



Journal of the Senate

Number 27

Friday, May 30, 1980

The Senate was called to order by the President 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 Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has passed as amended—

CS for HB 203 HB 325 HB 1633
HB 1791

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Community Affairs and Representatives
Watt and Dunbar—

CS for HB 203—A bill to be entitled An act relating to municipalities; creating part V of chapter 166, Florida Statutes, authorizing the creation of a Code Enforcement Board in each municipality; providing legislative intent; providing applicability; providing definitions; providing for organization of the board; providing enforcement procedures; providing for hearings; providing powers of the board; providing a fine; providing for appeal; providing an effective date.

—was read the first time by title and referred to the Committees on Economic, Community and Consumer Affairs; and Governmental Operations.

By Representative Ready—

HB 325—A bill to be entitled An act relating to public education; amending s. 228.121(1), Florida Statutes, and adding subsection (5) thereto to authorize rather than require a non-resident tuition fee; correcting a typographical error; providing an effective date.

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

By the Committee on Governmental Operations—

HB 1633—A bill to be entitled An act relating to state theaters; creating s. 265.287, Florida Statutes, to create the State Theater Program within the Department of State; providing purpose; authorizing the conduct and support of educational programs; creating s. 265.288, Florida Statutes, to create the State Theater Board; providing membership, powers, and responsibilities; creating s. 265.289, Florida Statutes, to provide for state theater contract organizations; requiring annual post-audits of each contract organization; providing for the retention of fees; providing for repeal of said sections and legislative review in accordance with the Sundown Act; providing an effective date.

—was read the first time by title and referred to the Committees on Governmental Operations and Ways and Means.

By the Committee on Appropriations—

HB 1791—A bill to be entitled An act relating to the Department of Legal Affairs; authorizing the Attorney General to retain special counsel in claims or proceedings relating to the collision with and collapse of the Sunshine Skyway Bridge; providing an appropriation; prohibiting the construction or

reconstruction of the Sunshine Skyway Bridge prior to December 1, 1980; providing an effective date.

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

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has passed as amended, HB 1746 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Criminal Justice—

HB 1746—A bill to be entitled An act relating to law enforcement officer standards and training and the Department of Law Enforcement; amending s. 943.09, Florida Statutes; providing that the Director of the Division of Standards and Training shall be employed upon the recommendation of the executive director of the department; providing for the duties of the division director and division; amending s. 943.10, Florida Statutes, and adding subsections thereto; providing definitions; amending s. 943.11(1), (2) and (3), Florida Statutes; providing for the membership and tenure of members of the Police Standards and Training Commission; Requires the Department of Legal Affairs to serve as legal counsel to the commission; amending s. 943.12, Florida Statutes; providing for review and approval by the department of rules promulgated by the commission; empowering the commission to receive and administer grants; deleting provisions relating to contracts and donations; amending s. 943.13, Florida Statutes; providing for law enforcement officer qualifications; amending ss. 943.12, 943.14, 943.15, 943.17, 943.18, and 943.25, Florida Statutes; clarifying the relationship between the Police Standards and Training Commission and the Department of Law Enforcement; providing for standardized identification cards for certain officers; providing that studies and reports relating to compensation and benefits of law enforcement officers shall be made to the Governor; amending s. 943.16(1), Florida Statutes, relating to payment of tuition of trainees; amending s. 943.19, Florida Statutes, to conform to change in definition; amending s. 943.20, Florida Statutes; providing for hiring and promotional standards; creating s. 943.145, Florida Statutes; providing for certification and decertification of law enforcement officers; amending s. 943.21, Florida Statutes, relating to participation of elected officers in commission programs; amending s. 943.22, Florida Statutes; providing for salary incentives for all state and local law enforcement officers; amending s. 943.23, Florida Statutes; providing that notices of employment, appointment, or termination of employment of law enforcement officers shall be made to the department; amending s. 943.25(1), (2), (3), (8) and (9)(a), Florida Statutes, and adding subsections thereto; providing for training costs; providing restrictions on use of certain trust funds; providing for regional planning and coordination; conforming to changes in federal law; providing for existing rules; providing an appropriation; providing for conditional repeal; amending s. 218.23(1)(d), Florida Statutes; providing an increase in the minimum law enforcement salary requirement; providing an effective date.

—was read the first time by title and referred to Ways and Means Subcommittee E and the Committee on Ways and Means.

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has passed as amended, CS for HB 1133 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Insurance and Representative Kutun and others—

CS for HB 1133—A bill to be entitled An act relating to attorney's fees in medical malpractice actions; requiring an attorney fee award to the prevailing party in a medical malpractice action; providing exceptions; requiring notice before initiating such a civil proceeding; providing for equitable distribution of fees among prevailing parties and against nonprevailing parties; providing limitations on the recovery of such fees against a nonprevailing party; providing for severability; providing an effective date.

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

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has passed HB 1809 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Appropriations—

HB 1809—A bill to be entitled An act relating to state government construction projects; providing appropriations for specific capital outlay projects to the Department of General Services; providing appropriations for specific capital outlay projects to various departments and other state agencies; providing for qualifications to the specific sums; amending chapters 78-401 and 79-212, Laws of Florida; suspending the operation of ss. 216.301(2), 20.22, 255.25, 216.292, and 216.301(3)(a), Florida Statutes, under certain circumstances; providing an effective date.

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

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 1147 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Commerce and Representative Thomas—

CS for HB 1147—A bill to be entitled An act relating to interest and usury; amending ss. 687.02 and 687.03(1), (3), and (4), Florida Statutes, to clarify certain terms and when loans are in excess of \$500,000; adding a subsection to s. 687.03 to define the term "line of credit"; providing legislative intent as to the term "line of credit"; providing an effective date.

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

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has passed as amended, HB 1816 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Commerce—

HB 1816—A bill to be entitled An act relating to the Uniform Commercial Code; amending s. 15.091, Florida Statutes, increasing the filing fees for uniform commercial code documents; creating a Bureau of Uniform Commercial Code special contingency trust fund to be utilized for computer conversion and verification of data; authorizing personnel to carry out the provisions of the act; providing for the sunset of the special contingency trust fund and the reversion of the fee schedule to present level; providing an effective date.

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

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has passed as amended, HB 1808 and HB 1773 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Appropriations—

HB 1808—A bill to be entitled An act relating to state financial matters; providing legislative intent; suspending certain provisions of ss. 20.22, 25.073(3), 216.262(1)(e), 216.292, 216.301(1), 236.08(1)(c), 236.081(7), 350.78(1), Florida Statutes, under certain circumstances; qualifying and restricting certain state expenditures; clarifying state fiscal policy; amending chapter 79-212, Laws of Florida; providing an effective date.

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

By the Committee on Commerce—

HB 1773—A bill to be entitled An act relating to financial institutions; creating a new chapter 658, Florida Statutes; providing purpose and application of chapter; providing definitions; providing general supervisory powers of the Department of Banking and Finance; providing liability; providing for investigations by the department of violations; providing for hearings; providing for the issuance of complaints and cease and desist orders; providing for the removal of certain employees of financial institutions; requiring periodic departmental examination of institutions; requiring internal audits and reports and providing a penalty; providing for the Financial Institution's Regulatory Trust Fund and deposit of fees into such fund; requiring a department annual report on state financial institutions; limiting public access to certain department records; allowing disclosure under certain circumstances; providing a penalty for disclosure of confidential information; providing competitive equality of institutions with federally organized or chartered financial institutions; amending ss. 119.07(3)(b) and 680.104(2)(f) and (j), Florida Statutes, correcting cross references; providing an effective date.

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

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has passed as amended by the required Constitutional three-fifths vote of the membership of the House, HJR 1471 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Richmond—

HJR 1471—A joint resolution proposing an amendment to Section 14 of Article VII of the State Constitution, relating to bonds for water facilities.

—was read the first time by title and referred to the Committees on Ways and Means and Rules and Calendar.

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has passed as amended, HB 1770 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Appropriations—

HB 1770—A BILL TO BE ENTITLED AN ACT MAKING SUPPLEMENTAL GENERAL APPROPRIATIONS; PROVIDING MONEYS FOR THE ANNUAL PERIODS BEGINNING JULY 1, 1979, and JULY 1, 1980, TO PAY SALARIES, OTHER EXPENSES, AND FOR OTHER SPECIFIED PURPOSES OF THE VARIOUS AGENCIES OF STATE GOVERNMENT;

SUPPLEMENTING OR ADJUSTING ITEMS AND PROVISIO LANGUAGE CONTAINED IN CHAPTER 79-212, LAWS OF FLORIDA; PROVIDING AN EFFECTIVE DATE.

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

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has passed as amended, HB 1326 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Price (by request)—

HB 1326—A bill to be entitled An act relating to the Florida Retirement System; adding paragraph (g) to s. 121.052(1), Florida Statutes, providing for the participation of all elected county officers in the Elected State Officers' Class of the Florida Retirement System; amending s. 121.052(1)(c), Florida Statutes, permitting legislators who have withdrawn from the Florida Retirement System to rejoin said system and authorizing the purchase of prior service credit by legislators who rejoin the system; providing an effective date.

—was read the first time by title and referred to Ways and Means Subcommittee E and the Committee on Ways and Means.

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has passed as amended, HB 1758 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Regulatory Reform—

HB 1758—A bill to be entitled An act relating to professional regulation; amending s. 476.014, Florida Statutes, renaming chapter 476, Florida Statutes, as the "Barbers' Act"; amending s. 476.034(3), (4), (5) and (6), Florida Statutes, renaming the Florida Barbers' Board and eliminating references to the Division of Occupations and the Florida Barbering Practice Commission; amending s. 476.054, Florida Statutes, conforming language; amending s. 476.064(1) and (3), Florida Statutes, and adding subsection (4) thereto, eliminating reference to the secretary of the Barbers' Board and eliminating quorum requirements; authorizing the board to adopt rules; amending s. 476.074, Florida Statutes, authorizing the Department of Professional Regulation to provide inspection services; amending s. 476.084, Florida Statutes, conforming language; amending s. 476.114(1)(b), Florida Statutes, eliminating the requirement that a person must have graduated from a state-licensed barber school to practice in Florida; amending s. 476.134(2) and (3), Florida Statutes, deleting reference to the commission; eliminating the requirement that the practical demonstration of barbering must be graded by the board; adding subsection (3) to s. 476.154, Florida Statutes, providing for license renewals; amending ss. 476.194(2) and 476.214(2), Florida Statutes, deleting reference to the commission; repealing s. 476.094, Florida Statutes, relating to the Florida Barbering Practice Commission; providing for conditional repeal; creating s. 459.0095, Florida Statutes; authorizing the issuance of limited licenses to certain persons licensed in another state and retired; restricting areas in which such persons may practice; providing for supervision; providing for conditional repeal; amending s. 462.02(1), Florida Statutes, deleting obsolete departmental names; amending s. 462.04, Florida Statutes, providing that the head of the Board of Naturopathic Examiners shall be a chairman and vice-chairman and deleting reference to a secretary; amending s. 462.08, Florida Statutes, providing for biennial licenses; amending s. 462.13, Florida Statutes, providing that the chairman of the board and the secretary of the department must sign and attest to licenses; amending s. 562.15(1) and 462.18, Florida Statutes, conforming to the act; amending s. 462.19, Florida Statutes, providing for license renewal and procedures concerning inactive license status; amending s. 465.007(1)(c), Florida Statutes, relating to qualification for licensure of pharmacists; amending s. 465.016(1)(1), Florida Statutes, relating to the labeling of unit doses in certain facilities; providing for condi-

tional repeal; amending s. 466.006(3), Florida Statutes, requiring certain applicants for licensure as dentists to have taken an examination within a specified period prior to application; amending s. 466.017(2), Florida Statutes, deleting the scheduled repeal of provisions authorizing druggists to fill dentist's prescriptions; amending s. 466.024(3), Florida Statutes, deleting certain inoperative language relating to the delegation of certain duties by dentists to dental hygienists and dental auxiliaries; amending s. 466.025(2), Florida Statutes, providing for the future repeal of provisions authorizing the issuance of permits to unlicensed dentists serving as institutional dentists; providing for conditional repeal; amending s. 474.203(1), Florida Statutes, revising an exemption from application of the chapter; providing for a veterinary faculty certificate; amending s. 474.207(1), Florida Statutes, relating to licensure by examination; requiring that the Board of Veterinary Medicine adopt by rule a passing score if it adopts use of a national examination; deleting a requirement that an applicant must have passed the examination given by the National Board of Veterinary Medical Examiners; providing for conditional repeal; repealing s. 477.013(3), Florida Statutes; amending ss. 477.013(1), (2) and (4), 477.015(1), 477.016, 477.018, 477.019(1)(b), (4), (5) and (6), 477.021(1), (6), and (7), 477.022(1)-(5), 477.023(2), (3)(a), (8) and (9), 477.024, 477.025(2), (8) and (9), 477.026(1) and (3), and 477.039, Florida Statutes; redefining "cosmetologist"; revising requirements relating to demonstration of competency for license renewal; eliminating the Florida Cosmetology Practice Commission and providing for assumption of its duties by the Board of Cosmetology; providing rule-making powers of the board; correcting references to the board, the Department of Professional Regulation, and the Professional Regulation Trust Fund; repealing s. 477.027, Florida Statutes, relating to complaints and departmental action thereon; amending s. 480.033, Florida Statutes, conforming definitions to the act; amending s. 480.035(1) and (5), Florida Statutes, and adding a subsection, correcting references to the Board of Massage and Department of Professional Regulation and deleting the required selection by the board of a secretary-treasurer; providing for rules; amending ss. 480.041(4), (5), and (6), 480.042(1), 480.043(1), (2), (5), (8), and (9), and 480.044(1) and (4), Florida Statutes, transferring various powers of the Florida Massage Practice Commission to the board; repealing ss. 480.037, 480.038, and 480.045, Florida Statutes, abolishing the commission and removing provisions relating to local services and complaint procedures; amending s. 455.209(2), Florida Statutes, clarifying provisions with respect to the defense of professional regulatory board members for their acts or omissions; providing for legal counsel; amending s. 310.042(1), Florida Statutes, relating to organization of the Board of Pilot Commissioners; amending s. 310.111, Florida Statutes, relating to casualty investigations; repealing ss. 310.093 and 310.099, Florida Statutes, relating to rulemaking authority of the board and relating to complaints against licensed state pilots and disciplinary proceedings conducted pursuant thereto; providing for conditional repeal; repealing ss. 481.301-481.331, Florida Statutes, relating to landscape architecture; amending s. 477.019(1)(b) and (4), Florida Statutes, eliminating the requirement that standards for establishing a level of competency equivalent to certain training be service based; eliminating reexamination as a requirement for renewal of license registration; amending s. 477.021(6), Florida Statutes, providing conformity and requiring completion of certain continuing education programs as a condition of license renewal; providing an effective date.

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

The Senate recessed to reconvene at 9:00 a.m.

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

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|-----------------|-----------|-------------|------------|
| Mr. President | Frank | Maxwell | Steinberg |
| Anderson | Gordon | McClain | Stuart |
| Barron | Gorman | McKnight | Thomas |
| Beard | Grizzle | Myers | Tobiasen |
| Carlucci | Henderson | Neal | Trask |
| Chamberlin | Hill | Peterson | Vogt |
| Childers, D. | Holloway | Poole | Ware |
| Childers, W. D. | Jenne | Scarborough | Williamson |
| Dunn | Johnston | Scott | Winn |
| Fechtcl | MacKay | Skinner | |

Excused: Senator Hair

Prayer by the Rev. Michael McGehee, Pastor, Faith Presbyterian Church:

Almighty God, you have preserved our nation through the years and you have led us in wondrous ways. We are a thankful people. Gratitude is the foundation of our day. We praise you for spacious skies and the gift of sunshine, for waves of grain and truck farms, for the majesty of mountain and the splendor of beaches, for the fruit of plain and of grove.

Gathered in the communities of this Democracy our people also know clouds of ash, waves of mud, burned-out neighborhoods and the bewilderment of homeless masses. We implore your help Most Merciful Father in times of natural disaster, human ill-will and in the cause of blighted refugees. Remind your people in the communities of government and society of the call to be generous in adversity, firm in seeking compassionate justice and untiring in exhibiting kindness to the stranger.

Bless and multiply the societies and governmental bodies which foster understanding and goodwill. Grant in such times of anxiety and hurt, that the people of this great state and our land may know your presence and do your will; that with integrity and courage we may accomplish your purposes. Amen.

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Friday, May 30, 1980:

- | | | |
|---------------|---------------|----------------|
| SB 1342 | SB 151 | CS for SB 1103 |
| HB 1165 | CS for SB 138 | SB 1113 |
| CS for SB 324 | SB 862 | SJR 1233 |
| SB 813 | CS for SB 584 | CS for SB 1307 |
| HB 310 | SB 663 | CS for SB 887 |
| CS for SB 603 | CS for CS | SB 947 |
| CS for SB 613 | for SB 1048 | SB 318 |
| SB 366 | SB 656 | SB 326 |
| SJR 948 | SB 770 | SB 260 |
| SB 658 | SB 959 | |
| SB 1012 | SB 1004 | |

Respectfully submitted,
Dempsey J. Barron, Chairman

The Committee on Ways and Means recommends the following pass:

- | | |
|-------------------------|--------------------------|
| SB 3 | HB 300 |
| HB 7 with 2 amendments | SB 358 with 1 amendment |
| SB 9 with 2 amendments | SB 392 with 2 amendments |
| HB 10 | HB 457 |
| HB 45 | SB 870 |
| SB 160 | HB 794 |
| SB 239 | HB 1595 |
| SB 298 with 1 amendment | |

The bills were placed on the calendar.

The Committee on Ways and Means recommends the following not pass: SB 655

The bill was laid on the table.

