



Journal of the Senate

Number 25

Wednesday, May 28, 1980

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has passed as amended, HB 1592 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Health & Rehabilitative Services—

HB 1592—A bill to be entitled An act relating to nursing homes; amending s. 400.23(3), Florida Statutes, providing for a nursing homes rating system; providing for rating minimum standards in specified areas; providing for promulgation of rules; providing for evaluation, surveys and interviews; providing for posting of rating; providing for correction of deficiencies; providing for imposition of sanctions under certain circumstances; providing for conditional repeal; providing an effective date.

—was read the first time by title and referred to the Committee on Health and Rehabilitative Services.

The Honorable Philip D. Lewis, President

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

HB 1076	CS for HB 1112	HB 1734
CS for HB's	HB 1605	HB 1654
201 and 216	HB 872	CS for HB 899
CS for HB 924	HB 968	HB 1051

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representatives Barrett and Martinez—

HB 1076—A bill to be entitled An act relating to custody offenses; amending s. 787.04(1) and (2), Florida Statutes, declaring as unlawful the concealment of a child in violation of a court order or without permission during a custody proceeding; providing an effective date.

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

By the Committee on Finance & Taxation—

HB 1605—A bill to be entitled An act relating to the Florida Probate Code; adding subsection (3) to s. 733.604, Florida Statutes, requiring the personal representative to send a copy of the inventory of the estate to the Department of Revenue; adding paragraph (c) to s. 733.702(3), Florida Statutes, authorizing the Department of Revenue to enter a claim against an estate after the statutory 3-month period following publication of notice to creditors has elapsed, provided that the department enters the claim within 30 days after the filing of the inventory by the personal representative; providing an effective date.

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

By the Committee on Retirement, Personnel & Collective Bargaining—

HB 1654—A bill to be entitled An act relating to retirement; amending s. 121.052(1)(b) and (d) and (4)(c), Florida Statutes, to correct scrivener's errors, and reenact references to public defender and credit for prior service as a judge of a small claims court or justice of the peace, in provisions relating to the Elected State Officers' Class; 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.

By the Committee on Community Affairs and Representative Jennings and others—

CS for HB's 201 and 216—A bill to be entitled An act relating to financial matters pertaining to political subdivisions; amending s. 112.3145(1)(b), Florida Statutes, redefining the term "specified employee" to include described employees of units of local governments; creating s. 218.385, Florida Statutes, relating to the sale of county, municipal and special district bonds; providing definitions; providing procedures with respect to such sales; amending s. 218.38(1) and (3), Florida Statutes, requiring the filing of disclosure statements following a bond closing by units of local government with the Division of Bond Finance of the Department of General Services; providing for the required information in such statements; providing an effective date.

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

By Representative Price—

HB 872—A bill to be entitled An act relating to diversification of investments of insurers; amending s. 625.305(3), Florida Statutes, as created by s. 1, ch. 79-245, Laws of Florida; providing a limit to the cost of investments made by insurers in certain mortgage loans; providing an effective date.

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

By the Committee on Health & Rehabilitative Services and Representative Mills—

CS for HB 899—A bill to be entitled An act relating to vocational rehabilitation; amending s. 413.08(1)(a), (2) and (4), Florida Statutes, and adding subsections (6) and (7) thereto, including otherwise physically disabled persons within a list of certain handicapped persons who are entitled to full and equal accommodations at all public places; providing that no physical modifications to structures, vehicles, or facilities be required; providing for a private cause of action; providing that attorneys' fees be awarded to the prevailing plaintiff; providing a definition of attorneys' fees; providing an effective date.

—was read the first time by title and referred to the Committee on Economic, Community and Consumer Affairs.

By the Committee on Health & Rehabilitative Services and Representative Dunbar—

CS for HB 924—A bill to be entitled An act relating to prescription drugs; creating s. 893.16, Florida Statutes, providing for delayed dispensing of prescriptions for Schedule II medicinal drugs; amending s. 768.40(2) and (3), Florida Statutes,

providing for limitation of liability for health care providers who provide information to medical review committees; providing an effective date.

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

By Representative Weinstock—

HB 968—A bill to be entitled An act relating to the Department of Health and Rehabilitative Services; amending s. 20.19 (17), Florida Statutes; establishing the Management Fellows Program; providing for designation of management fellows to be appointed for 1 year; providing authority for the department to grant special pay increases to management fellows; providing an effective date.

—was read the first time by title and referred to the Committee on Health and Rehabilitative Services.

By Representative Ward—

HB 1051—A bill to be entitled An act relating to burial insurance and contracts; amending s. 639.15, Florida Statutes, relating to examinations conducted by the Department of Insurance of businesses writing preneed funeral service contracts or preneed burial supply contracts; changing the minimum required frequency of examinations from once every year to once every 3 years; providing an effective date.

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

By the Committee on Community Affairs and Representative Hodes—

CS for HB 1112—A bill to be entitled An act relating to county owned property; amending s. 125.35, Florida Statutes; providing for the disposition of real property having a value of \$1,500 or less; providing for notice to adjacent property owners; providing an effective date.

—was read the first time by title and referred to the Committee on Economic, Community and Consumer Affairs.

By the Committee on Retirement, Personnel & Collective Bargaining—

HB 1734—A bill to be entitled An act relating to financial matters; adding subsection (3) to s. 215.50, Florida Statutes, providing that the State Treasurer shall deposit investment income of certain funds with respect to the Florida Retirement System directly in a commercial bank to the credit of the State Board of Administration; providing that funds needed for retirement operations shall be remitted by the State Board of Administration to the Florida Retirement System Trust Fund in the State Treasury; 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's 184	HB 1650	HB 1631
600, 974, 1065 and	HB 1798	HB 1755
1210	HB 556	
CS for HB 263	HB 1428	
CS for HB's 1403	HB 1701	
and 1432	CS for HB 1389	

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Insurance and Representative Easley and others—

CS for HB's 184, 600, 974, 1065 and 1210—A bill to be entitled An act relating to insurance; amending s. 627.6575(2), Florida Statutes, providing that coverage for newborn children shall include costs of transportation; amending s. 627.6576, Florida Statutes, prohibiting discrimination in the issuance of

disability policies on the basis of exposure to DES; adding a new subsection (6) to s. 627.6675, Florida Statutes, requiring insurers who issue conversion policies to offer those policies with prescribed renewal provisions; providing for applicability; adding subsection (5) to s. 627.667, Florida Statutes, providing that extension of benefits for group disability policies shall be applicable to certificates of group insurance delivered or issued for delivery to residents of this state; providing for conditional repeal; providing an effective date.

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

By the Committee on Criminal Justice and Representative Tygart—

CS for HB 263—A bill to be entitled An act relating to controlled drugs; amending s. 893.135(1), Florida Statutes; making it unlawful to knowingly sell, manufacture, deliver, bring into the state, or to knowingly be in actual or constructive possession of specified amounts of phencyclidine and methaqualone; providing penalties; prescribing mandatory fines and mandatory minimum terms of imprisonment; amending s. 893.13(1)(a) and (b), Florida Statutes; conforming language; providing an effective date.

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

By Representatives Crotty and Batchelor—

HB 556—A bill to be entitled An act relating to education; amending s. 243.151(2), Florida Statutes, as amended, relating to lease agreements with respect to income-producing student housing facilities, to authorize the use of certain trust funds for the payment of rent; providing for replacement of trust funds; repealing s. 243.151(2), Florida Statutes, as amended, removing conflicting provisions; providing an effective date.

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

By the Committee on Community Affairs and Representative Shackelford—

CS for HB 1389—A bill to be entitled An act relating to mosquito control; amending s. 388.161(1), Florida Statutes, providing that the board of commissioners of a mosquito control district is authorized to abate, as nuisances, all breeding places of mosquitoes; creating s. 388.182, Florida Statutes, providing that the creation or maintenance of a mosquito breeding area is a public nuisance; providing definitions; providing for the abatement of such nuisances; providing for costs; providing an effective date.

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

By the Committee on Insurance and Representatives Moffitt and O'Malley—

CS for HB's 1403 & 1432—A bill to be entitled An act relating to insurance; amending s. 626.341, Florida Statutes, providing conditions under which certain insurers may solicit applications for certain types of insurance; creating s. 626.342, Florida Statutes, providing that the furnishing of insurance supplies to an unlicensed agent is prohibited; providing penalties; repealing s. 626.746, Florida Statutes, relating to the prohibition against furnishing supplies to unlicensed insurance agents; providing for conditional repeal; providing an effective date.

