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DATE: April 14, 1998

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
Civil Justice and Claims
BILL RESEARCH & ECONOMIC IMPACT STATEMENT**

BILL #: HB 4297

RELATING TO: Elections

SPONSOR(S): Representatives Feeny and Crist

COMPANION BILL(S): SB 2308 (similar) by Senator Burt

ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:

- (1) ELECTION REFORM W/D
 - (2) CIVIL JUSTICE & CLAIMS YEAS 9 NAYS 0
 - (3)
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 - (5)
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I. SUMMARY:

This bill amends s. 101.161, F.S., which addresses referenda and ballot summaries. The bill substitutes the words "ballot summary" in place of existing statutory language referring to the "substance of each amendment."

In addition, this bill creates s. 101.163, F.S. This section sets forth "the exclusive process for review and reformation of ballot summaries and titles for all constitutional amendments and public measures submitted to the vote of the people." The bill sets up two separate procedures depending upon the source of the proposal.

- If a constitutional amendment, or public measure requiring voter approval, is proposed by the Legislature, the title and ballot summary is submitted by the Secretary of State to the Attorney General, who reviews the title and ballot summary for "legal correctness." In the event of a legal deficiency, the Attorney General may make corrections. The bill establishes this procedure in lieu of judicial review of the title and ballot summary prior to a vote by the electorate.
- If a constitutional amendment, or public measure requiring voter approval, is proposed by any source other than the Legislature, the Attorney General is authorized to review whether the title and ballot summary "clearly express the chief purpose of the measure." Again, the Attorney General can make corrections to bring the title and ballot summary into compliance with this requirement. Following review by the Attorney General, the Secretary of State transmits the measure to each county supervisor of elections. An elector, who attempts to challenge the sufficiency of a title and ballot summary in the Florida Supreme Court, must submit a substitute title and ballot summary and comply with other requirements.

Finally, this bill amends s. 16.061, F.S., to eliminate judicial review of whether title and ballot summaries, of amendments proposed by initiative petition, comply with s. 101.161, F.S.

This bill does not appear to have a significant fiscal impact on state government.

II. SUBSTANTIVE RESEARCH:

A. PRESENT SITUATION:

The Constitution of the State of Florida establishes five different methods of amending or revising the constitution: (1) proposals approved by the Legislature, (2) proposals submitted by the Constitutional Revision Commission, (3) proposals submitted through citizen initiative, (4) proposals produced by a constitutional convention, and (5) proposals created by the Taxation and Budget Reform Commission. Before any proposed changes are adopted, the proposals must be submitted to the voters for approval at the next general election.

1. **Legislative Proposal** - Article XI, Section I of the Constitution of the State of Florida states:

Amendment of a section or revision of one or more articles, or the whole, of this constitution may be proposed by joint resolution agreed to by three-fifths of the membership of each house of the legislature. The full text of the joint resolution and the vote of each member voting shall be entered on the journal of each house.

A joint resolution proposing a constitutional amendment differs in two fundamental respects from other legislation. First, it must pass by a three-fifths vote of the entire membership of each chamber. Passage by a three-fifths vote of those members who are present will not suffice. Second, the joint resolution is not subject to executive veto. The governor does not sign the proposed amendment before it is placed on the ballot. According to Article XI, Section 5 of the state constitution, a proposed amendment "shall be submitted to the electors at the next general election held more than ninety days after the joint resolution . . . is filed with the Secretary of State"

