



Journal of the Senate

Number 16

Thursday, April 27, 1978

The Senate was called to order by Senator Myers at 8:30 a.m. for the purpose of conducting the order of business of introduction and reference of resolutions, memorials, bills and joint resolutions pursuant to Rule 4.3.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has adopted HM 1614 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Agriculture & General Legislation—

HM 1614—A memorial to the Congress of the United States, urging Congress to take immediate steps to enact federal legislation regulating collective bargaining in agricultural employment.

—was read the first time by title and referred to the Committee on Rules and Calendar.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed as amended CS for HB 448 and HB 898 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Elections and Representative James—

CS for HB 448—A bill to be entitled An act relating to elections; amending s. 101.71(1), (2), and (3), Florida Statutes, providing that polling places shall be accessible to the public on election day; providing an effective date.

—was read the first time by title and referred to the Committee on Judiciary-Civil.

By Representative Robinson—

HB 898—A bill to be entitled An act for the relief of the estate of Myra S. Applegate; providing an appropriation to compensate her estate for injuries and damages sustained by her due to the negligence of the Department of State; providing an effective date.

—was read the first time by title and referred to the Special Master and the Committee on Finance, Taxation and Claims.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 873 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Haben—

HB 873—A bill to be entitled An act for the relief of Burton and Mary Ann Holmes; providing an appropriation to compensate them for the loss of their daughter due to acts and omissions by the Department of Natural Resources; providing a limitation on attorney fees; providing an effective date.

—was read the first time by title and referred to the Special Master and the Committee on Finance, Taxation and Claims.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed HB 64 and HB 841 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Hollingsworth—

HB 64—A bill to be entitled An act for the relief of Floree Marie Williams; providing an appropriation to compensate her for injuries caused by the negligence of the Department of Transportation; providing an effective date.

—was read the first time by title and referred to the Special Master and the Committee on Finance, Taxation and Claims.

By Representative Fortune—

HB 841—A bill to be entitled An act providing for the relief of Floridale Land, Inc., a Florida corporation; providing an appropriation; providing an effective date.

—was read the first time by title and referred to the Special Master and the Committee on Finance, Taxation and Claims.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed HB 752 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representatives Redman and Blackburn—

HB 752—A bill to be entitled An act relating to roads and highways; authorizing and directing the Department of Transportation to redesignate that portion of the Florida Turnpike known as the Wildwood Interchange as the "John M. Hammer Interchange"; providing for the erection of signs and markers; providing an effective date.

—was read the first time by title and referred to the Committee on Transportation.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 719 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative James—

HB 719—A bill to be entitled An act relating to the Commission on Ethics; amending s. 112.324(1) and (2), Florida Statutes; providing for destruction of records upon dismissal of a complaint against any person other than an impeachable officer or legislator by the commission; providing an effective date.

—was read the first time by title and referred to the Committee on Governmental Operations.

The Senate recessed at 8:33 a.m.

The Senate was called to order by the President at 9:00 a.m. A quorum present—39:

Mr. President	Gordon	Myers	Thomas, Jon
Barron	Gorman	Peterson	Thomas, Pat
Castor	Graham	Plante	Tobiassen
Chamberlin	Hair	Poston	Trask
Childers, Don	Henderson	Renick	Ware
Childers, W. D.	Holloway	Saylor	Williamson
Dunn	Johnston	Scarborough	Wilson
Firestone	Lewis	Scott	Winn
Gallen	MacKay	Skinner	Zinkil
Glisson	McClain	Spicola	

Excused: Senator Vogt until 3:30 p.m.

Prayer by Dr. Robert M. McMillan, Pastor, First Baptist Church, Tallahassee:

Almighty God, our Father, we humbly pause before we enter the deliberations of this session of the legislature to recognize your sovereignty over the affairs of men. Accept our prayer as a gesture of faith as a longing for answers to the problems of our times.

In days of public disillusionment of government grant us the will and courage to certify our integrity by our forthrightness.

Grant us, our God, the wisdom to effectively apply our individual skills to produce collective legislation for the betterment of our beloved state.

We pray that for hours of disappointment, frustration or discouragement we will have the character to lift our eyes from our circumstances and focus on our goals.

May peace of heart be the portion of each senator amidst the raucous clamor of voices demanding to be heard and pressures applied.

So grant us your aid, dear God. Amen.

REPORTS OF COMMITTEES

The Committee on Rules and Calendar recommends the following be placed on the Special Order Calendar for Thursday, April 27, 1978:

SB 1100	SB 481	SB 205
SB 473	SB 500	SB 575

Respectfully submitted,
W. D. Childers, Chairman

The Committee on Agriculture to whom was referred the following appointments subject to confirmation by the Senate:

Margaret E. Lowry, Tampa, Member, Florida Citrus Commission, District One, for term ending May 31, 1980

David Oliver Hamrick, Bradenton, Member, Florida Citrus Commission, State at Large, for term ending May 31, 1980

Danforth K. Richardson, Vero Beach, Member, Florida Citrus Commission, District Five, for term ending May 31, 1980

Charles Milton Shinn, Jr., Winter Haven, Member, Florida Citrus Commission, District Seven, for term ending May 31, 1980

—after inquiry and due consideration, recommends that the Senate confirm the aforesaid appointments made by the Governor.

The appointments contained in the foregoing report were referred to the Committee on Executive Business under the original reference.

The Committee on Education recommends the following pass:

SB 292	SB 755	SB 769
--------	--------	--------

The Committee on Natural Resources and Conservation recommends the following pass: CS for SB 373 with 3 amendments

The Committee on Corrections, Probation and Parole recommends the following pass:

SB 813	CS for SB 333 with 1 amendment	SB 581
--------	--------------------------------	--------

The Committee on Transportation recommends the following pass:

SB 451	SB 680	SB 859
--------	--------	--------

The bills contained in the foregoing reports were referred to the Committee on Appropriations under the original reference.

The Committee on Judiciary-Criminal recommends the following pass: SB 833 with 1 amendment

The Committee on Natural Resources and Conservation recommends the following pass: SB 686 with 1 amendment

The Committee on Transportation recommends the following pass: HB 829

The bills contained in the foregoing reports were referred to the Committee on Commerce under the original reference.

The Committee on Commerce recommends the following pass: SB 728 with 1 amendment

The bill was referred to the Committee on Economic, Community and Consumer Affairs under the original reference.

The Committee on Commerce recommends the following pass: SB 730, SB 775

The Committee on Natural Resources and Conservation recommends the following pass: SB 543

The bills contained in the foregoing reports were referred to the Committee on Finance, Taxation and Claims under the original reference.

The Committee on Judiciary-Criminal recommends the following pass: SB 444, SB 711 with 2 amendments

The bill was referred to the Committee on Judiciary-Civil under the original reference.

The Committee on Judiciary-Civil recommends the following pass: SB 450 with 1 amendment

The bill was referred to the Committee on Transportation under the original reference.