REQUESTS FOR EXTENSION OF TIME

May 29, 1980

The Committee on Governmental Operations requests an extension of 15 days for consideration of the following:

- SB 1087 by Senator Maxwell SB 1088 by Senator Maxwell

May 30, 1980

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

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|--|---------------------------------------|
| SB 768 by Senator Vogt | SB 979 by Committee on Transportation |
| SB 871 by Senator Frank | SB 1042 by Senator Stuart |
| SCR 893 by Senator Skinner | SB 1050 by Senator Ware and others |
| SM 921 by Senator William-son and others | SJR 1078 by Senator Vogt |
| SCR 977 by Senator Tobiassen | |

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|-----------------------------------|---|
| SB 1361 by Senator Tobiassen | HJR 1178 by Representative Gallagher |
| HJR 88 by Representative Hieber | HCR 1531 by Representative Kuten |
| HJR 104 by Representative Moffitt | HM 537 by Representative Burrall and others |
| HB 105 by Representative Moffitt | HCR 1617 by Representative Batchelor and others |
| HCR 716 by Representative Hodges | |

May 30, 1980

The Special Master-Claims requests an extension of 15 days for consideration of the following:

- SB 688 by Senator Maxwell

May 30, 1980

The Committee on Judiciary-Civil requests an extension of 15 days for consideration of the following:

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|-------------------------------------|---|
| SB 26 by Senator Johnston | SB 515 by Senator McClain |
| SB 28 by Senator Tobiassen | SJR 591 by Senator Gordon |
| SB 35 by Senator Steinberg | SB 717 by Senator Henderson |
| SB 54 by Senator Steinberg | SB 882 by Senator Dunn |
| SB 180 by Senator Tobiassen | SB 906 by Senator Maxwell |
| SJR 181 by Senator Tobiassen | HB 654 by Ethics & Elections Committee |
| SB 241 by Senators Henderson, Frank | HB 1116 by Ethics & Elections Committee, Representatives Healey, Lippman, Ready, Brantley, Mica, Jones, Flynn, Smith, Barrett |
| SB 255 by Senator Dunn | |
| SB 262 by Senator Dunn | |
| SB 352 by Senator Dunn | |
| SB 387 by Senator Trask | |
| SB 393 by Senator Dunn | |
| SB 469 by Judiciary-Civil Committee | |

May 30, 1980

The Committee on Governmental Operations requests an extension of 15 days for consideration of the following:

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|-----------------------------|----------------------------|
| SB 664 by Senator Fechtel | SB 694 by Senator Dunn |
| SB 676 by Senator Frank | SB 925 by Senator Holloway |
| SB 684 by Senator Steinberg | |

MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Dunn, the rules were waived and by two-thirds vote House Bills 1262, 1303, 1556 and 1634 were withdrawn from the Committee on Governmental Operations.

On motion by Senator Gordon, the rules were waived and the Committee on Ways and Means was granted permission to consider Senate Bills 744 and 50 on June 2.

On motions by Senator Gordon, the rules were waived and by two-thirds vote CS for HB 874 and Senate Bills 507, 1319, 1212, 1241, 61, 1038, 119 and 168 were withdrawn from the Committee on Ways and Means.

On motion by Senator Maxwell, by two-thirds vote SB 1203 was withdrawn from the committee of reference and indefinitely postponed.

On motions by Senator Myers, by two-thirds vote HB 1023 was withdrawn from the Committee on Judiciary-Criminal and by two-thirds vote placed at the end of the special order calendar.

On motion by Senator Myers, by two-thirds vote SB 287 was placed at the end of the special order calendar.

On motion by Senator Peterson, the rules were waived and HB 1796 was ordered immediately certified to the House.

On motion by Senator Maxwell, the rules were waived and CS for SB 1284 was ordered immediately certified to the House.

Senator Scarborough presiding

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|--------------------------|--------------------------|
| Fiscal Year 1979-1980 | Fiscal Year 1980-1981 |
|--------------------------|--------------------------|

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 762.

Allen Morris, Clerk

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 304.

Allen Morris, Clerk

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 1260.

Allen Morris, Clerk

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has passed SB 90.

Allen Morris, Clerk

The bills contained in the above messages were ordered enrolled.

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has passed with 2 amendments—

By the Committee on Ways and Means—

SB 1362—An act making supplemental appropriations; providing moneys for the annual periods beginning July 1, 1979 and July 1, 1980, to pay salaries, other expenses, capital outlay—buildings and improvements, and for other specified purposes of the various agencies of state government; supplementing or adjusting items appropriated by chapter 79-212, Laws of Florida; suspending section 236.081, Florida Statutes, and portions of chapter 79-212, Laws of Florida; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—Strike everything after the enacting clause and insert:

Section 1. The moneys in the following specific appropriations are appropriated from the named funds for the indicated fiscal years of the biennium to the state agency indicated, to be used to supplement or adjust the appropriations made in section 1 of chapter 79-212, Laws of Florida, as supplemental or adjustment amounts to be used to pay the salaries and other expenditures of the named agencies.

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|--------------------------|--------------------------|
| Fiscal Year 1979-1980 | Fiscal Year 1980-1981 |
|--------------------------|--------------------------|

Administered Funds

- 1 Not Used
- 2 Not Used
- 3 Special Categories
Price Level Increases for
Utilities and Fuels
From General Revenue
Fund 9,077,398
- 3A Special Categories
Southern Center for Inter-
national Studies
From General Revenue
Fund 25,000

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| <p>3B Special Categories Retirement Bonus From General Revenue Fund 9,900,000</p> <p>Funds appropriated in specific appropriation 3B are contingent upon HB 1519 or similar legislation becoming law.</p> <p>4 Special Categories Senior Management Group Benefits From General Revenue Fund 352,988</p> <p>Funds in specific appropriation Number 4 are contingent upon HB 1754 or similar legislation becoming law.</p> <p>5 Not Used</p> <p>6 Not Used</p> <p>6A Special Categories—Salary Increases Career Service System—Pay Plan Changes From General Revenue Fund 21,439,797 From Trust Funds 17,825,082</p> <p>Board of Regents Pay Plan From General Revenue Fund 2,157,899 From Trust Funds 454,824</p> <p>Board of Regents Collective Bargaining Faculty Unit From General Revenue Fund 2,635,897 From Trust Funds 260,989</p> <p>Funds in the above two specific appropriations are intended to be distributed to the SUS faculty and Non-Faculty based on their actual August 30, 1980, salary rate in order to reflect a 2.5 percent increase.</p> <p>Salary increases for Board of Regents EDP Personnel From General Revenue Fund 153,655</p> <p>Funds in this specific appropriation are intended to be distributed to SUS EDP personnel in a like manner as those funds recommended by the Governor for critical class adjustments for career service EDP personnel.</p> <p>School for the Deaf and Blind Pay Plan From General Revenue Fund 13,253 From Trust Funds 2,988</p> <p>School for the Deaf and Blind Pay Collective Bargaining In- structional Unit From General Revenue Fund 47,389 From Trust Funds 9,597</p> | <p>9,900,000</p> <p>352,988</p> <p>21,439,797 17,825,082</p> <p>2,157,899 454,824</p> <p>2,635,897 260,989</p> <p>153,655</p> <p>13,253 2,988</p> <p>47,389 9,597</p> |
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| | Fiscal Year 1979-1980 | Fiscal Year 1980-1981 | | Fiscal Year 1979-1980 | Fiscal Year 1980-1981 |
|---|--------------------------|--------------------------|--|--------------------------|--------------------------|
| Exempt Positions | | | The Funds Appropriated in Specific Appropriation Number 15C are Contingent Upon HB 1519 or Similar Legislation Becoming Law. | | |
| From General Revenue Fund | | 97,479 | | | |
| From Trust Funds | | 83,038 | | | |
| Governor and Cabinet Members | | | Administrative Hearings, Division of | | |
| From General Revenue Fund | | 10,910 | 15D Salaries and Benefits Positions | | 4 |
| Justices and Judges | | | From Regulatory Trust Fund | | 130,943 |
| From General Revenue Fund | | 566,012 | 15E Expenses | | |
| State Attorneys and Public Defenders | | | From Regulatory Trust Fund | | 21,422 |
| From General Revenue Fund | | 56,858 | 15F Operating Capital Outlay | | |
| Assistant State Attorneys and Assistant Public Defenders | | | From Regulatory Trust Fund | | 5,049 |
| From General Revenue Fund | | 562,788 | Agriculture and Consumer Services, Department of, and Commissioner of Agriculture | | |
| Funds in specific appropriation Number 6A are supplemental to those previously appropriated and shall be used to further the purpose of career service salary adjustments. | | | Office of the Commissioner and Division of Administration | | |
| Funds in specific appropriation Number 6A are to be utilized to implement the Governor's salary recommendations. Employees who are not covered by collective bargaining agreements shall receive a 2.5 percent increase based on their actual August 30, 1980, salary rate. Funds are included for critical class pay grade adjustments and additional merit increases. | | | 15G Salaries and Benefits Positions | | 2 |
| 7 Not Used | | | Inspection, Division of | | |
| 8 Not Used | | | 16 Salaries and Benefits Positions | | |
| 9 Not Used | | | From General Revenue Fund | | 1,095,192 |
| 10 Not Used | | | From General Inspection Trust Fund | | -1,095,192 |
| 11 Not Used | | | 16A Expenses | | |
| 12 Not Used | | | From General Revenue Fund | | 220,808 |
| 13 Not Used | | | From General Inspection Trust Fund | | -220,808 |
| 14 Not Used | | | Standards, Division of | | |
| 15 Not Used | | | 17 Not Used | | |
| ADMINISTRATION, DEPARTMENT OF | | | 18 Not Used | | |
| Office of the Secretary | | | Dairy Industry, Division of | | |
| 15A Other Personal Services | | | 18A Salaries and Benefits Positions | | 1 |
| From General Revenue Fund | | 15,000 | From General Revenue Fund | | 14,300 |
| 15B Expenses | | | Marketing, Division of | | |
| From General Revenue Fund | | 7,000 | 18B Other Personal Services | | |
| Retirement, Division of | | | From Market Improvements Working Capital Trust Fund | | 22,000 |
| 15C Pensions and Benefits | | | The Moneys in Specific Appropriation 18B shall be used by the Division to Evaluate the Southeastern Florida Wholesale-Retail Agricultural Products Market System and the Potential and Cost for Development of the Pompano Farmers Market Site as an Urban Wholesale-Retail Distribution Center for Agricultural Products. | | |
| Minimum Benefits Adjustment | | | Consumer Services, Division of | | |
| From General Revenue Fund | | 3,400,000 | 18C Salaries and Benefits Positions | | 4 |
| | | | From General Inspection Trust Fund | | 53,383 |
| | | | 18D Other Personal Services | | |
| | | | From General Inspection Trust Fund | | 12,864 |

| | Fiscal Year 1979-1980 | Fiscal Year 1980-1981 | | Fiscal Year 1979-1980 | Fiscal Year 1980-1981 |
|---|--------------------------|--------------------------|--|--------------------------|--------------------------|
| 18E Expenses From General Inspection Trust Fund | | 48,020 | 20I Operating Capital Outlay From General Revenue Fund | | 6,278 |
| 18F Operating Capital Outlay From General Inspection Trust Fund | | 8,475 | COMMERCE, DEPARTMENT OF | | |
| The Positions and Funds Appropriated in Specific Appropriation Numbers 18C thru 18F are contingent upon CS for CS for HB 786 or similar legislation becoming law. | | | Offices of the Secretary and Administrative Services | | |
| 19 Not Used | | | 21 Not Used | | |
| Forestry, Division of | | | Tourism, Division of | | |
| 20 Salaries and Benefits Positions From General Revenue Fund | 1 | 202,000 | 22 Salaries and Benefits Positions From General Revenue Fund | | |
| From Incidental Trust Fund | | 13,416 | 23 Other Personal Services From General Revenue Fund | | |
| 20A Other Personal Services From Incidental Trust Fund | | 1,550 | 24 Expenses From General Revenue Fund | | |
| 20B Expenses From Incidental Trust Fund | | 4,659 | Economic Development, Division of | | |
| 20C Operating Capital Outlay From Incidental Trust Fund | | 6,500 | Positions | | |
| The Position and Funds in Specific Appropriations Number 20 thru 20C, from the Incidental Trust Fund, are Contingent Upon Funding, by Signed Agreement, from the Florida Institute of Phosphate Research. | | | 25 Salaries and Benefits From General Revenue Fund | | |
| Business Regulation, Department of | | | 26 Other Personal Services From General Revenue Fund | | |
| Florida Land Sales and Condominiums, Division of | | | 27 Expenses From General Revenue Fund | | |
| Positions | | | 28 Operating Capital Outlay From General Revenue Fund | | |
| 20D Salaries and Benefits From Florida Land Sales Trust Fund | | 19,334 | COMMUNITY AFFAIRS, DEPARTMENT OF | | |
| 20E Expenses From Florida Land Sales Trust Fund | | 2,790 | Office of the Secretary | | |
| 20F Operating Capital Outlay From Florida Land Sales Trust Fund | | 2,964 | 29 Not Used | | |
| The two secretary IV's authorized in specific appropriation number 20D shall devote full time to the legal staff appropriated in Item 149 of Chapter 79-212, Laws of Florida, for the Bureau of Condominiums. | | | 30 Not Used | | |
| Alcoholic Beverages and Tobacco, Division of | | | Veterans' Affairs, Division of | | |
| 20G Salaries and Benefits Positions From General Revenue Fund | 1 | 13,075 | 31 Not Used | | |
| 20H Expenses From General Revenue Fund | | 1,893 | Technical Assistance, Division of | | |
| | | | 32 Not Used | | |
| | | | Public Safety Planning and Assistance, Division of | | |
| | | | 33 Not Used | | |
| | | | 34 Not Used | | |
| | | | 35 Not Used | | |
| | | | 36 Not Used | | |
| | | | 36A Lump Sum Planning for Emergency Operating Center and De- partment Office Facility From General Revenue Fund | | |
| | | | 75,000 | | |
| | | | 36B Special Categories Transfer from Block Grant Matching Trust Fund From Block Grant Match- ing Trust Fund | | |
| | | | 894,088 | | |
| | | | 37 Not Used | | |

| | Fiscal Year 1979-1980 | Fiscal Year 1980-1981 | | Fiscal Year 1979-1980 | Fiscal Year 1980-1981 |
|---|--------------------------|--------------------------|---|--------------------------|--------------------------|
| tingent upon CS for HB 97 or similar legislation becoming law. | | | priority shall be given to salary increases for instructional personnel. | | |
| 51G Special Categories Radio Reading Service WFSU-FM From General Revenue Fund | | 36,863 | As required by Section 236-081 (1)(B), Florida Statutes, the base student allocation for the 1980-81 fiscal year is hereby determined to be \$1,127.39. | | |
| 51H Financial Assistance Payments Seminole Indian Scholarships From General Revenue Fund | | 35,000 | As required by Section 236-081 (4)(a), Florida Statutes, the required local effort from local ad valorem taxation shall be \$782,786,257. | | |
| The amount in specific Appropriation Number 51H is contingent upon HB 849 or similar legislation becoming law. | | | 52 Not Used | | |
| 51I Financial Assistance Payments Undergraduate Honors/Scholars From General Revenue Fund | | 1,043,131 | 53 Aid to Local Governments Grades K-3 Improvement Program From General Revenue Fund | | 48,530,000 |
| The amount in Specific Appropriation Number 51I is contingent upon HB 1769 or similar legislation becoming law. | | | From the amount in specific appropriation Number 53 there is allocated \$31,000 for the 1980-81 fiscal year for the operation of the primary education council. | | |
| Blind Services, Division of | | | 53A Aid to Local Governments Student Transportation From General Revenue Fund | | 9,252,094 |
| 51J Expenses From General Revenue Fund | | 10,658 | 54 Not Used | | |
| From Federal Rehabilitation Trust Fund | | 24,870 | 54A Operating Capital Outlay From General Trust Fund | | 2,095 |
| Public Schools, Division of | | | 54B Special Categories Student Assessment and Evaluation From General Revenue Fund | | 214,500 |
| 51K Salaries and Benefits Positions From General Trust Fund | 2 | 42,891 | 54C Special Categories Florida Academy for School Leaders From General Revenue Fund | | -250,000 |
| 51L Expenses From General Trust Fund | | 10,022 | 54D Special Categories Suncoast Area Teacher Training Program (SCATT) From General Revenue Fund | | 157,084 |
| 51M Aid to Local Governments Florida Educational Finance Program From General Revenue Fund | | 70,200,000 | Vocational Education, Division of | | |
| From Federal Revenue Sharing Fund | | -10,700,000 | 54E Salaries and Benefits Positions From General Revenue Fund | | 43,631 |
| Provided, however, that \$9,000,000 of the FEFP funds allocated to Vocational Education is provided for and shall be spent only for vocational equipment. These funds shall be allocated on a weighted vocational FTE basis. | | | Community Colleges, Division of | | |
| Provided, that in the event interest from the state school trust fund in the above appropriation exceeds the funds available from such fund, the shortage shall be made up from the principal of the state school trust fund. | | | 54F Aid to Local Governments Community Colleges Program Fund From General Revenue Fund | | 4,541,535 |
| In the expenditure of the above supplemental appropriations for the Florida education finance program, | | | 54G Aid to Local Governments Miami Dade Emphasis on Excellence Program From General Revenue Fund | | 100,000 |