- a. **No Single Subject Requirement** - Joint resolutions of the Legislature differ in one essential respect from provisions which are submitted through citizen initiative. Citizen initiatives must meet the single subject requirements specified in Article XI, Section 3 of the Florida Constitution. Florida courts have applied this requirement to strike down various initiative proposals. E.g., Advisory Opinion to the Attorney General re Requirement for Adequate Public Education Funding, 1997 WL 719476 (Fla. 1997); Advisory Opinion to the Attorney General re People's Property Rights Amendments, 699 So.2d 1304 (Fla. 1997); Fine v. Firestone, 448 So.2d 984 (Fla. 1984); Adams v. Gunter, 238 So.2d 824 (Fla. 1970). However, according to the language of Article XI, Section 1, the Legislature, acting through joint resolution, can propose constitutional changes with wide-ranging purposes and effects. Collier v. Gray, 157 So. 40 (Fla. 1934); Gray v. Golden, 89 So.2d 785 (Fla. 1912).
- b. **Ballot Summary and Title Requirement** - Joint resolutions of the Legislature, which propose constitutional amendments, are subject to ballot summary and title requirements specified in s. 101.161, F.S. See e.g., Grose v. Firestone, 422 So.2d 303 (Fla. 1982)(concluding that ballot summary of a joint resolution was clear and unambiguous, therefore meeting statutory requirements). The constitution itself contains no ballot summary or title requirements connected with joint resolutions. In Askew v. Firestone, 421 So.2d 151 (Fla. 1982), the Florida Supreme Court held invalid a constitutional amendment, proposed by the Legislature, on the basis that the title and ballot summary failed to give the

electorate fair notice of the changes proposed therein. The court relied upon s. 101.161, F.S., noting that the purpose of this provision "is to assure that the electorate is advised of the true meaning, and ramifications, of an amendment. A proposed amendment cannot fly under false colors; this one does." Id. at 156.

2. **Initiative Proposal** - Article XI, Section 3 of the Florida Constitution allows the people of the state to propose constitutional change through the initiative process. The petition must be filed with the secretary of state, and must be signed by eight percent of the number of persons who voted in the preceding presidential election, in at least one-half of the state's congressional districts. Upon a request by the state attorney general, proposals by initiative are subject to mandatory review by the Florida Supreme Court. Since the initiative process was added to the constitution in 1968, approximately 100 proposals have been placed on the ballot.

a. **Single Subject Requirement** - Article XI, Section 3 of the Florida Constitution provides that initiatives "shall embrace but one subject and matters connected therewith." This single subject requirement is strictly enforced by the courts. See Advisory Opinion to the Attorney General re Requirement for Adequate Public Education Funding, 1997 WL 719476 (Fla. 1997); Advisory Opinion to the Attorney General re People's Property Rights Amendments, 699 So.2d 1304 (Fla. 1997); Advisory Opinion to the Attorney General re Tax Limitation (League of Women Voters v. Smith), 644 So.2d 486 (Fla. 1994); In re Advisory Opinion to the Attorney General--Save Our Everglades, 636 So.2d 1336 (Fla. 1994); In re Advisory Opinion to the Attorney General--Restricts Laws Related to Discrimination, 632 So.2d 1018 (Fla. 1994); Fine v. Firestone, 448 So.2d 984 (Fla. 1984); Adams v. Gunter, 238 So.2d 824 (Fla. 1970). However, the constitution excludes those proposals, which limit the revenue raising power of the government, from the single subject requirement. The single subject rule protects the constitution from rapid and poorly-considered change. This principle guards against logrolling precipitous changes into a single amendment. In re Advisory Opinion to the Attorney General -- Save Our Everglades, 636 So.2d 1336 (Fla. 1994); Adams v. Gunter, 238 So.2d 824 (Fla. 1970).

(1) **Historical Perspective** - Judicial interpretation of the single subject requirement has not been consistent and has evolved over time. It appears that the court now employs a quasi-formal test.

In Adams v. Gunter, 238 So.2d 824 (Fla. 1970), the Florida Supreme Court invalidated an initiative petition which sought to establish a unicameral Legislature. The court reasoned that, because the initiative affected various sections of the constitution, it violated the single subject requirement.

The Florida Supreme Court, in Floridians Against Casino Takeover v. Let's Help Florida, 363 So.2d 337 (Fla. 1978), found that an initiative aimed at permitting casino gambling embraced but a single subject. This case, along with Weber v. Smathers, 338 So.2d 819 (Fla. 1976), liberalized the initiative process and made it easier for the electorate to change the constitution. The court employed a functional test. Rather than examining whether the initiative impacted more than one section of the constitution, the court looked at whether the initiative sought to achieve a unified purpose.