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

By Representative Sadowski—

HB 1428—A bill to be entitled An act relating to community colleges; amending s. 240.375, Florida Statutes, and creating s. 240.376, Florida Statutes; authorizing a community college district board of trustees to be self-insured, to enter into risk management programs, or to purchase insurance to pay the costs of civil actions against board employees and agents and to protect real and personal property owned or used by the

board, as provided in s. 111.072, Florida Statutes; providing an effective date.

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

By the Committee on Corrections, Probation & Parole—

HB 1631—A bill to be entitled An act relating to parole and probation; repealing ss. 949.10, 949.11, and 949.12, Florida Statutes, removing provisions providing for the immediate revocation of the probation or parole of a probationer or parolee upon an arrest on a felony charge and relating to hearings and bail relating thereto; providing an effective date.

—was read the first time by title and referred to the Committee on Corrections, Probation and Parole.

By the Committee on Insurance—

HB 1650—A bill to be entitled An act relating to insurance; creating s. 626.9271, Florida Statutes, authorizing the Department of Insurance to issue temporary licenses to persons to act as surplus lines agents under certain circumstances; providing qualifications and conditions; limiting the number of licenses which the department may issue; providing for termination of such licenses; providing for fees; providing an effective date.

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

By the Committee on Insurance—

HB 1701—A bill to be entitled An act relating to insurance; amending s. 626.869(1), Florida Statutes, removing a current restriction providing that only insurance company employees may obtain limited licenses as adjusters; providing an effective date.

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

By the Committee on Community Affairs—

HB 1755—A bill to be entitled An act relating to county government; amending s. 125.01(5), Florida Statutes, which authorizes the establishment of special districts by the governing body of a county; providing that such districts shall include both incorporated and unincorporated areas subject to the approval of the governing body of the affected incorporated area; providing for composition of the governing body of such districts; providing and effective date.

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

By the Committee on Insurance—

HB 1798—A bill to be entitled An act relating to insurance; establishing requirements in the sale of Medicare supplement policies; defining "Medicare supplement policy"; providing for minimum standards and accompanying materials; providing for rules relating to coverage, disclosure for sale of policies, and prohibited policy provisions; providing penalties; providing that certain coverage shall be inapplicable to Medicare supplement policies; 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 424 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representatives Reynolds and Healey—

HB 424—A bill to be entitled An act relating to group insurance for public officers and employees; amending s. 112-

0801, Florida Statutes, authorizing counties, municipalities, community colleges, and school boards, which provide group insurance plans for employees, to continue payment for such coverage with respect to retired employees under certain circumstances; providing an effective date.

—was read the first time by title and referred to the Committee on Economic, Community and Consumer Affairs; 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 1103, HB 1195 and HB 1247 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Watt—

HB 1103—A bill to be entitled An act relating to the regulation of boats; amending s. 371.59, Florida Statutes, defining the term "live-aboard vessel"; providing that the act shall not be deemed to prohibit local governmental authorities from enacting or enforcing certain regulations with respect to live-aboard vessels; providing an effective date.

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

By Representatives Martin and Mills—

HB 1195—A bill to be entitled An act relating to the Florida State Museum; amending s. 240.515, Florida Statutes, defining the functions of the Florida State Museum; providing for the creation of a State Medical Museum within the Florida State Museum; providing an effective date.

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

By Representative Weinstock—

HB 1247—A bill to be entitled An act relating to health care and the elderly; creating the Task Force on Health Care Costs and the Elderly; providing for the composition of the task force; providing for appointment and terms of task force members; providing duties of the task force; requiring the task force to submit a report of findings and recommendations to the Legislature and the Board of Pharmacy; providing an effective date.

—was read the first time by title and referred to the Committees on Governmental Operations and 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 920	HB 1408	HB 1225
CS for HB 1296	HB 1634	HB 1691

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Silver—

HB 920—A bill to be entitled An act relating to drivers' licenses; amending s. 322.29, Florida Statutes; providing for the reinstatement of a license that has been suspended due to a failure to appear in traffic court; providing an effective date.

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

By Representative Margolis—

HB 1408—A bill to be entitled An act relating to small businesses; amending s. 288.39(3) and (7)(e) and (f), Florida Statutes, and adding paragraphs to subsection (2) and (4), providing legislative intent; eliminating the definition of the term "small business"; directing the Division of Economic

Development to perform certain duties vis-a-vis small businesses; directing the Small Business Advisory Council to perform certain duties; providing an effective date.

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

By Representative Kiser—

HB 1225—A bill to be entitled An act relating to game and freshwater fish; amending s. 372.922(1), (2), and (3), Florida Statutes, providing for classification and fees with respect to permits issued for the personal possession of wildlife; directing the Game and Fresh Water Fish Commission to make rules with respect to care and possession of wildlife; providing an effective date.

—was read the first time by title and referred to the Committee on Natural Resources and Conservation.

By the Committee on Health & Rehabilitative Services and Representative Gallagher—

CS for HB 1296—A bill to be entitled An act relating to diabetes; creating s. 381.650, Florida Statutes, relating to the Diabetes Advisory Council; providing for future repeal of s. 381.650, Florida Statutes, 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 Health and Rehabilitative Services and Ways and Means.

By the Committee on Governmental Operations and Representative Gersten—

HB 1634—A bill to be entitled An act relating to government reorganization; amending ss. 13.01(2), 14.22(1)(a), 20.18(5)(a) and (6), 23.0112(2), 23.0113(1), 23.133(2), 110.113, 112.3145(1)(b), 119.07(1)(b), 163.3164(17), 215.32(2)(b), 215.37(2), 216.011(2), 216.023, 216.031(4), (5), and (6), 216.043(2), 216.044, 216.051, 216.091(1), 216.102(2)(c) and (3), 216.121, 216.141(1), 216.151, 216.181(2), (3), and (6), 216.182, 216.192(1), (3), and (4), 216.201, 216.212(1), 216.231(1), 216.262(1) and (2), 216.275, 216.292(2)(b), (3), and (4), 216.301(1)(a), (2), and (3)(a), 240.213(3), 252.32(1)(a) and (b), 252.34(4), 252.35(1), 252.36(8) and (9), 252.38(3), 252.46(1) and (2), 252.49, 253.783(2)(h), 259.035, 287.083(2)(a) and (3)(a), 288.503(7), 288.504(8) and (9)(b), 288.509(1) and (2), 288.51(2)(a), 377.608, 377.701(1), 377.703(3) and adding a paragraph to (2), 380.031(13) and (16), 400.063(1), 403.507(1), 403.517(1)(c), 420.403(5), (7), (8), (9), and (10), 420.404(1), 420.405(1) and (3), 420.406, 420.407, 443.08(5)(a), and 450.191(1)(g), Florida Statutes, and amending section 36 of chapter 79-190, Laws of Florida, updating and conforming various provisions to the reorganization of various executive functions involving the Executive Office of the Governor, the Department of Administration, and the Department of Community Affairs; providing an effective date.

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

By the Committee on Natural Resources and Representative J. W. Lewis—

HB 1691—A bill to be entitled An act relating to aquatic plant control; amending ss. 372.26, 372.265(1), 372.925(2), (3), and (4), and 372.932(4), (5), (9), and (10), Florida Statutes; modifying restrictions on importation of fish or foreign animals; providing a penalty; deleting authority of the Department of Natural Resources to use, or approve control programs using, fish as a biological control agent, and transferring such authority to the Florida Game and Fresh Water Fish Commission; providing an effective date.

—was read the first time by title and referred to the Committees on Natural Resources and Conservation and Ways and Means.

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has passed HB 842 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Shackelford—

HB 842—A bill to be entitled An act relating to historic preservation; creating a commission to advise the Division of Recreation and Parks of the Department of Natural Resources in the operation, restoration, development and preservation of the Judah P. Benjamin Memorial at Gamble Plantation Historical Site; providing for repeal and legislative review; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Natural Resources and Conservation.

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 657 and HB 726 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Governmental Operations and Representative Mica—

CS for HB 657—A bill to be entitled An act relating to financial matters; adding paragraph (c) to s. 215.85(4), Florida Statutes, authorizing the telephonic transfer of public funds by the governing board or officer in charge of public funds in a described manner; providing for written records of transfers; providing an effective date.