| | Fiscal Year 1979-1980 | Fiscal Year 1980-1981 | | Fiscal Year 1979-1980 | Fiscal Year 1980-1981 |
|--|--------------------------|--------------------------|--|--------------------------|--------------------------|
| Florida School for the Deaf and the Blind | | | Institute of Food and Agricultural Sciences | | |
| 55 Salaries and Benefits | | | 56C Salaries and Benefits | | |
| Positions | | 59 | Positions | | |
| From General Revenue | | | From General Revenue | | 1,407,811 |
| Fund | | 693,344 | Fund | | |
| 55A Expenses | | | The amount in specific ap- | | |
| From General Revenue | | 134,683 | propriation number 56C is | | |
| Fund | | | contingent upon HB 1769 or | | |
| | | | similar legislation becoming | | |
| | | | law. | | |
| Universities, Division of | | | 56D Expenses | | |
| Educational and General Activities | | | From General Revenue | | 1,243,400 |
| 55B Salaries and Benefits | | | Fund | | |
| Positions | | 2 | Engineering Industrial Experiment | | |
| From General Revenue | | | Station | | |
| Fund | | 1,222,928 | 56E Salaries and Benefits | | |
| From Incidental Trust | | -1,198,393 | Positions | | 61 |
| | | | From EIES Trust Fund | | 1,370,280 |
| 55C Other Personal Services | | | University of Florida Veterinary | | |
| From General Revenue | | 1,512,500 | Medicine | | |
| 55D Expenses | | | 56F Salaries and Benefits | | |
| From General Revenue | | 5,412,279 | Positions | | |
| Fund | | | From General Revenue | | 102,810 |
| 55E Lump Sum | | | Fund | | |
| Positions | | 3 | The amount in specific ap- | | |
| From General Revenue | | | propriation number 56F is | | |
| Fund | | 3,568,751 | contingent upon HB 1769 or | | |
| | | | similar legislation becoming | | |
| | | | law. | | |
| 56 Not Used | | | 56G Expenses | | |
| 56A Special Categories | | | From General Revenue | | 168,533 |
| Competitive/Market Place | | | Fund | | |
| Salary Adjustment | | | University of South Florida Med- | | |
| From General Revenue | | 10,112,340 | ical Center | | |
| Fund | | | 56H Salaries and Benefits | | |
| 56B Special Categories | | | Positions | | |
| Eminent Scholars/State | | | From General Revenue | | 347,526 |
| University System | | | Fund | | |
| From General Revenue | | 5,000,000 | The amount in specific ap- | | |
| Fund | | | propriation number 56H is | | |
| | | | contingent upon HB 1769 or | | |
| | | | similar legislation becoming | | |
| | | | law. | | |
| <p>The amount in specific ap- propriation number 55C is contingent upon HB 1769 or similar legislation becoming law and shall be expended for 275 graduate fellowships of \$5,500 each to be allocat- ed among the universities on the basis of their proportion- al share of the state univer- sity system graduate enroll- ment; of the share to the University of Florida, \$27,500 shall be expended for Zora Neale Hurston Fellowship Awards at the University of Florida. Of the amount in in specific appropriation number 55E, up to \$100,000 is contingent upon HB 1769 or similar legislation becom- ing law and shall be expend- ed by the merger steering councils as provided for in HB 1769 or similar legisla- tion. The amount in specif- ic appropriation number 56A is contingent upon HB 1769 or similar legislation becom- ing law and shall be allo- cated and expended as pro- vided in HB 1769 or similar legislation.</p> | | | 56I Expenses | | |
| | | | From General Revenue | | 257,963 |
| | | | Fund | | |
| | | | General Office | | |
| | | | 56J Expenses | | |
| | | | From General Revenue | | 415 |
| | | | Fund | | |
| | | | 56K Lump Sum | | |
| | | | Florida Institute of Phos- | | |
| | | | phate Research | | |
| | | | Positions | | 5 |
| | | | From Phosphate Research | | |
| | | | Trust | | 1,560,000 |
| | | | If land is acquired by donation for the proposed facilities, funds in specific appropriation number 56K for land purchase shall re- vert to the Phosphate Re- search Trust Fund. If funds in specific appropriation number 56K for planning and constructing the pro- posed facilities are not re- quired for these purposes, | | |

| | Fiscal Year 1979-1980 | Fiscal Year 1980-1981 | | Fiscal Year 1979-1980 | Fiscal Year 1980-1981 |
|--|--------------------------|--------------------------|---|--------------------------|--------------------------|
| such funds shall revert to the Phosphate Research Trust Fund. | | | GAME AND FRESH WATER FISH COMMISSION, FLORIDA | | |
| 57 Special Categories | | | Office of Executive Director and Division of Administrative Services | | |
| Regional Education | | | 60A Lump Sum | | |
| From General Revenue Fund | | 87,500 | For transfer to State Game Trust Fund | | |
| University of Florida Health Center—Educational and General | | | From General Revenue Fund | | 259,000 |
| 57A Salaries and Benefits | | | Fisheries, Division of | | |
| Positions | | 60 | 60B Salaries and Benefits | | |
| From General Revenue Fund | | 638,747 | Positions | | |
| The amount in specific appropriation number 57A is contingent upon HB 1769 or similar legislation becoming law. | | | From State Game Trust Fund | | -318,254 |
| The Shands Teaching Hospital and Clinics, Inc. shall pay the full cost of each position in specific appropriation number 57A used in providing repair, renovation, maintenance, refurbishing and security services to the hospital. The health center shall not use any of the positions or the salary rate associated with the positions for any other purpose. | | | 60C Other Personal Services | | |
| | | | From State Game Trust Fund | | -2,175 |
| | | | 60D Expenses | | |
| | | | From State Game Trust Fund | | -169,408 |
| | | | 60E Operating Capital Outlay | | |
| | | | From State Game Trust Fund | | -146,886 |
| | | | Appropriation reductions authorized in specific appropriation numbers 60B thru 60E are contingent upon HB 1691 or similar legislation becoming law. | | |
| 57B Expenses | | | GENERAL SERVICES, DEPARTMENT OF | | |
| From General Revenue Fund | | 530,050 | Purchasing, Division of | | |
| University of Florida Teaching Hospital and Allied Clinics | | | 60F Lump Sum | | |
| 57C Salaries and Benefits | | | Contractual Service Guidelines | | |
| Positions | | -60 | Positions | | 1 |
| | | | From General Revenue Fund | | 33,000 |
| ENVIRONMENTAL REGULATION, DEPARTMENT OF | | | The funds in specific Appropriation Number 60F are contingent upon HB 1524 or similar legislation becoming law. | | |
| 58 Salaries and Benefits | | | Governor, Executive Office of the General Office | | |
| Positions | | 9 | 61 Salaries and benefits | | |
| From General Revenue Fund | | 151,026 | Positions | | 3 |
| 58A Other Personal Services | | | From Grants and Donations Trust Fund | | 89,145 |
| From General Revenue Fund | | 100,000 | 62 Other Personal Services | | |
| 59 Expenses | | | From General Revenue Fund | | 89,770 |
| From General Revenue Fund | | 63,503 | From Grants and Donations Trust Fund | | 89,770 |
| 59A Aid to Local Governments | | | 63 Expenses | | |
| Aid to Kissimmee River Council | | | From General Revenue Fund | | 20,000 |
| From General Revenue Fund | | -100,000 | From Grants and Donations Trust Fund | | 26,440 |
| 60 Operating Capital Outlay | | | 64 Not Used | | |
| From General Revenue Fund | | 11,580 | 65 Not Used | | |
| Funds appropriated in an amount not to exceed \$106,000 in specific appropriation numbers 58 thru 60 above are contingent upon CS for CS for HB 311 or similar legislation becoming law. | | | 66 Operating Capital Outlay | | |
| | | | From Grants and Donations Trust Fund | | 500 |

| | Fiscal Year 1979-1980 | Fiscal Year 1980-1981 | | Fiscal Year 1979-1980 | Fiscal Year 1980-1981 |
|--|--------------------------|--------------------------|--|--------------------------|--------------------------|
| 66A Special Categories Governor's Council on Indian Affairs From General Revenue Fund | | 60,000 | From Administrative Trust Fund | | 1,727,686 |
| Funds appropriated, in an amount not to exceed \$40,000 in specific Appropriation Number 66A above, shall be used for the purpose of enabling the continued operation of the Northwest Florida Creek Indian Council. | | | 71 Special Categories Medicaid Fiscal Contract From Administrative Trust Fund | 1,625,179 | 636,487 |
| 67 Not Used | | | 72 Special Categories Physician Services From Medical Care Trust Fund | 974,632 | |
| 68 Not Used | | | From Social Security Act Reimbursement Trust Fund | 505,640 | |
| 69 Not Used | | | 73 Special Categories Hospital Inpatient Services From General Revenue Fund | 1,741,083 | 3,684,404 |
| HEALTH AND REHABILITATIVE SERVICES, DEPARTMENT OF | | | From Medical Care Trust Fund | 8,683,114 | 5,288,815 |
| Office of the Assistant Secretary For Administrative Services | | | From Social Security Act Reimbursement Trust Fund | 3,687,925 | |
| 69A Salaries and Benefits Positions | 3 | | 74 Special Categories Nursing Home Care From General Revenue Fund | | 3,664,396 |
| From General Revenue Fund | | 28,489 | From Medical Care Trust Fund | 7,401,221 | 5,260,097 |
| From Administrative Trust Fund | | 28,488 | From Social Security Act Reimbursement Trust Fund | 4,661,925 | |
| 69B Expenses | | | 74A Special Categories Drugs (Prescribed Medicine) From Medical Care Trust Fund | 1,097,579 | |
| From General Revenue Fund | | 3,795 | From Social Security Act Reimbursement Trust Fund | 764,618 | |
| From Administrative Trust Fund | | 3,795 | 74B Special Categories Hospital Outpatient Services From General Revenue Fund | -697,465 | |
| 69C Operating Capital Outlay | | | From Medical Care Trust Fund | -1,273,710 | |
| From General Revenue Fund | | 1,191 | 74C Special Categories Other Lab and X-Ray Services From Medical Care Trust Fund | 36,657 | |
| From Administrative Trust Fund | | 1,191 | From Social Security Act Reimbursement Trust Fund | 23,829 | |
| 69D Special Categories Contract Nursing Home Audit Program | | | 74D Special Categories Family Planning From Medical Care Trust Fund | 15,794 | |
| From General Revenue Fund | | 637,500 | From Social Security Act Reimbursement Trust Fund | 1,783 | |
| From Administrative Trust Fund | | 637,500 | 74E Special Categories Hospital Insurance Benefits From Medical Care Trust Fund | 61,804 | |
| OFFICE OF THE ASSISTANT SECRETARY FOR OPERATIONS | | | From Social Security Act Reimbursement Trust Fund | 42,922 | |
| Office of the Assistant Secretary | | | 75 Not Used | | |
| 69E Salaries and Benefits Positions | 4 | | 75A Special Categories Home Health Services From General Revenue Fund | -279,877 | |
| From General Revenue Fund | | 71,610 | From Medical Care Trust Fund | -377,589 | |
| 69F Expenses | | | | | |
| From General Revenue Fund | | 39,664 | | | |
| 69G Operating Capital Outlay | | | | | |
| From General Revenue Fund | | 48,994 | | | |
| District Administration | | | | | |
| 69H Salaries and Benefits Positions | | | | | |
| From General Revenue Fund | | -309,375 | | | |
| Social and Economic Services | | | | | |
| 70 Lump Sum Food Stamps Positions | | 300 | | | |
| From General Revenue Fund | | 1,727,687 | | | |

| | Fiscal Year 1979-1980 | Fiscal Year 1980-1981 | | Fiscal Year 1979-1980 | Fiscal Year 1980-1981 |
|---|--------------------------|--------------------------|--|--------------------------|--------------------------|
| 76 Special Categories Early and Periodic Screen- ing in Children | | | Mental Health - Institutions | | |
| From General Revenue Fund | -394,502 | | 78 Salaries and Benefits Positions | | 13 |
| From Medical Care Trust Fund | -506,960 | | From General Revenue Fund | | 279,095 |
| 77 Special Categories Patient Transportation | | | From Grants and Dona- tions Trust Fund | | -216,410 |
| From Medical Care Trust Fund | 748,835 | | | | |
| From Social Security Act Reimbursement Trust Fund | 506,805 | | The 60 positions provided in specific appropriation 78 for the Forensic Unit at Florida State Hospital shall be de- leted upon the opening of the South Florida Evalua- tion and Treatment Center. | | |
| 77A Special Categories Rural Health Clinic Services | | | 78A Other Personal Services | | |
| From General Revenue Fund | -369,239 | | From General Revenue Fund | | 57,600 |
| From Medical Care Trust Fund | -517,293 | | 79 Expenses | | |
| 77B Special Categories Foster Home Care for Chil- dren | | | From General Revenue Fund | | 79,793 |
| From General Revenue Fund | | -392,452 | From Grants and Dona- tions Trust Fund | | -15,531 |
| 77C Special Categories Purchase of Adoption Ser- vices | | | Youth Services | | |
| From General Revenue Fund | | 60,000 | 80 Salaries and Benefits Positions | | -12 |
| 77D Financial Assistance Pay- ments | | | From General Revenue Fund | | -105,102 |
| Room and Board With Per- sonal Care Supplement | | | From Grants and Dona- tions Trust Fund | | -35,192 |
| From General Revenue Fund | | 1,592,702 | 81 Expenses | | |
| 77E Financial Assistance Pay- ments | | | From General Revenue Fund | | -4,000 |
| Personal Care Allowance | | | From Grants and Dona- tions Trust Fund | | -2,585 |
| From General Revenue Fund | | 338,452 | 82 Special Categories Contracted Services | | |
| From Medical Care Trust Fund | | 293,168 | From General Revenue Fund | | 398,000 |
| | | | From Grants and Dona- tions Trust Fund | | -398,000 |
| Funds in the specific appro- priation 77E shall be used to raise the personal care allowance from \$25 to \$30 on January 1, 1981, for Medicaid eligible patients in nursing homes, mental health institutions, and re- tardation facilities. | | | Youth Services - Institutions | | |
| Aging and Adult Services | | | 83 Salaries and Benefits Positions | | -150 |
| 77F Aid to Local Governments Community Service Grants | | | From General Revenue Fund | | -1,440,655 |
| From General Revenue Fund | | 75,000 | From Grants and Dona- tions Trust Fund | | -527,586 |
| Mental Health Services | | | 84 Expenses | | |
| 77G Aid to Local Governments Community Mental Health Services | | | From General Revenue Fund | | -20,100 |
| From General Revenue Fund | | 576,364 | From Grants and Dona- tions Trust Fund | | -64,963 |
| Funds provided in specific appropriation 77G for the Lee Mental Health Center shall be advanced to the center for the first three months of operation of an intensive residential treat- ment unit. | | | Retardation Services | | |
| | | | 84A Special Categories Community Residential Training | | |
| | | | From General Revenue Fund | | -281,664 |
| | | | Retardation—Institutions | | |
| | | | 85 Salaries and Benefits Positions | | -71 |
| | | | From General Revenue Fund | | -358,610 |
| | | | From Grants and Dona- tions Trust Fund | | -433,607 |
| | | | 86 Expenses | | |
| | | | From General Revenue Fund | | -38,979 |
| | | | From Grants and Dona- tions Trust Fund | | -12,354 |

| | Fiscal Year 1979-1980 | Fiscal Year 1980-1981 | | Fiscal Year 1979-1980 | Fiscal Year 1980-1981 |
|--|--------------------------|--------------------------|---|--------------------------|--------------------------|
| Health Services | | | 92A Special Categories | | |
| 87 Aid to Local Governments | | | National Conference Chief | | |
| Contribution to County | | | Judges | | |
| Health Units | | | From General Revenue | | |
| From General Revenue | | | Fund | | 25,000 |
| Fund | | 400,000 | Administered Funds—Judicial | | |
| Funds provided for the Belle | | | 92B Special Categories | | |
| Glade County Health Unit | | | Payment to Jurors and | | |
| in specific appropriation 87 | | | Witnesses | | |
| are contingent upon the | | | From General Revenue | | |
| availability of 25% local | | | Fund | | 787,517 |
| matching funds. | | | 92C Special Categories | | |
| 87A Lump Sum | | | Compensation to Retired | | |
| Sickle Cell Study | | | Judges | | |
| From Social Security Act | | | From General Revenue | | |
| Reimbursement Trust | | | Fund | | 120,000 |
| Fund | | 50,000 | 92D Special Categories | | |
| Children's Medical Services | | | Compensation and Expenses | | |
| 87B Aid to Local Governments | | | of Court Reporters | | |
| Perinatal Follow-Up | | | Fund | | 100,000 |
| Program | | | District Courts of Appeal | | |
| From General Revenue | | | First District Court of Appeal | | |
| Fund | | 100,000 | 92E Salaries and Benefits | | |
| The funds provided in the | | | Positions | | 12 |
| specific appropriation 87B | | | From General Revenue | | |
| are for a pilot program at | | | Fund | | 285,406 |
| the Dade County Perinatal | | | 92F Other Personal Services | | |
| Center to develop a follow- | | | From General Revenue | | |
| up program to evaluate and | | | Fund | | 51,361 |
| track perinatal patients | | | 92G Expenses | | |
| served in said center. | | | From General Revenue | | |
| Service Delivery Management and | | | Fund | | 15,000 |
| Support Services | | | 92H Operating Capital Outlay | | |
| 87C Salaries and Benefits | | | From General Revenue | | |
| Positions | | | Fund | | 46,542 |
| From General Revenue | | | Fifth District Court of Appeal | | |
| Fund | | -618,751 | Positions | | |
| HIGHWAY SAFETY AND | | | 92I Salaries and Benefits | | |
| MOTOR VEHICLES, | | | From General Revenue | | |
| DEPARTMENT OF | | | Fund | | 106,726 |
| Florida Highway Patrol, | | | 92J Operating Capital Outlay | | |
| Division of | | | From General Revenue | | |
| 88 Expenses | | | Fund | | 48,000 |
| From General Revenue | | | Circuit Courts | | |
| Fund | | 65,150 | 92K Other Personal Services | | |
| From Reimbursement | | | From General Revenue | | |
| Trust Fund | | 7,800 | Fund | | 22,000 |
| Drivers Licenses, Division of | | | Judicial Administrative | | |
| 89 Expenses | | | Commission | | |
| From General Revenue | | | 92L Salaries and Benefits | | |
| Fund | | 193,650 | Positions | | 2 |
| Motor Vehicles, Division of | | | From General Revenue | | |
| 90 Expenses | | | Fund | | 32,874 |
| From General Revenue | | | 92M Expenses | | |
| Fund | | 104,200 | From General Revenue | | |
| Kirkman Data Center | | | Fund | | 2,586 |
| 90A Expenses | | | 92N Operating Capital Outlay | | |
| From Working Capital | | | From General Revenue | | |
| Trust Fund | | 1,117,000 | Fund | | 2,791 |
| Judicial Branch | | | LABOR AND EMPLOYMENT | | |
| Supreme Court | | | SECURITY, DEPARTMENT OF | | |
| 91 Other Personal Services | | | Employment Security, Division of | | |
| From Grants and Dona- | | | 93 Not Used | | |
| tions Trust Fund | | -20,471 | 94 Not Used | | |
| 92 Expenses | | | | | |
| From Grants and Dona- | | | | | |
| tions Trust Fund | | -138,469 | | | |

| | Fiscal Year 1979-1980 | Fiscal Year 1980-1981 |
|--|--------------------------|--------------------------|
| LAW ENFORCEMENT, DEPARTMENT OF | | |
| Criminal Investigations, Division of | | |
| 95 Operating Capital Outlay From General Revenue Fund | | 906,383 |
| 95A Lump Sum New Office/Key West Positions | | 1 |
| From Block Grant Match- ing Trust Fund | | 30,000 |
| <p>The department shall submit a plan to the executive office of the Governor for the expenditure of the funds in the Specific Appropriation 95A to establish an office in Key West. The department shall transfer 3 field investigator positions to Key West to staff said office.</p> | | |
| LEGAL AFFAIRS, DEPARTMENT OF, AND ATTORNEY GENERAL | | |
| 95B Special Categories Transfer to Legal Services Trust Fund From Regulatory Trust Fund | | 187,000 |
| 95C Special Categories Lawsuits/Skyway Bridge From General Revenue Fund | | 500,000 |
| 95D Special Categories Antitrust/Trucking Deregulation From Legal Services Trust Fund | | 187,000 |
| 95E Special Categories Admiralty Law From General Revenue Fund | | 150,000 |
| 95F Special Categories Help Stop Crime From General Revenue Fund | | 250,000 |
| Legislative Branch | | |
| House of Representatives | | |
| 95G Lump Sum From General Revenue Fund | | 419,000 |
| Joint Management | | |
| 95H Lump Sum From General Revenue Fund | | 550,000 |
| <p>Funds are provided in specific appropriation Number 95H for the purpose of having prepared and maintained, or causing to have prepared and maintained, a codification of all special laws and general laws of local application. Prior to October 1, 1980, the Joint Legislative Management Committee shall prepare a plan for the codification</p> | | |

and the adoption, publication and distribution of the codification. The plan shall provide for the adoption of the codification no later than the 1987 legislative session and for updating the codification annually thereafter. The plan may provide for the adoption, publication, and distribution of any completed portions of the codification prior to the 1987 legislative session. In preparing each codification, the Joint Legislative Management Committee may exercise the same authority as in preparation of the Florida Statutes. However, any reviser's bill relating to a codification shall be deemed to be special legislation relating to the particular jurisdiction and shall comply with all requirements for the enactment of special laws.

