Florida Statutes, 1998 Supplement, by this act shall apply to charges appearing on any bill dated on or after February 1, 2000.*

Section 19. Subsections (1) and (4) of section 212.11, Florida Statutes, 1998 Supplement, are amended to read:

212.11 Tax returns and regulations.—

(1)(a) Each dealer shall calculate his or her estimated tax liability for any month by one of the following methods:

1. Sixty-six percent of the current month's liability pursuant to this chapter as shown on the tax return;

2. Sixty-six percent of the tax reported on the tax return pursuant to this chapter by a dealer for the taxable transactions occurring during the corresponding month of the preceding calendar year; or

3. Sixty-six percent of the average tax liability pursuant to this chapter for those months during the preceding calendar year in which the dealer reported taxable transactions.

(b) For the purpose of ascertaining the amount of tax payable under this chapter, it shall be the duty of all dealers to file a return and remit the tax, on or before the 20th day of the month, *or on or before the 28th day of the month if the dealer is complying with paragraph (a),* to the department, upon forms prepared and furnished by it or in a format prescribed by it. Such return must show the rentals, admissions, gross sales, or purchases, as the case may be, arising from all leases, rentals, admissions, sales, or purchases taxable under this chapter during the preceding calendar month.

(c) However, the department may require:

1. A quarterly return and payment when the tax remitted by the dealer for the preceding four calendar quarters did not exceed \$1,000.

2. A semiannual return and payment when the tax remitted by the dealer for the preceding four calendar quarters did not exceed \$500.

3. An annual return and payment when the tax remitted by the dealer for the preceding four calendar quarters did not exceed \$100.

4. A quarterly return and monthly payment when the tax remitted by the dealer for the preceding four calendar quarters exceeded \$1,000 but did not exceed \$12,000.

(d) The department may authorize dealers who are newly required to file returns and pay tax quarterly to file returns and remit the tax for the 3-month periods ending in February, May, August, and November, and may authorize dealers who are newly required to file returns and pay tax semiannually to file returns and remit the tax for the 6-month periods ending in May and November.

(e) The department shall accept returns, except those required to be initiated through an electronic data interchange, as timely if postmarked on or before the 20th day of the month, *or on or before the 28th day of the month if the dealer is required to file under paragraph (a);* if the *filing date deadline* ~~20th day~~ falls on a Saturday, Sunday, or federal or state legal holiday, returns shall be accepted as timely if postmarked on the next succeeding workday. Any dealer who operates two or more places of business for which returns are required to be filed with the department and maintains records for such places of business

in a central office or place shall have the privilege on each reporting date of filing a consolidated return for all such places of business in lieu of separate returns for each such place of business; however, such consolidated returns must clearly indicate the amounts collected within each county of the state. Any dealer who files a consolidated return shall calculate his or her estimated tax liability for each county by the same method the dealer uses to calculate his or her estimated tax liability on the consolidated return as a whole. Each dealer shall file a return for each tax period even though no tax is due for such period.

(f)1. A taxpayer who is required to remit taxes by electronic funds transfer shall make a return in a manner that is initiated through an electronic data interchange. The acceptable method of transfer, the method, form, and content of the electronic data interchange, giving due regard to developing uniform standards for formats as adopted by the American National Standards Institute, the circumstances under which an electronic data interchange shall serve as a substitute for the filing of another form of return, and the means, if any, by which taxpayers will be provided with acknowledgments, shall be as prescribed by the department. The department must accept such returns as timely if initiated and accepted on or before the 20th day of the month, *or on or before the 28th day of the month if the dealer is required to file under paragraph (a).* If the *filing date deadline* ~~20th day~~ falls on a Saturday, Sunday, or federal or state legal holiday, returns must be accepted as timely if initiated and accepted on the next succeeding workday.

2. The department may waive the requirement to make a return through an electronic data interchange due to problems arising from the taxpayer's computer capabilities, data systems changes, and taxpayer operating procedures. To obtain a waiver, the taxpayer shall demonstrate in writing to the department that such circumstances exist.

(4)(a) Each dealer who is subject to the tax imposed by this chapter and who paid such tax for the preceding state fiscal year in an amount greater than or equal to ~~\$200,000~~ ~~\$100,000~~ shall calculate the amount of estimated tax due pursuant to this section for any month as provided in paragraph (1)(a).

(b) The amount of any estimated tax shall be due, payable, and remitted by electronic funds transfer by the ~~28th~~ ~~20th~~ day of the month for which it is estimated. The difference between the amount of estimated tax paid and the actual amount of tax due under this chapter for such month shall be due and payable by the first day of the following month and remitted by electronic funds transfer by the ~~28th~~ ~~20th~~ day thereof.

(c) Any dealer who is eligible to file a consolidated return and who paid the tax imposed by this chapter for the immediately preceding state fiscal year in an amount greater than or equal to ~~\$200,000~~ ~~\$100,000~~ or would have paid the tax in such amount if he or she had filed a consolidated return shall be subject to the provisions of this subsection notwithstanding an election by the dealer in any month to file a separate return.

(d) A dealer engaged in the business of selling boats, motor vehicles, or aircraft who made at least one sale of a boat, motor vehicle, or aircraft with a sales price of ~~\$200,000~~ ~~\$100,000~~ or greater in the previous state fiscal year may qualify for payment of estimated sales tax pursuant to the provisions of this paragraph. To qualify, a dealer must apply annually to the department prior to October 1, and, if qualified, the department must grant the application for payment of estimated sales tax pursuant to this paragraph for the following calendar year. In lieu of the method for calculating estimated sales tax liability pursuant to subparagraph (1)(a)3., a qualified dealer must calculate that option as 66 percent of the average tax liability pursuant to this chapter for all sales excluding the sale of each boat, motor vehicle, or aircraft with a sales price of ~~\$200,000~~ ~~\$100,000~~ or greater during the state fiscal year ending the year in which the application is made. A qualified dealer must also remit the sales tax for each sale of a boat, motor vehicle, or aircraft with a sales price of ~~\$200,000~~ ~~\$100,000~~ or greater by either electronic funds transfer on the date of the sale or on a form prescribed by the department and postmarked on the date of the sale.

(e) The penalty provisions of this chapter, except s. 212.12(2)(c), apply to the provisions of this subsection.

Section 20. Subsection (4) of section 212.04, Florida Statutes, 1998 Supplement, is amended to read:

212.04 Admissions tax; rate, procedure, enforcement.—

(4) Each person who exercises the privilege of charging admission taxes, as herein defined, shall apply for, and at that time shall furnish the information and comply with the provisions of s. 212.18 not inconsistent herewith and receive from the department, a certificate of right to exercise such privilege, which certificate shall apply to each place of business where such privilege is exercised and shall be in the manner and form prescribed by the department. Such certificate shall be issued upon payment to the department of a registration fee of \$5 by the applicant. Each person exercising the privilege of charging such admission taxes as herein defined shall cause to be kept records and accounts showing the admission which shall be in the form as the department may from time to time prescribe, inclusive of records of all tickets numbered and issued for a period of not less than the time within which the department may, as permitted by s. 95.091(3), make an assessment with respect to any admission evidenced by such records and accounts, and inclusive of all bills or checks of customers who are charged any of the taxes defined herein, showing the charge made to each for that period. The department is empowered to use each and every one of the powers granted herein to the department to discover the amount of tax to be paid by each such person and to enforce the payment thereof as are hereby granted the department for the discovery and enforcement of the payment of taxes hereinafter levied on the sales of tangible personal property. The failure of any person to pay such taxes before the 21st day of the succeeding month after the taxes are collected, *except as otherwise provided in this chapter*, shall render such person liable to the same penalties that are hereafter imposed upon such person for being delinquent in the payment of taxes imposed upon the sales of tangible personal property; the failure of any person to render returns and to pay taxes as prescribed herein shall render such person subject to the same penalties, by way of charges for delinquencies, at the rate of 10 percent per month for a total amount of tax delinquent up to a total of 50 percent of such tax and at the rate of 100-percent penalty for attempted evasion of payment of any such tax or for any attempt to file false or misleading returns that are required to be filed by the department.

Section 21. Subsection (1) of section 212.15, Florida Statutes, is amended to read:

212.15 Taxes declared state funds; penalties for failure to remit taxes; due and delinquent dates; judicial review.—

(1) The taxes imposed by this chapter shall, except as provided in s. 212.06(5)(a)2.e., become state funds at the moment of collection and shall for each month be due to the department on the first day of the succeeding month and be delinquent on the 21st day of such month, *except as otherwise provided in this chapter*. All returns postmarked after the 20th day of such month are delinquent, *except as otherwise provided in this chapter*.

Section 22. Section 213.235, Florida Statutes, is created to read:

213.235 Determination of interest on deficiencies.—

(1) *The annual rate of interest applicable to tax payment deficiencies shall be the adjusted rate established by the executive director of the department under subsection (2). This annual rate of interest is applicable to all taxes enumerated in s. 213.05 unless otherwise provided.*

(2) *If the adjusted prime rate charged by banks, rounded to the nearest full percent, during either:*

- (a) *The 6-month period ending on September 30 of any calendar year; or*
- (b) *The 6-month period ending on March 31 of any calendar year,*

differs from the interest rate in effect on such date, the executive director of the department shall, within 20 days, establish an adjusted rate of interest equal to such adjusted prime rate.