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

By the Committee on Agriculture & General Legislation—

HB 726—A bill to be entitled An act relating to taxation of citrus; amending s. 601.15(3), Florida Statutes; specifying citrus excise tax rates; providing for reduction of specified rates; amending s. 601.157(1), (3), (4)(b), (5), Florida Statutes; reducing the additional excise tax on grapefruit; providing for deposit of proceeds from such additional tax; providing for disposition of certain balances remaining in the Processed Grapefruit Rebate Fund; providing effective dates.

—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 1330, HB 715 and HB 1614 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Gersten—

HB 1330—A bill to be entitled An act relating to motor vehicle records; amending s. 322.201, Florida Statutes, authorizing the use of computer copies in certain court proceedings; eliminating certification by the Department of Highway Safety and Motor Vehicles of certain records; permitting access to departmental computer records under certain circumstances; amending s. 322.26(2), Florida Statutes, 1978 Supplement, providing for the mandatory revocation of the driver's license of any person driving or being in control of a motor vehicle while in possession of a controlled substance or entering a plea of nolo contendere with respect to such offense; providing for the issuance of separate traffic citations under certain circumstances; providing an effective date.

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

By the Committee on Agriculture & General Legislation—

HB 715—A bill to be entitled An act relating to traffic control within state forest lands; amending s. 589.071, Florida Statutes, authorizing the Division of Forestry to control traffic on lands for which the division is designated by lease as primary managing agency; providing that violation of such traffic con-

trol rules is a misdemeanor punishable by a fine; providing an effective date.

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

By the Committee on Community Affairs—

HB 1614—A bill to be entitled An act relating to state and local bonds; creating s. 215.84, Florida Statutes, providing for monthly calculation of maximum interest rate for bonds issued by governmental units; authorizing the State Board of Administration to adopt rules; creating s. 215.845, Florida Statutes, to prohibit special acts on the subject; amending s. 170.09, providing for an interest rate for payment of assessments; repealing s. 215.685, Florida Statutes, relating to the maximum interest rate on such bonds; providing an effective date.

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

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 475 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Regulatory Reform and Representative Sheldon—

CS for HB 475—A bill to be entitled An act relating to legislative review of programs and functions; providing legislative intent; repealing various provisions of law relating to the regulation of professions, occupations, businesses, industries, or other endeavors; providing for review of such provisions prior to repeal; providing for periodic review of programs which are continued, reestablished, or created; prescribing criteria to be used in such review; providing for the appointment of a joint committee of the Legislature; prescribing the powers and duties of such committee; providing for the abolition of units of government and reversion of funds; providing for refunds of fees; preserving certain causes of action; providing for effect on pending prosecutions, investigations, or disciplinary actions; providing severability; repealing ss. 11.61 and 11.6105, Florida Statutes, and chapters 76-168, 77-237, and 77-457, Laws of Florida, relating to the Regulatory Reform Act of 1976; repealing s. 28 of chapter 78-155, s. 2 of chapter 79-116, s. 6 of chapter 79-194, s. 17 of chapter 79-200, s. 25 of chapter 79-202, s. 7 of chapter 79-211, s. 6 of chapter 79-225, s. 7 of chapter 79-226, s. 2 of chapter 79-227, s. 2 of chapter 79-228, s. 6 of chapter 79-229, s. 6 of chapter 79-230, s. 5 of chapter 79-231, s. 14 of chapter 79-238, s. 42 of chapter 79-239, s. 42 of chapter 79-240, s. 42 of chapter 79-243, s. 17 of chapter 79-272, s. 19 of chapter 79-273, s. 5 of chapter 79-275, s. 8 of chapter 79-302, s. 3 of chapter 79-330, s. 32 of chapter 79-347, and s. 18 of chapter 79-407, Laws of Florida, which repeal various laws relating to the regulation of professions, occupations, businesses, industries, or other endeavors and which require such laws to be reviewed pursuant to the Regulatory Reform Act of 1976; providing an effective date.

—was read the first time by title and referred to the Committees on Governmental Operations 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 1781 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Finance & Taxation and Representative Kutun—

HB 1781—A bill to be entitled An act relating to exemptions from ad valorem taxation; adding s. 196.012(13), (14), Florida Statutes; providing definitions; creating s. 196.1995, Florida Statutes; providing for referendum to authorize boards of county commissioners and governing authorities of municipalities to exempt from certain ad valorem taxation certain prop-

erty of a new business or of an expansion of an existing business; providing for application for exemption; specifying duties of property appraisers; adding s. 195.073(4), Florida Statutes; providing for adoption of rules relating to identification and classification of such property; adding a new subsection (4) to s. 195.097, Florida Statutes; specifying duties of the Department of Revenue; providing an effective date.

—was read the first time by title and referred to Ways and Means Subcommittee D 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 1573 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committees on Finance & Taxation and Tourism & Economic Development and Representative Kutun—

CS for HB 1578—A bill to be entitled An act relating to taxation; amending s. 196.199(2)(b) and (7), Florida Statutes, adding paragraph (f) to s. 199.023(1), Florida Statutes, and amending s. 199.072(1)(a) and (3), Florida Statutes; specifying those portions of a leasehold estate in property owned by certain governmental units but used by nongovernmental lessees which are not exempt from taxation and providing that such leasehold estates shall be taxed as intangible personal property if rental payments are due in consideration of the leasehold estate; providing that the exemption for the first \$20,000 of property shall not apply to such property; specifying certain property deemed to be "owned"; amending s. 199.292(1), Florida Statutes; providing for return of the revenue from such tax to the school board in the county from which the revenue was derived; providing an effective date.

—was read the first time by title and referred to Ways and Means Subcommittee D 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 CS for HB 1733 and CS for HB 859 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Regulatory Reform—

CS for HB 1733—A bill to be entitled An act relating to regulation of railroads and the Florida Public Service Commission; creating part I of chapter 351, Florida Statutes, providing intent; providing definitions; providing powers of the commission with respect to such regulation; providing for rate approval; providing for interim rates and for experimental and transitional rates; requiring commission approval for discontinuance of certain service; providing requirements with respect to freight receipts; providing for fees; designating existing provisions of chapter 351, Florida Statutes, as part II of said chapter; creating part III of chapter 351, Florida Statutes, defining "regulated company"; establishing the Florida Public Service Commission Trust Fund; providing regulatory fees and for the collection of fees, penalties, and taxes imposed upon companies regulated by the commission; authorizing the commission to seek immunity for witnesses; providing the commission with certain judicial powers; authorizing the commission to establish uniform systems and classifications of accounts and depreciation rates or charges; authorizing the commission to require reports of regulated companies; authorizing the commission to perform certain audits; providing for the confidentiality of business materials; authorizing the commission to impose certain penalties against regulated companies and to adopt rules; providing for the execution of contracts; providing for judicial review; providing for the use of certain administrative hearing officers; amending s. 120.57(1)(a), Florida Statutes, removing the authority of the commission to use its examiners to conduct formal hearings; providing for legislative review and prospective repeal of provisions of the act relating to railroads and chapters 351 through 360, Florida Statutes, which also relate to railroads; providing an effective date.

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

By the Committees on Transportation and Finance & Taxation and Representatives Mitchell and Warner—

CS for HB 859—A bill to be entitled An act relating to taxation; creating chapter 207, Florida Statutes, the Florida Special Fuel Use Tax Act of 1980; providing definitions; imposing a tax on special fuel consumed by a motor carrier's operations within the state for the privilege of operating commercial motor vehicles upon the public highways; requiring registration of such motor carriers; providing for emergency or trip-lease permits; providing fees; providing for inspection by Department of Agriculture and Consumer Services and Department of Highway Safety and Motor Vehicles; providing for calculation and payment of the tax; providing certain exemptions from said tax and the tax imposed under chapter 206; providing for filing of reports and retention and inspection of records; providing penalties; providing powers and duties of Department of Revenue and Public Service Commission; providing for hearings; providing procedures upon refusal to pay the tax; providing for suits for collection of unpaid taxes and for issuance of warrants; specifying that unpaid taxes are a lien on the taxpayer's property; providing requirements with respect to sale of property; providing for foreclosure of liens; providing procedures on discontinuance or transfer of business; providing that violators may be enjoined from operating a motor vehicle in this state; providing arrest powers for the department and its agents; providing for accessibility of records; providing for exchange of information; providing for allocation of tax and fee revenues; providing for expenses; repealing s. 206.87(4)(e), Florida Statutes, relating to an exemption from the tax on special fuels for certain fuel used on the highways of another state; directing the Department of Highway Safety and Motor Vehicles, in cooperation with the Department of Revenue and the Public Service Commission, to conduct a study relating to the state's entrance into the International Registration Plan developed by the American Association of Motor Vehicle Administrators; requiring a report; authorizing implementation of participation in the plan if the report is favorable; providing an effective date.