Auditor General

| | |
|--|---------|
| 95I Lump Sum From General Revenue Fund | 475,618 |
| From Federal Reimbursement Trust Fund | 488,839 |

The funds in specific appropriation Number 95I which are provided for the medicaid fraud control unit are contingent upon HB 1312 or similar legislation becoming law. The funds in this appropriation are based on a requirement for 50% state matching funds. In the event federal funds are available which would require a 10% state match, the additional general revenue shall be reserved and shall revert to the general revenue fund unallocated at the end of fiscal year 1980-81.

NATURAL RESOURCES, DEPARTMENT OF

**Office of Executive Director
and Division of Administrative
Services**

| | |
|---|--------|
| 95J Special Categories Saltwater Fisheries Study and Advisory Council From General Revenue Fund | 35,000 |
|---|--------|

Funds in specific appropriation Number 95J are contingent upon CS for HB 874 or similar legislation becoming law.

Marine Resources, Division of

| | |
|--|---------|
| 95K Salaries and Benefits Positions | 21 |
| From General Revenue Fund | 217,114 |

| | Fiscal Year 1979-1980 | Fiscal Year 1980-1981 | | Fiscal Year 1979-1980 | Fiscal Year 1980-1981 |
|---|--------------------------|--------------------------|--|--------------------------|--------------------------|
| 95L Expenses From General Revenue Fund | | 69,815 | brought against the Parole and Probation Commission by inmates. | | |
| 95M Operating Capital Outlay From General Revenue Fund | | 65,296 | 98 Expenses From General Revenue Fund | | 13,722 |
| 95N Data Processing Services From General Revenue Fund | | 3,600 | PUBLIC SERVICE COMMISSION | | |
| Resource Management, Division of | | | 99 Salaries and Benefits Positions From Regulatory Trust Fund | 37 | 571,778 |
| 95O Salaries and Benefits Positions From Aquatic Plant Control Trust Fund | 13 | 101,295 | 100 Other Personal Services From Regulatory Trust Fund | | 50,000 |
| 95P Expenses From Aquatic Plant Control Trust Fund | | 60,830 | 101 Expenses From Regulatory Trust Fund | | 154,499 |
| 95Q Aid to Local Governments Aquatic Plant Control Matching Grants From Aquatic Plant Control Trust Fund | | 320,911 | 102 Not Used | | |
| 95R Operating Capital Outlay From Aquatic Plant Control Trust Fund | | 16,070 | 103 Operating Capital Outlay From Regulatory Trust Fund | | 47,791 |
| 95S Lump Sum For Transfer to Game and Fresh Water Fish Commission Administrative Overhead From Aquatic Plant Control Trust Fund | | 137,617 | The Funds in Specific Appropriation Numbers 99, 101, and 103 for the establishment of three additional positions for water and sewer utilities regulation are contingent upon CS for SB 297 or similar legislation becoming law. | | |
| Funds in specific appropriation Numbers 95O thru 95S are contingent upon HB 1691 or similar legislation becoming law. Positions authorized in Specific Appropriation Number 95O above are to become effective on or before January 1, 1981. | | | 104 Not Used | | |
| Recreation and Parks, Division of | | | REVENUE, DEPARTMENT OF | | |
| 95T Aid to Local Governments Florida Recreation Development Assistance Grants From General Revenue Fund | | 90,000 | Ad Valorem Tax, Division of | | |
| Law Enforcement, Division of | | | 104A Expenses From Intangible Tax Trust Fund | | 75,000 |
| 95U Other Personal Services From Coastal Protection Trust Fund | | 911,890 | 105 Not Used | | |
| Funds appropriated in specific Appropriation number 95U from interest earnings of the Coastal Protection Trust Fund are contingent upon the fund reaching its statutory limits. | | | Audits, Division of | | |
| PAROLE AND PROBATION COMMISSION, FLORIDA | | | 106 Not Used | | |
| 96 Not Used | | | 107 Not Used | | |
| 97 Other Personal Services From General Revenue Fund | | 67,394 | 108 Not Used | | |
| Up to \$52,394 of the funds in the Specific Appropriation 97 shall be used solely for attorney's fees for defense of legal actions | | | Collection and Enforcement, Division of | | |
| | | | 109 Not Used | | |
| | | | 110 Not Used | | |
| | | | 111 Not Used | | |
| | | | 112 Not Used | | |
| | | | 113 Not Used | | |
| | | | STATE, DEPARTMENT OF, AND SECRETARY OF STATE | | |
| | | | Office of the Secretary and Division of Administrative Services | | |
| | | | 113A Other Personal Services From General Revenue Fund | | 3,000 |
| | | | 113B Expenses From General Revenue Fund | | 23,178 |

| | Fiscal Year 1979-1980 | Fiscal Year 1980-1981 |
|---|--------------------------|--------------------------|
| Elections, Division of | | |
| 113C Aid to Local Governments Special Elections From General Revenue Fund | | 88,250 |
| Funds appropriated in specific appropriation Number 113C are to reimburse Hillsborough and Polk County for special election for House Seat Number 64. | | |
| Corporations, Division of | | |
| 113D Salaries and Benefits Positions From General Revenue Fund | | 8,400 |
| 113E Other Personal Services From General Revenue Fund | | 22,000 |
| 113F Expenses From General Revenue Fund | | 17,633 |
| Library Services, Division of | | |
| 113G Aid to Local Governments... Library Grants From General Revenue Fund | | 100,000 |
| 113H Aid to Local Governments Construction Grants From General Revenue Fund | | 100,000 |
| CULTURAL AFFAIRS, DIVISION OF | | |
| Office of the Division Director | | |
| 113I Salaries and Benefits Positions From General Revenue Fund | | 51,986 |
| | | —51,986 |
| 113J Expenses From General Revenue Fund | | 11,145 |
| | | —11,145 |
| 113K Aid to Local Governments Art Grants From General Revenue Fund | | —63,131 |
| Jacksonville Historical Preservation Board | | |
| 113L Lump Sum From General Revenue Fund | | 10,000 |
| Funds appropriated in specific appropriation number 113L are contingent upon HB 1423 or similar legislation becoming law. | | |
| Total of Section 01 Positions | 344 | |
| From General Funds | | 239,370,042 |
| From Trust Funds | 28,164,710 | 36,352,320 |
| From Federal Revenue Sharing Fund | | —10,700,000 |
| Total All Funds | 28,164,710 | 265,022,362 |

Section 2. A state agency, financed jointly in this act by appropriations from the General Revenue Fund and a trust fund may transfer moneys released from a General Revenue Fund salaries appropriation to a Trust Fund Salaries Account for the purpose of processing centralized payroll expenditures, in accordance with the exception provided in Section 216.292(1), Florida Statutes.

Section 3. For the purpose of Section 216.221, Florida Statutes, the maximum of the appropriations from the General Revenue Fund and the Federal Revenue Sharing Fund is the aggregate of the appropriations from said funds. Therefore, in the event that funds available in either fiscal year of the 1979-81 biennium are insufficient to meet appropriations from either the General Revenue Fund or Federal Revenue Sharing Fund, and excess funds are available above appropriations in the other of these funds, then the executive office of the Governor may, after consulting with the Legislative Appropriations Committees, increase appropriations in the fund experiencing the shortfall in the revenue receipts and reduce appropriations in the other; provided, however, the adjustment shall be made only to the extent necessary to offset the shortfall and to the extent excess funds are available.

Section 4. The funds in Specific Appropriation Number 6A of Sec. 01 are provided to be distributed pursuant to the collective bargaining agreements between the Governor and bargaining agents. For units which are not currently represented by a bargaining agent funds shall be distributed so as to insure a 2.5 per cent increase based on the individual's actual rate as of August 30, 1980.

Section 5. Funds are provided from Specific Appropriation Number 6A of Sec. 01 as recommended to upgrade the competitive position of Engineers, Nurses, EDP Personnel, and Department of Agriculture Personnel as recommended by the Governor. No funds are provided for competitive area differentials.

Section 6. Board of Regents: Funds are provided in Specific Appropriations Number 6A of Sec. 01 to be distributed so as to insure a 2.5 per cent increase based on the individual's actual rate as of August 30, 1980.

Section 7. School for the deaf and blind: Funds are provided in Specific Appropriation Number 6A of Sec. 01 to be distributed pursuant to the collective bargaining agreements between the Governor and bargaining agents.

Section 8. The Salaries of the following officers during the 1979-81 Biennium shall be paid at the annual rates shown below:

| | Fiscal Year 1979-1980 | Fiscal Year 1980-1981 |
|--|--------------------------|--------------------------|
| | 7-1-79 | 9-1-79 9-1-80 |
| Governor | \$52,500 | \$53,017 \$60,498 |
| Lieutenant Governor | 42,000 | 44,814 48,399 |
| Secretary of State | 42,000 | 44,814 48,399 |
| Comptroller | 42,000 | 44,814 48,399 |
| Treasurer | 42,000 | 44,814 48,399 |
| Attorney General | 42,000 | 44,814 48,399 |
| Education, Commissioner of | 42,000 | 44,814 48,399 |
| Agriculture, Commissioner of | 42,000 | 44,814 48,399 |
| Supreme Court Justice | 45,350 | 48,525 52,507 |
| Judges—District Courts of Appeal | 43,050 | 46,063 49,748 |
| Judges—Circuit Courts | 40,850 | 43,709 47,205 |
| Commissioner—Public Service Commission | 37,800 | 40,446 43,681 |
| Public Employee Relations Commission—Chairman | 38,000 | 40,546 43,789 |
| Public Employee Relations Commission—Commission | 36,000 | 38,412 41,484 |
| Judges—County Courts | 38,500 | 41,248 44,547 |

Provided, that a county court judge assigned to active judicial service in any of the courts created by Article V of the State Constitution shall be paid as additional compensation for such service the difference between his normal salary and the salary then currently paid to a judge of the court to which he is assigned. The amount of such differential shall be computed on the basis of an eight-hour day, or major fraction thereof, and certified by the chief judge to the judicial administrative commission on a monthly basis.

STATE ATTORNEYS:

| | Fiscal Year 1979-1980 | Fiscal Year 1980-1981 | |
|---|--------------------------|--------------------------|--------|
| Circuits with 1,000,000 Population or less | 40,850 | 43,709 | 47,205 |
| Circuits over 1,000,000 | 43,050 | 46,063 | 49,748 |

PUBLIC DEFENDERS:

| | | | |
|---------------------|--------|--------|--------|
| All Circuits: | 37,400 | 41,248 | 44,547 |
|---------------------|--------|--------|--------|

All population figures relating to county judge and state attorney salaries referred to herein shall be based on the most recent projected population for July 1 of each fiscal year, prepared pursuant to Section 23.019, Florida Statutes. Salaries based on population shall become effective July 1, and shall not be changed based on projections or estimates made subsequent to July 1 of each fiscal year. In no instance will the salary of a county judge or state attorney be reduced from the prior year by the effect of projected population.

Section 9. Provided that none of the officers whose salaries have been fixed in Section 8 shall receive from any county or municipality any supplemental salary.

Section 10. There is appropriated \$46 million from The General Revenue Fund and a loan of \$30 million from The State Working Capital Fund to the Department of Transportation to be utilized for the following purposes: Up to \$30 million for resurfacing; up to \$6 million for traffic operations; up to \$6 million for the Bronough-Duval pairing; up to \$19 million to offset inflation on current projects identified as C.P. and/or S.A.P. Projects in Item 7D of 79-212, Laws of Florida; the remainder for bridge rehabilitation and accelerated construction of the interstate. Such amounts as are necessary to commence replacement work on the Sunshine Skyway Bridge pending receipt of federal funds or insurance proceeds, and a short term loan to the Department not to exceed \$30 million from these or other available funds pending receipt of tag revenues, shall be given priority.

Section 11. The following appropriations are from The General Revenue Fund and are contingent upon HB 412 or similar legislation becoming law. The executive office of the Governor shall approve operating budgets from The General Revenue generated by the speeding surcharge for these programs in the priority order listed below until funds generated by the surcharge are exhausted.

| | |
|--|-------------|
| 1. 100 Additional state troopers including vehicles and support | \$2,691,000 |
| 2. Training in radar technique— 1200 troopers | 500,000 |
| 3. Low income energy assistance Program—Including 32 pos. | 2,021,993 |

Section 12. There is hereby appropriated to the Working Capital Fund \$380 million from revenues available June 30, 1980, in excess of the amount needed to fund the General Revenue Appropriation contained in the 1979-81 Appropriations Act.

Section 13. The 1980 Legislature approaches its appropriation task in a unique context for this year is the second year in Florida's first experiment with biennial budgets since annual legislative sessions began. Many subjects covered by Chapter 79-212, Laws of Florida, the 1979-81 General Appropriations Act, are not addressed in the 1980 Session of the Legislature and, in those areas, appropriations made in 1979 will remain unchanged. In other areas, the legislature has made adjustments. The use of minus signs in this Act indicates, for example, that the legislature has determined to appropriate a smaller

amount than it had appropriated in the 1979-81 General Appropriations Act. Thus, the 1980 figure, shown after a minus sign should be subtracted from the previously authorized appropriation contained in Chapter 79-212, Laws of Florida. Where a sum of money is appropriated in this Act, that sum should be added to the appropriations contained in Chapter 79-212, Laws of Florida. Where fund transfers are made, both a minus figure and a plus figure are used and these two figures should be regarded as a single specific appropriation. This bill has been developed with the guidelines of Brown v. Firestone in mind and is intended to comport with the court ruling in this instance.

Section 14. Any section of this Act, or any specific appropriation herein contained, if found to be invalid or vetoed by the Governor without overriding action of the legislature shall in no way affect other sections or other specific appropriations contained in this Act.

| Total this General Appropriation Act Positions | | 344 |
|---|------------|-------------|
| From General Funds | | 239,370,042 |
| From Trust Funds | 28,164,710 | 36,352,320 |
| From Federal Revenue Sharing Fund | | —10,700,000 |
| Total All Funds | 28,164,710 | 265,022,362 |

Section 15. From the funds named herein, the Legislature hereby designates and appropriates moneys for the following capital outlay projects for the fiscal year 1980-1981 to the Department of General Services. The Legislature finds and determines that the sums provided herein are maximum sums appropriated; however, where an appropriation is for a named project, and where it is found to be in excess of that needed to fully complete that project, the excess may be transferred, notwithstanding the provisions of ss. 216.292 and 216.301(2), Florida Statutes, with the approval of the Executive Office of the Governor after consultation with the Legislative Appropriations Committees, to another project named in the same fund and within the same department where a deficiency is found to exist. The responsibility for maintaining the appropriate accounting records may be delegated by the Department of General Services to the named agencies for all capital outlay appropriations, including those certified forward. For the purposes of improved contract administration, the Executive Office of the Governor may authorize consolidation of two or more of the following specific appropriations for an agency, provided that the original scope and purpose of each project is not significantly changed. Specifically, the following sums are appropriated:

(1) For the Department of Corrections, the sum of \$134,000 from the General Revenue Fund for roof repair at the Lancaster Correctional Institution.

(2) For the Department of Corrections, the sum of \$1,035,500 from the General Revenue Fund for land acquisition and planning of a 624-bed correctional institution in an area encompassing Dade County, or in any other county south of Seminole County which does not already have a major correctional institution.

(3) To the Department of General Services, Division of Building Construction and Property Management, the sum of \$1,287,000 from the General Revenue Fund for the following projects, provided that the Department of General Services shall construct each project within the amounts specified:

- (a) Replacement of boilers in the Gray Building \$90,000
- (b) Connection of the Gray Building Security System to the Capitol Complex Security System 80,000
- (c) Installation of security devices on the 22nd floor of the Capitol Building 40,000
- (d) To conduct advance program, planning, and design in a manner similar to the provisions of SB 1020 90,000
- (e) Removal of asbestos from the Carlton Building 87,000

(f) Installation of an energy management system in the Bloxham, Carlton, Mayo, Holland, Burns, Larson, Caldwell, Johns, Knott, Bryant, Gray, and Collins Buildings 900,000

The state energy director shall review the plan for installation of the energy management system and provide a written critique to the Governor and the Cabinet. Installation of the energy management system in those buildings not under the direct supervision of the Department of General Services shall be commenced no later than February 1, 1981. In the event installation of the energy management system has not begun by March 1, 1981, the building manager of the building not under the control of the Department of General Services shall be deemed to have forfeited his opportunity to install the system, and the funds allocated for that building shall revert to the General Revenue Fund unallocated. In addition to the requirements of s. 387.062, Florida Statutes, the Department of General Services shall receive at least three bids solicited in a competitive fashion to purchase the equipment required for the energy management system; however, this requirement may be waived after consultation with the Legislative Appropriations Committees. The Department of General Services shall present to the Legislative Appropriations Committees, no later than March 31, 1981, an energy management system status report indicating: The bid selection process; installation progress; operational progress; and the economic savings to date or projected on a building-by-building basis.

(4) For the Department of Health and Rehabilitative Services, the sum of \$2,306,610 from the General Revenue Fund for the following projects:

(a) Renovation of the Client Services Center in St. Petersburg \$ 77,000

(b) Completion of air conditioning at the Florida State Hospital and the South Florida State Hospital 1,241,000

(c) Renovation of the South Florida State Hospital 500,000

(d) Repairs to the water plant at the South Florida State Hospital 488,610

(5) For the Department of Health and Rehabilitative Services, the sum of \$1,800,000 from the Social Security Act Reimbursement Trust Fund for the renovation of the hot water system at the Northeast Florida State Hospital.

(6) For the District Court of Appeals, the sum of \$1,349,600 from the General Revenue Fund for a building in the Fifth Appellate District.