The Committee on Commerce recommends the following pass:

SB 366	SB 721
SB 514 with 2 amendments	SB 754 with 2 amendments

The Committee on Education recommends the following pass:

SB 378	SB 551 with 7 amendments	SB 778
--------	--------------------------	--------

The Committee on Judiciary-Civil recommends the following pass:

SB 102	SB 886
SB 623	HB 364
SB 646	HB 935
SB 831 with 1 amendment	HB 1043

The Committee on Judiciary-Criminal recommends the following pass:

SB 164	SB 782
SB 472 with 1 amendment	SB 807 with 1 amendment
SB 563	HB 38

The Committee on Natural Resources and Conservation recommends the following pass: SB 695, SB 843 with 1 amendment

The Committee on Transportation recommends the following pass: SB 621, HB 724 with 2 amendments

The bills contained in the foregoing reports were placed on the calendar.

The Committee on Natural Resources and Conservation recommends a Committee Substitute for the following: CS for SB 503 (as offered by the Committee on Governmental Operations)

The Committee on Personnel, Retirement and Collective Bargaining recommends Committee Substitutes for the following: SB 642, SB 877

The Committee on Transportation recommends a Committee Substitute for the following: SB 671

The bills with Committee Substitutes attached contained in the foregoing reports were referred to the Committee on Appropriations under the original reference.

The Committee on Natural Resources and Conservation recommends a Committee Substitute for the following: SB 557

The bill with Committee Substitute attached was referred to the Committee on Judiciary-Criminal under the original reference.

The Committee on Judiciary-Civil recommends the following not pass: SB 375, SB 587

The Committee on Transportation recommends the following not pass: SB 578

The bills contained in the foregoing reports were laid on the table.

Bills Referred to Subcommittee

The following have been referred to the Judiciary-Criminal select subcommittee composed of Senator Guy Spicola, Chairman; Senators Harry Johnston and George Williamson, which will report to the full committee within 2 days:

SB 394 by Senators Williamson and Dunn	SB 751 by Senator Graham SB 752 by Senator Graham
--	--

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Dunn, the rules were waived and by two-thirds vote SB 557 was withdrawn from the Committee on Judiciary-Criminal.

On motions by Senator Glisson, by two-thirds vote SB 692 was withdrawn from the Committees on Governmental Operations and Commerce.

On motions by Senator W. D. Childers, by two-thirds vote HCR 1134 was withdrawn from the Committee on Rules and Calendar and by two-thirds vote placed first on the special order calendar.

On motion by Senator Williamson, by two-thirds vote SB 569 was removed from the calendar and indefinitely postponed.

REQUESTS FOR EXTENSION OF TIME

The Committee on Executive Business requests an extension of 15 days for consideration of the following:

SB 722 by Senators Sayler and Wilson

The Committee on Natural Resources and Conservation requests an extension of 15 days for consideration of the following:

SB 734 by Senator Dunn	HB 643 by Committee on Natural Resources
------------------------	---

The Committee on Personnel, Retirement and Collective Bargaining requests an extension of 15 days for consideration of the following:

SB 739 by Senator Tobiassen	SB 761 by Senator Gallen
SB 750 by Senator Myers	SB 773 by Senator Firestone

The Committee on Rules and Calendar requests an extension of 15 days for consideration of the following:

SB 231 by Senator Glisson	SB 744 by Senator Spicola and others
SB 386 by Senator Spicola	SJR 745 by Senator Pat Thomas
SB 479 by Senator Firestone	SM 766 by Senator Glisson
SM 709 by Senator Dunn	SB 771 by Senator Wilson and others
SM 738 by Senator Zinkil	
SB 743 by Senator Spicola	

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had filed in the office of the Secretary of State Senate Bills 117, 154, 157 and 212 which he had approved April 25, 1978.

Appointments Subject to Confirmation by the Senate

The Secretary of State on April 21, 1978 certified that pursuant to the provisions of Section 114.05, Florida Statutes, certificates subject to confirmation by the Senate had been prepared for the following:

W. F. Edwards, Dade City, Member of the Florida Citrus Commission, for term ending May 31, 1981

George McClure, Apopka, Member of the Florida Citrus Commission, for term ending May 31, 1981

Karick Asa Price, Orlando, Member of the Florida Citrus Commission, for term ending May 31, 1981

Albin P. Crutchfield, DeLand, Member of the Florida Citrus Commission, for term ending May 31, 1981

—which were referred to the Committees on Agriculture and Executive Business.

Garth C. Reeves, Miami, Member of the Board of Trustees of the Miami-Dade Community College, for term ending May 31, 1982

Alfonso Levy, Columbia, Member of the Board of Trustees of the Lake City Community College, for term ending May 31, 1982

Robert E. Williams, Amelia Island, Member of the Board of Trustees of the Florida Junior College at Jacksonville, for term ending May 31, 1982

Paul J. Eubanks, Bristol, Member of the Board of Trustees of the Chipola Junior College, for term ending May 31, 1982

Anne M. McKinnon, Winter Garden, Member of the Board of Trustees of the Valencia Community College, for term ending May 31, 1982

Leroy Bowdoin, Trenton, Member of the Board of Trustees of the Lake City Community College, for term ending May 31, 1982

Kenneth L. Johnson, Jacksonville, Member of the Board of Trustees of the Florida Junior College at Jacksonville, for term ending May 31, 1982

Robert H. Hazel, Vero Beach, Member of the Board of Trustees of the Indian River Community College, for term ending May 31, 1982

William Lesley Hendry, Okeechobee, Member of the Board of Trustees of the Indian River Community College, for term ending May 31, 1982

Ira M. McAlpin, Jr., Fort Pierce, Member of the Board of Trustees of the Indian River Community College, for term ending May 31, 1982

James G. Feiber, Jr., Gainesville, Member of the Board of Trustees of the Santa Fe Community College, for term ending May 31, 1982

Janet F. deLorge, Pensacola, Member of the Board of Trustees of the Pensacola Junior College, for term ending May 31, 1982

John Harold Donaldson, Marianna, Member of the Board of Trustees of the Chipola Junior College, for term ending May 31, 1982

John R. Broxson, Gulf Breeze, Member of the Board of Trustees of the Pensacola Junior College, for term ending May 31, 1982

Joseph B. Shirah, Saint Cloud, Member of the Board of Trustees of the Valencia Community College, for term ending May 31, 1982

John Daniels, Sanford, Member of the Board of Trustees of the Seminole Community College, for term ending May 31, 1982

Jewel F. Haddock, Jacksonville, Member of the Board of Trustees of the Florida Junior College at Jacksonville, for term ending May 31, 1982

Wallace C. Mayo, Pensacola, Member of the Board of Trustees of the Pensacola Junior College, for term ending May 31, 1982

Leonard Sacks, Daytona Beach, Member of the Board of Trustees of the Daytona Beach Community College, for term ending May 31, 1982

Raymer F. Maguire, Jr., Orlando, Member of the Board of Trustees of the Valencia Community College, for term ending May 31, 1982

Hal Chasey, Palmetto, Member of the Board of Trustees of the Manatee Junior College, for term ending May 31, 1982

Paul C. Perkins, Orlando, Member of the Florida Student Financial Assistance Commission, for term ending June 30, 1981

Norman O. Protsman, Live Oak, Member of the Board of Trustees of the North Florida Junior College, for term ending May 31, 1982