(3) *An adjusted rate of interest established under this section shall become effective:*

(a) *On January 1 of the succeeding year, if based upon the adjusted prime rate for the 6-month period ending on September 30; or*

(b) *On July 1 of the same calendar year, if based upon the adjusted prime rate for the 6-month period ending on March 31.*

(4) *For the purposes of this section, "adjusted prime rate charged by banks" means the average predominant prime rate quoted by commercial banks to large businesses, as determined by the Board of Governors of the Federal Reserve System.*

(5) *Once established, an adjusted rate of interest shall remain in effect until an adjustment is made under subsection (2).*

Section 23. Section 213.255, Florida Statutes, is created to read:

213.255 Interest.—*Interest shall be paid on overpayments of taxes, payment of taxes not due, or taxes paid in error, subject to the following conditions:*

(1) *A refund application must be filed with the department within the time specified by s. 215.26.*

(2) *A refund application shall not be processed until it is determined complete. A refund application is complete if it is filed on a permitted form and contains:*

(a) *The taxpayer's name, address, identifying number, and signature.*

(b) *Sufficient information, whether on the application or attachments, to permit mathematical verification of the amount of the refund.*

(c) *The amount claimed.*

(d) *The specific grounds upon which the refund is claimed.*

(e) *The taxable years or periods involved.*

(3) *Within 30 days after receipt of the refund application, the department shall examine the application and notify the applicant of any apparent errors or omissions and request any additional information the department is permitted by law to require. An application shall be considered complete upon receipt of all requested information and correction of any error or omission for which the applicant was timely notified, or when the time for such notification has expired, whichever is later.*

(4) *Interest shall not commence until 90 days after a complete refund application has been filed and the amount of overpayment has not been refunded to the taxpayer or applied as a credit to the taxpayer's account. If the department and the taxpayer mutually agree that an audit or verification is necessary in order to determine the taxpayer's entitlement to the refund, interest shall not commence until the audit or verification of the claim is final.*

(5) *If a tax is adjudicated unconstitutional and refunds are ordered by the court, interest shall not commence on complete applications until 90 days after the adjudication becomes final and unappealable or 90 days after a complete application has been filed, whichever is later.*

(6) *Interest shall be paid until a date determined by the department which shall be no more than 7 days prior to the date of the issuance of the refund warrant by the Comptroller.*

(7) *If the department intends to pay a refund claim prior to completion of an audit, the department may condition its payment of the refund claim upon the person filing a cash bond or surety bond in the amount of the refund claimed or making such other security arrangements satisfactory to protect the state's interests. The department may impose this condition only when it has reasonable cause to believe*

that it could not recover the amount of any refund paid in error from the person claiming the refund. The cash or surety bond shall be endorsed by a surety company authorized to do business in this state and shall be conditioned upon payment in full of the amount of any refund paid in error for any reason. The department shall provide a written notice of its determination that a cash or surety bond is required as a condition of payment prior to audit, in which event interest shall not commence until the person filing the claim satisfies this requirement. Such bond shall remain in place while the department retains a right pursuant to s. 95.091(3) to audit the refund claim. Upon completion of an audit of the claim, the department shall agree to a reduction in the bond amount equal to the portion of the refund claim approved by the department.

(8) Nothing in this section is intended to alter the department's right to audit or verify refund claims either before or after they are paid.

(9) In the event that the department pays a refund claim that is later determined to have been paid in error, the person to whom the refund was paid shall be assessed interest on the amount of the erroneous refund payment, commencing with the date of the erroneous payment and continuing until the erroneous payment amount is repaid to the department. If the department determines that the erroneous refund claim was not due to reasonable cause, there shall be added a penalty in the amount of 10 percent of the erroneously refunded tax. If the department determines that the erroneous refund claim was due to fraud, there shall be added a penalty in the amount of 100 percent of the erroneously refunded tax.

(10) The provisions of this section shall apply with regard to refund claims filed on or after July 1, 1999, and beginning July 1, 2000, shall apply with regard to any then pending refund claims that were filed with the department prior to July 1, 1999.

(11) The department is authorized to adopt such rules, not inconsistent with the provisions of this section, as are necessary for the implementation of this section including, but not limited to, rules establishing the information necessary for a complete refund application, the procedures for denying an incomplete application, and the standards and guidelines to be applied in determining when to require a bond under the provisions of subsection (7).

(12) The rate of interest shall be the adjusted rate established pursuant to s. 213.235, except that the annual rate of interest shall never be greater than 11 percent. This annual rate of interest shall be applied to all refunds of taxes administered by the department except for corporate income taxes and emergency excise taxes governed by ss. 220.721 and 220.723.

Section 24. Subsection (1) of section 198.15, Florida Statutes, is amended to read:

198.15 When tax due; extension; interest; penalty.—

(1) The tax imposed by this chapter is due and payable on or before the last day prescribed by law for paying the federal estate tax pursuant to the initial estate tax return and shall be paid by the personal representative to the department. The department shall extend the time for payment of the tax or any part of the tax if the time for paying the federal estate tax is extended, provided the personal representative files with the department a copy of the approved federal extension notice within 30 days after receiving such notice. No extension shall be for more than 1 year, and the aggregate of extensions with respect to any estate shall not exceed 10 years from the due date. In such case, the amount in respect of which the extension is granted shall be paid on or before the date of the expiration of the period of the extension, unless a further extension is granted. If the time for the payment is thus extended, there shall be collected, as part of such amount, interest thereon at the *adjusted rate established pursuant to s. 213.235 of 1 percent per month of the amount due* from the due date of the tax to the date the same is paid.

Section 25. Subsection (5) of section 198.155, Florida Statutes, is amended to read:

198.155 Payment of tax on generation-skipping transfers.—

(5) If the tax, or any portion thereof, is not paid before it becomes delinquent, it shall bear interest *from the due date until paid at the adjusted rate established pursuant to s. 213.235 of 1 percent per month for each month or fraction thereof that it is delinquent.*

Section 26. Subsection (3) of section 198.16, Florida Statutes, is amended to read:

198.16 Notice of determination of deficiency in federal tax to be filed with department.—

(3) If, based upon any deficiency and the ground therefor, it shall appear that the amount of tax previously paid is less than the amount of tax owing, the difference, together with interest at the *adjusted rate established pursuant to s. 213.235 of 1 percent per month* from the due date of the tax, shall be paid upon notice and demand by the department. In the event the personal representative or person required to return and pay such tax shall fail to give the notice required by this section, any additional tax which shall be owing may be assessed, or a proceeding in court for the collection of such tax may be begun without assessment at any time prior to the filing of such notice or within 30 days after the delinquent filing of such notice, notwithstanding the provisions of s. 198.28.

Section 27. Subsection (2) of section 198.18, Florida Statutes, is amended to read:

198.18 Failure to pay tax; penalties; delinquent or deficient taxes, interest.—

(2) Any deficiency in tax or any tax payment not received by the department on or before the due date as provided in s. 198.15, in addition to any other penalties, shall bear interest at the *adjusted rate established pursuant to s. 213.235 of 1 percent per month of the amount due* from the due date until paid. The department may settle or compromise such interest pursuant to s. 213.21.

Section 28. Subsection (2) of section 199.282, Florida Statutes, 1998 Supplement, is amended to read:

199.282 Penalties for violation of this chapter.—

(2) If any annual or nonrecurring tax is not paid by the statutory due date, then despite any extension granted under s. 199.232(6), interest shall run on the unpaid balance from such due date until paid at the *adjusted rate established pursuant to s. 213.235 of 12 percent per year.*

Section 29. Paragraph (c) of subsection (2) of section 201.17, Florida Statutes, is amended to read:

201.17 Penalties for failure to pay tax required.—

(2) If any document, instrument, or paper upon which the tax under this chapter is imposed, upon audit or at time of recordation, does not show the proper amount of tax paid, or if the tax imposed by this chapter on any document, instrument, or paper is not timely reported and paid as required by s. 201.133, the person or persons liable for the tax upon the document, instrument, or paper shall be subject to:

(c) Payment of interest to the Department of Revenue, accruing from the date the tax is due until paid, at the *adjusted rate established pursuant to s. 213.235 of 1 percent per month*, based on the amount of tax not paid.

Section 30. Section 203.06, Florida Statutes, is amended to read:

203.06 Interest on delinquent payments.—Any payments as imposed in this chapter, if not received by the Department of Revenue on or before the due date as provided by law, shall include, as an additional part of such amount due, interest at the *adjusted rate established pursuant to s. 213.235 of 1 percent per month*, accruing from the date due until paid.

Section 31. For the purpose of incorporating the amendment to section 203.06, Florida Statutes, in a reference thereto, section 203.62, Florida Statutes, is reenacted to read:

203.62 Applicability of specified sections of part I.—The provisions of ss. 203.01, 203.012, 203.013, 203.02, 203.03, 203.04, 203.06, and 203.07 shall be applicable to the levy and collection of taxes imposed pursuant to this part as if fully set out in this part.

Section 32. Subsection (2) of section 206.44, Florida Statutes, is amended to read:

206.44 Penalty and interest for failure to report on time; penalty and interest on tax deficiencies.—

(2) Any payment that is not received by the department on or before the due date as provided in s. 206.43 shall bear interest at the *adjusted rate established pursuant to s. 213.235 of 1 percent per month*, from the date due until paid. Interest on any delinquent tax shall be calculated beginning on the 21st day of the month for which the tax is due, except as otherwise provided in this part.

Section 33. For the purpose of incorporating the amendment to section 206.44, Florida Statutes, in a reference thereto, subsection (1) of section 206.06, Florida Statutes, is reenacted to read:

206.06 Estimate of amount of fuel taxes due and unpaid.—

(1) Whenever any terminal supplier, importer, exporter, or wholesaler neglects or refuses to make and file any report for any calendar month, as required by the fuel tax laws of this state, or files an incorrect or fraudulent report, or is in default in the payment of any fuel taxes and penalties thereon payable under the laws of this state, the department shall, from any information it may be able to obtain from its office or elsewhere, estimate the number of gallons of motor fuel with respect to which the terminal supplier, importer, exporter, or wholesaler has become liable for taxes under the fuel tax laws of this state and the amount of taxes due and payable thereon, to which sum shall be added a penalty and interest as provided in s. 206.44.

Section 34. For the purpose of incorporating the amendment to section 206.44, Florida Statutes, in a reference thereto, section 206.94, Florida Statutes, is reenacted to read:

206.94 Department may estimate diesel fuels sold or used.—When any person neglects or refuses to file any report as required by s. 206.91 or files an incorrect or fraudulent report, the department shall determine, after investigation, the number of gallons of diesel fuels with respect to which the person has incurred liability under this part for any particular period and fix the amount of taxes due and payable thereon, to which taxes due shall be added the penalties and interest imposed by s. 206.44 as a penalty for the default of such person. The department may settle or compromise such penalties pursuant to s. 213.21.

Section 35. For the purpose of incorporating the amendment to section 206.44, Florida Statutes, in a reference thereto, section 206.97, Florida Statutes, is reenacted to read:

206.97 Applicability of specified sections of part I.—The provisions of ss. 206.01, 206.02, 206.026, 206.027, 206.028, 206.04, 206.051, 206.052, 206.054, 206.055, 206.07, 206.075, 206.08, 206.09, 206.095, 206.10, 206.11, 206.12, 206.13, 206.14, 206.15, 206.16, 206.17, 206.175, 206.18, 206.199, 206.20, 206.204, 206.205, 206.21, 206.215, 206.22, 206.23, 206.24, 206.25, 206.27, 206.28, 206.41, 206.415, 206.416, 206.43, 206.435, 206.44, 206.48, 206.49, 206.56, 206.59, 206.606, 206.608, 206.61, and 206.62 of part I of this chapter shall, as far as lawful or practicable, be applicable to the tax herein levied and imposed and to the collection thereof as if fully set out in this part. However, no provision of any such section shall apply if it conflicts with any provision of this part.