(7) For the Department of Natural Resources, the sum of \$1,691,969 from the General Revenue Fund for land acquisition and the construction of a warehouse and equipment storage facility on the site of the Commonwealth Building in Leon County.

(8) For the Historic Pensacola Preservation Board, the sum of \$20,000 from the General Revenue Fund for renovations to the electrical and air conditioning systems at the McCullough Building. There is hereby deleted the sum of \$20,000 from item 137C appropriated in section 2 of chapter 79-212, Laws of Florida.

(9) Contingent upon the enactment of HB 412 or similar legislation, the Executive Office of the Governor shall approve and release funds for the following capital outlay projects from general revenue funds generated by the speeding surcharge, in the priority order listed below, until funds generated by the surcharge are exhausted, provided that any projects explicitly provided for in the General Appropriation Act (HB 1770) from the revenue generated from the speeding surcharge shall be completely funded prior to the funding of this subsection:

| | |
|--|-------------|
| (a) Florida State Hospital—boiler conversion | \$2,035,000 |
| (b) Computerized Energy Management Program—HRS | 1,680,000 |
| (c) Improved energy controls—state buildings | 40,000 |
| (d) Retrofit state office buildings—Non-HRS | 765,000 |
| (e) Retrofit HRS office buildings | 669,000 |
| (f) Florida State Prison—boiler conversion | 3,990,000 |

The Department of Corrections is authorized to bid that portion of the boiler conversion project for Florida State Prison which corresponds to the amount of funds available for that project from the revenue generated by the surcharge.

Section 16. From the funds named herein, the Legislature hereby authorizes and appropriates moneys for the following capital outlay projects for the fiscal year 1980-1981 to the state agencies specified in each subsection. Notwithstanding the provisions of ss. 20.22 and 255.25, Florida Statutes, relating to construction plans and contracts, the state agencies indicated shall have the sole responsibility for implementing their respective appropriations in this section. Specifically, the following sums are appropriated:

(1) To the Department of Commerce, Division of Economic Development, the sum of \$13,250,000 from the General Revenue Fund, provided that:

(a) \$7,000,000 of the amount shall be released for expenditure only upon enactment of HB 1637 or similar legislation.

(b) Up to \$6,000,000 of the amount shall be utilized by the department as a grant-in-aid to local government, to fund a portion of an economic development project. Said project shall be under construction no later than July 1, 1983, or the funds shall revert to the General Revenue Fund unallocated.

(c) \$250,000 of the funds shall only be released as a grant-in-aid for continuation of the pilot project begun with item 179A in section 1 of chapter 79-212, Laws of Florida, to utilize lands for economic development purposes which were formerly federal military installations.

(2) To the Department of Corrections, the sum of \$3,878,961 from the General Revenue Fund for completion of Phase I of the Volusia Correctional Institution.

(3) To the Department of Health and Rehabilitative Services, the sum of \$496,156 from the General Revenue Fund for the girls' START Center in Polk County. In addition to this appropriation, any surplus funds available to the Department of Health and Rehabilitative Services from previously appropriated capital outlay projects are hereby appropriated, up to the sum of \$100,000, for this project.

(4) The Legislature hereby authorizes from the Capital Improvement Fee Trust Fund an appropriation of up to \$7,800,000 to the Board of Regents of the State University System for the following projects:

(a) For the renovation or construction of facilities to house child care centers, an amount not to exceed \$200,000 per university, provided that the use of these funds shall be considered an advance against future university entitlements from the Capital Improvement Fee Trust Fund for the establishment of a child care center.

(b) For consultants, engineering fees, structural corrections, and completion of the mass seating facilities at the University of Florida and the University of South Florida, up to \$2,000,000, provided that any of the appropriated funds not required for the mass seating facilities shall remain in the Capital Improvement Fee Trust Fund to be reallocated at a later date for State University System capital outlay needs. The use of these funds shall be considered an advance against future university entitlements from the Capital Improvement Fee Trust Fund, provided that, if any damages or fees are awarded in a subsequent lawsuit as a result of structural or design defects, said damages or fees shall be repaid to the Capital Improvement Fee Trust Fund.

(c) For dormitory renovations and repairs required to comply with fire and life safety codes, energy conservation, and handicapped codes, up to \$4,000,000, provided that any capital improvement fees used for such purposes shall come from the respective university's share of the fund and shall be paid back to the fund within 30 years at the same interest rate as obtained in the most recent sale of Public Education Capital Outlay and Debt Service Trust Fund bonds. Loans shall be amortized by approximately equal periodic payments of combined principal and interest over the life of the loan. Such payments shall be made not less than annually and not more than semiannually.

(5) Notwithstanding the provisions of s. 216.301(3)(a), Florida Statutes, the unencumbered funds for the construction

for Tampa General Hospital (\$8,723,000 as of June 30, 1980) shall be reallocated in fiscal year 1980-1981 for planning and construction for Tampa General Hospital.

(6) The associated qualifying language together with the funds appropriated in section 4 of chapter 79-212, Laws of Florida, for the fiscal year 1980-1981 is hereby repealed; provided, however, that the reallocated funds from the Perry-Paige Renovation intended to be used for planning, architectural, and design work in fiscal year 1980-1981 for the architecture building on the Florida A and M University campus is hereby continued.

(7) The associated qualifying language together with the June 30, 1980, unexpended balance in the appropriations provided in sections 25 and 32, chapter 78-401, Laws of Florida, and section 2, item 55C, chapter 79-212, Laws of Florida, as well as the appropriations provided in section 2, items 25 and 90, chapter 79-212, Laws of Florida, and any portions of those appropriations which may have reverted, are hereby repealed and reappropriated in the following manner:

(a) \$15,550,000 for the construction in Volusia County of a forensic evaluation and treatment facility for the Department of Health and Rehabilitative Services.

(b) \$12,500,000 for a correctional institution for the Department of Corrections in an area encompassing Dade County, or in any other county south of Seminole County which does not already have a major correctional institution.

Section 17. Legislative intent.—It is the purpose of this act to clarify and explain legislative intent regarding certain previously authorized specific appropriations. The legislative qualifications, restrictions, and priorities included and established herein directly and rationally relate to the purpose of those appropriations. These qualifications, restrictions, and priorities are intended to enhance and improve the abilities of the executive and judicial branches to properly implement legislative fiscal policy without improperly intruding into the constitutionally recognized jurisdictions of executive and judicial powers, duties and responsibilities.

Section 18. Administered funds

The June 30, 1980, unexpended balance of funds in item 17 of section 1 of chapter 79-212, Laws of Florida, for additional participation may be utilized by the Department of Administration to meet projected shortfalls in the Health Insurance Program in fiscal year 1980-1981 and shall not be subject to reversion as provided by s. 216.301(1), Florida Statutes.

Section 19. Administration, Department of

The qualifying language related to item 32 of section 1 of chapter 79-212, Laws of Florida, is repealed and up to \$450,263 of the funds appropriated in item 32 may be used to assist the Divisions of Personnel and Human Resource Management avoid a potential deficit situation in the State Personnel System Trust Fund. The Secretary of the Department of Administration shall consult with the Legislative Appropriations Committees prior to utilizing these funds for any other purpose.

The June 30, 1980, unexpended balance of the funds appropriated for fiscal year 1979-80 in item 14 of section 1 of chapter 79-212, Laws of Florida, shall not be subject to reversions as provided in s. 216.301(1), Florida Statutes, and such funds shall be released to the Department of Administration to avoid a potential deficit situation in the State Personnel System Trust Fund.

The funds appropriated in item 14 of section 1 of chapter 79-212, Laws of Florida, for fiscal year 1980-81, shall be released to the Department of Administration to assist the Divisions of Personnel and Human Resource Management avoid a potential deficit situation in the State Personnel System Trust Fund.

The Secretary of the Department of Administration shall consult with the Legislative Appropriations Committees prior to utilizing these funds for any other purpose.

The Secretary of the Department of Administration shall review the funding schedules of the Divisions of Personnel and Human Resource Management and provide recommendations to the Legislative Appropriations Committees for alternative methods of funding. In addition, the secretary shall conduct a review of state employee utilization of sick leave

and determine, whether, or to what extent, sick leave abuse exists. A report shall be presented to the Legislature no later than April 1, 1981.

Administrative Hearings, Division of

Notwithstanding s. 350.78(1), Florida Statutes, an amount of \$157,414 shall be transferred from the Public Service Regulatory Trust Fund to the Department of Administration, Division of Administrative Hearings, for the cost associated with the transfer of 4 positions from the Public Service Commission to the Division of Administrative Hearings.

Section 20. Agriculture and Consumer Services, Department of, and Commissioner of Agriculture

Forestry, Division of

Notwithstanding s. 216.262(1)(e), Florida Statutes, all field personnel of the Division of Forestry, except those performing clerical duties, shall be provided, from any funds appropriated to the division, distinctive uniforms for identification by the public.

Section 21. Business Regulation, Department of

Notwithstanding the provisions of s. 216.301(1), Florida Statutes, and section 33 of chapter 79-212, Laws of Florida, and s. 216.292, Florida Statutes, the unexpended balance of funds appropriated in items 157A through 157D of section 1 of chapter 79-212, Laws of Florida, shall not revert and shall be released to the Department of Business Regulation to fund the anticipated deficit in data processing funds within the Division of Alcoholic Beverages and Tobacco and the beverage officer position authorized in appropriation numbers 20G through 20I of HB 1770 (1980 Session).

Florida Land Sales and Condominiums, Division of

Contingent upon enactment of legislation authorizing separate trust funds, \$650,000 shall be transferred from the Florida Condominium Trust Fund to the Florida Land Sales Trust Fund.

Section 22. Commerce, Department of

Tourism, Division of

Funds appropriated in item 19A of section 1 of chapter 79-212, Laws of Florida, may be expended only upon request by the Secretary of Commerce accompanied by substantiated need, and approval by the Administration Commission for preservation of tourism activity in state. Any unencumbered balance on June 30, 1980, in the amount appropriated in item number 19A of section 1 of chapter 79-212, Laws of Florida, may be carried forward for expenditure in 1980-1981, notwithstanding the provisions of s. 216.301(1), Florida Statutes.

Section 23. Community Affairs, Department of

Office of the Secretary

The qualifying language related to item 22 of section 1 of chapter 79-212, Laws of Florida, for the Local Government Comprehensive Planning Act is repealed and the June 30, 1980, unexpended balance of the funds appropriated for fiscal year 1979-80 in item 212 shall not be subject to reversion as provided in s. 216.301(1), Florida Statutes. Notwithstanding the provisions of s. 216.292, Florida Statutes, the Secretary of the Department of Community Affairs, upon approval of the Executive Office of the Governor, shall be authorized to transfer up to \$150,000 of the \$717,340 appropriated in item 212 for fiscal year 1980-81, to pay for the expenses associated with the Executive Reorganization Act, chapter 79-190, Laws of Florida, and increased rent costs associated with renegotiated leases of current rental space.

The June 30, 1980, unexpended balance of the funds appropriated for fiscal year 1979-80, in item 214A of section 1 of chapter 79-212, Laws of Florida, shall not be subject to reversions as provided in s. 216.301(1), Florida Statutes.

Public Safety Planning and Assistance, Division of

The \$894,088 appropriated in specific appropriation 36B of HB 1770 (1980 Session) shall be expended by the Secretary of the Department of Community Affairs to provide up to \$694,088 to the Bureau of Criminal Justice Planning and Assistance as a result of shortfalls and cutbacks in LEAA funds, and the remaining funds shall be distributed to Manatee County for the construction of a Law Enforcement Firearms Training Center.

Local Resource Management, Division of

The funds identified in specific appropriation 40A of HB 1770 (1980 Session) shall be distributed by the Secretary of the Department of Community Affairs to provide up to \$500,000 in financial assistance for the coordination, planning, and development of local government economic development projects and activities. The remaining funds, not to exceed \$100,000, may be expended for the administrative costs of this program and, if available, to provide additional funds for the Local Government Comprehensive Planning Act grant program.

Section 24. Corrections, Department of

The qualifying language preceding item 261 of section 1 of chapter 79-212, Laws of Florida, which reads: "PROVIDED, HOWEVER, THAT IN THE EVENT THAT SUFFICIENT LAW ENFORCEMENT ASSISTANCE ADMINISTRATION FUNDS DO NOT BECOME AVAILABLE, THE DEPARTMENT SHALL PHASE BACK ITS PROBATION AND RESTITUTION CENTERS BEGINNING WITH THE LEAST EFFECTIVE CENTER" is hereby repealed.

Section 25. Education, Department of, and Commissioner of Education

Office of Deputy Commissioner for Educational Management

Notwithstanding the provisions of s. 216.301(1), Florida Statutes, the June 30, 1980, unexpended balance of the appropriation in item 271D of section 1 of chapter 79-212, Laws of Florida, for the fiscal year 1979-80, for auxiliary learning aids for postsecondary handicapped students, shall not revert and shall be transferred to and combined with the appropriations in item 328 of section 1 of chapter 79-212, Laws of Florida, for the fiscal year 1980-81 for student assessment and evaluation.

Of the amount appropriated in item 271D of section 1 of chapter 79-212, Laws of Florida, for the fiscal year 1980-81, for auxiliary learning aids for postsecondary students, up to \$60,000 may be used to develop a master plan for the delivery of service to handicapped students.

Notwithstanding the provisions of s. 216.301(1), Florida Statutes, the June 30, 1980, unexpended balance of the appropriation in item 272 of section 1 of chapter 79-212, Laws of Florida, for the fiscal year 1979-80, for energy effectiveness and efficiency evaluation of educational facility construction shall not revert and shall be transferred to and combined with the appropriation for this purpose and for the fiscal year 1980-81.

Funds appropriated in section 1 of chapter 79-212, Laws of Florida, in item 271F for 1980-1981, shall be used to contract with the education policy unit of the Executive Office of the Governor. The funds shall be used to study financing postsecondary education programs based on programmatic needs and the needs of the state. The education policy unit of the Executive Office of the Governor shall work jointly with the Department of Education and the Legislature in conducting the study and legislative staff shall be directly involved in the study. The design of the study and any consultants employed shall be mutually approved by designees of the Governor, the Commissioner of Education, the Speaker of the House of Representatives, and the President of the Senate. Notwithstanding the provisions of s. 216.301(1), Florida Statutes, the June 30, 1980, unexpended balance of the appropriation in item 271F of section 1 of chapter 79-212, Laws of Florida, for the fiscal year 1979-80, for postsecondary education evaluation and long range planning, shall not revert and shall be transferred to and combined with the appropriation for this purpose for the fiscal year 1980-81.

Office of Deputy Commissioner for Special Programs

Notwithstanding the provisions of s. 216.301(1), Florida Statutes, the June 30, 1980, unexpended balance of the appropriation in item 286B of section 1 of chapter 79-212, Laws of Florida, for the fiscal year 1979-80, for the development of college level student competencies, shall not revert and shall be transferred to and combined with the appropriation for this purpose for the fiscal year 1980-81.

Notwithstanding the provisions of s. 216.301(1), Florida Statutes, the June 30, 1980, unexpended balance of the appropriation in item 288 of section 1 of chapter 79-212, Laws of Florida, for the fiscal year 1979-80, for the development of teacher competency tests, shall not revert and shall be transferred to and combined with the appropriation for this purpose for the fiscal year 1980-81. The State Board of Education

shall establish by rule examination fees which shall be sufficient to pay the cost annually of administering the teacher competency tests required pursuant to s. 231.17(2), Florida Statutes.

Public Schools, Division of

The qualifying language immediately following item 315 up to item 316, in section 1 of chapter 79-212, Laws of Florida, is hereby repealed.

An amount of \$120 for each postsecondary vocational unweighted FTE shall be added to, and made a part of, the local required effort of each district.

The potential additional local effort shall be 1.6 mills.

The following are the weighted FTE program caps:

| | |
|--------------------------------------|---------|
| Exceptional student programs | |
| Except specific learning | |
| Disabilities (part time) | 91,516 |
| Specific learning disabilities | |
| (part time) | 71,145 |
| Vocational 7-12 programs | 221,685 |
| Vocational adult programs | 91,516 |
| Adult basic and high school programs | 37,514 |
| Alternative education | 34,672 |

The FTE represented by weighted FTE in excess of the above program caps shall be added to the allowable weighted FTE except for FTE over the cap in adult basic and high school programs.

Provided, however, that any unweighted FTE assigned to the specific learning disability part-time program in any district which is in excess of .87 percent of the total K-12 unweighted FTE for that district shall be adjusted to a cost factor of 1. However, no district shall receive less than the unweighted FTE generated in 1978-1979.

The Commissioner of Education shall develop and administer procedures for the coordinated delivery of all public school inservice educational training programs. The procedures shall provide for reallocation of existing resources within the department, permit the centralized monitoring and evaluation of such inservice programs, and be developed in cooperation with the Council on Teacher Education and other groups and individuals with related responsibilities. All district school board staff development activities, pursuant to s. 230.23, Florida Statutes, for all individuals from all fund sources shall be included in each district's Master Plan for Inservice Education. The Commissioner of Education shall provide to the Legislature on or before February 1, 1981, a progress report on the implementation of this requirement.

The following definition shall apply to school district supplemental vocational programs:

Supplemental courses are courses organized for the purpose of upgrading students who are currently or who have been previously employed in an occupational field or as a homemaker, but should not include courses which are organized as a unit of a preparatory program of studies.

Funds allocated for enrollments in supplemental programs shall be based on the following priorities:

1. In-service programs for public service occupations.
2. Programs for currently employed or previously employed students in the field of study in which they are enrolled and need to upgrade their employment skills.
3. Programs offered at the request of an employer to develop a pool of qualified workers for new or expanded employment opportunities.
4. Programs for the occupation of homemaking including consumer education, parenthood and family living education, child development and guidance, food and nutrition, housing and home management (including resource management), and clothing and textiles.

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.

Individuals who do not meet the above requirements may enroll in an adult supplemental course on a space available basis, by paying a fee based on the direct instructional costs of the program. However, such individuals shall not earn FTE's for funding purposes.

Funds for Postsecondary Job Preparatory Vocational Programs shall be restricted to full-time equivalent students whose enrollment in such programs can be demonstrated to be directly related to securing employment.

In addition to the calculations of chapter 236, Florida Statutes, and notwithstanding the provisions of s. 236.081(7), Florida Statutes, the loss in FTE district by district, from 1979-1980 to 1980-1981 shall be multiplied by \$1,272.56 and added to the statutory calculations as an additional hold harmless.