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

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:

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

Prayer by the Rev. Hal Marchman, Pastor, Central Baptist Church, Daytona Beach:

Our Father in Heaven, we remember with honor those who have given their lives for our nation throughout our history. We pray now to remember these chosen leaders of our state. Will you please bless each one with your presence and change the gears within us that we may go forward with your spirit of love, forgiveness and unselfishness. Give us vision that encompasses the best for every person. Amen.

Senator Henderson presented the Sarasota Boys Choir, which was directed by Mrs. Julia Rohr. The program by the choir included the pledge of allegiance to the flag, "It's a Brand New Day", "Birth of the Blues", "Basin Street Blues", "Bye, Bye Blues", "Waiting for the Robert E. Lee", "Hooray for the Red, White and Blue" and "Reach Out and Touch the Heart of Someone".

Employee Recognition

Mr. President: Senators, before we get into the last hectic week of the session, I want to take a few minutes to recognize the contribution that Senate staff makes to the legislative process.

In the past, we have recognized various Senate employees for outstanding individual contributions that have been made in order for us to do our job.

Today we have some special guests and some groups of employees who stay behind the scenes that we tend to forget until something goes wrong. This morning we have as our special guests the spouses of Senate employees. Without their encouragement, understanding and willingness to adjust their schedules during the session, our employees and some of us would not be able to survive these 60 days. Would the spouses of our employees seated in the west gallery, please stand and be recognized.

Next I wish to recognize some other groups of Senate employees who perform vital services to the Senate. In the west gallery are staff members who work with the Sergeant-at-Arms and help with the housekeeping and maintenance services of the building. Would you please stand and be recognized.

Also with us this morning is Mr. Jack Boynton, Building Supervisor. Would he please stand and be recognized.

Next we wish to recognize our employees in the Senate Print Shop. I think that all of us have had an opportunity to work with this next group at some time and it goes without saying that the Senate has one of the finest print shops in the country. Let me introduce to you Mr. Jeff Finley and staff who print all those bills you introduce and all those reports you write. Would you please stand and be recognized.

We also have with us the staff of two important committees that are not actively involved in the preparation and analysis of bills yet play a very important continuing role in the legislative process. The Administrative Procedures Committee and the Public Counsel's Office are the legislative vehicle to assure that legislation only comes from this body and that the public is adequately represented before the Public Service Commission.

Would Mr. Carroll Webb and staff of the Administrative Procedures Committee please rise and be recognized.

Also, would Mr. Jack Shreve and the staff of the Public Counsel's Office stand and be recognized.

REPORTS OF COMMITTEES

The Committee on Rules and Calendar recommends that the following bills be withdrawn from the Committee and placed on the Local Bill Calendar:

SB 471 with 2 amendments	HB 1008 with 1 amendment
SB 1361	HB 1222
SB 1363 with 1 amendment	HB 1458 with 1 amendment
SB 1364	HB 1494
SB 1367 with 1 amendment	HB 1495
SB 1368	HB 1499 with 2 amendments
SB 1369	HB 1564
SB 1370	HB 1582
SB 1371	HB 1594
SB 1372	HB 1599
SB 1374	HB 1628
SB 1375	HB 1629
HB 884 with 1 amendment	HB 1630
HB 995 with 3 amendments	HB 1742

Respectfully submitted,
Dempsey J. Barron, Chairman

The Committee on Rules and Calendar determined that the following bills do not comply with requirements for local bills and pursuant to Rule 4.6 were referred to substantive committees: House Bills 1217, 704, 432, 452—Commerce; House Bills 612, 615, 1480 and 1514—Economic, Community and Consumer Affairs; HB 1774—Transportation; HB 1707—Natural Resources and Conservation.

The Committee on Health and Rehabilitative Services recommends the following pass: SB 532

The Committee on Judiciary-Civil recommends the following pass: HB 587

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

The Committee on Judiciary-Criminal recommends the following pass:

SB 1021	SB 1221
SB 806 with 3 amendments	SB 619
SB 1041	SB 916 with 1 amendment
SB 858	HB 1523
SB 129 with 2 amendments	SB 322 with 6 amendments

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

HB 51	HB 914 with 2 amendments
SB 197 with 1 amendment	HB 1615 with 2 amendments
HB 738	

The Committee on Transportation recommends the following pass:

SB 1279 with 2 amendments	CS for HB 230 with 2 amendments
SB 1366	HB 182

The Committee on Ways and Means recommends the following pass:

SB 27 with 2 amendments	SB 952
CS for SB 133 and 436 with 1 amendment	SB 955
SB 326 with 1 amendment	SB 1032
SB 378	SB 1056
SB 512	SB 1180
SB 739	SB 1259
SB 844	HB 1506 with 1 amendment
SB 867	CS for CS for HB 786 with 2 amendments

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

The Committee on Health and Rehabilitative Services recommends a Committee Substitute for the following: SB 1317

The Committee on Judiciary-Criminal recommends a Committee Substitute for the following: SB 785

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

The Committee on Health and Rehabilitative Services recommends a Committee Substitute for the following: SB 1200

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

The Committee on Education recommends a Committee Substitute for the following: SB 745

The Committee on Economic, Community, and Consumer Affairs recommends Committee Substitutes for the following: SB 666, SB 667

The Committee on Education recommends Committee Substitutes for the following: SB 449, SB 690, SB 1002

The Committee on Governmental Operations recommends a Committee Substitute for the following: SB 1205

The Committee on Health and Rehabilitative Services recommends Committee Substitutes for the following:

SB 685	SB 1218	SB 1307	SB 1162
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The Committee on Judiciary-Criminal recommends a Committee Substitute for the following: SB 1131

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

The Committee on Commerce recommends a Committee Substitute for the following: SB 735

The Committee on Commerce recommends a Committee Substitute for the following: CS for SB 172

The Committee on Corrections, Probation and Parole recommends a Committee Substitute for the following: SB 677

The Committee on Economic, Community, and Consumer Affairs recommends Committee Substitutes for the following: SB 1187, SB 1326

The Committee on Education recommends a Committee Substitute for the following: SB 822

The Committee on Economic, Community and Consumer Affairs recommends Committee Substitutes for the following: SB 138, SB 584, SB 1293

The Committee on Health and Rehabilitative Services recommends Committee Substitutes for the following: SB 1096, SB 1171, SB 1256

The Committee on Judiciary-Civil recommends a Committee Substitute for the following: SB 1310

The Committee on Judiciary-Criminal recommends Committee Substitutes for the following: SB 113, SB 629

The Committee on Ways and Means recommends Committee Substitutes for the following:

SB 146	CS for SB 1048
SB 284	CS for SB 1104
SB's 386 and 1311	

The bills with Committee Substitutes attached contained in the foregoing reports were placed on the calendar.

The Committee on Education recommends the following not pass: SB 1026

The Committee on Health and Rehabilitative Services recommends the following not pass: SB 283, SB 542

The Committee on Judiciary-Civil recommends the following not pass: SB 1015, HJR 773

The Committee on Natural Resources and Conservation recommends the following not pass: SB 391

The Committee on Transportation recommends the following not pass: SB 1066, SB 743

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

Report of Subcommittee to Standing Committee

The Select Subcommittee on Aviation Fuel Taxation of the Transportation Committee recommends to the full committee:

1. That no action be taken by the committee this session on SB 1071 or the 4 amendments that were considered by the Select Subcommittee on May 21, 1980.
2. That the full committee recommend to the President of the Senate that he appoint a select interim study committee whose charge shall include the following:
 - (a) An analysis of the needs of airport complexes (existing and proposed)—Who determines program needs? Who establishes program priorities? Who is responsible for program funding? What are the sources, uses, and amounts of that funding?

- (b) Analysis of current methods of taxation on aviation—What are the taxing requirements in Florida? In other states? By the federal government? How are the proceeds of the tax utilized?
- (c) Review of general aviation versus air carrier airports—individual needs and considerations.
- (d) Proposed federal legislation—impact on existing programs.
- (e) Recommendations which shall be submitted to the Legislature prior to the 1981 session.

