

Committee on Rules

SM 118 — National Retail Sales Tax

by Senator Hays

The memorial urges the United States Congress to enact H.R. 25, the Fair Tax Act of 2013, which would impose a national retail sales tax and eliminate the federal personal income tax, the alternative minimum tax, the estate tax, the gift tax, the capital gains tax, the federal corporate income tax, the self-employment tax, and the employee and employer payroll tax.

Vote: Senate Adopted; House Adopted

Committee on Rules

CS/HM 261 — Constitutional Convention/Single-Subject Requirement for Federal Legislation

by Judiciary Committee; and Rep. Beshears and others (CS/SM 368 by Governmental Oversight and Accountability; and Senator Simpson)

The memorial is an application to the United States Congress urging Congress to call an Article V Convention for the purpose of proposing an amendment to the U.S. Constitution which will:

- Prohibit Congress from passing a bill that embraces more than one subject; and
- Require the subject be clearly expressed in the bill's title.

The memorial also states it supersedes all previous memorials and current resolutions applying to Congress for a single-subject amendment and, if passed, will revoke, withdraw, nullify, and supersede all such memorials and resolutions as though they were never passed.

If this memorial is passed by the Legislature and at least 33 other states pass a similar or identical memorial or resolution calling on Congress to call an amendments convention for the sole purpose of proposing a single subject amendment to the U.S. Constitution, then under Article V of the U.S. Constitution, Congress is obligated to call the convention.

Vote: Senate Adopted; House Adopted

Committee on Rules

HM 281 — Keystone XL Pipeline

by Rep. Hill and others

The memorial urges the President to issue final approval of the Keystone XL Pipeline Project, a proposed 875-mile pipeline crossing the U.S.-Canadian border at Morgan, Montana, and continuing to Steele City, Nebraska, where it will connect with existing pipelines to deliver crude oil from oil sands in Canada and from the Williston Basin (Bakken) region in Montana and North Dakota to refineries in the Midwest and the Gulf Coast of Texas.

Vote: Senate Adopted; House Adopted

Committee on Rules

SM 476 — Amendments to the Constitution of the United States

by Senator Hays

The memorial is a state application to the United States Congress calling upon Congress to convene an Article V constitutional amendments convention for the sole purposes of proposing amendments to the U.S. Constitution to: impose fiscal restraints on the federal government; limit the power and jurisdiction of the federal government; and limit the terms of office for federal officials and members of Congress. Each of these three proposed amendment categories is severable from one another and may be counted individually to satisfy the requirement that 34 state legislatures apply to Congress to call a constitutional convention.

The memorial is revoked and withdrawn, nullified, and superseded as if it had never been passed, if it is used for the purpose of calling a convention or used in support of conducting a convention to amend the U.S. Constitution for any purpose other than imposing fiscal restraints on the federal government, limiting the power and jurisdiction of the federal government, or limiting the terms of office for federal officials and members of Congress.

The memorial serves as a continuing application, in accordance with the requirements for calling a constitutional convention, until the legislatures of at least two-thirds of states also make applications on one or more of the three proposed amendment categories listed in the memorial.

Vote: Senate Adopted; House Adopted

Committee on Rules

SM 658 — Balanced Federal Budget

by Senators Stargel and Benacquisto

The memorial is an application to the United States Congress calling upon Congress to convene an Article V constitutional amendments convention. The convention would be limited to proposing an amendment to the Constitution which requires, except in a national emergency, the total of all federal appropriations for any fiscal year may not exceed the total of all estimated federal revenues for that fiscal year, together with any related and appropriate fiscal restraints. This is commonly referred to as a balanced budget amendment.

The memorial provides that it may not be added to other application totals on any other subject calling for a constitutional convention in an effort to meet the requisite number of 34 applications needed to call a convention. It is to be a continuing application and supersedes all previous applications on the subject.

Vote: Senate Adopted; House Adopted

Committee on Rules

CS/SM 1174 — Power Plant Carbon Dioxide Emissions

by Environmental Preservation and Conservation Committee; and Senator Gibson

The memorial urges the United States Congress to allow Florida to develop its own performance standards for regulating carbon dioxide emissions from existing coal-fired power plants, which take into account the unique policies, energy needs, resource mix, and economic priorities of the state.

Vote: Senate Adopted; House Adopted

Committee on Rules

HB 7145 — Ratification of Rules/Department of Health

by Rulemaking Oversight and Repeal Subcommittee; and Rep. Gaetz

The bill provides legislative ratification of the Department of Health, Rule 64J-2.006 of the Florida Administrative Code, Trauma Registry and Trauma Quality Improvement Program. The rule amendment requires Level I and Level II verified trauma centers to maintain participation in the American College of Surgeons, Trauma Quality Improvement Program (ACS-TQIP). The ACS-TQIP is a national benchmarking tool which provides feedback to participating trauma centers on their relative performance in order to improve the quality of care of trauma patients.

If approved by the Governor, these provisions take effect July 1, 2014.

Vote: Senate 34-0; House 115-0

Committee on Rules

HB 7163 — Ratification of Rules/Department of Juvenile Justice

by Rulemaking Oversight and Repeal Subcommittee; and Rep. Gaetz

The bill ratifies several administrative rules the Department of Juvenile Justice (DJJ) has recently adopted, resulting in them becoming effective. On February 24, 2014, the DJJ adopted Chapters 63M-2 and 63N-1, implementing a legislative mandate to adopt rules ensuring the effective provision of ordinary medical care, mental health services, substance abuse treatment services, and services to youth with developmental disabilities.

The statutorily required Statement of Estimated Regulatory Costs showed Rules 63M-2.0052, 63M-2.006, 63N-1.0076, 63N-1.0084, and 63N-1.0085, F.A.C., each impose regulatory costs exceeding \$1 million over the first 5 years the rule is in effect. Accordingly, these rules must be ratified by the Legislature before they can become effective. The rules reflect existing policies, practices, and procedures of the DJJ. Therefore, according to the department, they are not expected to change the procedures used in providing the affected services or change the cost of providing those services.

The scope of the bill is limited to this rulemaking condition and does not adopt the substance of any rule into the statutes.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 35-0; House 114-1