Notwithstanding the provisions of s. 216.301(1), Florida Statutes, the June 30, 1980, unexpended balance of the appropriation in item 330A of section 1 of chapter 79-212, Laws of Florida, for the 1979-1980 fiscal year for the Florida academy for school leaders shall not revert and shall be transferred for this purpose to the 1980-81 fiscal year.

Notwithstanding s. 236.081 (1)(c), Florida Statutes, the program cost factors for 1979-1980 shall be used in 1980-1981 rather than those listed for 1980-1981.

Community Colleges, Division of

Notwithstanding qualifying language following item 345 of section 1 of chapter 79-212, Laws of Florida, the following assigned FTE enrollments for 1980-1981 shall be used to allocate the Community College Program Fund:

| | |
|--|---------|
| Advanced and Professional Occupational Education | 95,154 |
| (technical, skilled/semi-skilled, apprenticeship and supplemental) | 67,188 |
| Compensatory | 5,645 |
| Adult basic and high school | 11,314 |
| | 179,301 |

Of the above occupational education FTE, no more than 4,875 in 1980-1981 shall be assigned for occupational supplemental programs.

Notwithstanding the qualifying language following item 345 of section 1 of chapter 79-212, Laws of Florida, the allocation of the Community College Program Fund shall be based on a deduction for student fees of \$445 per FTE applied to advanced and professional, occupational-technical, and compensatory programs. A deduction of \$145 per FTE shall be applied to occupational-nontechnical programs.

Notwithstanding the qualifying language following item 345 of section 1 of chapter 79-212, Laws of Florida, no college shall receive less than a 9% increase in state funds over the prior year.

Universities, Division of

Educational and General Activities

Notwithstanding the qualifying language following item 371C of section 1 of chapter 79-212, Laws of Florida, for the fiscal year 1980-1981, up to 340 new positions as described in the March 1, 1980, reports submitted to the Legislature may be established in the State University System associated with the quality improvement appropriation.

University of Florida Teaching Hospital and Allied Clinics

A voucher shall be prepared by the University of Florida to have a state warrant issued payable to Shands Teaching Hospital and Clinics, Inc., for the available cash balance in the State Treasury from the Hospitals and Allied Clinics Operation and Maintenance Trust Fund. This warrant is to be delivered to the Shands Teaching Hospital and Clinics, Inc., upon the effective date of the lease between the State Board of Education and Shands Teaching Hospital and Clinics, Inc.

Section 26. Environmental Regulation, Department of

Notwithstanding the provisions of s. 216.301(1), Florida Statutes, the June 30, 1980, unexpended balance of the appropriation for industrial siting, contained in chapter 79-417, Laws of Florida, shall not revert and shall be utilized for the same purpose in fiscal year 1980-81.

Section 27. Game and Fresh Water Fish Commission, Florida

Fisheries, Division of

Positions authorized in item 434 of section 1 of chapter 79-212, Laws of Florida, shall be reduced to 107, on or before January 1, 1981.

Section 28. General Services, Department of

Electronic Data Processing, Division of

The release of \$507,605 appropriated in item 454 and \$3,788,045 appropriated in item 459 of section 1 of chapter 79-212, Laws of Florida, for fiscal year 1980-81, is contingent upon the Division of Electronic Data Processing implementing the following measures during the first quarter of the fiscal year 1980-81:

1. Establishment of a ceiling or cap on all rate increases in an amount not to exceed 10% of the April 1, 1980, rate through August 31, 1980;
2. Establishment of a ceiling or cap on all rate increases in an amount not to exceed 10% of the April 1, 1980, rate, plus the pay adjustments approved for the fiscal year 1980-81, effective September 1, 1980;
3. An immediate freeze on the hiring of all new personnel to fill vacancies within the division's data centers.

Such measures shall remain in effect except for such times as the Executive Office of the Governor, after written consultation with the Legislative Appropriations Committees, determines, on a case by case basis, that a waiver of the above measures is justified.

Security, Division of

The fourth quarter release of \$1,073,900 appropriated in item 474 of section 1 of chapter 79-212, Laws of Florida, is contingent upon the Department of General Services preparing a four-year operating plan for the Division of Security to be presented to the 1981 session of the Legislature, no later than March 31, 1981.

The plan shall address the security programs at the regional service centers as well as state buildings within the Tallahassee area. The plan shall include the development of comprehensive training programs for medical emergencies, fire safety, physical fitness, and the security of persons and possessions in state-owned buildings.

Section 29. Health and Rehabilitative Services, Department of

Office of the Assistant Secretary for Operations

Social and Economic Services

From item 582 in section 1 of chapter 79-212, Laws of Florida, an amount of up to \$150,000 shall be used by the Department of Health and Rehabilitative Services to contract with Children's Home Society for a group care program for permanent placement of adolescents in foster care.

Section 30. Judicial Branch

Administered Funds—Judicial

The qualifying language following item 767 of section 1 of chapter 79-212, Laws of Florida, which reads "PROVIDED, FURTHER, THAT IF FEDERAL FUNDS ARE SECURED FOR A JURY MANAGEMENT INCENTIVE PROGRAM, THIS AMOUNT IS TO BE REDUCED TO \$4,800,000 IN 1980-81," is hereby repealed.

Notwithstanding the provisions of s. 25.073(3), Florida Statutes, temporary judges in the First District Court of Appeal and the seventeenth circuit may serve more than 125 calendar days on temporary assignment.

Section 31. Legal Affairs, Department of, and Attorney General

Notwithstanding the provisions of s. 350.78(1), Florida Statutes, an amount of \$187,000 shall be transferred from the Florida Public Service Regulatory Trust Fund to the Legal Services Trust Fund in the Department of Legal Affairs for legal services associated with litigation resulting from trucking deregulation.

Section 32. Military Affairs, Department of

Notwithstanding the provisions of s. 216.292, Florida Statutes, the Department of Military Affairs may transfer up to \$40,625 from the appropriations in items 925 through 929 of section 1 of chapter 79-212, Laws of Florida, for fiscal year 1980-81, as follows: \$39,000 for security services at Craig Field and \$1,625 for award badges for noncommissioned officers.

Section 33. Natural Resources, Department of Recreation and Parks, Division of

The June 30, 1980, unexpended balance of the funds appropriated in item 962 of section 1 of chapter 79-212, Laws of Florida, for the fiscal year 1979-80, for the armament museum at Eglin Field, shall be carried forward for expenditure in 1980-1981, notwithstanding provisions of s. 216.301(1), Florida Statutes.

Section 34. Revenue, Department of Ad Valorem Tax, Division of

The funds appropriated in specific appropriation number 104A of HB 1770 (1980 session) shall be used by the department to contract with a qualified vendor for the production of radio, television and print advertisements and collateral materials designed to explain and promote the Homestead Property Tax Deferral Act of Florida.

The executive director of the department shall appoint an advisory panel of six representatives of local government, and three citizens knowledgeable in advertising and marketing to assist in the creative design of the materials.

Copies of the materials shall be furnished upon request to each county commission which shall arrange for the materials to be disseminated in a manner to be determined by the commission.

Section 35. The Department of General Services is hereby directed to develop a plan to establish a central state mail service between all state agencies within the Tallahassee area and between units of the same state agency located in separate buildings within the Tallahassee area. Said plan shall be submitted to the Legislature no later than thirty days prior to the 1981 Legislative Session.

Section 36. Notwithstanding the provisions of s. 216.301(1), Florida Statutes, the June 30, 1980, unexpended balance of the funds appropriated for the fiscal year 1979-80 in item 941A of section 1 of chapter 79-212, Laws of Florida, for recreational channel dredging shall be certified forward as a fixed capital outlay appropriation.

Section 37. The qualifying language preceding item 514 of section 1 of chapter 79-212, Laws of Florida, which reads: "PROVIDED THAT, SHOULD THE LEVEL OF FEDERAL FUNDS AVAILABLE TO THIS STATE FROM PUBLIC HEALTH SERVICES ACT 314-D-7-A BE REDUCED BELOW THE LEVEL APPROPRIATED IN THIS ACT, FUNDS FROM THE SOCIAL SECURITY ACT REIMBURSEMENT TRUST FUND SHALL BE RELEASED UP TO THE AMOUNT OF THE REDUCTION" is hereby repealed.

Section 38. Pending receipt and action by the 1981 Legislature on the recommendations to be contained in the cost benefit analysis study currently in process by the Bureau of Economic and Business Research, College of Business Administration, University of Florida, at a cost of \$174,809 plus expenses, the Department of Transportation and the Office of Planning and Budgeting shall not authorize or approve any budget amendments that would delete legislatively authorized positions and continue the same function through a contractual agreement with a corporation, firm, or individual. The department is authorized to issue pur-

chase orders of up to \$8,000,000 for the purchase of buses for resale to local governments where a formal agreement exists for purchase by the local government.

Section 39. Five thousand dollars of the funds appropriated to the Supreme Court in item 763 of section 1 of chapter 79-212, Laws of Florida, for fiscal year 1980-81 shall be made available to the Chief Justice at the beginning of the fiscal year for nonvoucherable expenses.

Section 40. Moneys appropriated in item 53A of section 1 of chapter 79-212, Laws of Florida, may be expended in lump sum or otherwise and shall be expended only for public purposes.

Section 41. Any section of this act, or any item herein contained, if found to be invalid shall in no way affect other sections or other items contained in this act.

Section 42. This act shall take effect upon becoming a law and remain in effect through June 30, 1981. However, any portion of this act which relates to a specific appropriation in the 1979-1981 General Appropriations Act shall not be effective if that specific appropriation is vetoed until such veto is overridden by both houses of the Legislature.

Amendment 2—Strike title and insert: A bill to be entitled An act making supplemental general appropriations; providing moneys for the annual periods beginning July 1, 1979, and July 1, 1980, to pay salaries, other expenses, and for other specified purposes of the various agencies of state government; supplementing or adjusting items and proviso language contained in Chapter 79-212, Laws of Florida; providing appropriations for specific capital outlay projects to the Department of General Services; providing appropriations for specific capital outlay projects to various departments and other state agencies; providing for qualifications to the specific sums; amending chapters 78-401 and 79-212, Laws of Florida; suspending the operation of ss. 216.301(2), 20.22, 255.25, 216.292, and 216.301(3)(a), Florida Statutes, under certain circumstances; providing legislative intent; suspending certain provisions of ss. 20.22, 25.073(3), 216.262(1)(e), 216.292, 216.301(1), 236.081(1)(c), 236.081(7), 350.78(1), Florida Statutes, under certain circumstances; qualifying and restricting certain state expenditures; clarifying state fiscal policy; amending chapter 79-212, Laws of Florida; providing an effective date.

On motions by Senator Gordon, the Senate refused to concur in the House amendments to SB 1362 and the House was requested to recede and in the event the House refused to recede a conference committee was requested. The President appointed Senator Gordon, chairman, and Senators Hair, Johnston, W. D. Childers, Vogt, Peterson, Scott and Maxwell, and Senator Tobiasen, alternate, as conferees on the part of the Senate. The action of the Senate was certified to the House.

On motion by Senator Holloway, the rules were waived and the Senate immediately reconsidered the vote by which—

SB 1329—A bill to be entitled An act relating to Monroe County; declaring legislative intent to remedy existing inequity in s. 112.061, Florida Statutes; providing for reimbursement of travel expenses of school board members for travel out of the member's residence area incurred for a public purpose; providing that mileage allowance, when authorized, shall be computed from member's residence and return; authorizing reimbursement for all in-county travel for each member of the board of county commissioners; providing an effective date.

—as amended passed May 29.

Pending further consideration of SB 1329, on motion by Senator Holloway, the rules were waived and by two-thirds vote HB 758 was withdrawn from the Committee on Economic, Community and Consumer Affairs.

On motion by Senator Holloway—

HB 758—A bill to be entitled An act relating to Monroe County; declaring legislative intent to remedy existing inequity in s. 112.061, Florida Statutes; providing for reimbursement of travel expenses of school board members for travel out of the member's residence area incurred for a public purpose; providing that mileage allowance, when authorized, shall be

computed from member's residence and return; authorizing reimbursement for all in-county travel for each member of the board of county commissioners; providing an effective date.

—a companion measure, was substituted for SB 1329 and by unanimous consent was read the second time by title. On motion by Senator Holloway, by two-thirds vote HB 758 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

| | | | |
|-----------------|-----------|-------------|------------|
| Anderson | Gordon | McClain | Steinberg |
| Beard | Gorman | McKnight | Stuart |
| Carlucci | Grizzle | Myers | Thomas |
| Chamberlin | Henderson | Neal | Tobiassen |
| Childers, D. | Hill | Peterson | Vogt |
| Childers, W. D. | Holloway | Poole | Ware |
| Dunn | Jenne | Scarborough | Williamson |
| Fechtel | Johnston | Scott | Winn |
| Frank | Maxwell | Skinner | |

Nays—None

Vote after roll call:

Yea—MacKay

SB 1329 was laid on the table.

MATTERS ON RECONSIDERATION

The motion by Senator Gordon that the Senate reconsider the vote by which SB 89 passed May 29 was not taken up and therefore considered abandoned.

SPECIAL ORDER

SB 1342—A bill to be entitled An act relating to the Department of State; providing intent; providing appropriations; creating and specifying purposes of the Uniform Commercial Code Trust Fund; providing for deposit of certain fees in the trust fund; authorizing additional positions; providing performance standards for the Bureau of Uniform Commercial Code of the Division of Corporations of the department; requiring the department to make reports to the Legislature; providing an effective date.

—was read the second time by title.

The Committee on Ways and Means offered the following amendments which were moved by Senator Dunn and adopted:

Amendment 1—On page 4, line 27, strike all of Section 7 and insert a new Section 7. and renumber subsequent section:

Section 7. Fees—Section 15.091, Florida Statutes, is hereby amended to read as follows:

(Substantial rewording of section. See s. 15.091; F.S., for present text.)

(1) The fees to be collected by the Department of State in regard to filings and search requests made under the Uniform Commercial Code Bureau under Chapter 679, Florida Statutes, are:

(a) Five Dollars (\$5.00) for the first page of each financing statement or other writing, and Two Dollars (\$2.00) for each additional page thereof;

(b) Fifteen Dollars (\$15.00) for the searching of papers or records, except that there shall be no charge for telephone requests; and

(c) For furnishing statistical information and for copying any document, One Dollar (\$1.00) per page or fraction thereof.

(2) The Department of State may, in its discretion, establish a reasonable fee for filing or copying any document or instrument not mentioned herein or provided for in other laws.

Amendment 2—On page 1, in title, line 11, after the semicolon (;) insert: establishing certain fees;

On motion by Senator Dunn, by two-thirds vote SB 1342 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—33

| | | | |
|-----------------|-----------|-------------|------------|
| Anderson | Grizzle | Neal | Tobiassen |
| Beard | Henderson | Peterson | Trask |
| Carlucci | Hill | Poole | Vogt |
| Childers, D. | Holloway | Scarborough | Ware |
| Childers, W. D. | Jenne | Scott | Williamson |
| Dunn | Johnston | Skinner | Winn |
| Fechtel | McClain | Steinberg | |
| Frank | McKnight | Stuart | |
| Gorman | Myers | Thomas | |

Nays—None

Votes after roll call:

Yea—Chamberlin, MacKay

By the Committee on Education and Senator MacKay—

CS for SB 324—A bill to be entitled An act relating to instructional aids; amending ss. 233.11, 233.14(1)(a), (3), 233.15, 233.16(1), (4)(a), (5), (6), 233.17(2), 233.25(2), Florida Statutes, relating to selection and adoption of instructional materials by the Department of Education and matters related thereto, including prohibited contact with publishers or manufacturers, bids, specimen copies, deposits, and the cap on contract price increases and materials for review; providing for conditional repeal; providing an effective date.

—was read the first time by title and SB 324 was laid on the table.

On motion by Senator MacKay, by two-thirds vote CS for SB 324 was read the second time by title.

Senator MacKay moved the following amendments which were adopted:

Amendment 1—On page 2, line 26, insert after "thereof": , at the expense of said manufacturers,

Amendment 2—On page 4, lines 8-10, strike " , except that a bidder may reduce prices or provide any free materials in compliance with s. 233.25(6) and (7)."

Amendment 3—On page 7, line 4, insert after "manufacturers," : at the expense of the publisher or manufacturer,

The President presiding

Pending further consideration of CS for SB 324 as amended, on motion by Senator MacKay, the rules were waived and by two-thirds vote HB 1399 was withdrawn from the Committee on Education.

On motion by Senator MacKay—

HB 1399—A bill to be entitled An act relating to instructional materials; amending ss. 233.11, 233.14(1)(a), 233.15, 233.16(1), (4)(a), (5), and (6), and 233.17(2), Florida Statutes, relating to selection and adoption of instructional materials by the Department of Education and matters related thereto, including prohibited contact with publishers or manufacturers, bids, deposits, and the cap on contract price increases; providing for conditional repeal; amending ss. 233.14(3) and 233.25(2), Florida Statutes, to require return or reimbursement of certain nonprint instructional materials to publishers or manufactures; providing an effective date.

—a companion measure, was substituted for CS for SB 324 and read the second time by title. On motion by Senator MacKay, by two-thirds vote HB 1399 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—30

| | | | |
|---------------|-----------------|---------|-----------|
| Mr. President | Childers, W. D. | Gordon | Henderson |
| Anderson | Dunn | Gorman | Hill |
| Beard | Fechtel | Grizzle | Holloway |

| | | | |
|----------|-------------|-----------|------------|
| Jenne | Peterson | Stuart | Ware |
| Johnston | Scarborough | Thomas | Williamson |
| MacKay | Scott | Tobiassen | Winn |
| McKnight | Skinner | Trask | |
| Neal | Steinberg | Vogt | |

Nays—6

| | | | |
|--------------|---------|---------|-------|
| Chamberlin | Frank | McClain | Poole |
| Childers, D. | Maxwell | | |

Vote after roll call:

Yea—Myers

CS for SB 324 was laid on the table.

SB 813 was taken up and on motion by Senator McKnight, the rules were waived and by two-thirds vote HB 1132 was withdrawn from the Committee on Economic, Community and Consumer Affairs.

On motion by Senator McKnight—

HB 1132—A bill to be entitled An act relating to land sales; amending s. 498.033(4), Florida Statutes; deleting the requirement that certain permits not terminate prior to the scheduled completion date of the promised subdivision improvements being filed for registration; providing an effective date.