REQUESTS FOR EXTENSION OF TIME May 26, 1980

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

SB 30 by Senator Hair SB 1223 by Senator Trask
SB 155 by Senator Scarborough

May 27, 1980

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

SB 789 by Senator McClain CS for HB 719 by Community
SB 860 by Senator Myers Affairs Com-
SB 1281 by Senator Thomas mittee and
HB 189 by Representative Representative
Boles Hattaway

May 27, 1980

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

SCR 617 by Senator SB 1177 by Senator Peterson
Tobiassen SB 1201 by Senator Frank
SB 626 by Senators Barron SB 653 by Senator Maxwell
and Trask SB 672 by Senator Frank
SB 1114 by Senator SB 660 by Senator Tobiassen
Williamson SB 691 by Senator Frank
SB 1133 by Senator MacKay SB 697 by Senator McKnight
SB 1153 by Senator Tobiassen SB 1308 by Senator Ware
SB 1155 by Senator MacKay

May 28, 1980

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

SB 4 by Senator Stein- SB 465 by Senator Gordon
berg and others SB 466 by Senator Anderson
SB 6 by Senator Stein- SB 478 by Senator Gordon
berg and others SB 494 by Senator Maxwell
SB 24 by Senator Hill SB 520 by Senator Anderson
SB 59 by Senator Steinberg SB 523 by Senator Poole
SB 105 by Senator Carlucci SB 525 by Senator Hair
SB 134 by Senator Anderson SB 527 by Senator Vogt
SB 150 by Senator Jenne and others
SB 152 by Senator SB 532 by Senator Gordon
Scarborough SB 536 by Senator Jenne
SB 174 by Senator Gordon SB 556 by Senator Carlucci
SB 198 by Senator Neal SB 589 by Senator Anderson
SB 226 by Senator Anderson SB 601 by Senator Hill
SB 279 by Senator Grizzle SB 609 by Senator Steinberg
SB 332 by Senator SB 712 by Senator Ware
Scarborough SB 734 by Senator Carlucci
SB 336 by Senator SB 737 by Senator Anderson
Henderson SB 742 by Senator Johnston
SB 380 by Senator SB 751 by Senator Johnston
Chamberlin SB 774 by Senator Poole
SB 426 by Senator Tobiassen SB 807 by Senator Tobiassen
SB 451 by Senator SB 832 by Health and Reha-
Henderson and bilitative Services
others Committee
SB 460 by Senator Gordon

SB- 850 by Senator McKnight
and others
SB 865 by Senator Holloway
and others HB 287 by Regulated Indus-
SB 886 by Senator Carlucci tries and Licensing
SB 891 by Senator Committee, Representa-
Chamberlin tives Hector,
SB 904 by Transportation Williams and
Committee others
SB 913 by Senator Poole HB 330 by Commerce Commit-
SB 928 by Senator Anderson tee, Representative
SB 939 by Senator Gordon Woodruff and
SB 949 by Senator others
Williamson HB 368 by Agriculture and
SB 969 by Senator General Legislation
Williamson Committees
SB 970 by Senator Johnston HB 595 by Regulated Indus-
SB 971 by Senator Anderson tries and Licensing
SB 997 by Senator Anderson Committee, Representa-
SB 1009 by Senator Peterson tive Hattaway
SB 1018 by Senator Henderson HB 685 by Representative
SB 1031 by Senator McClain Williams
SB 1049 by Senator Henderson HB 756 by Select Committee
SB 1055 by Senator Henderson on Energy
SB 1095 by Senator McKnight HB 861 by Finance & Taxa-
SB 1097 by Senator MacKay tion Committee
SB 1100 by Senator MacKay HB 919 by Representative
SB 1106 by Senator MacKay Kutun and others
SB 1107 by Senator Trask HB 940 by Representative
SB 1115 by Senator MacKay Barrett and others
SB 1120 by Senator MacKay HB 1055 by Representative
Williamson Lippman
SB 1124 by Senator Jenne HB 1094 by Representative
SB 1137 by Senator MacKay Gallagher
SB 1148 by Senator Steinberg HB 1175 by Representative
SB 1150 by Senator McClain Gallagher
SB 1164 by Senator Trask HB 1212 by Commerce, Veterans
SB 1215 by Senator Hill and Affairs Commit-
others tees, Representa-
SB 1225 by Senator Carlucci tive Mills and
SB 1228 by Senator Jenne others
SB 1248 by Senator Skinner HB 1451 by Representative
SB 1257 by Senator Gorman Lewis, J. W. and
SB 1291 by Senator Frank and others
others
SB 1292 by Senator Winn HB 1054 by Tourism and
SB 1294 by Senator Jenne Economic Develop-
CS for SB 1315 by Transporta- ment Committee
tion Committee and Senator
Holloway HB 1505 by Regulated Indus-
tries and Licensing
HB 19 by Representative Committee
Kutun and others HB 1530 by Tourism and
HB 24 by Representative Economic Develop-
Lippman and ment Committee
others and others
HB 68 by Representative HB 1635 by Appropriations,
Evans and others Regulatory Reform
HB 187 by Representative Committee and
Ward others
HB 245 by Representative HB 1638 by Regulated Indus-
O'Malley tries and Licensing
HB 250 by Regulated Indus- Committee and
tries & Licensing others

May 28, 1980

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

SB 868 by Senator Thomas

May 28, 1980

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

SB 760 by Senator Vogt HB 764 by Representative
SB 764 by Senator Vogt Lockward
HB 5 by Representative HB 1509 by Natural Resources
M.E. Hawkins Committee
SB 920 by Senator Grizzle HB 1510 by Natural Resources
SB 1033 by Senator Hair Committee
SB 1186 by Senator Myers

May 28, 1980

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

- SB 926 by Senator Williamson
- SB 982 by Senator Myers and others
- SB 992 by Senator Don Childers
- SB 998 by Senator Carlucci and others
- SB 1013 by Senators Dunn, Jenne and others
- SB 1190 by Senator Trask
- SB 1316 by Senator Dunn and others
- SB 1324 by Senator Dunn
- SB 1333 by Senators Dunn and Frank
- HB 480 by Representative Ewing
- HB 694 by Representative Gallagher
- HB 867 by Committee on Tourism and Economic Development

May 28, 1980

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

- SB 39 by Senator Steinberg
- SB 40 by Senator Steinberg
- SB 71 by Senator McClain
- SB 81 by Senator Carlucci
- SB 110 by Senator Carlucci
- SB 238 by Senator Dunn
- SB 253 by Senator Dunn
- SB 280 by Senator Grizzle
- SB 323 by Senator Carlucci
- SB 441 by Senator Beard
- SB 474 by Senator McKnight
- SB 479 by Senator Gordon
- SB 534 by Senator Carlucci
- SB 552 by Senator Jenne
- SB 554 by Senator Jenne
- SB 602 by Senator Beard
- SB 612 by Senator Steinberg
- SB 631 by Senator Carlucci
- SB 668 by Senator Poole
- SB 724 by Senator Jenne
- SB 725 by Senator Jenne
- SB 823 by Senator Myers
- SB 854 by Senator Gordon
- SB 856 by Senator Maxwell
- SB 857 by Senator Maxwell
- SB 859 by Senator Maxwell
- SB 901 by Senator Hair
- SB 907 by Senator Dunn
- SB 915 by Senator Dunn
- SB 917 by Senator Dunn
- SB 918 by Senators Dunn and Carlucci
- SB 936 by Senator Grizzle
- SB 953 by Senator Frank
- SB 987 by Senator Dunn
- SB 988 by Senator Dunn
- SB 1135 by Senator Frank
- SB 1143 by Senator Skinner
- SB 1189 by Senator Dunn
- SB 1208 by Senator Vogt
- SB 1213 by Senator Peterson
- SB 1222 by Senator Hill
- SB 1253 by Senator Chamberlin
- SB 1262 by Senator Williamson
- SB 1296 by Senator Dunn
- SB 1327 by Senator Dunn
- SB 196 by Senator Maxwell
- SB 1309 by Senator Jenne
- HB 369 by Representative Lippman and others
- HB 6 by Representatives Hawkins and Smith
- HB 21 by Representative Eckhart
- HB 198 by Representative Easley
- HB 593 by Representative Barrett
- HB 1523 by Criminal Justice Committee
- HB 426 by Representative Lehman
- HB 730 by Representative Crady
- HB 1576 by Criminal Justice Committee
- HB 246 by Representative Moffitt and others
- HB 1155 by Representative Rosen
- HB 346 by Representative J. H. Smith
- HB 464 by Representative Gustafson
- HB 966 by Representative Fontana
- HB 85 by Representatives Lehman and Easley
- HB 113 by Representative Martinez
- HB 352 by Representative Easley
- HB 497 by Representative Bankhead
- HB 1252 by Representatives Bankhead and Mica
- HB 1076 by Representative Barrett
- CS for HB 924 by Health and Rehabilitative Services Committee and Representative Dunbar
- CS for HB 263 by Criminal Justice Committee and Representative Tygart

On motions by Senator Johnston, by two-thirds vote Senate Bills 726 and 800 were withdrawn from the committees of reference and indefinitely postponed.