Lucile B. Day, Greenville, Member of the Board of Trustees of the North Florida Junior College, for term ending May 31, 1982

Laura C. Helvenston, Live Oak, Member of the Board of Trustees of the North Florida Junior College, for term ending May 31, 1982

James H. Sasser, Jr., Lutz, Member of the Board of Trustees of the Pasco-Hernando Community College, for term ending May 31, 1982

Kathleen Walker, Orange Park, Member of the Board of Trustees of the St. Johns River Community College, for term ending May 31, 1982

Roy F. Corrigan, New Port Richey, Member of the Board of Trustees of the Pasco-Hernando Community College, for term ending May 31, 1982

Leland P. McKeown, Brooksville, Member of the Board of Trustees of the Pasco-Hernando Community College, for term ending May 31, 1982

Philip Benjamin, St. Petersburg, Member of the Board of Trustees of the St. Petersburg Junior College, for term ending May 31, 1982

Charlie M. Macon, Greensboro, Member of the Board of Trustees of the Tallahassee Community College, for term ending May 31, 1982

James N. Tookes, Tallahassee, Member of the Board of Trustees of the Tallahassee Community College, for term ending May 31, 1982

Nathaniel P. Reed, Hobe Sound, Member of the South Florida Water Management District, for term ending July 1, 1981

James A. Poyner, Panama City, Member of the Board of Trustees of the Gulf Coast Community College, for term ending May 31, 1982

Charles A. Whitehead, Panama City, Member of the Board of Trustees of the Gulf Coast Community College, for term ending May 31, 1982

Paul A. Hatchett, Clearwater, Member of the Board of Trustees of the St. Petersburg Junior College, for term ending May 31, 1982

Carl N. Taylor, Key West, Member of the Board of Trustees of the Florida Keys Community College, for term ending May 31, 1982

Leo M. Haskins, Jr., Key West, Member of the Board of Trustees of the Florida Keys Community College, for term ending May 31, 1982

Roger W. Dobson, Merritt Island, Member of the Board of Trustees of the Brevard Community College, for term ending May 31, 1982

Theresa W. Holiday, Starke, Member of the Board of Trustees of the Santa Fe Community College, for term ending May 31, 1982

Elinor Wilkov, Hollywood, Member of the Board of Trustees of the Broward Community College, for term ending May 31, 1982

Margaret Blake Roach, Fort Lauderdale, Member of the Board of Trustees of the Broward Community College, for term ending May 31, 1982

Ben F. Dixon, Okeechobee, Member of the Board of Trustees of the Indian River Community College, for term ending May 31, 1982

J. Milton Brownlee, Gainesville, Member of the Board of Trustees of the Santa Fe Community College, for term ending May 31, 1982

Jack Kassewitz, Coral Gables, Member of the Board of Trustees of the Miami-Dade Community College, for term ending May 31, 1982

H. George Burke, Jr., Bartow, Member of the Board of Trustees of the Polk Community College, for term ending May 31, 1982

Robert L. Clark, Jr., Fort Lauderdale, Member of the South Florida Water Management District, for term ending July 1, 1981

Carolyn P. Stenstrom, Sanford, Member of the Board of Trustees of the Seminole Community College, for term ending May 31, 1982

—which were referred to the Committee on Executive Business.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has recalled from the Senate, receded from House Amendment 5, refused to recede from House Amendment 6, further amended and passed as further amended—

By Senators Ware and Hair—

SB 209—A bill to be entitled An act relating to the Administrative Procedure Act; amending s. 120.52(10), Florida Statutes, providing that prisoners shall not be considered parties under the act for the purpose of obtaining specified proceedings; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 6—On page 1 in title, line 3, after the comma “,” insert: redefining the term “party” for the purposes of the Administrative Procedure Act;

Amendment 7—On page 1, line 27, after the “,” insert: (d) Any county representative, agency, department or unit funded and authorized by state statute or county ordinance to represent the interests of the consumers of a county, when the proceeding involves the substantial interests of a significant number of residents of the county and the Board of County Commissioners has, by resolution, authorized the representative agency, department or unit to represent the class of interested persons. The authorizing resolution shall apply to a specific proceeding and to appeals and ancillary proceedings thereto, and it shall not be required to state the names of the persons whose interests are to be represented.

On motions by Senator Ware, the Senate concurred in House Amendments 6 and 7.

SB 209 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—33

Mr. President	Gorman	Poston	Trask
Castor	Graham	Renick	Ware
Childers, Don	Hair	Sayler	Williamson
Childers, W. D.	Henderson	Scarborough	Wilson
Dunn	Holloway	Skinner	Wian
Firestone	Johnston	Spicola	Zinkil
Gallen	Lewis	Thomas, Jon	
Glisson	McClain	Thomas, Pat	
Gordon	Myers	Tobiassen	

Nays—1

Chamberlin

Vote after roll call:

Yea—Peterson

The bill was ordered engrossed and then enrolled.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments 1, 4, 5 and 6 and passed HB 200, as amended and has refused to concur in Senate Amendments 2 and 3 and requests the Senate to recede.

Allen Morris, Clerk

By Representative Robinson and others—

HB 200—A bill to be entitled An act relating to marriage; amending s. 741.07, Florida Statutes, to provide that ordained clergy may perform marriage ceremonies; providing an effective date.

Amendment 2—On page 1, line 12, strike “ministers of the gospel” and insert: *members of the clergy* ~~ministers of the gospel~~

Amendment 3—On page 1, line 13, strike “or other ordained clergy.”

On motion by Senator Tobiassen, the Senate receded from Amendments 2 and 3.

HB 200 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—34

Mr. President	Gorman	Peterson	Tobiassen
Barron	Graham	Plante	Trask
Castor	Hair	Poston	Ware
Chamberlin	Henderson	Renick	Williamson
Childers, Don	Holloway	Sayler	Wilson
Firestone	Johnston	Scarborough	Winn
Gallen	Lewis	Skinner	Zinkil
Glisson	McClain	Spicola	
Gordon	Myers	Thomas, Jon	

Nays—None

Vote after roll call:

Yea—W. D. Childers

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed SB 18 and SB 74.

Allen Morris, Clerk

The bills were ordered enrolled.

On motion by Senator W. D. Childers, the rules were waived and the Committee on Executive Business was granted permission to meet Monday, May 1, from 5:30 p.m. to 8:30 p.m. to consider executive appointments.

MATTERS ON RECONSIDERATION

The motion by Senator Scarborough to reconsider the vote by which SB 474 passed April 26 was not taken up and therefore considered abandoned.

SPECIAL ORDER

On motion by Senator Lewis, staff of the Committee on Appropriations were granted privileges of the floor during consideration of SB 1100.