- (2) **Current Interpretation of the Single Subject Requirement** - In Fine v. Firestone, 448 So.2d 984 (Fla. 1984), the Florida Supreme Court receded from its earlier holding in Floridians Against Casino Takeover. The court invalidated an initiative which dealt with taxes, government services, and changes in financing. Although the court continued to apply a functional, unity-of-purpose test, it noted that an initiative's impact on other sections of the constitution was relevant to single subject analysis. The court also determined that strict compliance with the single subject rule was required. See also Advisory Opinion to the Attorney General re Florida Locally Approved Gaming, 656 So.2d 1259 (Fla. 1995)(holding that single subject requirement was met if plan consisted of cohesive and related parts); Advisory Opinion to the Attorney General re Tax Limitation (League of Women Voters v. Smith), 644 So.2d 486 (Fla. 1994)(reaffirming adherence to the test enunciated in Fine); Advisory Opinion to the Attorney General re Limited Casinos, 644 So.2d 71 (Fla. 1994)(holding that natural unity of plan was the appropriate test); Advisory Opinion to the Attorney General re Funding for Criminal Justice, 639 So.2d 972 (Fla. 1994)(approving an initiative affecting only the legislative branch). In In re Advisory Opinion to the Attorney General -- Save Our Everglades, 636 So.2d 1336 (Fla. 1994), the Florida Supreme Court stated, "Although a proposal may affect several branches of government and still pass muster, no single proposal can substantially alter or perform the functions of multiple branches"
- b. **Title and Ballot Summary Requirement** - The title of an initiative proposal must not be misleading. Advisory Opinion to the Attorney General re Casino Authorization, Taxation & Regulation, 656 So.2d 466 (Fla. 1995). However, in Advisory Opinion to the Attorney General re Limited Casinos, 644 So.2d 71 (Fla. 1994), the Florida Supreme Court determined that the title "Limited Casinos" was not misleading although it was attached to an initiative meant to allow casino gambling. The court will closely examine the title and summary to ensure that it informs the voter of the objectives of the initiative. To achieve a sufficient level of notification, the summary need not mention every ramification of the initiative. Carroll v. Firestone, 497 So.2d 1204 (Fla. 1986). However, to comply with the requirements of s. 101.161, F.S., the language must be "clear and unambiguous." Askew v. Firestone, 421 So.2d 151 (Fla. 1982). Although some degree of advocacy is permitted, the court will not allow distortion for emotive appeal, or the insertion of political rhetoric. In re Advisory Opinion to the Attorney General -- Save Our Everglades, 636 So.2d 1336 (Fla. 1994); Evans v. Firestone, 457 So.2d 1351 (Fla. 1984). Placement of a question in the title, while not absolutely prohibited, may raise concerns about ambiguity. Advisory Opinion to the Attorney General re Tax Limitation (League of Women Voters v. Smith), 644 So.2d 486 (Fla. 1994).
3. **Revision Commission** - Article XI, Section 2 of the Florida Constitution establishes, on a recurring basis, the Constitutional Revision Commission. The Constitutional Revision Commission first met in 1978-- ten years after the adoption of the Florida Constitution of 1968. Although it adopted several proposals, all of its proposals were defeated by a vote of the electorate. The Constitutional Revision Commission is scheduled to convene at twenty-year intervals. The 1998 Constitutional Revision Commission is currently meeting and the next meeting will occur in 2018. The commission consists of 37 members. Fifteen are appointed by the Governor, three

by the Chief Justice of the Florida Supreme Court, nine by the Speaker of the House of Representatives, and nine by the President of the Senate. The Attorney General is also a member of the commission. The commission acts by majority vote, reporting directly to the people. Formerly, the Constitutional Revision Commission could not consider matters related to taxation or the budgetary process. However, in November 1996, voters approved a constitutional amendment which expanded the power of the commission to review fiscal and budgetary matters.