Section 36. For the purpose of incorporating the amendment to section 206.44, Florida Statutes, in a reference thereto, subsection (3) of section 206.9915, Florida Statutes, is reenacted to read:

206.9915 Legislative intent and general provisions.—

(3) The provisions of ss. 206.01, 206.02, 206.026, 206.027, 206.028, 206.051, 206.052, 206.054, 206.055, 206.06, 206.07, 206.075, 206.08, 206.09, 206.095, 206.10, 206.11, 206.12, 206.13, 206.14, 206.15, 206.16,

206.17, 206.175, 206.18, 206.199, 206.20, 206.204, 206.205, 206.21, 206.215, 206.22, 206.24, 206.27, 206.28, 206.416, 206.42, 206.425, 206.44, 206.48, 206.49, 206.56, 206.59, 206.86, 206.87, 206.872, 206.873, 206.8735, 206.874, 206.8741, 206.8745, 206.94, 206.945, and 206.9815 shall, as far as lawful or practicable, be applicable to the levy and collection of taxes imposed pursuant to this part as if fully set out in this part and made expressly applicable to the taxes imposed herein.

Section 37. For the purpose of incorporating the amendment to section 206.44, Florida Statutes, in a reference thereto, paragraph (a) of subsection (2) of section 336.021, Florida Statutes, as amended by section 16 of chapter 97-54, Laws of Florida, is reenacted to read:

336.021 County transportation system; levy of ninth-cent fuel tax on motor fuel and diesel fuel.—

(2)(a) The tax collected by the department pursuant to subsection (1) shall be transferred to the Ninth-cent Fuel Tax Trust Fund, which fund is created for distribution to the counties pursuant to paragraph (1)(d). The department shall deduct the administrative costs incurred by it in collecting, administering, enforcing, and distributing back to the counties the tax, which administrative costs may not exceed 2 percent of collections authorized by this section. The total administrative cost shall be prorated among those counties levying the tax according to the following formula, which shall be revised on July 1 of each year: Two-thirds of the amount deducted shall be based on the county's proportional share of the number of dealers who are registered for purposes of chapter 212 on June 30th of the preceding state fiscal year, and one-third of the amount deducted shall be based on the county's share of the total amount of the tax collected during the preceding state fiscal year. The department has the authority to prescribe and publish all forms upon which reports shall be made to it and other forms and records deemed to be necessary for proper administration and collection of the tax levied by any county and shall adopt rules necessary to enforce this section, which rules shall have the full force and effect of law. The provisions of ss. 206.026, 206.027, 206.028, 206.051, 206.052, 206.054, 206.055, 206.06, 206.07, 206.075, 206.08, 206.09, 206.095, 206.10, 206.11, 206.12, 206.13, 206.14, 206.15, 206.16, 206.17, 206.175, 206.18, 206.199, 206.20, 206.204, 206.205, 206.21, 206.215, 206.22, 206.24, 206.27, 206.28, 206.41, 206.416, 206.44, 206.45, 206.48, 206.49, 206.56, 206.59, 206.626, 206.87, 206.872, 206.873, 206.8735, 206.874, 206.8741, 206.8745, 206.94, and 206.945 shall, as far as practicable, be applicable to the levy and collection of the tax imposed pursuant to this section as if fully set out in this section.

Section 38. For the purpose of incorporating the amendment to section 206.44, Florida Statutes, in a reference thereto, paragraph (a) of subsection (2) of section 336.025, Florida Statutes, as amended by section 18 of chapter 97-54, Laws of Florida, is reenacted to read:

336.025 County transportation system; levy of local option fuel tax on motor fuel and diesel fuel.—

(2)(a) The tax levied pursuant to paragraph (1)(a) shall be collected and remitted in the same manner provided by ss. 206.41(1)(e) and 206.87(1)(c). The tax levied pursuant to paragraph (1)(b) shall be collected and remitted in the same manner provided by s. 206.41(1)(e). The taxes remitted pursuant to this section shall be transferred to the Local Option Fuel Tax Trust Fund, which fund is created for distribution to the county and eligible municipal governments within the county in which the tax was collected and which fund is subject to the service charge imposed in chapter 215. The tax shall be distributed monthly by the department in the same manner provided by s. 336.021(1)(c) and (d). The department shall deduct the administrative costs incurred by it in collecting, administering, enforcing, and distributing back to the counties the tax, which administrative costs may not exceed 2 percent of collections authorized by this section. The total administrative costs shall be prorated among those counties levying the tax according to the following formula, which shall be revised on July 1 of each year: Two-thirds of the amount deducted shall be based on the county's proportional share of the number of dealers who are registered for purposes of chapter 212 on June 30 of the preceding state fiscal year, and one-third of the amount deducted shall be based on the county's share of the total amount of the tax collected during the

preceding state fiscal year. The department has the authority to prescribe and publish all forms upon which reports shall be made to it and other forms and records deemed to be necessary for proper administration and collection of the taxes levied by any county and shall promulgate such rules as may be necessary for the enforcement of this section, which rules shall have the full force and effect of law. The provisions of ss. 206.026, 206.027, 206.028, 206.051, 206.052, 206.054, 206.055, 206.06, 206.07, 206.075, 206.08, 206.09, 206.095, 206.10, 206.11, 206.12, 206.13, 206.14, 206.15, 206.16, 206.17, 206.175, 206.18, 206.199, 206.20, 206.204, 206.205, 206.21, 206.215, 206.22, 206.24, 206.27, 206.28, 206.41, 206.416, 206.44, 206.45, 206.48, 206.49, 206.56, 206.59, 206.626, 206.87, 206.872, 206.873, 206.8735, 206.874, 206.8741, 206.94, and 206.945 shall, as far as practicable, be applicable to the levy and collection of taxes imposed pursuant to this section as if fully set out in this section.

Section 39. Subsection (2) of section 207.007, Florida Statutes, is amended to read:

207.007 Offenses; penalties and interest.—

(2) In addition to any other penalties, any delinquent tax shall bear interest at the *adjusted rate established pursuant to s. 213.235 of 1 percent per month, or fraction thereof*, calculated from the date the tax was due. If the department enters into a cooperative reciprocal agreement under the provisions of s. 207.0281, the department shall collect and distribute all interest due to other jurisdictions at the same rate as if such interest were due to the state.

Section 40. Subsection (1) and paragraph (a) of subsection (4) of section 211.076, Florida Statutes, are amended to read:

211.076 Interest and penalties; failure to pay tax or file return; estimated tax underpayments.—

(1) If any part of the tax imposed by this part is not paid on or before the due date, interest shall be added to the amount due at the *adjusted rate established pursuant to s. 213.235 of 12 percent per year* from the due date until the date of payment.

(4)(a) Except as provided in paragraph (c), the taxpayer is liable for interest at the *adjusted rate established pursuant to s. 213.235 of 12 percent per year* and a penalty at the rate of 12 percent per year on any underpayment of estimated tax determined under this subsection.

Section 41. Paragraph (f) of subsection (1) and paragraph (d) of subsection (2) of section 211.33, Florida Statutes, are amended to read:

211.33 Administration of the tax; returns; delinquency penalties and interest; departmental inspections of records.—

(1)

(f) Except as provided in subparagraph 3., the taxpayer shall be liable for interest at the *adjusted rate established pursuant to s. 213.235 of 12 percent per year* and for a penalty in an amount determined at the rate of 20 percent per year upon the amount of any underpayment of estimated tax determined under this paragraph.

1. The amount of any underpayment of estimated tax shall be the excess of:

a. The amount of the installment which would be required to be paid if the estimated tax were equal to 80 percent of the tax shown on the return for the taxable year or, if no return were filed, 80 percent of the tax for such year, over

b. The amount, if any, of the installment paid on or before the last date prescribed for payment.

2. The period of the underpayment for which interest and penalties shall apply shall commence on the date the installment was required to be paid and shall terminate on the date on which the amount of underpayment is paid. A payment of estimated tax on any installment date shall be considered a payment of any previous underpayment only to the extent such payment exceeds the amount of the installment determined under sub-subparagraph 1.a. for such installment date.

3. No penalty or interest for underpayment of any installment of estimated tax shall be imposed if the total amount of all such payments made on or before the last date prescribed for the payment of such installment equals or exceeds the amount which would have been required to be paid on or before such date if the estimated tax were the lesser of:

a. An amount equal to 80 percent of the tax finally due for the taxable year; or

b. An amount equal to the tax shown on the taxpayer's return for the preceding taxable year, if a return showing a liability for tax was filed by the taxpayer for the preceding year.

(2)

(d) In addition to the delinquency penalty provided in paragraph (c), the department shall assess interest on the unpaid balance of any such tax which becomes delinquent, without regard to any extensions, at the *adjusted rate established pursuant to s. 213.235 of 12 percent per year*, from April 1 to the date of payment. Interest prescribed by this paragraph shall be deemed assessed upon the assessment of the tax and shall be collected and paid in the same manner.

Section 42. Subsection (3) of section 212.12, Florida Statutes, 1998 Supplement, is amended to read:

212.12 Dealer's credit for collecting tax; penalties for noncompliance; powers of Department of Revenue in dealing with delinquents; brackets applicable to taxable transactions; records required.—

(3) When any dealer, or other person charged herein, fails to remit the tax, or any portion thereof, on or before the day when such tax is required by law to be paid, there shall be added to the amount due interest *on at the rate of 1 percent per month* of the amount due from the date due until paid *at the adjusted rate established pursuant to s. 213.235*. Interest on the delinquent tax shall be calculated beginning on the 21st day of the month following the month for which the tax is due, except as otherwise provided in this chapter.

Section 43. For the purpose of incorporating the amendment to section 212.12, Florida Statutes, 1998 Supplement, in a reference thereto, paragraph (e) of subsection (6) of section 193.501, Florida Statutes, is reenacted to read:

193.501 Assessment of lands subject to a conservation easement, environmentally endangered lands, or lands used for outdoor recreational or park purposes when land development rights have been conveyed or conservation restrictions have been covenanted.—

(6) The following terms whenever used as referred to in this section have the following meanings unless a different meaning is clearly indicated by the context:

(e) "Deferred tax liability" means an amount equal to the difference between the total amount of taxes that would have been due in March in each of the previous years in which the conveyance or covenant was in effect if the property had been assessed under the provisions of s. 193.011 and the total amount of taxes actually paid in those years when the property was assessed under the provisions of this section, plus interest on that difference computed as provided in s. 212.12(3).