SB 1100—A BILL TO BE ENTITLED AN ACT MAKING APPROPRIATIONS; PROVIDING MONEYS FOR THE ANNUAL PERIOD BEGINNING JULY 1, 1978 AND ENDING JUNE 30, 1979 TO PAY SALARIES, OTHER EXPENSES, CAPITAL OUTLAY-BUILDINGS AND IMPROVEMENTS, AND FOR OTHER SPECIFIED PURPOSES OF THE VARIOUS AGENCIES OF STATE GOVERNMENT; SUSPENDING SECTIONS 27.34(2), 27.54(3), 215.32(2)(C), 216.262, 216.292, 216.301, 216.351, 228.195(4), 230.765, 230.767(4), 235.435, 257.22, AND 402.17(3), FLORIDA STATUTES; PROVIDING AN EFFECTIVE DATE.

—was read the second time by title.

Senator Peterson moved the following amendment which was adopted:

Amendment 1—Following “Department of Administration” on page 3, insert proviso language: Provided that in order for the state agencies to reimburse health and medical care practitioners, in the same amount for identical services by identical provider types, the Department of Administration shall develop a uniform fee schedule for each provider class receiving state reimbursements. Provided further, that such fee schedules shall be adopted by all state agencies no later than July 1, 1980.

Senator Gordon moved the following amendments which were adopted:

Amendment 2—

Item	Strike:	Insert:
132 Salaries & Benefits from Bank and Trust Company Trust Fund	118	126
133 Other Personal Services from Bank and Trust Company Trust Fund	\$1,648,793	\$1,774,875
134 Expenses from Bank and Trust Company Trust Fund	18,135	23,760
135 Operating Capital Outlay from Bank and Trust Company Trust Fund	415,531	469,341
	10,931	16,202

Explanation:

Department of Banking and Finance, Division of Banking to provide for increased activity in savings and loan charter applications and examinations.

Increase

Item 132	8 positions	\$126,082
Item 133		5,625
Item 134		53,810
Item 135		5,271
		<hr/>
		\$190,788

Amendment 3—Item 209, add the following proviso: Provided, however, the Governor shall appoint an Economic Development Advisory Council in accordance with Section 288.10, Florida Statutes.

Senator Gordon moved the following amendment which failed:

Strike: "The base student allocation is \$878" and Insert: The base student allocation is \$878.38

Amendment 4—

Item	Strike:	Insert:
353A Grants and Aids		
Florida Education Finance		
Program—Grades K-12		
From General Revenue Fund	\$940,505,148	\$960,506,567
In the proviso language following		
this item, paragraph 1, line 1,	\$878	\$888
Item 361 Grants and Aids		
Instructional Materials		
From General Revenue		
Fund	\$20,001,419	0

Amendment 7 was adopted. The vote was:

Yeas—24

Castor	Glisson	McClain	Tobiassen
Chamberlin	Gordon	Myers	Ware
Childers, Don	Graham	Renick	Williamson
Dunn	Hair	Scott	Wilson
Firestone	Johnston	Skinner	Winn
Gallen	MacKay	Thomas, Jon	Zinkil

Nays—8

Mr. President	Henderson	Peterson	Thomas, Pat
Gorman	Lewis	Plante	Trask

Votes after roll call:

Yea—Holloway, Poston, Saylor, Spicola, Scarborough
Nay to Yea—Pat Thomas

Senators Zinkil, Scott, Jon Thomas and Williamson offered the following amendment which was moved by Senator Zinkil:

Amendment 5—Item 353A, strike "The required local effort shall be 6.5 mills on the official final tax roll." and insert: The required local effort shall be 6.4 mills on the official final tax roll.

Senators Myers, Zinkil, Williamson, Saylor, Jon Thomas, Scott, Chamberlin and Dunn offered the following substitute amendment which was moved by Senator Zinkil:

Amendment 6—After Item 353A, strike: "The required local effort shall be 6.5 mills on the official final tax roll." and insert: The required local effort shall be 6.4 mills on the official final tax roll.

Insert: The district cost differential for the purposes of Section 236.081(2), F.S., shall be the average of the three most current years for each district.

Senator Spicola moved that the question be divided. The motion failed.

Point of Order

Senator Spicola raised a point of order that the amendment dealt with district cost differentials and would change general law, therefore the amendment was out of order as statutory law cannot be changed by proviso language.

The President ruled the point not well taken.

Amendment 6 was adopted. The vote was:

Yeas—25

Mr. President	Graham	Plante	Williamson
Chamberlin	Hair	Poston	Wilson
Childers, Don	Holloway	Renick	Winn
Dunn	Johnston	Saylor	Zinkil
Firestone	Lewis	Scott	
Glisson	MacKay	Thomas, Jon	
Gordon	Myers	Ware	

Nays—13

Barron	Henderson	Skinner	Trask
Castor	McClain	Spicola	
Childers, W. D.	Peterson	Thomas, Pat	
Gallen	Scarborough	Tobiassen	

Vote after roll call:

Yea—Gorman

Senators Myers, Graham, Firestone, Zinkil, Ware, Saylor, Jon Thomas and Chamberlin offered the following amendment which was moved by Senator Myers:

Amendment 7—

Item:	Strike:	Insert:
353A Grants and Aids		
Florida Education Finance Pro-		
gram		
Grades K through 12		
From General Revenue	940,505,148	951,762,815
Fund		

Senators Ware, Saylor, Chamberlin, Henderson and Myers offered the following amendment which was moved by Senator Ware:

Amendment 8—

Item 353B Grants and Aids Florida Education Finance Program—Adult Programs

Strike: Adult Supplemental Vocational Programs 7,629 weighted FTE.

Second sentence of first paragraph on page 37 which reads: "Adult Supplemental Vocational Programs shall have a cost factor of 1.0, and excess full-time equivalent membership shall be computed at a cost factor of 0.0"

Last paragraph in item 353B, page 37, which reads: "No funds shall be allocated for Non-wage Earning Consumer Homemaking Program, except for credit toward high school graduation."

Insert: Adult Supplemental Vocational Programs 15,009 weighted FTE.

Second paragraph, page 37, of item 353B, insert after No. 3 a No. 4 which reads: "Consumer and homemaking programs for the occupation of homemaking including (a) consumer education, (b) parenthood and family living education, (c) child development and guidance, (d) food and nutrition, (e) housing and home management (including resource management,) and clothing and textiles."

Between second and third paragraphs, page 37, of item 353B, insert a new paragraph which reads: "Prior to the initiation of any supplemental vocational course or program, a request shall be submitted to the Department of Education for approval. This request from any local education agency shall indicate the need for the course or program in terms of the stated goals and objectives spelled out in the letter of intent."

On motion by Senator W. D. Childers, the rules were waived and the Senate recessed at 11:59 a.m. to reconvene at 1:00 p.m.

AFTERNOON SESSION

The Senate was called to order by the President at 1:00 p.m. A quorum present—39:

Mr. President	Gordon	Myers	Thomas, Jon
Barron	Gorman	Peterson	Thomas, Pat
Castor	Graham	Plante	Tobiassen
Chamberlin	Hair	Poston	Trask
Childers, Don	Henderson	Renick	Ware
Childers, W. D.	Holloway	Saylor	Williamson
Dunn	Johnston	Scarborough	Wilson
Firestone	Lewis	Scott	Winn
Gallen	MacKay	Skinner	Zinkil
Glisson	McClain	Spicola	

On motions by Senator W. D. Childers, by two-thirds vote SB 954 was withdrawn from the Committee on Rules and Calendar and by two-thirds vote placed on the special order calendar for May 1.