4. **Constitutional Convention** - Article XI, Section 4, of the Florida Constitution provides that the people may, by engaging in a petition drive, call a constitutional convention. However, this method of amending or revising the constitution faces several difficulties. A petition with a number of signatures equal to 15 percent of votes cast during the preceding presidential election must be filed with the secretary of state. These signatures must come from at least half of all congressional districts. Once this requirement is met, the question of whether to hold a constitutional convention will be placed on the ballot in the next general election. A majority vote by the electorate determines whether the convention will occur.
5. **Taxation and Budget Reform Commission** - Article XI, Section 6 of the Florida Constitution establishes a Taxation and Budget Reform Commission. Section 6 was added to the constitution by a joint resolution, approved by the voters in 1988. The Taxation and Budget Reform Commission is next scheduled to meet in 2000, and every ten years thereafter. Its voting membership is composed of eleven members appointed by the Governor, seven members appointed by the Speaker of the House of Representatives, and seven members appointed by the President of the Senate. Four non-voting members, who are also members of the Legislature, serve on the commission. Two of these are appointed by the Speaker of the House of Representatives and two are appointed by the President of the Senate. The Taxation and Budget Reform Commission issues a report of its activities to the Legislature. Proposed amendments require a favorable vote by two-thirds of the membership of the full commission. In addition, proposed amendments must be approved by a majority of the appointees of the governor, a majority of the appointees of the Speaker, and a majority of the appointees of the Senate President. The Taxation and Budget Reform Commission is restricted to offering proposals related to taxes and budgetary matters.
6. **Statutory Requirements** - Several statutory provisions regulate the submission of proposed amendments to the people for ratification.

Section 15.21, F.S., requires the Secretary of State to submit initiative petitions to the Attorney General under certain circumstances.

Section 16.061, F.S., requires the Attorney General to petition the Florida Supreme Court for an advisory opinion with respect to initiative petitions received from the Secretary of State. This section authorizes the court to review such petitions for compliance with Article XI, Section 3 of the state constitution, and s. 101.161, F.S. In addition, the court may review other "specific factual issues" which the Attorney General determines would require judicial resolution.

Section 100.371, F.S., provides a procedure, for placement on the ballot, of constitutional amendments proposed by initiative petition. This section contains

guidelines for verifying whether initiative petitions have received the requisite number of signatures.

Section 101.161, F.S., requires that titles and ballot summaries of proposed constitutional amendments must be "printed in clear and unambiguous language," and shall consist of "an explanatory statement . . . of the chief purpose of the measure." This section also places a 75-word limit on ballot summaries and an 15-word limit on ballot titles.

B. EFFECT OF PROPOSED CHANGES:

1. **Clarifies Existing Statutory Language** - This bill amends s. 101.161, F.S., which addresses referenda and ballot summaries. The bill substitutes the words "ballot summary" in place of existing statutory language referring to the "substance of each amendment." This change does not appear to be substantive and should serve to clarify the meaning of existing language.
2. **Creates an Expedited Review Process** - This bill creates s. 101.163, F.S. This section sets forth "the exclusive process for review and reformation of ballot summaries and titles for all constitutional amendments and public measures submitted to the vote of the people."
 - a. **Amendments and Public Measures Proposed by the Legislature** - If a constitutional amendment, or public measure requiring voter approval, is proposed by the Legislature, the title and ballot summary is submitted by the Secretary of State to the Attorney General, who reviews the title and ballot summary for "legal correctness." In the event of a legal deficiency, the Attorney General may make corrections. This procedure is provided in lieu of judicial review of the title and ballot summary prior to a vote by the electorate.
 - b. **Amendments and Public Measures Proposed by Other Sources** - If a constitutional amendment, or public measure requiring voter approval, is proposed by any source other than the Legislature, the Attorney General is authorized to review whether the title and ballot summary "clearly express the chief purpose of the measure." Again, the Attorney General is authorized to correct the title and ballot summary to bring it into compliance with this requirement. Following review by the Attorney General, the Secretary of State transmits the measure to the county supervisor of elections, unless the sufficiency of the title and ballot summary are challenged in the Florida Supreme Court. An elector who attempts to challenge the sufficiency of a title and ballot summary in the Florida Supreme Court, must submit a substitute ballot summary and title.
3. **Removes Statutory Compliance from Judicial Review** - This bill provides that, upon petition by the Attorney General for an advisory opinion by the Florida Supreme Court, of a proposed constitutional amendment by initiative petition, the Florida Supreme Court shall no longer review compliance with s. 101.161, F.S. In an advisory opinion concerning the constitutionality of a proposed ballot measure, the court could only address: (1) compliance with Article XI, Section 3 of the state

constitution, and (2) such specific factual issues as the Attorney General determines require judicial resolution.