Section 44. For the purpose of incorporating the amendment to section 212.12, Florida Statutes, 1998 Supplement, in a reference thereto, paragraph (b) of subsection (9) of section 193.503, Florida Statutes, is reenacted to read:

193.503 Classification and assessment of historic property used for commercial or certain nonprofit purposes.—

(9)

(b) For purposes of this subsection, "deferred tax liability" means an amount equal to the difference between the total amount of taxes that would have been due in March if the property had been assessed under the provisions of s. 193.011 and the total amount of taxes actually paid

in those years when the property was assessed under the provisions of this section, plus interest on that difference computed as provided in s. 212.12(3).

Section 45. For the purpose of incorporating the amendment to section 212.12, Florida Statutes, 1998 Supplement, in a reference thereto, subsection (8) of section 193.505, Florida Statutes, is reenacted to read:

193.505 Assessment of historically significant property when development rights have been conveyed or historic preservation restrictions have been covenanted.—

(8) For the purposes of this section, the term “deferred tax liability” means an amount equal to the difference between the total amount of taxes which would have been due in March in each of the previous years in which a covenant executed and accepted pursuant to this section was in effect if the property had been assessed under the provisions of s. 193.011 irrespective of any negative impact on fair market value that restrictions imposed pursuant to this section may have caused and the total amount of taxes actually paid in those years, plus interest on that difference computed as provided in s. 212.12(3).

Section 46. For the purpose of incorporating the amendment to section 212.12, Florida Statutes, 1998 Supplement, in a reference thereto, subsection (7) of section 196.1997, Florida Statutes, is reenacted to read:

196.1997 Ad valorem tax exemptions for historic properties.—

(7) To qualify for an exemption, the property owner must enter into a covenant or agreement with the governing body for the term for which the exemption is granted. The form of the covenant or agreement must be established by the Department of State and must require that the character of the property, and the qualifying improvements to the property, be maintained during the period that the exemption is granted. The covenant or agreement shall be binding on the current property owner, transferees, and their heirs, successors, or assigns. Violation of the covenant or agreement results in the property owner being subject to the payment of the differences between the total amount of taxes which would have been due in March in each of the previous years in which the covenant or agreement was in effect had the property not received the exemption and the total amount of taxes actually paid in those years, plus interest on the difference calculated as provided in s. 212.12(3).

Section 47. Section 220.807, Florida Statutes, is amended to read:

220.807 Determination of Rate of Interest.—

(1) The annual rate of interest applicable to this chapter shall be the adjusted rate established pursuant to s. 213.235 by the executive director of the Department of Revenue under subsection (2).

(2) If the adjusted prime rate charged by banks, rounded to the nearest full percent, during either:

(a) The 6-month period ending on September 30 of any calendar year; or

(b) The 6-month period ending on March 31 of any calendar year,

differs from the interest rate in effect on either such date, the executive director of the Department of Revenue shall, within 20 days, establish an adjusted rate of interest equal to such adjusted prime rate.

(3) An adjusted rate of interest established under this section shall become effective:

(a) On January 1 of the succeeding year, if based upon the adjusted prime rate for the 6-month period ending on September 30; or

(b) On July 1 of the same calendar year, if based upon the adjusted prime rate for the 6-month period ending on March 31.

(4) For the purposes of this section, “adjusted prime rate charged by banks” means the average predominant prime rate quoted by

~~commercial banks to large business, as determined by the Board of Governors of the Federal Reserve System.~~

~~(5) Once established, an adjusted rate of interest shall remain in effect until an adjustment is made under subsection (2).~~

Section 48. Paragraph (c) of subsection (2) of section 624.5092, Florida Statutes, is amended to read:

624.5092 Administration of taxes; payments.—

(2)

(c) When any taxpayer fails to pay any amount due under this section, or any portion thereof, on or before the day when such tax or installment of tax is required by law to be paid, there shall be added to the amount due interest at the *adjusted rate established pursuant to s. 213.235 of 12 percent per year* from the date due until paid.

Section 49. *The Department of Revenue shall examine the impact of sections 19-48 and, by January 1, 2000, the executive director of the Department of Revenue shall submit to the Speaker of the House of Representatives, the President of the Senate, and the chairs of the finance and taxation committees of the Legislature a report containing recommendations for the effective and efficient implementation of said sections and methods to minimize their fiscal impact. These may include ways to increase voluntary compliance with the state's tax laws.*

Section 50. Effective September 1, 1999, subsection (1) of section 561.501, Florida Statutes, is amended to read:

561.501 Surcharge on sale of alcoholic beverages for consumption on the premises; penalty.—

(1) Notwithstanding s. 561.50 or any other provision of the Beverage Law, a surcharge of ~~6.67~~ 4 cents is imposed upon each ounce of liquor and each 4 ounces of wine, a surcharge of ~~4~~ 6 cents is imposed on each 12 ounces of cider, and a surcharge of ~~2.67~~ 4 cents is imposed on each 12 ounces of beer sold at retail for consumption on premises licensed by the division as an alcoholic beverage vendor.

Section 51. Effective September 1, 1999, paragraph (a) of subsection (4) of section 561.121, Florida Statutes, is amended to read:

561.121 Deposit of revenue.—

(4) State funds collected pursuant to s. 561.501 shall be paid into the State Treasury and credited to the following accounts:

(a) ~~Thirteen and six-tenths percent~~ ~~Nine and eight-tenths~~ of the surcharge on the sale of alcoholic beverages for consumption on premises shall be transferred to the Children and Adolescents Substance Abuse Trust Fund, which shall remain with the Department of ~~Children and Family Health and Rehabilitative Services~~ for the purpose of funding programs directed at reducing and eliminating substance abuse problems among children and adolescents.

Section 52. Except as otherwise provided herein, this act shall take effect July 1, 1999.

And the title is amended as follows:

remove from the title of the bill: the entire title

and insert in lieu thereof: A bill to be entitled An act relating to taxation; providing a short title; specifying a period during which the sale of clothing below a specified value shall be exempt from the tax on sales, use, and other transactions; defining “clothing”; providing exceptions; authorizing the Department of Revenue to adopt rules; providing an appropriation; 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; prohibiting any

county which was not levying a school impact 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 prior thereto; 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; 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 for purposes of intangible personal property taxes; 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 intangible personal property 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; amending s. 212.05, F.S.; reducing the rate of the sales 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; specifying the application date of such reduced rate for charges billed on a monthly cycle; 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; requiring a report by the Department of Revenue; amending s. 561.501, F.S.; reducing the alcoholic beverage 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 effective dates.

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

On motion by Rep. Albright, the rules were suspended and CS for SB 172, as amended, was read the third time by title. On passage, the vote was:

Yeas—118

The Chair	Dennis	Johnson	Roberts
Albright	Detert	Jones	Rojas
Alexander	Diaz de la Portilla	Kelly	Russell
Andrews	Dockery	Kilmer	Ryan
Argenziano	Edwards	Kosmas	Sanderson
Arnall	Effman	Kyle	Sembler
Bainter	Eggelletion	Lawson	Smith, C.
Ball	Farkas	Levine	Smith, K.
Barreiro	Fasano	Littlefield	Sobel
Bense	Feeney	Logan	Sorensen
Betancourt	Fiorentino	Lynn	Spratt
Bilirakis	Flanagan	Maygarden	Stafford
Bitner	Frankel	Melvin	Stansel
Bloom	Fuller	Merchant	Starks
Boyd	Futch	Miller, J.	Suarez
Bradley	Garcia	Miller, L.	Sublette
Bronson	Gay	Minton	Trovillion
Brown	Goode	Morrone	Tullis
Brummer	Goodlette	Murman	Turnbull
Bullard	Gottlieb	Ogles	Valdes
Bush	Green, C.	Patterson	Villalobos
Byrd	Greenstein	Peaden	Wallace
Cantens	Hafner	Posey	Warner
Casey	Harrington	Prieguez	Wasserman Schultz
Chestnut	Hart	Pruitt	Waters
Constantine	Healey	Putnam	Wiles
Cosgrove	Henriquez	Rayson	Wilson
Crady	Heyman	Reddick	Wise
Crist	Hill	Ritchie	
Crow	Jacobs	Ritter	

Nays—None

Votes after roll call:

Yeas—A. Greene

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

The Honorable John Thrasher, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for SB 140, as amended, and requests the concurrence of the House.

Faye W. Blanton, Secretary

By the Committee on Fiscal Resource and Senators Cowin and Webster—

CS for SB 140—A bill to be entitled An act relating to the tax on sales, use, and other transactions; specifying a period during which the sale of clothing shall be exempt from such tax; defining "clothing" for purposes of the exemption; providing for rules; providing an appropriation; providing an effective date.

—was read the first time by title. On motion by Rep. Albright, the rules were suspended and the bill was read the second time by title.

Amendment 1 (text of Amendment 1 to CS for SB 172, which was shown in the *Journal* earlier today) was offered.

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

On motion by Rep. Albright, the rules were suspended and CS for SB 140, as amended, was read the third time by title. On passage, the vote was:

Yeas—117

The Chair	Dennis	Jones	Rojas
Albright	Detert	Kelly	Russell
Alexander	Diaz de la Portilla	Kilmer	Ryan
Andrews	Dockery	Kosmas	Sanderson
Argenziano	Edwards	Kyle	Sembler
Arnall	Effman	Lawson	Smith, C.
Bainter	Eggelletion	Levine	Smith, K.
Ball	Farkas	Littlefield	Sobel
Barreiro	Fasano	Logan	Sorensen
Bense	Feeney	Lynn	Spratt
Betancourt	Fiorentino	Maygarden	Stafford
Bilirakis	Flanagan	Melvin	Stansel
Bitner	Frankel	Merchant	Starks
Bloom	Fuller	Miller, J.	Suarez
Boyd	Futch	Miller, L.	Sublette
Bradley	Garcia	Minton	Trovillion
Bronson	Gay	Morrone	Tullis
Brown	Goode	Murman	Turnbull
Brummer	Goodlette	Ogles	Valdes
Bullard	Gottlieb	Patterson	Villalobos
Bush	Green, C.	Peaden	Wallace
Byrd	Greenstein	Posey	Warner
Cantens	Hafner	Prieguez	Wasserman Schultz
Casey	Harrington	Pruitt	Waters
Chestnut	Hart	Putnam	Wiles
Constantine	Healey	Rayson	Wilson
Cosgrove	Henriquez	Reddick	Wise
Crady	Heyman	Ritchie	
Crist	Hill	Ritter	
Crow	Johnson	Roberts	

Nays—None

Votes after roll call:

Yeas—A. Greene

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

The Honorable John Thrasher, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for SB 318, as amended, and requests the concurrence of the House.