SPECIAL ORDER

HCR 1134—A concurrent resolution declaring April 28 as Founders Day for the Town of Hudson in Pasco County and declaring June 17, 1978, as Pioneer Centennial Celebration Day for the Town of Hudson.

—was read the second time in full. On motion by Senator Peterson HCR 1134 was adopted and certified to the House. The vote on adoption was:

Yeas—27

Mr. President	Hair	Peterson	Spicola
Childers, Don	Henderson	Plante	Thomas, Jon
Childers, W. D.	Holloway	Poston	Tobiassen
Dunn	Johnston	Renick	Ware
Gallen	Lewis	Scarborough	Williamson
Glisson	MacKay	Scott	Winn
Gordon	Myers	Skinner	

Nays—None

Votes after roll call:

Yea—Firestone, Pat Thomas

On motion by Senator Peterson, the rules were waived and HCR 1134 was ordered immediately certified to the House.

On motion by Senator Glisson, by unanimous consent—

SB 692—A bill to be entitled An act relating to legal holidays; adding s. 683.01(1)(s), Florida Statutes; providing that the birthday of Martin Luther King, Jr., is a legal holiday; providing an effective date.

—was taken up out of order and read the second time by title. On motion by Senator Glisson, by two-thirds vote SB 692 was read the third time by title, passed and certified to the house. The vote on passage was:

Yeas—27

Mr. President	Glisson	MacKay	Thomas, Jon
Barron	Gordon	Myers	Thomas, Pat
Castor	Hair	Peterson	Tobiassen
Chamberlin	Henderson	Plante	Ware
Childers, Don	Holloway	Poston	Williamson
Childers, W. D.	Johnston	Renick	Winn
Dunn	Lewis	Spicola	

Nays—None

Votes after roll call:

Yea—Firestone, Graham

On motion by Senator Glisson, the rules were waived and SB 692 was ordered immediately certified to the House.

The Senate resumed consideration of—

SB 1100—A BILL TO BE ENTITLED AN ACT MAKING APPROPRIATIONS; PROVIDING MONEYS FOR THE ANNUAL PERIOD BEGINNING JULY 1, 1978 AND ENDING JUNE 30, 1979 TO PAY SALARIES, OTHER EXPENSES, CAPITAL OUTLAY-BUILDINGS AND IMPROVEMENTS, AND FOR OTHER SPECIFIED PURPOSES OF THE VARIOUS AGENCIES OF STATE GOVERNMENT; SUSPENDING SECTIONS 27.34(2), 27.54(3), 215.32(2)(C), 216.262, 216.292, 216.301, 216.351, 228.195(4), 230.765, 230.767(4), 235.435, 257.22, AND 402.17(3), FLORIDA STATUTES; PROVIDING AN EFFECTIVE DATE.

Senator MacKay moved the following substitute amendment which was adopted:

Amendment 9—

Item 353B	Grants and Aids		
	FEFP—Adult Programs		

In the proviso language following this item, on page 37, paragraph 8; strike the entire paragraph,

On page 37, in the 3rd paragraph, after # 3, insert a new # 4 which reads: Consumer and Homemaking Programs for the occupation of homemaking including (A) Consumer Education, (B) Parenthood and Family Living Education, (C) Child Development and Guidance, (D) Food and Nutrition, (E) Housing and Home Management (including Resource Management,) and Clothing and Textiles.

On page 37, after the 3rd paragraph, insert a new paragraph which reads: Prior to the initiation of any supplemental vocational course or program, a request shall be submitted to the Department of Education for approval. It is intended that Consumer and Homemaking courses shall not be discontinued, but that such programs be restricted until such time as this expansion can be accomplished without adverse impact on the basic goals of the public school system.

Senators Tobiassen, W. D. Childers and Peterson offered the following amendment which was moved by Senator Tobiassen and failed:

Amendment 10—

Item 353A	Grants and Aids	Strike:	Insert:
	Florida Education Finance		
	Program—Grades K through 12		
	From General Revenue	940,505,148	967,762,815

The district cost differentials used to calculate each district's allocation of the funds appropriated in Item 353A for 1978-79 shall be a three year moving average, except that no district shall have a district cost differential below 1.0.

Senator Peterson moved the following amendment which was adopted:

Amendment 11—

Item	Grants and Aids	Strike:	Insert:
353A	Florida Education Finance		
	Program		
	From General Revenue	940,505,148	951,216,333

In the proviso language following this item:

On page 36, paragraph 2 strike the entire paragraph

Item	Grants and Aids		
359	Comprehensive Health Education		
	From General Revenue		546,482

Senator Hair moved the following amendment which was adopted:

Amendment 12—

Item 353B	Grants and Aids		
	Florida Educational Finance		
	Program		
	Adult Programs		

In the proviso language following Item 353B after the last paragraph insert the following new paragraph:

The district cost differentials used to calculate each district's allocation of the 1978-79 funds appropriated in item 353B for 1978-79 shall be a three year moving average for each district.

Senator Tobiassen moved the following amendment which failed:

Amendment 13—

Item 355A	Grants and Aids		
	Gifted Programs		\$596,215
	From General Revenue		

Following this Item, insert the following Proviso Language:

The Appropriation in Item 355A shall be allocated on a un-weighted FTE basis to supplement gifted programs.

Senator Henderson moved the following amendment:

Amendment 14—

Item 361 Grants and Aids
Instructional Materials
From General Revenue
Fund

Following the proviso language in this item add:

From the amount appropriated in Item 361, the Commissioner is authorized to purchase upon the requisition of the districts, not more than 12,000 copies of the Florida Handbook for distribution to the public schools on an equitable formula based on the number of students in the respective districts.

Senator Lewis moved the following amendment to Amendment 14 which failed:

Amendment 14A—

Page 1, line 13 after "purchase," insert: through competitive bids

Amendment 14 failed. The vote was:

Yeas—15

Table with 4 columns: Name, MacKay, Scott, Tobiassen. Rows: Dunn, Gorman, Henderson, Holloway; McClain, Plante, Saylor; Skinner, Thomas, Jon, Thomas, Pat; Williamson, Wilson.

Nays—20

Table with 4 columns: Name, Childers, W. D., Lewis, Scarborough. Rows: Mr. President, Barron, Castor, Chamberlin, Childers, Don; Gordon, Graham, Hair, Johnston; Myers, Peterson, Poston, Renick; Spicola, Trask, Winn, Zinkil.

Vote after roll call:

Yea—Firestone

Senator Graham moved the following amendment which failed:

Amendment 15—

In Item 376 strike second paragraph in proviso

Senator Hair moved the following amendment:

Amendment 16—

Item 382 Grants and Aids
Community Colleges Program Fund
From General Revenue Fund

Strike: On page 43, under Assigned FTE Enrollments "Occupational-Supplemental 4290"

Second sentence of first paragraph, Page 44, which reads "An amount of \$659.25 shall be allocated from Item 382 for each assigned FTE in Vocational Supplemental Programs."

Last paragraph on Page 44, which reads "No funds in Item 382 shall be allocated for non-wage earning Consumer Home-making Programs except credit towards a high school diploma."