On motions by Senator Johnston, by two-thirds vote Senate Bills 598 and 228 were removed from the calendar and indefinitely postponed.

Senator Don Childers moved that the rules be waived and HB 161 be withdrawn from the Committee on Commerce and placed at the end of the special order calendar.

Senator Scarborough called for a division of the question.

The question recurred on the motion that the rules be waived and HB 161 be withdrawn from the Committee on Commerce. The motion was adopted by two-thirds vote.

The question recurred on the motion that HB 161 be placed at the end of the special order calendar. The motion failed to receive the required two-thirds vote for adoption. The vote was:

Yeas—21

Mr. President	Hair	Neal	Vogt
Beard	Hill	Peterson	Ware
Childers, D.	Holloway	Poole	Winn
Dunn	Jenne	Steinberg	
Fechtcl	Maxwell	Thomas	
Gorman	McKnight	Trask	

Nays—12

Anderson	Gordon	McClain	Skinner
Chamberlin	Grizzle	Scarborough	Stuart
Frank	Henderson	Scott	Tobiassen

On motion by Senator Hair, by two-thirds vote HB 666 was placed on the local calendar.

On motion by Senator McKnight, by two-thirds vote SB 727 was removed from the calendar and placed at the end of the local calendar.

On motion by Senator Gordon, the rules were waived and by two-thirds vote Senate Bills 771, 810, 1219, 895, 1229, 1283, 1285, 1297, 1202, 1072, 958, 1211, 767, 1166, 1091, 1188, 1207, 1243, 1008, 1270, 1205, 962, 648, 966, 1218, 1307, 667 and 1131, SJR 670, House Bills 869, 261 and 1095 were withdrawn from the Committee on Ways and Means.

On motions by Senator Gordon, House Bills 7 and 10 were withdrawn from Ways and Means Subcommittee D.

On motions by Senator Gordon, the rules were waived and the Committee on Ways and Means was granted permission to meet from 12 noon until 1:00 p. m. Thursday, May 29, to consider the following bills: Senate Bills 3, 9, 160, 298, 392, 239, 358, 655, 870 and 514 (if received by the Committee); and House Bills 45, 300, 7, 10, 457, 794 and 1595.

On motion by Senator Winn, the rules were waived and the Committee on Executive Business was granted permission to meet Monday, June 2 at 1:30 p.m.

On motions by Senator Thomas, the rules were waived and by two-thirds vote Senate Bills 750 and 1134 and House Bills 1400 and 27 were withdrawn from the Committee on Economic, Community and Consumer Affairs.

On motions by Senator Hair, the rules were waived and by two-thirds vote House Bills 907 and 1060 were withdrawn from the Committee on Economic, Community and Consumer Affairs.

On motions by Senator Vogt, by two-thirds vote Senate Bills 760, 1075, 1093 and 1127 were withdrawn from the committees of reference and indefinitely postponed.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Myers, the rules were waived and by two-thirds vote HB 457 was withdrawn from Ways and Means Subcommittee D.

On motions by Senator Myers, the rules were waived and by two-thirds vote House Bills 1638 and 1563 and SB 1325 were withdrawn from the Committee on Judiciary-Criminal.

On motions by Senator W. D. Childers, the rules were waived and by two-thirds vote HB 1090 was withdrawn from the Committees on Natural Resources and Conservation and Economic, Community and Consumer Affairs and referred to the Committee on Commerce.

On motions by Senator MacKay, by two-thirds vote House Bills 583, 1091 and 1031 were withdrawn from the Committee on Education.

On motion by Senator Scott, by two-thirds vote SB 1287 was withdrawn from the Committee of reference and indefinitely postponed.

On motions by Senator Myers, the rules were waived and by two-thirds vote HB 27 and SB 1134 were withdrawn from the Committee on Judiciary-Criminal.

On motion by Senator McClain, the rules were waived and by two-thirds vote SB 846 was withdrawn from the committee of reference and indefinitely postponed.

On motions by Senator Dunn, the rules were waived and by two-thirds vote Senate Bills 1277, 840 and 616 were withdrawn from the Committee on Governmental Operations.

On motion by Senator Holloway, by two-thirds vote SB 1329 was placed at the end of the special order calendar.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had transmitted to the office of the Secretary of State SB 580 which he had approved May 14, Senate Bills 60, 170, 216 and 517, which he had approved May 19; SB 440 which he had approved May 20 and Senate Bills 33, 176, 285, 313 and 344, which he had approved May 22.

The Governor filed with the Secretary of State on May 23 the following acts which became law without his signature: Senate Bills 353, 394, 498, 500, 596, 597, 733, 783, 811, 847 and 1239.

Appointments Subject to Confirmation by the Senate

The Secretary of State on May 19, 1980, certified that pursuant to the provisions of Section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate had been prepared for the following:

Willie C. Robinson, Miami, Member of the Florida Elections Commission, for term ending December 10, 1983

The Secretary of State on May 22, 1980, certified that pursuant to the provisions of Section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate had been prepared for the following:

Ray L. Mercer, Bunnell, Members of Daytona Beach Community College Board of Trustees, for term ending May 31, 1983

The Secretary of State on May 23, 1980, certified that pursuant to the provisions of Section 114.05, Florida Statutes, amended certificates subject to confirmation by the Senate had been prepared for the following:

Vinton V. Heitfield, Elfers, Member of the Pinellas-Anclote River Basin Water Management Board of the Southwest Florida Water Management District, for term ending June 30, 1982. (Amended Term)

Elizabeth Powell Kujawski, Indian Rocks Beach, Member of the Pinellas-Anclote River Basin Water Management Board of the Southwestern Florida Water Management District, for term ending June 30, 1981. (Amended Term)

Gordon D. Hartman, Bradenton, Member of the Manasota Basin Board of the Southwest Florida Water Management District, for term ending June 30, 1980. (Amended Term)

The Secretary of State on May 26, 1980, certified that pursuant to the provisions of Section 114.05, Florida Statutes, amended certificates subject to confirmation by the Senate had been prepared for the following:

Russell E. Kiser, Immokalee, Member of the Big Cypress Basin Board of the South Florida Water Management District, for term ending June 30, 1982. (Amended Certificate)

William M. Walters, Marco Island, Member of the Big Cypress Basin Board of the South Florida Water Management District, for term ending June 30, 1981. (Amended Certificate)

[Referred to the Committee on Executive Business]

Withdrawal of Appointments

The Governor withdrew the following appointments: Tom Carlos, Coral Gables, Member of the Construction Industry Licensing Board; Noble Sissle, Tampa, Member of the Board of Accountancy; Robert P. Lawton, Sarasota, Member of the Board of Nursing; Joe M. Richards, Fort Myers, Member of the Board of Nursing; William E. Potter, Orlando, Member of the Greater Orlando Aviation Authority; Newton Greene, Hollywood, Member of the Board of Osteopathic Medical Examiners; and J. Burnie Caine, Jacksonville, Member of the Board of Land Surveyors.

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—

SB 715 SB 1154 SB 1156

Allen Morris, Clerk

The Honorable Philip D. Lewis, President

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

SB 649 SB 397 SB 693

Allen Morris, Clerk

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has passed SB 477.

Allen Morris, Clerk

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has passed SB 452 and SB 300.

Allen Morris, Clerk

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has passed by the required constitutional three-fifths vote of the membership of the House SJR 1349.

Allen Morris, Clerk

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has passed SB 470, SB 1074 and SE 1147.