Faye W. Blanton, Secretary

By the Committee on Fiscal Resource and Senator Lee—

CS for SB 318—A bill to be entitled An act relating to intangible property taxes; amending s. 199.032, F.S.; reducing the rate of such taxes; amending s. 199.185, F.S.; prescribing the amount of accounts receivable subject to the tax as of January 1, 2000; providing that an exemption applies to the last 0.5 mill of the annual tax; providing an effective date.

—was read the first time by title. On motion by Rep. Albright, the rules were suspended and the bill was read the second time by title.

Amendment 1 (text of Amendment 1 to CS for SB 172, which was shown in the *Journal* earlier today) was offered.

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

On motion by Rep. Albright, the rules were suspended and CS for SB 318, as amended, was read the third time by title. On passage, the vote was:

Yeas—119

The Chair	Dennis	Jacobs	Ritter
Albright	Detert	Johnson	Roberts
Alexander	Diaz de la Portilla	Jones	Rojas
Andrews	Dockery	Kelly	Russell
Argenziano	Edwards	Kilmer	Ryan
Arnall	Effman	Kosmas	Sanderson
Bainter	Eggelletion	Kyle	Sembler
Ball	Farkas	Lawson	Smith, C.
Barreiro	Fasano	Levine	Smith, K.
Bense	Feeney	Littlefield	Sobel
Betancourt	Fiorentino	Logan	Sorensen
Bilirakis	Flanagan	Lynn	Spratt
Bitner	Frankel	Maygarden	Stafford
Bloom	Fuller	Melvin	Stansel
Boyd	Futch	Merchant	Starks
Bradley	Garcia	Miller, J.	Suarez
Bronson	Gay	Miller, L.	Sublette
Brown	Goode	Minton	Trovillion
Brummer	Goodlette	Morrone	Tullis
Bullard	Gottlieb	Murman	Turnbull
Bush	Green, C.	Ogles	Valdes
Byrd	Greene, A.	Patterson	Villalobos
Cantens	Greenstein	Peaden	Wallace
Casey	Hafner	Posey	Warner
Chestnut	Harrington	Prieguez	Wasserman Schultz
Constantine	Hart	Pruitt	Waters
Cosgrove	Healey	Putnam	Wiles
Crady	Henriquez	Rayson	Wilson
Crist	Heyman	Reddick	Wise
Crow	Hill	Ritchie	

Nays—None

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

On motion by Rep. Albright, the House requested the Senate to concur in the amendments to CS for SB 172; CS for SB 140; and CS for SB 318, or failing to concur, requested the Senate to appoint a committee of conference to meet with a like committee appointed by the House.

Immediately Certified

On motion by Rep. Albright, the rules were suspended and **CS for SB 140; CS for SB 172; and CS for SB 318**, which passed the House earlier today, were immediately certified to the Senate.

Continuation of Special Orders

HB 295—A bill to be entitled An act relating to personal injury protection; amending s. 627.739, F.S.; authorizing insured certain multiple deductible elections; requiring certain premium reductions; providing requirements for offers of certain limitations; providing an effective date.

—was taken up, having been read the second time, and amended, earlier today; now pending on motion by Rep. Jones to adopt Amendment 3.

The question recurred on the adoption of **Amendment 3**, which was adopted.

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

CS/CS/HB 301—A bill to be entitled An act relating to probate; amending s. 732.201, F.S.; revising language with respect to the right to elective share; creating s. 732.2025, F.S.; providing definitions; creating s. 732.2035, F.S.; providing for property entering into the elective estate; creating s. 732.2045, F.S.; providing for exclusions and overlapping application; amending s. 732.205, F.S.; providing for the valuation of the elective estate; amending s. 732.206, F.S.; providing for the elective share amount; amending s. 732.207, F.S.; providing for the sources from which the elective share is payable; providing for abatement; amending s. 732.208, F.S.; providing for the liability of direct recipients and beneficiaries; amending s. 732.209, F.S.; providing for the valuation of the property used to satisfy the elective share; amending s. 732.210, F.S.; providing for the effect of the election on other interests; amending s. 732.211, F.S.; providing for the protection of payors and other third parties; amending s. 732.212, F.S.; providing who may exercise the right of election; amending s. 732.213, F.S.; providing for the time of election; providing for extensions and for withdrawal; amending s. 732.214, F.S.; providing for the order of contribution; providing for the personal representative's duty to collect contributions; amending s. 732.215, F.S.; providing for the effective date, inapplicability of ch. 61, F.S., the effect of prior waivers, and transition rules; providing an effective date.

—was read the second time by title.

Representative(s) Goodlette offered the following:

Amendment 1—On page 10, between lines 22 & 23,

insert: *(h) Property included in the gross estate of the decedent for federal estate tax purposes solely because the decedent possessed a general power of appointment.*

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

Representative(s) Goodlette offered the following:

Amendment 2—On page 23, lines 4 & 6, remove from the bill: *2000*

and insert in lieu thereof: *2001*

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

Representative(s) Goodlette offered the following:

Amendment 3—On page 23, between lines 18 & 19,

insert:

(5) This act does not affect any interest in contracts entered into for adequate consideration in money or moneys worth before October 1, 1999, to the extent that the contract was irrevocable at all times from October 1, 1999, until the date of decedent's death.

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

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

CS/HB 423—A bill to be entitled An act relating to trial testimony concerning sexual offenses; amending s. 918.16, F.S.; requiring that the court clear the courtroom at the request of a victim during his or her testimony concerning a sexual offense, regardless of the victim's age or mental capacity; providing certain exceptions; providing an effective date.

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

Ceremonial Resolutions Calendar

HR 9003—A resolution proclaiming March 30, 1999, "Child Nutrition Day" in Florida.

WHEREAS, the Florida School Food Service Association is holding its annual Legislative Action Conference on March 29-30, 1999, and

WHEREAS, the over 7,000 members of the Florida School Food Service Association work through the National School Lunch and Breakfast Programs to play a vital role in shaping the health and nutrition patterns of Florida's children, and

WHEREAS, the National School Lunch and Breakfast Programs have supported and promoted the implementation of nutrition principles outlined in the Dietary Guidelines of Americans, and

WHEREAS, the National School Lunch and Breakfast Programs promote the increased consumption of high-quality, nutritious agricultural products from Florida, and

WHEREAS, the National School Lunch and Breakfast Programs serve Florida's children by providing meals that enhance their readiness to learn and to succeed in school, NOW, THEREFORE,

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

That the House of Representatives pauses in its deliberations to proclaim March 30, 1999, "Child Nutrition Day" in Florida and to recognize and applaud the school food service professionals throughout the state for their dedication and hard work.

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

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

WHEREAS, the Florida Home Builders Association was established in 1949, and

WHEREAS, the 14,000 corporate members of the Florida Home Builders Association and their 473,000 employees generate a \$38.8-billion impact on Florida's economy, and

WHEREAS, the Florida Home Builders Association has for 50 years represented and promoted the interests of home builders, housing professionals, and the purchasers of new homes in Florida, and

WHEREAS, the Florida Home Builders Association has been a champion of free enterprise and a vocal advocate of affordable housing for all Floridians, NOW, THEREFORE,

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

That the Florida House of Representatives joins with the Florida Senate and the Florida Cabinet to declare March 28-April 3, 1999, as "Florida Housing Week" and to congratulate President Edwin Henry and all the members of the Florida Home Builders Association on the occasion of the 50th Anniversary of the association.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to President Edwin Henry as a tangible token of the sentiments expressed herein.

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

HR 9079—A resolution recognizing the Florida National Guard for its faithful service to the state and nation and designating March 31, 1999, as "Florida National Guard Day."

WHEREAS, the Florida National Guard is the direct and lineal descendant of the first Spanish militia companies formed in St. Augustine in 1565 and continues to serve the State of Florida as the true and organized militia under the Department of Military Affairs and the Adjutant General of Florida, and

WHEREAS, during 1998, the Florida National Guard mobilized to state active duty three times, lending its unflinching assistance during Tropical Storm Earl and in the resulting flooding in North Florida, battling the wildfires that ravaged the entire state, and providing

humanitarian support in South and Central Florida during and in the aftermath of Hurricane Georges, and

WHEREAS, the Florida Army National Guard consistently performs in a superior manner in United States Army missions, both at home and abroad, with soldiers in Latin America, the Caribbean, Kuwait, and Korea, while the Florida Air National Guard provides air defense for the state, as well as for the entire southeastern United States, and currently has airmen serving in Bosnia and Saudi Arabia, and

WHEREAS, the Florida National Guard recently received an outstanding rating following a United States Air Force operational readiness inspection, a first in the history of the unit, and

WHEREAS, it is appropriate that the Florida National Guard be recognized for its tireless service to the state and the nation, NOW, THEREFORE,

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

That the House of Representatives pauses in its deliberations to express its appreciation to the Florida National Guard and to designate March 31, 1999, as "Florida National Guard Day" in the State of Florida.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to Major General Ronald O. Harrison, Adjutant General of the State of Florida, as a tangible token of the sentiments expressed herein.

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

Suspension of the Rules for Committee Meetings and Bills

On motion by Rep. Wallace, Chair, the rules were suspended and the Committee on Governmental Rules & Regulations was given permission to remove CS/HB 1453 and HBs 1455, 1457, and 1459 from the agenda for its meeting today, at 1:30 p.m., in Room 116K.

Motions Relating to Committee References

On motion by Rep. Warner, agreed to by two-thirds vote, HB 1767 was withdrawn from the Committee on Judiciary and remains referred to the Committees on Business Development & International Trade and Transportation & Economic Development Appropriations.

Messages from the Senate

The Honorable John Thrasher, Speaker

I am directed to inform the House of Representatives that the Senate has refused to concur in House amendments to CS for SB 140; CS for SB 172; CS for SB 318; SB 2500; and SB 2502 and acceded to the request of the House for the appointment of Conference Committees on CS for SB 140; CS for SB 172; CS for SB 318; SB 2500; and SB 2502.