Insert: Under Assigned FTE Enrollments, "Occupational-Supplemental 6157"

Second paragraph under Item 382, Page 43, insert after No. 3, No. 4, which reads

"Consumer and Homemaking Programs for the occupation of homemaking including (A) Consumer Education, (B) Parenthood and Family Living Education, (C) Child Development and Guidance, (D) Food and Nutrition, (E) Housing and Home Management (including Resource Management,) and Clothing and Textiles."

Between second and third paragraph of Item 382, Page 43, insert a new paragraph which reads: "Prior to the initiation of any supplemental vocational course or program, a request shall be submitted to the Department of Education for approval. This request from any local education agency shall indicate the need for the course or program in terms of the stated goals and objectives spelled out in the letter of intent."

Senator MacKay moved the following substitute amendment which was adopted:

Amendment 17—

Item 382 Grants and Aids
Community College Program Fund
From General Revenue

In the proviso language following this item:

On page 44, strike the entire paragraph

On page 43, in the 2nd paragraph, after #3, insert #4:

4. Consumer and Homemaking Programs for the occupation of homemaking including (A) Consumer Education, (B) Parenthood and Family Living Education, (C) Child Development and Guidance, (D) Food and Nutrition, (E) Housing and Home Management (including Resource Management,) and Clothing and Textiles.

On page 43, after the 2nd paragraph, insert the following new paragraph: Prior to the initiation of any supplemental vocational course or program, a request shall be submitted to the Department of Education for approval. It is intended that Consumer and Homemaking courses shall not be discontinued, but that such programs be restricted until such time as this expansion can be accomplished without adverse impact on the basic goals of the Community College System.

Senator Gordon moved the following amendments which were adopted:

Amendment 18—

Item 403A Lump Sum
On page 50 strike paragraph one

Amendment 19—

Item 403A Lump Sum
On page 50 in paragraph two on line 8 after the word "obsolescence" insert the following: or failure to initially equip

Senator Gordon moved the following amendment which failed:

Amendment 20—

Item 403B Special Categories
Challenge grants
From General Revenue Fund \$10,000,000
and add the following proviso language: Provided, that the funds in Item 403B shall be used to implement the provisions of SB 1109. Provided further, that these funds are contingent upon passage of SB 1109 or similar legislation.

Senator MacKay moved the following amendments which were adopted:

Amendment 21—

Item 447
Further providing, the Shands Teaching Hospital is hereby authorized to employ or contract as consultants, any employee of the state university system. Provided no dual compensation is received by the employee.

Amendment 22—

Item 452 Grants and Aids
Aid to Water Management
Districts — Operations
From General Revenue Fund 2,200,000 2,206,000
And insert the following proviso language:

Provided, however, \$6,000 from item 452 shall be used in conjunction with \$10,000 appropriated from item 449, Chapter 77-465 Laws of Florida to reimburse the Auditor General for costs incurred related to the performance evaluation of the five districts.

Senator Pat Thomas moved the following amendment which failed:

Amendment 23—

	Strike:	Insert:
Item 466H Expenses		
From General Revenue Fund	985,415	1,042,979
466I Operating Capital Outlay		
From General Revenue Fund		967,305

Explanation:

To provide replacement of existing radio communications system.

Senator Scarborough moved the following amendment which was adopted:

Amendment 24—

	Strike:	Insert:
Item 483		
Positions	260	262
Salaries and Benefits		
From Working Capital		
Trust Fund	\$3,243,096	\$3,278,257

Explanation:

Provide personnel within the Division of Electronic Data Processing to implement an automated Reporting System for the Division of Elections.

Senator Renick moved the following amendment which failed:

Amendment 25—

	Strike:	Insert:
Item		
552 Salaries and Benefits	Pos 1350	Pos 1352
General Revenue	6,194,559	6,217,462
554 Expenses		
General Revenue	2,082,023	2,085,082

Provides 2 positions and \$25,962 for coordination of the chaplaincy program.

Senator Gordon moved the following amendment which was adopted:

Amendment 26—

	Strike:	Insert:
Item 556		
Grants and Aid		
Spinal Cord Injury Program		
General Revenue Fund	\$399,000	\$200,000

Explanation:

To discontinue funding of certain equipment.

Senators Gordon and Glisson offered the following amendments which were moved by Senator Gordon and failed:

Amendment 27—

Following Item 577 insert proviso language: Provided that there will be a 50¢ co-payment required on each prescription provided through the Medicaid "Prescribed Medicine Program." Provided further, that payment of this surcharge shall be the responsibility of the practitioner who issued the prescription.

Amendment 28—

Item 577	Strike:	Insert:
Special Categories		
Drugs (Prescribed Medicine)		
General Revenue Fund	10,667,188	11,630,885
Medical Care Trust Fund	16,850,809	18,364,488
Special Grants Trust Fund	2,293,367	2,492,701

Explanation: To allow Medicaid eligible persons or practitioners not to have to pay 50¢ per each prescription they receive.

The vote was:

Yeas—17

Castor	Gordon	Poston	Winn
Chamberlin	Graham	Renick	Zinkil
Dunn	Holloway	Skinner	
Firestone	Johnston	Thomas, Pat	
Glisson	MacKay	Ware	

Nays—18

Barron	Henderson	Plante	Trask
Childers, W. D.	Lewis	Saylor	Williamson
Gallen	McClain	Scarborough	Wilson
Gorman	Myers	Scott	
Hair	Peterson	Tobiassen	

Vote after roll call:

Yea—Spicola

On motion by Senator Scarborough, the Senate reconsidered the vote by which Amendment 28 failed. The question recurred on Amendment 28 which was adopted. The vote was:

Yeas—20

Castor	Glisson	Poston	Thomas, Pat
Chamberlin	Gordon	Scarborough	Ware
Childers, Don	Graham	Skinner	Wilson
Dunn	Holloway	Spicola	Winn
Firestone	MacKay	Thomas, Jon	Zinkil

Nays—15

Barron	Henderson	Myers	Scott
Childers, W. D.	Johnston	Peterson	Tobiassen
Gallen	Lewis	Plante	Williamson
Gorman	McClain	Renick	

Vote after roll call:

Nay to Yea—Renick

Senators Plante, Castor and Wilson offered the following amendment which was moved by Senator Plante and failed:

Amendment 29—

Item 609A	Strike:	Insert:
Grants-and-Aids		
Spouse Abuse Program		
General Revenue Fund		\$125,000
Marriage License Fees Trust Fund		\$175,000

Proviso Insert: Provided that funds appropriated in Item 609-A shall be contingent upon passage of CS for SB 649

Explanation: To implement a state funded program for abused spouses.

Senator Trask presiding

On motion by Senator Jon Thomas, the Senate reconsidered the vote by which Amendment 29 failed. The question recurred on Amendment 29 which was adopted.

The President presiding

The President asked the Sergeant-at-Arms to escort Max Cleland, Administrator of Veterans Affairs, Washington, D.C., into the chamber.