Allen Morris, Clerk

The Honorable Philip D. Lewis, President

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

SB 1332 SB 1064 SB 1063
SB 1062 SB 413 SB 85
SB 444 SB 73

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 559.

Allen Morris, Clerk

The Honorable Philip D. Lewis, President

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

SB 92 SB 173 SB 132
 SB 395 CS for SB 100

Allen Morris, Clerk

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has passed SB 492.

Allen Morris, Clerk

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has passed SB 529.

Allen Morris, Clerk

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has passed SB 95.

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 concurred in Senate amendments and passed as amended, HB 1128 and HB 651.

Allen Morris, Clerk

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives requests the return of HB 1051.

Allen Morris, Clerk

On motion by Senator Henderson, HB 1051 was returned to the House as requested.

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has passed with 8 amendments—

By the Committee on Economic, Community and Consumer Affairs and Senator Gorman—

CS for SB 102—A bill to be entitled An act relating to bonds of units of local government; creating s. 218.385, Florida Statutes; providing definitions; regulating the sale of county, municipal, and special district bonds; providing procedures for the sale and issuance of such bonds; prohibiting the giving or receiving of certain bonuses, fees, and gratuities; providing penalties; limiting employment of members, officers, and employees and former members, officers, and employees of units of local government authorized to issue bonds; providing penalties; amending s. 218.38(1), (3), Florida Statutes; requiring units of local government to disclose certain information upon the issuance of bonds within a specified period of time; requiring underwriters to disclose certain information within a specified period of time; providing penalties; amending ss. 153.06(4), 161.38(2)(d), Florida Statutes; deleting conflicting provisions relating to the manner of sale of bonds; specifying applicability; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 4, between lines 2 & 3 insert: (6) In the event the local governing body decides to negotiate for a sale of bonds, the senior managing underwriter, or financial consultant or advisor if applicable, shall provide to the unit of local government, prior to the award of bonds to the senior managing underwriter, a disclosure statement containing the following information:

(a) An itemized list setting forth the nature and estimated amounts of expenses to be incurred by the managing underwriters in connection with the issuance of such bonds. Notwithstanding the foregoing, any such list may include an item for miscellaneous expenses, provided it includes only minor items of expense which cannot be easily categorized elsewhere in the statement.

(b) The names, addresses and estimated amounts of compensation of any person who enters into an understanding with either the issuer or managing underwriters or both, for any paid or promised compensation or valuable consideration, directly or indirectly, expressly or implied, to act solely as an intermediary between said issuer and managing underwriters or exercises or attempts to exercise any influence to effect any transaction in the purchase of said bonds.

(c) The amount of underwriting spread expected to be realized.

(d) Any management fee charged by the managing underwriters.

(e) Any other fee, bonus, and other compensation estimated to be paid by the managing underwriters in connection with the bond issued to any person not regularly employed or retained by the managing underwriters.

(f) The name and address of each underwriter connected with the bond issue.

(g) Any other disclosure which the local governing body may require.

This subsection is not intended to restrict or prohibit the employment of professional services relating to local government bond issues.

Amendment 2—On page 1 in title, line 7, after the semicolon insert: requiring certain disclosure statements by senior management underwriters or financial consultants;

Amendment 3—On page 4, lines 23-31 and page 5, lines 1 and 2, strike all of said lines and renumber subsequent sections

Amendment 4—On page 1, lines 9-13 in title, strike all of said lines and insert: gratuities; providing penalties; amending s.

Amendment 5—On page 8, lines 20-23, strike all of said lines and renumber subsequent section

Amendment 6—On page 1, line 23 in title, strike "specifying applicability;"

Amendment 7—On page 4, line 13, strike the period (.) and insert: comma (,) unless full disclosure is made to the unit of local government prior to or concurrent with the submission of a purchase proposal for bonds by the underwriter, commercial bank, investment banker, or financial consultant and subsequently in the official statement or offering circular detailing the name and address of any finder and the amount of bonus, fee, or gratuity paid to such finder.

Amendment 8—On page 4, lines 14-22, strike All of said lines. and insert: "(2) Willful violation of this section shall be a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084."

On motions by Senator Gorman, the Senate concurred in the House amendments.

CS for SB 102 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

The bill was ordered engrossed and then enrolled.

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has passed with 3 amendments—

By Senator Myers (by request)—

SB 568—A bill to be entitled An act relating to taxation; adding subsection (4) to s. 199.072, Florida Statutes, and subsection (4) to s. 201.23, Florida Statutes, to exempt international banking transactions from intangible tax and excise tax on documents; amending s. 199.112, Florida Statutes; providing that all bills, notes or accounts receivable, obligations, or credits, wheresoever situated, arising out of, or issued in connection with, the sale of services are subject to such tax; providing that sales of services are in this state if the service is rendered in this state; adding subsections (9), (10), and (11) to s. 199.023, Florida Statutes; providing definitions; adding a new subsection (8) to s. 199.052, Florida Statutes; requiring certification of certain intangible personal property; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 4, line 27, after the (2) insert: (a)

Amendment 2—On page 3, line 23, after the word “abroad” insert: except those transactions secured by a mortgage, deed of trust or other lien upon real property located in the state

Amendment 3—On page 3, line 20, after “directly” insert: and solely

On motions by Senator Myers, the Senate concurred in the House amendments.

SB 568 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

The bill was ordered engrossed and then enrolled.

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has passed with 4 amendments—

By Senator Vogt—

SB 624—A bill to be entitled An act relating to Seminole County; limiting the number of alcoholic beverage licenses for

the sale of intoxicating beverages; within Seminole County to one license for each 4,000 population or major fraction thereof; excepting from the operation thereof licenses good throughout the state and other nonquota licenses for clubs, hotels, motels and restaurants; providing that the number of licenses now authorized shall not be reduced hereby; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 1, line 20, after “Federal” insert: decennial

Amendment 2—On page 1, line 17, strike “intoxicating” and insert: spirituous

Amendment 3—On page 1, lines 21-24, strike “For the purposes of this section, intoxicating beverages shall mean beverages containing alcohol of more than 14 percent by weight.”

Amendment 4—On page 1 in the title, line 4, strike “intoxicating” and insert: spirituous

On motions by Senator Vogt, the Senate concurred in the House amendments.

SB 624 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

The bill was ordered engrossed and then 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 Senator Peterson—

SB 351—A bill to be entitled An act relating to the regulation of landscape architecture; creating s. 431.306, Florida Statutes; authorizing the Board of Landscape Architecture to adopt certain rules regulating the practice of landscape architecture; amending ss. 481.323(1)(b), 481.329(4), (5), Florida Statutes; deleting designation as “landscape designer” from prohibited acts under chapter 481, Florida Statutes; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 3—On pages 1-3, strike everything after the enacting clause and insert: Section 1. Section 481.305, Florida Statutes, as created by chapter 79-407, Laws of Florida, is hereby repealed.

Section 2. This act shall take effect upon becoming a law.

Amendment 4—On page 1 in the title, lines 3-10, strike all of said lines and insert: architecture; repealing s. 481.305, Florida Statutes, relating to the Board of Landscape Architecture; providing an

On motions by Senator Peterson, the Senate refused to concur in the House amendments to SB 351 and the House was requested to recede. The action of the Senate was certified to the House.

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has passed with 1 amendment—

By Senators Fechtel, Ware and Thomas—

SB 607—A bill to be entitled An act relating to mobile home parks; amending s. 83.764(7), Florida Statutes, prohibiting mobile home parks from charging an amount in excess of that charged by the public water supplier for the resale of water to park residents; providing exceptions; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 2, line 1, after the word “costs” strike the remainder of the line and all of lines 2 and 3. On line 4 strike the word “tenants”

On motion by Senator Fechtel, the Senate concurred in the House Amendment.

SB 607 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

The bill was ordered engrossed and then 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 Senator McKnight—

SB 792—A bill to be entitled An act relating to the state communications system; creating s. 287.252, Florida Statutes; authorizing mental health district boards and certain mental health agencies and alcohol treatment programs or facilities to utilize the state communications system; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 1, line 22, insert:

Section 2. Section 287.251, Florida Statutes, is created to read:

287.251 Use of state telephone system by municipalities.—Any municipality established as provided in s. 2(b), Art. VIII of the State Constitution may request the Division of Communications to provide for utilization of the state communications system upon such terms and under such conditions as the division may establish.