Faye W. Blanton, Secretary

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., Tuesday, April 6. The motion was agreed to.

Cosponsors

HB 55—Trovillion
 HB 99—Kosmas
 CS/CS/HB 113—Bense
 CS/HB 121—Casey, Putnam
 HB 227—Edwards
 CS/HB 259—Casey
 HB 333—Merchant
 HB 341—Bloom, Gottlieb
 HB 347—Crow
 CS/HB 365—Edwards
 HB 391—Heyman

HB 1659—Dockery
 HB 1841—Cantens, Cosgrove, Logan
 HB 1941—Crist, Flanagan
 HB 1943—Crist, Flanagan
 HB 1947—Crist
 HB 1949—Crist
 HB 1951—Bullard, Bush, Crist
 HB 1953—Crist
 HB 1955—Bullard, Crist, Flanagan

Introduction and Reference

By Representative Goode—

HB 2023—A bill to be entitled An act relating to Brevard County; amending ch. 94-419, Laws of Florida, as amended; providing a procedure for the issuance of new licenses for the harvesting of clams; providing an expiration date; providing an effective date.

Proof of publication of the required notice was attached.

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

Referred to the Committee(s) on Water & Resource Management, Community Affairs, and General Government Appropriations.

By the Committee on Water & Resource Management; Representatives Alexander, Boyd, Maygarden, Peaden, Melvin, J. Miller, Kilmer, Bense, Betancourt, Brummer, Kelly, Waters, Merchant, Cantens, K. Smith, and Ogles—

HB 2067—A bill to be entitled An act relating to the interim wetlands permitting program for the Northwest Florida Water Management District; amending s. 373.4145, F.S.; postponing scheduled July 1, 1999, repeal of certain provisions to a specified date; directing the Northwest Florida Water Management District and the Department of Environmental Protection to develop a plan to implement an environmental resource permitting program within the jurisdiction of the district by a specified date; requiring reports to the Legislature on the progress of the planning efforts; providing an effective date.

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

By the Committee on Water & Resource Management; Representatives Alexander, Constantine, Dockery, Putnam, Byrd, Sembler, Betancourt, Kelly, K. Smith, Healey, Johnson, Cantens, Brummer, Boyd, Pruitt, Waters, and Merchant—

HB 2069—A bill to be entitled An act relating to the Florida Watershed Restoration Act; providing a short title; amending s. 403.031, F.S.; defining the term "total maximum daily load"; creating s. 403.067, F.S.; authorizing the Department of Environmental Protection to adopt a process of listing surface waters not meeting water quality standards and for the process of establishing, allocating, and implementing total maximum daily loads applicable to such listed waters; providing specific authority for the department to implement s. 1313, 33 U.S.C.; providing legislative findings and intent; providing for a listing of surface waters; providing for an assessment; providing for an adopted list; providing for removal from the list; providing for calculation of total maximum daily load; providing for implementation; providing for rules; providing for application; providing for construction; providing for evaluation; providing an effective date.

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

By the Committee on Health Care Services; Representative Peaden—

HB 2071—A bill to be entitled An act relating to health insurance; amending ss. 627.6645 and 641.3108, F.S.; revising notice requirements for cancellation or nonrenewal of a group health insurance policy or a health maintenance organization contract; specifying conditions for retroactive cancellation of coverage due to nonpayment of premium; amending s. 627.6675, F.S.; revising time limits for application for an individual converted policy under certain circumstances; revising premium requirements for converted policies; authorizing a group

insurer to contract with another insurer to issue an individual converted policy under certain conditions; amending s. 641.3922, F.S.; revising time limits for application for a converted contract from a health maintenance organization under certain circumstances; revising premium requirements for converted contracts; providing application; providing an effective date.

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

By Representative Byrd—

HB 2073—A bill to be entitled An act relating to economic development; creating the “21st Century Digital Television and Education Act”; providing legislative findings and intent; creating the 21st Century Digital Television and Education Task Force; providing membership; providing duties; providing for a report; amending s. 212.08, F.S.; providing an exemption from the tax on sales, use, and other transactions for machinery or equipment purchased or leased for use in the production, transmission, receipt, or redistribution of digital television signals; providing an effective date.

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

By Representative Bitner—

HB 2075—A bill to be entitled An act relating to insurance; amending ss. 626.022, 626.041, 626.051, 626.062, F.S.; providing an exception from certain insurance licensing requirements for certified public accountants acting within the scope of their profession; providing an effective date.

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

By Representative Putnam—

HJR 2077—A joint resolution creating Section 19 of Article VII of the State Constitution to establish the Lawton Chiles Endowment Fund for Children and Elders as a permanent endowment in support of certain programs benefiting children and the elderly.

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

By Representative Gay—

HB 2079—A bill to be entitled An act relating to alternative fuel vehicles; creating the “Florida Clean Fuel Act;” providing purposes; providing definitions; establishing the Clean Fuel Florida Advisory Board; specifying membership; providing purposes of the board; providing for meetings and duties of the board; requiring a report containing recommendations for pilot programs; requiring a report to the Legislature; requiring a budget; providing an effective date.

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

By Representative Farkas—

HB 2081—A bill to be entitled An act relating to proceedings involving children; amending s. 985.215, F.S.; prescribing additional grounds for detention of children charged with certain offenses; amending s. 985.216, F.S.; prescribing punishment for contempt of court by a delinquent child or child in need of services; providing an effective date.

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

By Representative Boyd—

HB 2083—A bill to be entitled An act relating to seaplanes; prohibiting seaplanes from entering the waters of Ochlockonee Bay; providing an effective date.

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

By Representative Henriquez—

HB 2085—A bill to be entitled An act relating to the Tampa-Hillsborough County Expressway Authority; amending s. 338.251, F.S.;

providing that funds repaid by the authority to the Toll Facilities Revolving Trust Fund are to be loaned back to the authority for specified purposes; providing an effective date.

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

By the Committee on Children & Families; Representative Murman—

HB 2087—A bill to be entitled An act relating to Medicaid managed health care; amending s. 409.912, F.S.; authorizing the Agency for Health Care Administration to contract with entities providing behavioral health care services to certain Medicaid recipients in certain counties under certain circumstances; providing requirements; providing limitations; providing definitions; providing an effective date.

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

By the Committee on Finance & Taxation; Representative Albright—

HB 2089—A bill to be entitled An act relating to tax administration; creating s. 166.235, F.S.; providing procedures and requirements for purchasers to obtain a refund of or credit for municipal public service tax collected in error; providing duties of sellers and of municipalities; specifying that these procedures must be exhausted before an action may be brought; providing defenses and time limitations with respect to such actions; providing application and effect on pending litigation; amending s. 196.1975, F.S.; deleting provisions relating to conditions under which certain corporations qualify as a nonprofit home for the aged for ad valorem tax exemption purposes; repealing s. 198.12, F.S., which requires a personal representative to give preliminary notice of a decedent's death to the Department of Revenue; amending s. 198.13, F.S.; transferring to said section provisions relating to issuance of a certificate by the department that no estate taxes are owed, and providing that said provisions apply when an estate has filed a return; amending s. 198.23, F.S., to conform; amending s. 198.26, F.S.; removing limitations on those estates with respect to which the personal representative may not be discharged until all estate taxes have been paid; specifying that the court may consider the personal representative's affidavit that the estate is not taxable; amending s. 198.32, F.S.; providing that the personal representative of an estate that is not subject to estate tax and not required to file a return may execute an affidavit to that effect; amending s. 198.33, F.S.; conforming provisions relating to when an estate is deemed discharged of liability for estate taxes; amending s. 198.39, F.S.; providing a penalty for making a false statement in any affidavit under ch. 198, F.S.; amending s. 199.106, F.S.; revising the applicability of provisions which allow a credit against the annual intangible personal property tax for a like tax imposed by another state, a territory of the United States, or the District of Columbia; creating s. 201.165, F.S.; providing such a credit for a like tax paid in such jurisdictions against any excise tax on documents; providing for rules; providing for retroactive application; amending s. 212.02, F.S.; revising provisions relating to the conditions under which the tax on sales, use, and other transactions does not apply to the sale of materials used in repairing a motor vehicle, airplane, or boat; amending s. 212.04, F.S.; specifying applicability to sellers of admissions of the same penalties applicable to dealers in tangible personal property for failure to file returns, pay taxes, or maintain or produce records under ch. 212, F.S.; amending ss. 212.12 and 212.13, F.S.; revising penalties for failure to file returns and for false or fraudulent returns under ch. 212, F.S.; providing penalties for subsequent offenses involving destruction of records with an intent to evade payment of tax; amending s. 212.11, F.S.; correcting a reference; creating s. 213.757, F.S.; providing penalties for willful failure to remit tax payments, and for intentional destruction of records to deprive the state of tax revenues, by a taxpayer's agent; amending s. 212.07, F.S.; providing requirements with respect to sales for resale and documentation thereof; amending s. 212.18, F.S.; providing for issuance of initial and annual resale certificates to active sales tax dealers; amending s. 213.053, F.S.; authorizing the Department of Revenue to disclose certain information regarding registration certificate numbers; directing the department to establish a toll-free number for verification of registration numbers and resale certificates, to establish a system to receive information from dealers regarding certificate numbers of

purchasers for resale, and to expand its dealer education program regarding resale certificates; providing appropriations and authorizing positions; amending s. 212.08, F.S.; revising provisions relating to the sales tax exemption for charges for electricity or steam used to operate machinery and equipment under specified conditions; specifying application of a condition relating to percentage of use; providing intent; revising provisions which specify application of tax to the sale of a motor vehicle in this state to a resident of another state; revising the time period within which the purchaser must license the vehicle in his or her home state and providing construction regarding removal of the vehicle from this state; amending s. 213.27, F.S.; authorizing the executive director of the department to contract with vendors to develop and implement systems to enhance tax collections where compensation to the vendor is funded through increased tax collections; providing restrictions; providing for application of confidentiality requirements and providing a penalty; amending s. 213.67, F.S.; specifying the amount of credits, other personal property, or debts of a delinquent taxpayer held by another person which are subject to garnishment when the taxpayer has no prior tax delinquencies; amending s. 220.03, F.S.; updating references to the Internal Revenue Code for corporate income tax purposes; amending s. 220.151, F.S.; revising the method for apportioning to this state for corporate income tax the tax base of an insurance company whose principal source of premiums is from reinsurance policies; amending ss. 220.21, 220.221, and 220.222, F.S.; authorizing filing of corporate income tax returns in a form initiated through a telephonic or electronic data interchange; providing duties of the department; amending ss. 193.052 and 199.052, F.S.; authorizing filing of tangible personal property and intangible personal property returns in a form initiated through electronic data interchange; providing duties of the department; creating s. 443.163, F.S.; authorizing filing of required reports relating to unemployment compensation by employers in such form; providing duties of the Division of Unemployment Compensation; providing effective dates.