The President then introduced Mr. Cleland, who is the youngest man ever to become administrator of Veterans Affairs. He was appointed by President Carter and sworn in on March 2, 1977. He entered the Army in 1965, was qualified as a paratrooper and volunteered for service in Viet Nam. He was a captain in the First Cavalry Division when wounded by a grenade in April, 1968, and thereafter spent 18 months in hospitals. Mr. Cleland holds the Silver and Bronze Stars as well as numerous other awards and citations. Mr. Cleland spoke briefly to the Senate.

Senator Wilson moved the following amendment which was adopted:

Amendment 30—

Item	Strike:	Insert:
609B Displaced Homemakers Program—F.S. 409.511 Marriage License Fees Trust Fund		\$440,200

Proviso—Insert:

Provided that funds appropriated in Item 609B shall be contingent upon passage of increased Marriage License Fees

Senator Graham moved the following amendment which failed:

Amendment 31—

Item	Strike:	Insert:
611 Local Service Programs General Revenue Fund (For Community Care for the Elderly)	486,860	4,910,981

Senator MacKay moved the following amendment which failed:

Amendment 32—

Item	Strike:	Insert:
619 Grants and Aids Community Drug Abuse Services From General Revenue Fund	1,101,685	1,248,479

Explanation:

Adjustment for formula distribution deficit.

Senators Castor, Spicola and McClain offered the following amendment which was moved by Senator Castor and failed:

Amendment 33—

Item	Strike:	Insert:
Office of Assistant Secretary for Operations		
621A	\$300,000	\$598,061

Add to proviso language "and continue residential treatment program for alcoholics in Hillsborough County"

Senator Jon Thomas moved the following amendment which was adopted:

Amendment 34—

Item
657c

Provided that funds appropriated in Item 657c be used to establish a program for retarded juvenile *defendants/offenders*. The program will be designed to serve retarded persons who meet specific admission criteria set by the department which will not be directly tied to a genetically based syndrome. Adults will not be admitted to this facility nor will treatment be provided in excess of twelve (12) months.

Senators Gallen and Henderson offered the following amendment which was moved by Senator Gallen and adopted:

Amendment 35—

Item	Strike:	Insert:
713 Salaries and Benefits	951	952

Insert below existing proviso after Item 713:

Also, it is the intent of the Legislature that one (1) position included in Item 713 is for financial responsibility work in Manatee County.

Senator Gordon moved the following amendment which was adopted:

Amendment 36—On Pages 86 and 87—

Item 727:	Strike:	Insert:
Positions Salaries and Benefits From Insurance Commissioner's Regulatory Trust Fund	107 1,298,498	110 \$ 1,364,898

Item 729:	Strike:	Insert:
Expenses From Insurance Commissioner's Regulatory Trust Fund	1,283,823	\$ 1,290,205

Item 730:	Strike:	Insert:
Operating Capital Outlay From Insurance Commissioner's Regulatory Trust Fund	20,561	\$ 25,696

Explanation:

To provide 2 actuaries and a secretary to handle actuarial workload regarding insurance rate increases

Senator Barron was recorded as voting nay.

Senator MacKay moved the following amendment which was adopted:

Amendment 37—

Item	Insert:
875 Grant and Aids Suwanee River Authority From General Revenue Fund	21,250

Senator Renick moved the following amendment which failed:

Amendment 38—

Item	Strike:	Insert:
926 Salaries and Benefits From General Revenue	6,182 66,465,108	6,191 66,590,989
928 Expenses From General Revenue	20,815,714	20,823,904
929 Operating Capital Outlay From General Revenue	1,601,449	1,607,560

Adds 9 positions and \$140,182 for partial implementation of a chaplaincy program in major institutions of the prison system.

Senator Gordon moved the following amendment which was adopted:

Amendment 39—

Item 15	Fixed Capital Outlay	State Emergency Operating Center	Strike:
	From General Revenue Fund	\$1,089,500	
	From U.S. Contributions Trust Fund	\$1,047,100	

Senator Jon Thomas moved the following amendment which was adopted:

Amendment 40—

Item 25-A	To provide parking facilities at regional service centers	General revenue fund	Insert:
			\$1,168,474

Senators Pat Thomas and Graham offered the following amendment which was moved by Senator Pat Thomas and adopted:

Amendment 41—

Following the title "Offender Rehabilitation, Department of" on page 138, insert proviso language:

Provided that, in the event the funds appropriated in Item 9P of Chapter 77-465, Laws of Florida, revert to the General Revenue Fund, they may be utilized by the Department for expansion of current facilities during FY 1978-79.

Senator Plante moved the following amendment which failed: Amendment 42—

After item 2 H insert:

Item 2 I	Division of Universities	Fixed Capital Outlay	Planning for Education Conference Center, University of Florida	From General Revenue Fund	250,000
----------	--------------------------	----------------------	---	---------------------------	---------

Senator Graham moved the following amendment which failed: Amendment 43—

Pages 145 through 148: strike Section 4.

Senators Wilson and Vogt offered the following amendment which was moved by Senator Wilson:

Amendment 44—

In the proviso language at the beginning of this section on page 145 the first paragraph in this section	Strike:	Insert:
On line 4	138,500,000	138,680,000

Senator Peterson moved the following substitute amendment which failed:

Amendment 45—

Item OA	Fixed Capital Outlay	In the proviso language following this item on page 147, strike: The 5th paragraph
---------	----------------------	--

The question recurred on Amendment 44 which failed.

Senator Peterson moved the following amendment which was adopted:

Amendment 46—

Item OA	Fixed Capital Outlay	To the Commissioner of Education
---------	----------------------	----------------------------------

On page 146, paragraph 1, line 11, after the word "Regents" insert the following: and to the Community Colleges' Boards of Trustees

Senators Dunn, Winn, Zinkil, Poston and Holloway offered the following amendment which was moved by Senator Dunn and adopted:

Amendment 47—

Item OA

In the language following this item, insert the following qualification or restriction:

The funds appropriated in item OA shall not be disbursed or encumbered for expenditure by any community college unless and until the preliminary construction, design, and use plans have been reviewed by the Commissioner of Education and he has certified, as to each facility which is to be constructed or renovated, that the design and use plans for such facility have considered the multi-purpose use designed to fulfill educational, recreational, cultural, social and other shared needs in the community, in light of the particular needs of the community served by the community college.

Senator Pat Thomas moved the following amendment which failed:

Amendment 48—B. on Page 150 paragraph #2 Board of Regents Delete: instructional faculty who spend at least 50% of their time in teaching activities, incentive pay increases up to 7% of the instructors

Senators Chamberlin and MacKay offered the following amendment which was moved by Senator Chamberlin and failed:

Amendment 49—On page 150, strike all of Section 11 B, and insert new Section 11 B to read:

B. Board of Regents pay plan:

Unit Employees:

Merit pay increase moneys are provided at 8% of the actual salary rate of the authorized current positions. Each employee who has been employed for the previous academic year or for the previous six months shall receive a salary increase of 6%. The remaining funds (equal to 2%) shall be available to the board to grant pay increases at the discretion of the board for promotional increases, increases in recognition of merit, salary adjustments required by Section 241.735, Florida Statutes, and for other increases to remain competitive.