—a companion measure, was substituted for SB 813 and read the second time by title. On motion by Senator McKnight, by two-thirds vote HB 1132 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

| | | | |
|-----------------|-----------|-------------|------------|
| Anderson | Henderson | Neal | Tobiassen |
| Beard | Hill | Peterson | Trask |
| Chamberlin | Holloway | Poole | Vogt |
| Childers, D. | Jenne | Scarborough | Ware |
| Childers, W. D. | Johnston | Scott | Williamson |
| Fechtel | MacKay | Skinner | Winn |
| Frank | McClain | Steinberg | |
| Gorman | McKnight | Stuart | |
| Grizzle | Myers | Thomas | |

Nays—None

SB 813 was laid on the table.

HB 310—A bill to be entitled An act relating to podiatry; creating s. 461.014, Florida Statutes, providing for podiatric residency programs in hospitals; providing for the registration of residents and for semiannual reports; restricting the unlicensed practice of residents under such programs; providing an effective date.

—was read the second time by title. On motion by Senator Henderson, by two-thirds vote HB 310 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

| | | | |
|-----------------|-----------|-------------|------------|
| Mr. President | Gordon | McClain | Steinberg |
| Anderson | Gorman | McKnight | Stuart |
| Beard | Grizzle | Myers | Thomas |
| Chamberlin | Henderson | Neal | Tobiassen |
| Childers, D. | Hill | Peterson | Trask |
| Childers, W. D. | Jenne | Poole | Vogt |
| Dunn | Johnston | Scarborough | Ware |
| Fechtel | MacKay | Scott | Williamson |
| Frank | Maxwell | Skinner | Winn |

Nays—None

On motion by Senator Skinner, the rules were waived and CS for CS for SB 357 after being engrossed was ordered immediately certified to the House.

CS for SB 603, by the Committee on Commerce and Senator Hill, was read the first time by title and SB 603 was laid on the table.

Pending further consideration of CS for SB 603, on motion by Senator Hill, the rules were waived and by two-thirds vote HB 940 was withdrawn from the Committee on Commerce.

On motion by Senator Hill—

HB 940—A bill to be entitled An act relating to workers' compensation; amending s. 440.13(1) and (2), Florida Statutes; providing that an injured employee shall have the right to make the initial selection of a physician, surgeon, other recognized practitioner, nurse, or hospital directing or supervising remedial treatment, care, and attendance furnished to the employee by the employer pursuant to law; requiring the employer to furnish a list of health care providers from which the employee shall choose, such list to contain representatives of all health care providers listed in s. 440.13(3)(d); providing an effective date.

—a companion measure, was substituted for CS for SB 603 and read the second time by title.

Senator Hill moved the following amendments which were adopted:

Amendment 1—On page 1, line 28, strike the comma after the word employee

Amendment 2—On page 1, line 31, after the word "available" insert: *in the community*

Amendment 3—On page 1, line 28, after the word "providers" insert: , not including pharmacists,

Amendment 4—On page 1, line 30, after the word "provider" insert: , not including pharmacists,

Amendment 5—On page 1, line 15, after the ";" insert: excluding pharmacists;

On motion by Senator Hill, by two-thirds vote HB 940 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—19

| | | | |
|-----------------|-----------|-------------|-----------|
| Chamberlin | Henderson | Scarborough | Thomas |
| Childers, W. D. | Hill | Scott | Tobiassen |
| Gordon | Holloway | Skinner | Vogt |
| Gorman | Jenne | Steinberg | Ware |
| Grizzle | Peterson | Stuart | |

Nays—15

| | | | |
|---------------|--------------|----------|------------|
| Mr. President | Childers, D. | MacKay | Neal |
| Anderson | Fechtel | McClain | Poole |
| Beard | Frank | McKnight | Williamson |
| Carlucci | Johnston | Myers | |

CS for SB 603 was laid on the table.

By the Committee on Health and Rehabilitative Services and Senator Trask—

CS for SB 613—A bill to be entitled An act relating to health maintenance organizations; amending s. 641.15(3), Florida Statutes, adding subsection (9) to said section; defining the terms "minimum services" and "independent practice association" as related to the Health Maintenance Organization Act; providing an effective date.

—was read the first time by title and SB 613 was laid on the table.

On motions by Senator Trask, by two-thirds vote CS for SB 613 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—30

| | | | |
|---------------|-----------------|---------|---------|
| Mr. President | Chamberlin | Dunn | Gordon |
| Anderson | Childers, D. | Fechtel | Gorman |
| Beard | Childers, W. D. | Frank | Grizzle |

| | | | |
|----------|----------|-------------|-----------|
| Hill | McKnight | Scarborough | Tobiassen |
| Holloway | Myers | Scott | Trask |
| Jenne | Neal | Skinner | Vogt |
| Johnston | Peterson | Steinberg | |
| McClain | Poole | Thomas | |

Nays—None

On motion by Senator Trask, the rules were waived and CS for SB 613 was ordered immediately certified to the House.

On motion by Senator Johnston, the rules were waived and by two-thirds vote SB 706 was withdrawn from the Committee on Rules and Calendar.

SB 366 was taken up and on motions by Senator Steinberg, the rules were waived and by two-thirds vote HB 426 was withdrawn from the Committees on Judiciary-Criminal and Ways and Means.

On motion by Senator Steinberg—

HB 426—A bill to be entitled An act relating to criminal mental health; creating part II of chapter 925, Florida Statutes, providing for the appointment of experts to examine the mental condition of defendants in criminal cases; providing a standard of competency and for the use of psychotropic medication; providing for the hospitalization of persons incompetent to stand trial; providing for the inapplicability of statutes of limitation and former jeopardy to such persons; providing for the hospitalization of persons adjudicated not guilty by reason of insanity; providing for the jurisdiction of the committing court; providing for conditional release of such persons and for the termination of court jurisdiction; amending s. 394.467, Florida Statutes, to conform to the act; transferring ss. 394.905 and 394.906, Florida Statutes, relating to treatment programs of persons found incompetent and the use of chemical weapons in forensic units to part II of chapter 925, Florida Statutes, repealing ss. 394.467(5), 394.901, 394.904, 918.15 and 925.10, Florida Statutes, to abolish conflicting provisions with respect to persons incompetent to stand trial or adjudicated not guilty by reason of insanity; providing an effective date.

—a companion measure, was substituted for SB 366 and read the second time by title. On motion by Senator Steinberg, by two-thirds vote HB 426 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—28

| | | | |
|-----------------|----------|----------|------------|
| Mr. President | Dunn | Holloway | Steinberg |
| Anderson | Fechtler | Jenne | Thomas |
| Barron | Frank | Johnston | Tobiassen |
| Beard | Gordon | McClain | Trask |
| Carlucci | Gorman | McKnight | Vogt |
| Childers, D. | Grizzle | Peterson | Williamson |
| Childers, W. D. | Hill | Scott | Winn |

Nays—None

Votes after roll call:

Yea—MacKay, Myers

SB 366 was laid on the table.

Senator Scarborough presiding

SJR 948—A joint resolution proposing an amendment to Section 16, Article III of the State Constitution, relating to apportionment by the Legislature.

—was read the second time.

Senator Henderson presiding

Senator Scarborough presiding

On motion by Senator Barron the following remarks were printed in the Journal:

Mr. President: Senators, I'd like to have your attention for a few minutes.

This is the first time I've come down on the floor to speak on any issue that I recall. I wouldn't be here today if I didn't feel pretty strongly about at least part of this particular issue. In the abundance of fairness let me warn you, I want this joint resolution passed today! I don't want any one to feel compulsion to vote for it because I happen to be President of the Senate. I mean that very genuinely. There will be no hard feelings one way or another.

This is a very gut issue with some people. I feel very strongly about part of this issue and I feel we need to talk about it.

The single-member district issue is an important one and frankly I can argue both sides of the issue. I've supported the single-member district concept for many years with the idea that it gives better representation.

Probably one of the best arguments for it is, it diminishes the power of the press, and individual legislators rather than controls a whole delegation. I mention that in passing. That's a side editorial comment.

Strong arguments can be made on both sides on multi-member or single-member districts. I think most of you here who are seasoned know what I'm talking about. Arguments can be made for minorities to be represented better. That argument can be made the other way as well.

There is a petition drive going around the state today and I have watched the press jump on it to pass it, to get single-member districts.

I am for single-member districts but I can tell you that petition drive going around the state is horrible. It provides for a commission to do reapportionment for the State of Florida.

Now this isn't a democracy, this is a republic. When you strike the power of the legislature to reapportion itself I think you are striking pretty hard right at the guts of this country—not only this state but the country.

There will be arguments made today for a commission. They will tell you it's operating in 23 states. It may work well in a state like Hawaii but is there another state like Hawaii? It might work well in Alaska, but the rest of them haven't done that well. I don't care if they were working perfect it's still a poor concept.

You know from time to time we forget about the greatness of this country. We've had an invasion they said last night on T.V.—up to 87,000 Cuban people risking their lives coming to these shores. This country got its greatness because of its basic documents. It's free, it's the freest country in the world.

The Arabs, what are they doing—buying land here in this country. Why? Because they know it's secure. People from all over the world have one idea—come to this country for one reason. It's free! And part of that freedom is the republic we have.

We have a group of people who are determined to get the whole country on an appointive system.

Let me tell you about that appointive system.

You remember a few years ago after reapportionment, Senator Ware, when there was a freely gerrymandered district, which the press loved to blow up. They would tell the people how bad things are. Well, the world hasn't come to an end because one of the Senate districts was gerrymandered. The Senator from that district is now a judge. He's no longer a Senator. That's what they call accountability.

You know what happens with an appointive board? Nothing!

You go across the street to the Supreme Court and guess what you do, you go to an appointive board. Now this to me strikes at the guts of the country. I don't like it, it's wrong.

But, this is an opportunity to vote on this single-member district issue and give the people an opportunity to vote on this single-member district issue and do away with that crazy commission, which is just horrible.

Set some guidelines on how reapportionment should be done. We are going to have it put into the constitution whether we like it or not.

One of the editorials I read the other day was disgusting.

The poor fellow who wrote it hasn't the slightest idea what this country is all about. You know how they feel about it? This is a way to get back at the politicians, never telling the people that they are taking away their rights.

Now, Senators, the single-member districts issue, I won't argue that strongly. All of you know what it is. I urge you to support this particular joint resolution. It needs some amendments to get the guidelines perfected. I urge your support of those.

I think we ought to give the people an opportunity to vote on this issue and do away with that commission. I think we should do something while the time is ripe and that time is now! So—Senators, I urge your support of this particular resolution.

Senator Gordon moved the following amendment:

Amendment 1—On page 1, line 9, strike everything after the resolving clause and insert: Section 1. The representation of the people of Florida in the Legislature shall continue as now constituted until the general election to be held in November 1982. Thereafter, the representation in the Legislature of Florida shall be as set forth in this resolution, and this joint resolution of apportionment shall be included in the Florida Statutes in the same manner as a statute.

Section 2. (1) In the adoption of the legislative apportionment provisions contained in this joint resolution, and in its deliberations preceding such adoption and culminating therein, this Legislature is following in good faith a rational state policy of apportioning the state in accordance with the State Constitution and the Constitution of the United States.

(2) In its apportionment plan, it is the intent of the Legislature to achieve, as reasonably close as is possible, mathematical preciseness so that each senatorial district shall be as nearly equal in population as is practicable to every other representative district, consistent with the equal representation principle of one person, one vote. However, for purposes of providing effective, responsive representation, and of guaranteeing meaningful access between the residents of the state and their senators and representatives, electoral districts shall, whenever possible, follow county and municipal boundaries, and every reasonable effort shall be made to avoid dividing any county or municipality of 25,000 or fewer permanent residents into more than one electoral district. This policy does not prevent, however, the creation of multi-member districts of identical territory.

(3) No electoral district shall be drawn for the purpose of favoring any political party, incumbent legislator, or any other person or group.

Section 3. In accordance with s. 8(a) of Art. X, State Constitution, the decennial census of 1980 is recognized as the official census of the state for the purpose of this joint resolution.

(1) The designation "CCD" shall mean "census county division."

(2) The designation "ED" shall mean "enumeration district."

(3) The word "tract" shall mean "census tract."

(4) The designation "BG" shall mean "block group."

(5)(a) The terms "census county division," "enumeration district," "census tract," and "block group" shall have the same meaning and describe the same geographical boundaries as provided in the Bureau of the Census Reports of the United States Decennial Census of 1980 for the State of Florida.

(b) Block groups are subdivisions of census tracts as defined on census metropolitan maps which differentiate block groups by the first digit of the block numbers assigned to city blocks within each tract.

The populations within the above described geographical census units are the population figures contained in the corrected official 1980 decennial census master enumeration district list.

Section 4. (1) The Senate of the Florida Legislature shall consist of not less than thirty nor more than forty members; each representing a district. Two senators shall be elected from each federal congressional district described in chapter 8, Flor-

ida Statutes, the number of senators and of senatorial districts to be twice the number of United States Representatives assigned to Florida by the President of the United States pursuant to Section 2a, Title II, United States Code, following the certification of each decennial United States Census. In each congressional district there shall be two different senatorial districts composed of identical territory, each numbered consecutive to the other, one with an odd number and the other with an even number. The two senators who represent each district shall be elected by all the electors of the district, at large.

(2) The Florida senate districts, by reference to the federal congressional districts described and numbered in chapter 8, Florida Statutes, shall be numbered as follows:

(3) Each senator shall be elected for a term of 4 years, except that those elected from odd-numbered districts in the general election of 1982 shall be elected for 2 years.

Section 5. (1) The House of Representatives of the Florida Legislature shall consist of not less than eighty nor more than one hundred twenty members, each representing a district. Six representatives shall be elected from each federal congressional district described in chapter 8, Florida Statutes, the number of representatives to be six times the number of United States Representatives assigned to Florida by the President of the United States, pursuant to Section 2a, Title II, United States Code, following the certification of each decennial United States Census. In each congressional district there shall be six different representative districts, each numbered consecutive to the others, three with odd numbers and three with even numbers. For the purpose of describing and designating representative districts, the territory of each congressional district shall be divided into approximate halves as specified in subsection (3) and in accordance with the policy expressed in section 2. Each such half shall comprise three representative districts of identical territory, and the three representatives to represent those districts shall be elected by the electors residing therein, at large.

(2) The Florida representative districts, by reference to the federal congressional districts described and numbered in chapter 8, Florida Statutes, shall be numbered as follows:

(3) Based on the population tabulations and descriptions of the 1980 Census, the state shall be apportioned into representative districts as follows:

Section 6. The numbers of each Florida senatorial and representative district referred to in section 4 or 5 shall be permanently assigned, and the physical descriptor of the territory comprised in each representative district referred to in section 5 shall be specifically described, by the Legislature through subsequent amendment to this resolution as soon as practicable following the availability of all pertinent information contained in the United States Decennial Census of 1980, but no later than the 1982 Regular Session of Legislature.

Section 7. Any portion of the State of Florida which is not stated herein as being included in any district described in this resolution but which is entirely surrounded by a district shall be deemed to be included within that district. Any portion of the state which is not included in any district described in this resolution and which is not entirely surrounded by a district shall be included within that district contiguous to such portion which contains the least population per legislator according to the United States Decennial Census of 1980.

Section 8. The provisions of this resolution shall take effect prior to the general election to be held in November 1982, for all purposes necessary to the nomination and election of members of the Legislature in 1982 in accordance with the apportionment provided in this resolution.

Section 9. In the event any section, subsection, sentence, clause or phrase of this resolution or any senatorial or representative district established herein shall be declared, determined to be, or adjudged invalid or unconstitutional, such adjudication shall in no manner affect the other sections, subsections, sentences, clauses, or phrases of this resolution, or any other districts established herein, which shall remain of full force and effect, as if the section, subsection, sentence, clause, phrase, or district so declared, determined to be, or adjudged invalid or unconstitutional were not originally a part hereof. The Legislature hereby declares that it would have passed the remaining parts of this resolution as if it had known that such part or parts hereof would be declared, determined to be, or adjudged invalid or unconstitutional.

Senator Jenne moved the following amendment to Amendment 1 which failed:

Amendment 1A—On page 3, lines 30-33, and on page 4, lines 1-17 strike all of said lines and insert: one hundred twenty members, each representing a district. There shall be six representative districts within each senatorial district, which for the purpose of electing representatives shall be divided into two subdistricts. Three representatives shall be elected from each subdistrict.

The vote was:

Yeas—17

| | | | |
|------------|----------|-------------|------------|
| Anderson | Hill | Poole | Vogt |
| Beard | Jenne | Scarborough | Williamson |
| Chamberlin | Maxwell | Scott | |
| Fechtel | Myers | Steinberg | |
| Gordon | Peterson | Trask | |

Nays—19

| | | | |
|-----------------|-----------|----------|-----------|
| Barron | Gorman | MacKay | Thomas |
| Carlucci | Grizzle | McClain | Tobiassen |
| Childers, W. D. | Henderson | McKnight | Ware |
| Dunn | Johnston | Neal | Winn |
| Frank | Lewis | Skinner | |

Vote after roll call:

Yea—Holloway

Senator Trask moved the following substitute amendment for Amendment 1 which failed:

Amendment 2—On page 1, lines 20-28, strike all of said lines and insert: state and of the United States into not less than fifteen ~~thirty~~ nor more than twenty ~~forty~~ *dual members single-member*, consecutively numbered senatorial districts of compact, ~~either~~ contiguous, ~~overlapping or identical~~ territory, and into not less than eighty nor more than one hundred twenty *single-member*, consecutively numbered representative districts of compact, ~~either~~ contiguous, overlapping or identical territory. *Each senatorial district shall be as nearly equal in population as practicable, and shall be divided into six single-member representative districts and each representative district shall be as*

Amendment 1 failed.

On motion by Senator Barron, the rules were waived and time of adjournment was extended until final action on SJR 948.

Senator MacKay moved the following amendment which was adopted:

Amendment 3—On page 1, line 16, before the word "Senatorial" insert: congressional,

Senator Frank moved the following amendment:

Amendment 4—On page 1, strike all of lines 24-26 and insert: eighty nor more than one hundred twenty consecutively numbered representative districts of either contiguous, overlapping or identical territory. *Each*

Senator Dunn moved the following amendment to Amendment 4 which failed:

Amendment 4A—On page 1, line 31 after the period insert: *Each three-member representative district shall be subdivided into three residency subdistricts, as nearly equally as possible on the basis of population, and three members shall be elected at large from each representative district, provided that no more than one member may reside in any residency subdistrict.*

Amendment 4 failed.

Senator Peterson moved the following amendment which failed:

Amendment 5—On page 1, lines 20-31, strike all of said lines and insert: state and of the United States

(1) Into not less than thirty nor more than forty consecutively numbered senatorial districts of compact ~~either~~ contiguous, ~~overlapping~~ or identical territory, *provided that no more than two senators may be elected from identical territory*; and

(2) Into not less than eighty nor more than one hundred twenty *single-member*, consecutively numbered representative districts of compact, ~~either~~ contiguous, ~~overlapping or identical~~ territory.