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

By the Committee on Children & Families; Representative Murman—

HB 2091—A bill to be entitled An act relating to child welfare; amending s. 216.136, F.S.; revising duties of the Child Welfare System Estimating Conference; amending s. 409.1671, F.S.; revising requirements relating to the plan for privatization of foster care and related services; requiring community-based agencies providing foster care and related services under contract with the Department of Children and Family Services to obtain certain liability insurance coverage; requiring such coverage for such agencies' subcontractors; providing limitations on tort actions; providing exclusiveness of liability; providing a hiring preference for certain state employees whose positions are privatized; revising timeframe for an annual report; authorizing certain substitute care providers to provide family day care services; providing reimbursement eligibility for dually licensed providers; continuing privatized foster care and related services in district 5 of the department for a specified period; providing for distribution, transfer, and use of certain excess or additional funds for foster care and related services provided under contract with the department; amending s. 409.175, F.S.; providing for state insurance coverage for persons who own or operate family foster care homes for community-based agencies providing foster care under contract with the department; amending s. 409.912, F.S.; authorizing the Agency for Health Care Administration to contract with community-based agencies for services to Medicaid recipients; requiring a waiver from the federal Health Care Finance Administration; providing the form of payment for such services; providing for establishment of a targeted case management program; providing funding limitations; providing an effective date.

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

By the Committee on Children & Families; Representative Murman—

HB 2093—A bill to be entitled An act relating to child welfare; amending s. 409.1671, F.S., relating to privatization of foster care and related services; requiring community-based agencies providing foster

care and related services under contract with the Department of Children and Family Services to obtain certain liability insurance coverage; requiring such coverage for such agencies' subcontractors; providing limitations on liability in tort actions; providing exclusiveness of liability; providing for distribution, transfer, and use of certain excess or additional funds for foster care and related services provided under contract with the department; providing an effective date.

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

By Representative Suarez—

HB 2095—A bill to be entitled An act relating to statute of limitations; amending s. 95.051, F.S.; providing that the fraudulent concealment of the cause of action or the identity of the person to be sued tolls the statute; providing legislative intent; providing effective dates.

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

By Representative Suarez—

HB 2097—A bill to be entitled An act relating to child welfare; amending s. 39.01, F.S.; clarifying that a long-term placement of a child with a relative or other caregiver is not subject to supervision by the Department of Children and Family Services following a determination by the court that the placement is stable; redefining the term "other person responsible for a child's welfare" to include a frequent visitor in the home who cares for the child; amending s. 414.125, F.S.; prohibiting the department from imposing sanctions under the WAGES Program against a child's caregiver due to the child's failure to make satisfactory progress in school; providing an effective date.

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

By Representative Suarez—

HB 2099—A bill to be entitled An act relating to drug-free workplaces; amending s. 440.102, F.S.; requiring certain contractors to implement a drug-free workplace program under certain circumstances; providing an effective date.

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

By Representative Suarez—

HB 2101—A bill to be entitled An act relating to the Relative Caregiver Program; amending s. 39.5085, F.S.; providing that a relative caregiver is eligible for assistance under the program following the long-term placement of a child with the caregiver pursuant to a court order or an order of guardianship; providing that the relative caregiver of a special needs child is eligible to receive a specified amount of assistance under the program; providing that a relative caregiver who adopts a mentally retarded, physically handicapped, or emotionally handicapped child is eligible to receive the adoption subsidy provided to adoptive parents; providing an effective date.

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

By the Committee on Tourism; Representatives Starks, Farkas, Barreiro, Sobel, Dennis, Melvin, Lynn, Argenziano, Bloom, Hafner, and Bush—

HB 2103—A bill to be entitled An act relating to the State Athletic Commission; amending s. 548.002, F.S.; providing definitions; amending s. 548.003, F.S.; changing the name of the commission to the Florida State Boxing Commission; assigning the commission to the Department of Business and Professional Regulation for administrative and fiscal accountability purposes only; providing procedures for filling vacancies on commission; expanding scope of rules; eliminating branch offices; requiring selection of vice chair; providing for removal of commission members for specified absences; providing accountability for commission members; increasing compensation rate for attendance of meetings; authorizing membership and participation by the commission in specified associations; amending s. 548.004, F.S.; renaming the executive secretary of the commission as the executive

director; requiring approval of the Governor in hiring of the executive director; providing additional duties of the executive director; delineating circumstances for removal of executive director; eliminating the appointment of deputies; requiring electronic recording of commission proceedings; requiring the department to provide assistance to the commission under certain circumstances; creating s. 548.005, F.S.; providing budget submission and preparation requirements; creating s. 548.0055, F.S.; requiring the department to oversee the activities of the commission; providing for long-range policy planning, and preparation of plans, reports, and recommendations; requiring submission to the Governor and Legislature; amending s. 548.006, F.S.; providing that matches shall be held in accordance with commission rules; amending s. 548.007, F.S.; providing for applicability of the act to toughman and badman competitions; amending s. 548.008, F.S.; prohibiting professional or amateur toughman and badman competitions; providing a penalty; amending s. 548.014, F.S.; requiring surety bond to apply to promoters or foreign copromoters; increasing the minimum amount for surety bond; revising options to surety bond; eliminating a filing fee; amending ss. 548.025, 548.041, and 548.042, F.S.; removing provisions relating to amateurs and amateur matches; amending s. 548.043, F.S.; revising provisions regulating weights, classes, and gloves; amending s. 548.045, F.S.; revising provisions relating to the medical advisory council; providing for appointment of the council by the commission; revising terms of council members; amending s. 548.046, F.S.; revising the time for examination of participants by physician and filing of physician report; amending s. 548.053, F.S.; revising provisions relating to distribution of purses to participants; requiring promoters and managers to retain certain information for a designated time; amending s. 548.054, F.S.; designating those persons authorized to order the surrender of a purse or the withholding of a manager's share; amending s. 548.057, F.S.; providing for appointment of judges at a boxing match; requiring certain qualifications for referees, judges, and officials; removing the requirement that scorecards be turned in at the end of each contest; amending ss. 548.05, 548.071, and 548.077, F.S., to conform; providing an effective date.

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

By Representative Bradley—

HB 2105—A bill to be entitled An act relating to reinsurance; amending s. 624.610, F.S.; setting the conditions for the allowance of credit for reinsurance; providing definitions; providing that the provisions of s. 120.60, F.S., do not apply to accreditation applications or procedures; providing for grounds for denial or revocation of an assuming insurer's accreditation; providing criteria for the disallowance of credit for reinsurance for a ceding insurer; providing for the payment of costs and expenses; providing conditions for the allowance or disallowance of credit for reinsurance for assuming insurers maintaining trust funds in qualified United States financial institutions; providing intent that there is no conflict with arbitration agreements; providing for security; providing for the inclusion of certain health maintenance organizations within the term "ceding insurer"; providing conditions for the disallowance of credit with respect to a ceding domestic insurer; providing conditions for credit for reinsurance in cases of insolvency; providing for rights against a reinsurer; providing prohibitions applying to authorized insurers, other than certain surplus lines insurance; providing procedures and information required for a summary statement of each treaty; providing for exemptions from requirement of summary statements; providing for waiver; providing for cancellation; providing that there is no credit when there is no transfer of risk; granting authority to the Department of Insurance for rulemaking; providing an effective date for the application of cessions; providing an effective date.

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

By Representative Greenstein—

HB 2107—A bill to be entitled An act relating to correctional work programs; providing a short title; amending s. 946.40, F.S.; revising provisions relating to the use of prisoners in public works; specifying

types of work to be performed under agreements for the use of inmate labor between the Department of Corrections and a political subdivision of the state; requiring the department to enter into such agreements; specifying the entities which may request the department to provide inmate labor; providing a restriction; providing a limit on the number of inmate laborers to be provided pursuant to a request; requiring the department to provide supervision of such inmates; providing that work performed by inmates shall be without charge or expense; providing exceptions; providing a restriction on eligibility for an inmate labor program; providing an effective date.

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

Reference

HB 1927—Referred to the Committee(s) on Health Care Services and Health & Human Services Appropriations.

HB 1929—Referred to the Committee(s) on General Government Appropriations.

HB 1931—Referred to the Committee(s) on Education Appropriations.

HB 1933—Referred to the Committee(s) on Governmental Operations and Education Appropriations.

HB 1935—Referred to the Committee(s) on Finance & Taxation and General Government Appropriations.

HB 1937—Referred to the Committee(s) on Governmental Operations, Judiciary, Governmental Rules & Regulations, and General Government Appropriations.

HB 1939—Referred to the Committee(s) on Children & Families, Governmental Rules & Regulations, and Transportation & Economic Development Appropriations.

HB 1959—Referred to the Committee(s) on Finance & Taxation and General Appropriations.

HB 1961—Referred to the Committee(s) on Health Care Services, Governmental Operations, and General Appropriations.

HB 1963—Referred to the Committee(s) on Community Affairs, Governmental Rules & Regulations, Finance & Taxation, and Transportation & Economic Development Appropriations.

HB 1965—Referred to the Committee(s) on Election Reform, Crime & Punishment, Corrections, and Criminal Justice Appropriations.

HB 1969—Referred to the Committee(s) on Transportation.

HB 1971—Referred to the Committee(s) on Health & Human Services Appropriations.

HB 1973—Referred to the Committee(s) on Corrections and Criminal Justice Appropriations.

HB 1975—Referred to the Committee(s) on Community Affairs and General Government Appropriations.

HB 1977—Referred to the Committee(s) on Governmental Rules & Regulations and General Government Appropriations.

HB 1979—Referred to the Committee(s) on Real Property & Probate, Finance & Taxation, and General Government Appropriations.

HB 1981—Referred to the Committee(s) on Governmental Rules & Regulations and Education Appropriations.

HB 1983—Referred to the Committee(s) on Governmental Rules & Regulations and Health & Human Services Appropriations.

HB 1985—Referred to the Committee(s) on Health Care Services, Governmental Operations, Governmental Rules & Regulations, and General Appropriations.