Non-unit employees:

Merit pay increase moneys are provided at 6% of the actual salary rate of the authorized current positions. Each employee who has been employed for the previous academic year or for the previous six months shall receive a salary increase of 4%. The remaining funds (equal to 2%) shall be available to the board to grant pay increases at the discretion of the board to grant promotional increases, increases in recognition of merit salary adjustments required by Section 241.735, Florida Statutes, and for other increases to remain competitive.

Senator Scarborough moved the following amendment which was adopted:

Amendment 50—On page 20

Item 111A	Data Processing Services	From General Revenue Fund	Strike:	Insert:
			\$10,400	\$34,180

Explanation:

To provide funds to automate the following reporting requirements in the Division of Elections:

- 1. campaign contributions and expenditures
- 2. candidate status

Senator W. D. Childers moved the following amendment which was adopted:

Amendment 51—

After item 66A strike:

Provided, however, funds appropriated in item 66A shall not be used until released by the Administration Commission and until all other available state or federal funds are exhausted. Further an Agricultural Emergency shall be defined as an unanticipated disease, insect infestation, or natural disaster which threatens a significant amount of the commercial or publicly owned plants or livestock in the state.

and insert:

Provided that General Revenue funds appropriated in item 66A shall be transferred to the Agricultural Emergency Trust Fund and shall not be used until released by the Administration Commission. Provided further, that the Administration Commission shall not release any of the funds until the Commissioner of Agriculture finds that an agricultural emergency exists and that all other available state and federal agricultural funds are insufficient to eliminate the agricultural emergency and submits a statement of the factual conditions and a program for combating the agricultural emergency. Further an agricultural emergency shall be defined as an unanticipated disease, insect infestation, or natural disaster which threatens a significant amount of the commercial or publicly owned plants or livestock in the state.

Senator Graham moved the following amendment which failed:

Amendment 52—

Item 319A
Strike: Second paragraph of Proviso

Senator Plante presiding

Senator Graham moved the following amendment which was adopted:

Amendment 53—Item 325, strike: the second paragraph of Proviso language and insert: Provided, however, for a qualified applicant not a renewal applicant who was in the program prior to June 30, 1978, the Grants shall be awarded for the amount of tuition and fees only and shall not exceed \$1,200 per academic year per applicant.

Senator Castor moved the following amendment which was adopted:

Amendment 54—

Item 327
Insert the following proviso:

Provided, however, if the Division of Bond Finance of the Department of General Services and the Commissioner of Education determine that fees collected pursuant to s. 239.671 are no longer required as security for revenue bonds issued pursuant to ss. 239.70-239.76, moneys previously collected which are held in escrow shall, after administrative expenses have been met, be reallocated to the generating institutions to be used for financial aid purposes.

Senator Graham moved the following amendment which failed:

Amendment 55—

Item 353B
Strike: An amount of \$120 for each Post-Secondary Vocational unweighted FTE in a job preparatory program shall be added to and made a part of the local required effort of each district. The required local effort of 6.5 mills shall not apply to this appropriation.

Senator Spicola moved the following amendment which failed:

Amendment 56—

Strike: Insert:

Item		Strike:	Insert:
451	Grants & Aids Aid to Water Management Districts—Fixed Capital Outlay from General Revenue Fund	1,475,954	2,180,325
452	Grants & Aids Aid to Water Management Districts—Operations from General Revenue Fund	2,200,000	1,800,000

Explanation:

Provides 100% of Corps of Engineers matching requirement and no operating funds for Southwest Fla. Water Management District.

Senator Sayler moved the following amendment which was adopted:

Amendment 57—On page 146, line 8, strike "office of educational facilities construction" and insert: Department of Education

Senator Plante offered the following amendment which was moved by Senator Sayler and adopted:

Amendment 58—Section 11, page 150, Insert new paragraph C: C. Board of Regents—Non-unit employees—Paragraph B of this Section shall not apply to non-unit employees. Non-unit employees shall be eligible to receive a salary increase of up to 10%.

Senator W. D. Childers moved the following amendment which was adopted:

Amendment 59—Insert Section 32. Item 3B of Section 3, Chapter 77-465, Laws of Florida, is hereby repealed. The balance of the funds appropriated in said item are to revert to the General Revenue Fund.

Renumber following sections.

Senators Pat Thomas and Graham offered the following amendment which was moved by Senator Pat Thomas and adopted:

Amendment 60—Section 33

Add a new Section 33 and renumber subsequent Sections.

Section 33. Notwithstanding the provisions of section 216.262 (1)(F), and in accordance with section 216.351, Florida Statutes, the rental of state-owned housing and related utilities to employees shall be continued at the same rate as in fiscal year 1977-1978.

Senator Spicola moved the following amendment which was adopted:

Amendment 61—

Strike: Insert:

	Strike:	Insert:
Office of Assistant Secretary for Operations		
621A	\$ 300,000	\$ 450,000

Add to proviso language "and continue residential treatment program for alcoholics in Hillsborough County"

On motion by Senator Renick, the Senate reconsidered the vote by which Amendment 14 failed. The question recurred on Amendment 14 which was adopted.

The President presiding

On motion by Senator Lewis, by two-thirds vote SB 1100 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—34

Mr. President	Gorman	Peterson	Tobiassen
Castor	Hair	Plante	Vogt
Childers, Don	Henderson	Poston	Ware
Childers, W. D.	Holloway	Renick	Williamson
Dunn	Johnston	Sayler	Wilson
Firestone	Lewis	Scott	Winn
Gallen	MacKay	Spicola	Zinkil
Glisson	McClain	Thomas, Jon	
Gordon	Myers	Thomas, Pat	

Nays—6

Barron	Graham	Skinner	Trask
Chamberlin	Scarborough		

On motion by Senator W. D. Childers, the Committee on Appropriations was granted permission to prepare title amendments in conformity with amendments adopted to SB 1100, and to make any necessary grammatical and technical alterations.

MATTERS ON RECONSIDERATION

The motion by Senator Jon Thomas to reconsider the vote by which—

CS for HB 11—A bill to be entitled An act relating to the dissolution of marriage; amending s. 61.08, Florida Statutes, specifying certain factors which the court must consider in determining a proper award of alimony; providing an effective date.

—passed April 25 was taken up and adopted. On motion by Senator Jon Thomas further consideration of CS for HB 11 was deferred.

On motion by Senator Dunn the Select Committee of the Committee on Judiciary-Criminal was granted permission to meet at 10:30 a.m. May 1.

CO-INTRODUCERS

Senator Plante—SB 341; Senator Pat Thomas—SB 378; Senator Wilson—Senate Bills 649 and 886; Senator Sayler—SB 481

The Journal of April 26 was corrected and approved as follows:

Page 222, counting from bottom of column 1, between lines 17 and 18 insert: —which was read the second time by title.

The Journal of April 25 was further corrected and approved as follows:

Page 201, column 2, line 31, strike "966" and insert: 996

On motion by Senator W. D. Childers, the Senate adjourned at 5:01 p.m. to convene at 8:30 a.m., April 28, 1978 for the purpose of introduction and reference of resolutions, memorials, bills and joint resolutions.