C. APPLICATION OF PRINCIPLES:

1. Less Government:

a. Does the bill create, increase or reduce, either directly or indirectly:

(1) any authority to make rules or adjudicate disputes?

This bill partially transfers the power to determine the adequacy of the title and ballot summary of proposed constitutional amendments from the courts to the Attorney General.

(2) any new responsibilities, obligations or work for other governmental or private organizations or individuals?

This bill requires the Attorney General to review certain ballot measures.

(3) any entitlement to a government service or benefit?

N/A

b. If an agency or program is eliminated or reduced:

(1) what responsibilities, costs and powers are passed on to another program, agency, level of government, or private entity?

N/A

(2) what is the cost of such responsibility at the new level/agency?

N/A

(3) how is the new agency accountable to the people governed?

N/A

2. Lower Taxes:

- a. Does the bill increase anyone's taxes?

N/A

- b. Does the bill require or authorize an increase in any fees?

N/A

- c. Does the bill reduce total taxes, both rates and revenues?

N/A

- d. Does the bill reduce total fees, both rates and revenues?

N/A

- e. Does the bill authorize any fee or tax increase by any local government?

N/A

3. Personal Responsibility:

- a. Does the bill reduce or eliminate an entitlement to government services or subsidy?

N/A

- b. Do the beneficiaries of the legislation directly pay any portion of the cost of implementation and operation?

N/A

4. Individual Freedom:

- a. Does the bill increase the allowable options of individuals or private organizations/associations to conduct their own affairs?

This bill may result in placement on the ballot of greater numbers of proposed constitutional amendments.

- b. Does the bill prohibit, or create new government interference with, any presently lawful activity?

N/A

5. Family Empowerment:

a. If the bill purports to provide services to families or children:

(1) Who evaluates the family's needs?

N/A

(2) Who makes the decisions?

N/A

(3) Are private alternatives permitted?

N/A

(4) Are families required to participate in a program?

N/A

(5) Are families penalized for not participating in a program?

N/A

b. Does the bill directly affect the legal rights and obligations between family members?

N/A

c. If the bill creates or changes a program providing services to families or children, in which of the following does the bill vest control of the program, either through direct participation or appointment authority:

(1) parents and guardians?

N/A

(2) service providers?

N/A

(3) government employees/agencies?

N/A

D. STATUTE(S) AFFECTED:

This bill amends s. 101.161, F.S., creates s. 101.163, F.S., and amends s. 16.061, F.S.

E. SECTION-BY-SECTION RESEARCH:

Omitted.

III. FISCAL RESEARCH & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring Effects:

N/A

2. Recurring Effects:

This bill would require the Attorney General to review and correct the titles and ballot summaries of proposed constitutional amendments.

3. Long Run Effects Other Than Normal Growth:

N/A

4. Total Revenues and Expenditures:

N/A

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring Effects:

N/A

2. Recurring Effects:

N/A

3. Long Run Effects Other Than Normal Growth:

N/A

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

N/A

2. Direct Private Sector Benefits:

N/A

3. Effects on Competition, Private Enterprise and Employment Markets:

N/A

D. FISCAL COMMENTS:

None.

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

This bill does not require counties or municipalities to spend funds or to take an action requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This bill does not reduce the authority that municipalities or counties have to raise revenues in the aggregate.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

This bill would not reduce the percentage of a state tax shared with counties or municipalities. Therefore, it would not contravene the requirements of Article VII, Section 18 of the state constitution.

V. COMMENTS:

This bill eliminates the statutory provision which authorizes judicial review of initiative provisions for compliance with s. 101.161, F.S. It also eliminates judicial review of titles and ballot summaries of constitutional amendments proposed through a joint resolution of the Legislature.