HB 1987—Referred to the Committee(s) on Business Regulation & Consumer Affairs and General Government Appropriations.

HB 1989—Referred to the Committee(s) on Community Affairs, Environmental Protection, Governmental Rules & Regulations, and General Government Appropriations.

HB 1991—Referred to the Committee(s) on Community Colleges & Career Prep, Governmental Rules & Regulations, and Education Appropriations.

HB 1993—Referred to the Committee(s) on Health Care Licensing & Regulation, Governmental Rules & Regulations, Water & Resource Management, and Health & Human Services Appropriations.

HB 1995—Referred to the Committee(s) on Governmental Operations and Criminal Justice Appropriations.

HB 1997—Referred to the Committee(s) on Judiciary and Crime & Punishment.

HB 2003—Referred to the Committee(s) on Governmental Operations and Health & Human Services Appropriations.

HB 2005—Referred to the Committee(s) on Governmental Operations and Criminal Justice Appropriations.

HB 2007—Referred to the Committee(s) on Governmental Operations and Criminal Justice Appropriations.

HB 2009—Referred to the Committee(s) on Children & Families, Governmental Rules & Regulations, and General Government Appropriations.

HB 2011—Referred to the Committee(s) on Transportation, Governmental Operations, and Criminal Justice Appropriations.

HB 2013—Referred to the Committee(s) on Judiciary.

HB 2015—Referred to the Committee(s) on Community Affairs, Governmental Rules & Regulations, and General Government Appropriations.

HB 2017—Referred to the Committee(s) on Governmental Rules & Regulations, Governmental Operations, and General Government Appropriations.

HB 2019—Referred to the Committee(s) on Governmental Rules & Regulations and Judiciary.

HB 2025—Referred to the Committee(s) on Colleges & Universities and Education Appropriations.

HB 2027—Referred to the Committee(s) on Education/K-12, Law Enforcement & Crime Prevention, and Education Appropriations.

HB 2029—Referred to the Committee(s) on Claims and General Appropriations.

HB 2031—Referred to the Committee(s) on Health Care Licensing & Regulation, Governmental Rules & Regulations, Judiciary, and Health & Human Services Appropriations.

HB 2033—Referred to the Committee(s) on Community Affairs, Judiciary, and General Government Appropriations.

HJR 2035—Referred to the Committee(s) on Finance & Taxation and General Appropriations.

HB 2037—Referred to the Committee(s) on Criminal Justice Appropriations.

HB 2041—Referred to the Committee(s) on Governmental Operations, Judiciary, Real Property & Probate, and Transportation & Economic Development Appropriations.

HB 2043—Referred to the Committee(s) on Governmental Operations and Crime & Punishment.

HB 2045—Referred to the Committee(s) on Insurance and Judiciary.

HB 2047—Referred to the Committee(s) on Business Development & International Trade, Finance & Taxation, and General Government Appropriations.

HB 2049—Referred to the Committee(s) on Governmental Operations, Real Property & Probate, and Judiciary.

HB 2051—Referred to the Committee(s) on Governmental Operations, Real Property & Probate, and Judiciary.

HB 2053—Referred to the Committee(s) on Insurance, Transportation, and Judiciary.

HB 2055—Referred to the Committee(s) on Governmental Operations and General Government Appropriations.

HB 2057—Referred to the Committee(s) on Environmental Protection, Community Affairs, and General Government Appropriations.

HB 2059—Referred to the Committee(s) on Corrections and Criminal Justice Appropriations.

HB 2061—Referred to the Committee(s) on Crime & Punishment, Corrections, and Criminal Justice Appropriations.

HB 2063—Referred to the Committee(s) on Finance & Taxation and General Government Appropriations.

First Reading of Committee Substitutes by Publication

By the Committee on Health Care Licensing & Regulation; Representative Argenziano—

CS/HB 177—A bill to be entitled An act relating to onsite sewage treatment and disposal systems; amending s. 381.0065, F.S., providing for regulation of maintenance entities for performance-based treatment systems and aerobic treatment unit systems; amending s. 381.0066, F.S.; reducing the annual operating permit fee for aerobic treatment units; providing an annual operating permit fee and an annual maintenance entity permit fee for performance-based treatment systems; providing an effective date.

Reports of Councils and Standing Committees

Council Reports

The Honorable Joseph Arnall, Chair

March 29, 1999

Committee on Rules & Calendar

Dear Sir:

The Civil Justice Council respectfully submits the following report of Council actions adopted on March 29, 1999.

Pursuant to Rule 59(h), the Council approved consideration of the following proposed committee draft(s):

Consideration of motion to approve DFT JUD 99-03 general subject matter—Implementation of Constitutional Provision authorizing filing of official records with county clerk in satellite offices.

Consideration of motion to approve DFT JUD 99-04 general subject matter—Limiting Confidentiality by the Committee on Judiciary.

A quorum of the Council was present and a majority of those present agreed to the above report.

Sincerely,
Representative Tom Warner
Chair

Committee Reports

Received March 29:

The Committee on Health Care Licensing & Regulation recommends a committee substitute for the following:

HB 177 (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 177 was laid on the table.

Received March 30:

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

- HB 949 (unanimous)
- HB 1077 (unanimous)

The above bills were placed on the appropriate Calendar.

The Committee on Tourism recommends the following pass:

- HB 1449, with 1 amendment (unanimous)

The above bill was placed on the appropriate Calendar.

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

- HB 1657 (unanimous)

The above bill was referred to the Committee on Criminal Justice Appropriations.

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

- HB 431 (unanimous)

The above bill was referred to the Committee on Health & Human Services Appropriations.

The Committee on Business Development & International Trade recommends the following pass:

- HB 823 (unanimous)

The above bill was referred to the Committee on Transportation & Economic Development Appropriations.

The Committee on Transportation recommends the following pass:

- HB 1719, with 1 amendment (unanimous)

The above bill was referred to the Committee on Transportation & Economic Development Appropriations.

The Committee on Financial Services recommends the following pass:

- HB 1435, with 1 amendment (unanimous)

The above bill was referred to the Committee on Business Regulation & Consumer Affairs.

The Committee on Business Development & International Trade recommends the following pass:

- HB 1429 (unanimous)

The above bill was referred to the Committee on Colleges & Universities.

The Committee on Tourism recommends the following pass:

- HB 1801, with 1 amendment (unanimous)

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

The Committee on Business Development & International Trade recommends the following pass:

- HB 1075 (unanimous)

The above bill was referred to the Committee on Finance & Taxation.

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

- HB 791, with 2 amendments (unanimous)

The above bill was referred to the Committee on Finance & Taxation.

The Committee on Business Development & International Trade recommends the following pass:

- HB 1713 (unanimous)

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

Enrolling Reports

CS/CS/HB 113 has been enrolled, signed by the required constitutional officers, and presented to the Governor on March 29, 1999.

John B. Phelps, Clerk

HB 1039 has been enrolled, signed by the required constitutional officers, and presented to the Governor on March 30, 1999.

John B. Phelps, Clerk

HBs 1163, 1165, 1167, 1169, 1171, 1173, 1175, 1177, 1179, 1181, 1183, 1185, 1187, 1189, 1191, 1193, 1195, 1197, 1199, 1201, 1203, 1205, 1207, 1209, 1211, 1213, 1215, 1217, 1219, 1221, 1223, 1225, 1227, 1229, 1239, 1241, 1243, 1245, 1247, and 1249 have been enrolled, signed by the required constitutional officers, and presented to the Governor on March 30, 1999.

John B. Phelps, Clerk

HBs 1251, 1253, 1255, 1257, 1259, 1261, 1263, 1265, 1267, 1269, 1271, 1273, 1275, 1277, 1281, 1283, 1285, 1287, 1289, 1291, 1293, 1295, 1297, 1299, 1303, 1305, 1307, 1309, 1311, 1313, 1315, 1319, 1321, 1323, 1325, 1327, 1329, 1331, 1333, and 1335 have been enrolled, signed by the required constitutional officers, and presented to the Governor on March 30, 1999.

John B. Phelps, Clerk

HBs 1337, 1339, 1341, 1343, 1345, 1347, and 1349 have been enrolled, signed by the required constitutional officers, and presented to the Governor on March 30, 1999.

John B. Phelps, Clerk

HBs 1149, 1151, 1153, 1155, 1157, 1159, 1161, 1351, 1355, 1357, 1359, 1361, 1363, 1367, 1369, 1371, 1373, 1375, 1377, 1379, 1381, 1383, 1385, 1387, 1389, 1391, 1393, 1395, 1397, and 1399 have been enrolled, signed by the required constitutional officers, and presented to the Governor on March 30, 1999.

John B. Phelps, Clerk

Excused

Rep. Garcia until 12:19 p.m.; Rep. Hill until 12:45 p.m.

Adjourned

Pursuant to the motion previously agreed to, the House adjourned at 1:20 p.m., to reconvene at 8:50 a.m., Tuesday, April 6.

**Pages and Messengers
for the week of
March 29-April 2**

PAGES—Sadé Blackshear, Fort Pierce; Ernest Bradley, St. Petersburg; Christopher Cantens, Miami; Joseph Cantens, Miami; Courtney Gardner, Coral Gables; Allison Hebert, Clearwater; Lindsay C. Hebert, Clearwater; Whitney Louise Humphries, Brandon; Charles T. Ketterer, Milton; Caroline E. Leary, Palatka; Calvin Lomax, Miami; Griffin Michael Mann, Tallahassee; Kristen Sobeck, Kissimmee; Corry Elizabeth Taylor, Palatka.

MESSENGERS—Matthew Bolyard, Hudson; Michael Cantens, Miami; Susie Catania, Coral Gables; Emily Furst, Sarasota; Leah

Goldman, Parkland; Timothy Sean Griffis, Pensacola; Lisa Harrington, Naples; Kristen Lea Humphries, Clearwater; Christopher Kolodinsky, Ormond Beach; Mathew Evan Levine, Plantation; Deborah L. Levine, Boca Raton; Jacob T. McLaughlin, Eustis; Arielle K. Molinet, Fort Lauderdale; Rhylesantionese A. Myers, Ft. Lauderdale; Seth A. Price, Titusville; Eugene Ramirez, Miami; Daniel G. Rosenthal, Palm Beach Gardens; David Snyder, Stuart; Robert F. Taylor, Palatka; Jeffery Williams, Miami; Justin D. Witt, Neptune Beach; Courtney Rebekah Worley, Tavares.