Each senatorial district shall be as nearly equal in population as practicable, and each representative district shall be as nearly equal in population as practicable. Representative districts shall be drawn to coincide with the boundary of senatorial districts to the extent practicable. To the extent practicable, each legislative district shall be drawn to coincide with the boundaries of other political subdivisions of the state. should

On motion by Senator MacKay, the Senate reconsidered the vote by which Amendment 3 was adopted. The question recurred on the adoption of Amendment 3 which failed.

Senator MacKay moved the following amendment which failed:

Amendment 6—On page 1, lines 20-31, and on page 2, lines 1-7, strike all of said lines after the word "into" and insert: as many congressional districts as there are United States Representatives apportioned to the state; not less than thirty or more than forty senate districts; and not less than eighty or more than one hundred and twenty representative districts. All legislative districts shall be single-member districts.

(b) Reapportionment Standards

(1) State legislative districts for each respective house shall be as nearly equal in population as is practicable, based on the population reported in the federal census taken each year ending in zero. In no case shall a single state legislative district have a population which varies by more than five percent from the average population of all districts of a house. In no case shall the average of the absolute values of the population deviations of all districts of the respective houses exceed two percent of the average population of all districts. Any population variance must be justifiable as necessary for compliance with one or more of the other standards set forth in this section. The legislature shall have the burden of justifying any variance between the population of a district and the average population of all districts.

(2) Districts shall be composed of convenient contiguous territory and, consistent with paragraph (1), shall be drawn to coincide with the boundaries of political subdivisions of the state.

(3) Any district in the state shall be designed in such a manner as to ensure that the area shall be compact. The aggregate length of all district boundaries shall be as short as practicable, consistent with the standards contained in paragraphs (1) and (2).

(4) The legislature shall prepare a plan that is equitable to all electors. In preparing a plan, the legislature shall not use demographic information or information about incumbent legislators, the political affiliations of registered voters, or previous election results for the purpose of favoring any political party, incumbent legislator, or any other person or group.

(5) No district shall be drawn for the purpose of diluting the voting strength of any language or racial minority group.

The vote was:

Yeas—14

| | | | |
|------------|----------|-------------|------------|
| Chamberlin | Johnston | McKnight | Ware |
| Dunn | Lewis | Scarborough | Williamson |
| Grizzle | MacKay | Steinberg | |
| Henderson | McClain | Stuart | |

Nays—23

| | | | |
|-----------------|----------|----------|-----------|
| Anderson | Fechtel | Jenne | Thomas |
| Barron | Frank | Maxwell | Tobiassen |
| Beard | Gordon | Neal | Trask |
| Carlucci | Gorman | Peterson | Vogt |
| Childers, D. | Hill | Scott | Winn |
| Childers, W. D. | Holloway | Skinner | |

On motion by Senator Barron, the rules were waived and time of adjournment was extended until messages from the House of Representatives were received and read and motions relating to committee reference and announcements made.

On motion by Senator Lewis, by two-thirds vote SJR 948 was read the third time in full as follows:

SJR 948—A joint resolution proposing an amendment to Section 16, Article III of the State Constitution, relating to apportionment by the Legislature.

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

That the following amendment to Section 16 of Article III of the State Constitution is hereby agreed to and shall be submitted to the electors of this state for approval or rejection at the general election to be held in November 1980:

ARTICLE III
LEGISLATURE

SECTION 16. Legislative apportionment.—

(a) **SENATORIAL AND REPRESENTATIVE DISTRICTS.** The legislature at its regular session in the second year following each decennial census, by joint resolution, shall apportion the state in accordance with the constitution of the state and of the United States into not less than thirty nor more than forty *single-member*, consecutively numbered senatorial districts of compact, ~~either~~ contiguous, ~~overlapping or identical~~ territory, and into not less than eighty nor more than one hundred twenty *single-member*, consecutively numbered representative districts of compact, ~~either~~ contiguous, ~~overlapping or identical~~ territory. *Each senatorial district shall be as nearly equal in population as practicable, and each representative district shall be as nearly equal in population as practicable. To the extent practicable, each district shall be drawn to coincide with the boundaries of political subdivisions of the state.* Should that session adjourn without adopting such joint resolution, the governor by proclamation shall reconvene the legislature within thirty days in special apportionment session which shall not exceed thirty consecutive days, during which no other business shall be transacted, and it shall be the mandatory duty of the legislature to adopt a joint resolution of apportionment.

(b) **FAILURE OF LEGISLATURE TO APPORTION; JUDICIAL REAPPORTIONMENT.** In the event a special apportionment session of the legislature finally adjourns without adopting a joint resolution of apportionment, the attorney general shall, within five days, petition the supreme court of the state to make such apportionment. No later than the sixtieth day after the filing of such petition, the supreme court shall file with the secretary of state an order making such apportionment.

(c) **JUDICIAL REVIEW OF APPORTIONMENT.** Within fifteen days after the passage of the joint resolution of apportionment, the attorney general shall petition the supreme court of the state for a declaratory judgment determining the validity of the apportionment. The supreme court, in accordance with its rules, shall permit adversary interests to present their views and, within thirty days from the filing of the petition, shall enter its judgment.

(d) **EFFECT OF JUDGMENT IN APPORTIONMENT; EXTRAORDINARY APPORTIONMENT SESSION.** A judgment of the supreme court of the state determining the apportionment to be valid shall be binding upon all the citizens of the state. Should the supreme court determine that the apportionment made by the legislature is invalid, the governor by proclamation shall reconvene the legislature within five days thereafter in extraordinary apportionment session which shall not

exceed fifteen days, during which the legislature shall adopt a joint resolution of apportionment conforming to the judgment of the supreme court.

(e) **EXTRAORDINARY APPORTIONMENT SESSION; REVIEW OF APPORTIONMENT.** Within fifteen days after the adjournment of an extraordinary apportionment session, the attorney general shall file a petition in the supreme court of the state setting forth the apportionment resolution adopted by the legislature, or if none has been adopted reporting that fact to the court. Consideration of the validity of a joint resolution of apportionment shall be had as provided for in cases of such joint resolution adopted at a regular or special apportionment session.

(f) **JUDICIAL REAPPORTIONMENT.** Should an extraordinary apportionment session fail to adopt a resolution of apportionment or should the supreme court determine that the apportionment made is invalid, the court shall, not later than sixty days after receiving the petition of the attorney general, file with the secretary of state an order making such apportionment.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE III, SECTION 16

Proposing an amendment to the State Constitution to require single-member legislative districts of compact, contiguous territory. Requiring the districts of each house of the Legislature to be as nearly equal in population as practicable and, to the extent practicable to be drawn to coincide with the boundaries of political subdivisions.

The Secretary called the roll and SJR 948 passed by the required constitutional three-fifths vote of the membership and was certified to the House. The vote on passage was:

Yeas—30

| | | | |
|-----------------|-----------|-------------|------------|
| Anderson | Henderson | Neal | Tobiassen |
| Barron | Hill | Peterson | Trask |
| Beard | Johnston | Scarborough | Vogt |
| Carlucci | Lewis | Scott | Ware |
| Childers, W. D. | MacKay | Skinner | Williamson |
| Dunn | Maxwell | Steinberg | Winn |
| Fechtel | McClain | Stuart | |
| Grizzle | McKnight | Thomas | |

Nays—7

| | | | |
|--------------|--------|----------|-------|
| Chamberlin | Frank | Holloway | Myers |
| Childers, D. | Gordon | Jenne | |

PAIR

The following pair was announced by the Secretary in accordance with Senate Rule 5.4:

I am paired with Senator Poole on SJR 948. If he were present he would vote "yea" and I would vote "nay."

Senator Bill Gorman, 15th District

On motion by Senator W. D. Childers, the rules were waived and the Senate reverted to—

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator W. D. Childers, the rules were waived and the Committee on Commerce was granted permission to consider SB 451, CS for HB 595, House Bills 1773, 1699, 162 and 1677; Senate Bills 523, 226 and 1100 on Monday, June 2 at 2:00 p.m.

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has passed as amended—

By the Committee on Finance & Taxation and the Committee on Regulated Industries & Licensing—

CS for HB 1825—A bill to be entitled An act relating to pari-mutuel wagering; amending s. 550.011, Florida Statutes; providing number of racing days for certain dog and horse tracks; providing time limitations with respect to requests for horse and dog track days of operation; providing that certain permitholders may elect to operate charity days as part of their allowed meetings; providing for matinee performances for dogtrack permitholders; requiring promulgation of rules; amending s. 550.081, Florida Statutes; providing for winter thoroughbred horseracing periods of operation; providing for a special racing period; requiring permitholders to agree to operate the full number of regular racing days; amending s. 550.09, Florida Statutes; providing for daily license fees and taxes; providing for deposits in specified trust funds; providing penalties; amending s. 550.10, Florida Statutes; providing for annual occupational licenses and fees therefor; deleting provision relating to employment of state residents; reenacting and amending s. 550.12(2)(b) and (c), Florida Statutes, relating to uniform reporting system; revising dates for filing of appraisal; providing for certification and attestation of uniform reports; amending s. 550.13, Florida Statutes; providing for distribution of moneys from the trust fund; amending s. 550.16(2), Florida Statutes; providing for commissions and for additional commission to be used for capital improvements or reduction of capital improvement debt; requiring certain reports; amending s. 550.162, Florida Statutes; authorizing amounts to be withheld by dogtrack permitholders for specified purposes; providing status of greyhound lessees; defining "operation day"; providing application of certain penalties and sanctions; amending s. 550.262, Florida Statutes; providing tax on breaks paid to specified trust funds; providing minimum purse requirements and Florida breeders' awards with respect to horseracing; providing for fees and records; creating s. 550.263, Florida Statutes; providing for escheat to the state of money represented by abandoned tickets in custody of horse-racing permitholders and for deposit in specified trust funds; amending s. 550.265(2)(b), Florida Statutes; correcting cross references; amending ss. 550.33(3), 550.37(5), 550.39(2), and 550.42, Florida Statutes, relating to quarter horse, harness horseracing, summer harness horseracing, and summer thoroughbred racing permitholders; providing for application of fees, taxes, penalties and sanctions; amending s. 550.34(1), Florida Statutes; providing number of days of dogracing at North Florida tracks; amending s. 550.43, Florida Statutes; requiring summer thoroughbred permitholders to agree to operate the full number of days requested; providing for additional racing days; amending s. 551.031, Florida Statutes; providing charity days, matinees, and time limitations with respect to requests for jai alai fronton days of operation; amending s. 551.06, Florida Statutes; providing daily license fees and taxes for jai alai permitholders; providing for deposit of such funds; providing penalties; amending s. 551.09(2), Florida Statutes; providing commissions for jai alai permitholders and for additional commission to be used for capital improvements or reduction of capital improvement debt; reviving and readopting, notwithstanding chapter 79-300, Laws of Florida, s. 550.4904, Florida Statutes, as it existed on July 1, 1979, and ss. 550.081, 550.09, 550.12(2)(c), 550.262(3), 550.37(5), 550.42, Florida Statutes, as amended; repealing ss. 550.069, 550.091, 550.16(8)-(13), 550.161, 550.163, 550.26, 550.27, 550.261, 550.30, 550.38, 550.39(3), (4), 550.44, 550.47(2), 550.49, 550.4901, 550.4902, 550.4903, 550.4905, 550.4906, 550.4907, 550.4909, 551.071, 551.09(8), 551.13, 551.14, Florida Statutes, relating to taxes, fees commissions, and purses on pari-mutuel operations, employment of residents, and lease of certain facilities; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

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

On motions by Senator W. D. Childers, by two-thirds vote CS for HB 1825 was withdrawn from the Committee on Commerce and by two-thirds vote placed on the calendar.

On motion by Senator W. D. Childers, by unanimous consent CS for HB 1825 was taken up out of order. On motion by Senator Childers, by two-thirds vote CS for HB 1825 was read the second time by title.

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

Amendment 1—On page 3, in title, line 8, strike "550.4909" and insert: 550.4908

On motion by Senator W. D. Childers, by two-thirds vote CS for HB 1825 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

| | | | |
|-----------------|-----------|-------------|------------|
| Anderson | Gorman | McKnight | Thomas |
| Barron | Grizzle | Myers | Tobiassen |
| Beard | Henderson | Neal | Trask |
| Carlucci | Hill | Peterson | Vogt |
| Childers, D. | Jenne | Scarborough | Ware |
| Childers, W. D. | Johnston | Scott | Williamson |
| Fechtcl | MacKay | Skinner | Winn |
| Frank | Maxwell | Steinberg | |
| Gordon | McClain | Stuart | |

Nays—1

Chamberlin

On motion by Senator W. D. Childers, the rules were waived and CS for HB 1825 was ordered immediately certified to the House.

Senator Gorman moved that the Senate reconsider the vote by which HB 940 passed on this day.

The motion was placed on the calendar for consideration Tuesday, June 3.

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments and passed CS for HB 1363, as amended.

Allen Morris, Clerk

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives again refused to recede from House Amendments 1 and 2 to SB 1362 and acceded to the request of the Senate for a Conference Committee. The Speaker has appointed Representatives Morgan, Bell, Easley, Hodes, C. F. Jones, Gallagher, Mann and Robinson Alternates—Batchelor, Pajcic, Sadowski, and Kutun as the Conferees on the part of the House.

Allen Morris, Clerk

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate Amendments 1 and 2 to HB 1796 and requests the Senate to recede; in the event the Senate refuses to recede requests a Conference Committee.

The Speaker has appointed Representatives Morgan, Bell, Easley, Hodes, C. F. Jones, Gallagher, Mann, Robinson; Alternates: Batchelor, Pajcic, Sadowski and Kutun as conferees for the House.

Allen Morris, Clerk

On motions by Senator Maxwell, the Senate refused to recede from Senate Amendments 1 and 2 to HB 1796 and acceded to the request for a conference committee. The President appointed Senator Gordon, chairman; Senators Johnston, W. D. Childers, Vogt, Peterson, Scott, Maxwell and Hair; Senator Tobiassen, alternate.

The action of the Senate was certified to the House.

On motion by Senator Johnston, the rules were waived and the Senate immediately reconsidered the vote by which—

HB 426—A bill to be entitled An act relating to criminal mental health; creating part II of chapter 925, Florida Statutes, providing for the appointment of experts to examine the mental condition of defendants in criminal cases; providing a standard of competency and for the use of psychotropic medication; providing for the hospitalization of persons incompetent to stand trial; providing for the inapplicability of statutes of limitation and former jeopardy to such persons; providing for the hospitalization of persons adjudicated not guilty by reason of insanity; providing for the jurisdiction of the committing court; providing for conditional release of such persons and for the termination of court jurisdiction; amending s. 394.467, Florida Statutes, to conform to the act; transferring ss. 394.905 and 394.906, Florida Statutes, relating to treatment programs of persons found incompetent and the use of chemical weapons in forensic units to part II of chapter 925, Florida Statutes, repealing ss. 394.467(5), 394.901, 394.904, 918.15 and 925.10, Florida Statutes, to abolish conflicting provisions with respect to persons incompetent to stand trial or adjudicated not guilty by reason of insanity; providing an effective date.

—passed this day.

On motion by Senator Johnston, the Senate reconsidered the vote by which HB 426 was read the third time.

Senators Johnston and Steinberg offered the following amendment which was moved by Senator Steinberg and adopted:

Amendment 1—On page 5, lines 9-12, strike "The defendant shall have the right to have an examination by an independent expert. If the defendant cannot afford such expert, the court shall appoint one."

On motion by Senator Steinberg, by two-thirds vote HB 426 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—31

| | | | |
|--------------|----------|-------------|------------|
| Anderson | Grizzle | McKnight | Thomas |
| Beard | Hill | Myers | Tobiassen |
| Carlucci | Jenne | Neal | Trask |
| Chamberlin | Johnston | Peterson | Vogt |
| Childers, D. | Lewis | Scarborough | Ware |
| Fechtel | MacKay | Scott | Williamson |
| Frank | Maxwell | Steinberg | Winn |
| Gorman | McClain | Stuart | |

Nays—1

Gordon

On motion by Senator Myers, the rules were waived and the Senate reverted to—

MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Thomas, the rules were waived and by two-thirds vote Senate Bills 678 and 680 were withdrawn

from the Committee on Economic, Community and Consumer Affairs.

On motion by Senator Vogt, by two-thirds vote SB 527 was withdrawn from the committee of reference and indefinitely postponed.

On motion by Senator Johnston, the rules were waived and by two-thirds vote HB 1152 was withdrawn from the Committee on Health and Rehabilitative Services.

On motion by Senator Johnston, the rules were waived and by two-thirds vote HB 1707 was withdrawn from the Committee on Natural Resources and Conservation.

On motion by Senator Peterson, by two-thirds vote SB 1177 was withdrawn from the committee of reference and indefinitely postponed.

Senator Scott moved that the rules be waived and SB 315 be placed back on second reading. The motion was adopted.

Senator Scott moved that the rules be waived and SB 315 be retained on second reading. The motion failed.

On motion by Senator Barron, the rules were waived and by two-thirds vote HB 1411 was withdrawn from the Committee on Rules and Calendar.

ENROLLING REPORTS

| | | |
|---------------|----------------|----------------|
| SB 287 | SB 91 | CS for SB 1188 |
| SB 618 | SB 472 | CS for SB 1256 |
| SB 687 | CS for SB 179 | SB 1319 |
| CS for SB 722 | CS for SB 334 | SB 310 |
| CS for SB 822 | SB 346 | CS for SB 348 |
| SB 1165 | SB 723 | CS for SB 349 |
| SB 164 | SB 828 | SB 766 |
| SB 270 | SB 1190 | CS for SB's |
| SB 689 | CS for SB 1218 | 796 and 914 |
| CS for SB 744 | SB 1221 | SB 1172 |
| SB 802 | CS for SB 1268 | SB 1342 |
| SB 864 | CS for SB 1293 | SB 956 |
| SB 484 | SB 1363 | SB 1174 |
| SB 487 | SB 1003 | SB 1365 |
| CS for SB 168 | SB 1042 | |
| SB 326 | SB 1117 | |

—have been enrolled, signed by the required Constitutional Officers and presented to the Governor on May 23, 1980.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of May 29 was corrected and approved.

The Senate adjourned at 12:50 p.m. to convene at 8:30 a.m., Monday, June 2, for the purpose of introduction and reference of resolutions, memorials, bills and joint resolutions.