1. **Separation of Powers** - Article II, Section 3 of the Constitution of the State of Florida provides, "No person belonging to one branch shall exercise any powers appertaining to either of the other branches unless expressly provided herein." Article V, Section 1 establishes that the judicial power shall be vested in constitutionally-established courts. The courts have invalidated some legislative attempts to limit the constitutionally-

assigned jurisdiction of the courts and assign judicial functions to an agency. See e.g., Laborers' International Union of North America, Local 487 v. Burroughs, 541 So.2d 1162 (Fla. 1989); State v. Harris, 136 So.2d 633 (Fla. 1962); Bentley v. State ex rel Rogers, 398 So.2d 922 (Fla. 4th DCA 1981). While this bill delegates to the Attorney General the duty to review certain titles and ballot summaries for legal sufficiency and clarity, the power to review such matters has not been constitutionally assigned. The only requirement established in the constitution is that initiative petitions "embrace but one subject and matter directly connected therewith." Art. XI, Sect. 3, Fla. Const. This bill does not infringe upon the authority of the courts to review initiative proposals for conformity with single subject requirements.

It could also be argued that the provisions of this bill, which provide guidelines for judicial review of a challenged ballot summary and title, are procedural in nature. Article V, Section 2 of the Florida Constitution provides that, "The supreme court shall adopt rules for the practice and procedure in all courts" However, the bill's provisions do not contain any detailed directives to the courts and contain primarily substantive content. Furthermore, the Florida Supreme Court has upheld similar legislative attempts to regulate matters which contain a mixture of procedural and substantive elements. For example, in Salvador v. Fenelly, 593 So.2d 1091 (Fla. 4th DCA 1991), the Fourth District Court of Appeal held that a statute which required trial courts to conduct expedited review of public records claims did not infringe upon judicial authority to establish rules of procedure. But see Johnson v. State, 336 So.2d 93 (Fla. 1976)(overturning a law which regulated the judicial disposition of the records of certain first time offenders).

2. **Access to the Courts** - Opponents of this bill could argue that its limitations on judicial review infringe upon access to the courts by limiting an elector's ability to challenge the title and ballot summary of a proposed constitutional amendment. However, as noted above, the remedy which this bill supplants is statutory in nature and does not rise to the level of a constitutional right. In addition, the Legislature has provided an alternative by providing for review by the Attorney General.
3. **Effectiveness of Limitations on Judicial Review** - Under certain circumstances, constitutional requirements may still empower the courts to undertake a review of the adequacy of titles and ballot summaries, notwithstanding limitations expressed in this bill. In Hill v. Milander, 72 So.2d 796 (Fla. 1954), the Florida Supreme Court upheld the validity of a ballot which would have directed a city council to appoint a board to prepare a proposed new city charter. When examining the adequacy of the ballot, the court noted that "All that the Constitution requires . . . is that the voter must have notice of that which he must decide. . . . What the law requires is that the ballot be fair and advise the voter sufficiently to enable him intelligently to cast his ballot." It would appear from the court's reasoning, that if a ballot summary is vague or grossly misleading, to the point where it fails to adequately apprise the voter of the nature of the measure under consideration, that the courts may still have the power to declare the ballot measure invalid. See also Miami Dolphins, Ltd. v. Metropolitan Dade Co., 394 So.2d 981 (Fla. 1981)(upholding ballot measure that the trial court had stricken due to statutory deficiencies and the "misleading nature" of the ballot language). In Smathers v. Smith, 338 So.2d 825 (Fla. 1976), the Florida Supreme Court upheld the constitutionality of a proposed constitutional amendment, created by a joint resolution of the Legislature,

providing for legislative overview of executive rules to ensure compliance with legislative intent. The court stated:

The serious business of amendment of a constitution by lawmakers demands that the functional unity of sections and articles be preserved to the fullest extent possible, so that, first, ambiguities and contradictions be avoided and, second, cumulative confusion be prevented. That the people of Florida have recognized the danger of mis-amendments and expressed their intention to avoid their proliferation is manifest in their mandate for revision commissions on a regular periodic basis. Their concerns in this regard dovetail naturally with the notion that lawmakers who are asked to consider constitutional changes, and the people who are asked to approve them, must be able to comprehend the sweep of each proposal from a fair notification in the proposition itself that is neither less nor more extensive than it appears to be.

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

None.

VII. SIGNATURES:

COMMITTEE ON Civil Justice and Claims:
Prepared by:

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Charles R. Boning

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