Section 3. There is hereby appropriated from the communications working capital trust fund to the Division of Communications of the Department of General Services the sum of \$302,410 for the fiscal biennium beginning July 1, 1981. Said appropriation is to fund activities of two communications engineers, two communications service representatives, one administrative assistant, and one network manager for the purpose of carrying out the provisions of this act.

Amendment 2—On page 1 in title, line 7, after “system;” insert: creating s. 287.251, Florida Statutes; providing for

municipal utilization of the state telephone system as provided by the Division of Communications of the Department of General Services under certain conditions; providing an appropriation;

On motions by Senator McKnight, the Senate refused to concur in the House amendments to SB 792 and the House was requested to recede. The action of the Senate was certified to the House.

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has passed with 1 amendment—

By Senator Dunn—

SB 1061—A bill to be entitled An act relating to the Flagler County School District; authorizing the school board to levy an additional 2 mills of ad valorem tax for capital outlay purposes for a specified period of time; providing for a referendum; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 1, line 28, strike “100.432” and insert: “100.342”

On motion by Senator Dunn, the Senate concurred in the House amendment.

SB 1061 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

The bill was ordered engrossed and then enrolled.

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has passed with 4 amendments—

By Senators Henderson and Trask—

SB 46—A bill to be entitled An act relating to saltwater fishing; prohibiting the use of certain traps in fishing for saltwater finfish; prohibiting the possession of any such trap or the taking, sale, or offer for sale of any saltwater finfish caught by any such trap; providing that any vessel, vehicle, or equipment used in violation, and any fish caught by use of such trap, shall be seized and may be forfeited; providing a penalty; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 2, line 10, strike all of said line and insert: punishable as provided in s. 775.082, s. 775.083, or s. 775.084, Florida

Amendment 2—On page 1, lines 19 & 20, strike all of said lines and insert: (a) Any crab, crawfish or shrimp trap specifically permitted under s. 370.13, s. 370.135, s. 370.14, or s. 370.15, Florida Statutes;

Amendment 3—On page 2 after line 15 insert: a new section 2., to read:

Section 2. The provisions of any law, general or special, in conflict with the provisions of this act, are hereby expressly superseded to the extent of such conflict.

Amendment 4—On page 1, line 27, strike "less" and insert: more

On motions by Senator Henderson, the Senate concurred in the House Amendments.

SB 46 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—34

Mr. President	Gorman	Maxwell	Stuart
Anderson	Grizzle	McClain	Thomas
Beard	Hair	McKnight	Tobiassen
Carlucci	Henderson	Myers	Trask
Chamberlin	Hill	Neal	Vogt
Childers, D.	Holloway	Poole	Ware
Childers, W. D.	Jenne	Scarborough	Winn
Fechtcl	Johnston	Skinner	
Frank	MacKay	Steinberg	

Nays—None.

The bill was ordered engrossed and then enrolled.

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has recalled from the Senate, reconsidered passage, reconsidered and withdrew Amendment 1, further amended and passed as further amended—

By Senator Henderson—

SB 382—A bill to be entitled An act relating to cosmetology; 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.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 2—On page 3, line 4, strike all of line 4 and insert: Section 3. Section 477.035, Florida Statutes, is amended to read:

477.035 Specialty licenses; facials and shampooing.—Any person holding a specialty license in the practice of facials or shampooing as specified in this chapter, and who was licensed on January 1, 1979, shall be entitled to continue to engage in those practices without additional applications or fees. *The department shall license upon graduation candidates from the Cosmetology Division of the Florida School for the Deaf and Blind. The department shall, by rule, provide fees for licenses issued to candidates from the Cosmetology Division of the Florida School for the Deaf and Blind and shall also provide by rule, for the type of license to be issued and for any required applications.*

Section 4. This act shall take effect October 1, 1980.

Amendment 3—On page 1 in title, line 12, after the semi-colon ":", insert: amending s. 477.035, Florida Statutes, providing for the issuance of certain licenses to candidates who have graduated from the cosmetology division of the Florida School for the Deaf and Blind;

On motions by Senator Henderson, the Senate concurred in the House amendments.

SB 382 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—34

Mr. President	Gorman	Maxwell	Steinberg
Anderson	Grizzle	McClain	Thomas
Beard	Hair	McKnight	Tobiassen
Chamberlin	Henderson	Myers	Trask
Childers, D.	Hill	Neal	Ware
Childers, W. D.	Holloway	Poole	Williamson
Fechtcl	Jenne	Scarborough	Winn
Frank	Johnston	Scott	
Gordon	MacKay	Skinner	

Nays—None

The bill was ordered engrossed and then enrolled.

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives returns CS for SB 311 as requested.

Allen Morris, Clerk

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives returns CS for SB 345 as requested.

Allen Morris, Clerk

The bills contained in the foregoing messages were 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 recalled from the Governor's office by HCR 1795, reconsidered passage, amended and passed as further amended—

By the Committee on Agriculture & General Legislation and Representative Kelly and others—

HB 505—A bill to be entitled An act relating to the Florida Honey Certification Law; amending s. 596.09, Florida Statutes, providing for administrative fines not exceeding \$5,000; providing for suspension or revocation of any permit or certificate of inspection under certain circumstances; providing penalties for failure to pay fines within the prescribed time; amending ss. 586.14 and 586.15, Florida Statutes, increasing the maximum compensation to beekeepers for certain destroyed property; increasing the criminal penalty for first offense violations of the provisions of chapter 586, Florida Statutes; repealing s. 586.08, Florida Statutes, relating to criminal penalties, to provide conformity; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 2, lines 13 and 14, strike "is satisfied that" and insert: determines

On motion by Senator Myers, HB 505 was read as further amended, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Myers

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has recalled from Enrolling, reconsidered passage, amended and passed as further amended—

By Representative Healey—

HB 433—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.052(1)(d), (e), Florida Statutes; authorizing a county court judge or other member of the Elected State Officers' Class to purchase additional retirement credit for service as a county solicitor prior to a specified date; authorizing certain persons to transfer to the class prior to a specified date; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 4, line 17, after "as a" insert: *county solicitor,*

On motion by Senator Johnston, HB 433 was read as further amended, passed and then certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has adopted HCR 1837 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Nergard—

HCR 1837—A concurrent resolution requesting the Governor of the State of Florida to return House Bill No. 934 to the Legislature for the purpose of further consideration.

—was read the first time in full. On motions by Senator Johnston, by two-thirds vote HCR 1837 was read the second time by title, adopted and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

On motion by Senator Johnston, the rules were waived and HCR 1837 was ordered immediately certified to the House.

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 1623 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Finance & Taxation—

HB 1623—A bill to be entitled An act relating to the county discretionary tax on motor fuels and special fuels; amending s. 336.021(1) and (2), Florida Statutes; providing that said tax shall be returned by the Department of Revenue on a monthly basis to the county in which collected; providing that refunds shall be paid by the county from the tax returned to it; authorizing the Department of Revenue to prescribe and publish forms and promulgate rules necessary for the proper administration and collection of the tax; providing dates for filing of reports and remitting the tax; providing for application of provisions of chapter 206, Florida Statutes; providing that by joint agreement with municipalities, the governing body of a county may provide for transportation purposes and distribution of the proceeds of said tax in the incorporated and unincorporated areas; providing an effective date.

—was read the first time by title. On motion by Senator Myers, the rules were waived and HB 1623 was placed on the calendar.

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 1645 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Health & Rehabilitative Services—

HB 1645—A bill to be entitled An act relating to the Department of Health and Rehabilitative Services; amending ss. 28.101, 321.19(4), 372.921(2), 381.411(2), 392.07(1), (2), and (4), the introductory paragraph to and paragraphs (b) and (f) of ss. 393.14(1), 402.07, 402.161, 553.09, 959.011(1), (2), (3), (4), (5), (7), and (8), 959.06(1), 959.116(1), (2), and (4), and 959.15(2), Florida Statutes; conforming provisions of law relating to the Department of Health and Rehabilitative Services to structural changes within the department; repealing s. 381.062, Florida Statutes, removing provisions which grant eminent domain powers to the former Division of Health of the Department of Health and Rehabilitative Services; repealing s. 402.35, Florida Statutes, relating to the governance of department personnel by Department of Administration rules, participation by department personnel in a joint merit system, and the nonemployment of public employees by the department; providing for conditional repeal; creating part X of chapter 23, Florida Statutes; establishing the legislative policy that all able-bodied adults participate in a work program as a condition to their receipt of assistance from the aid to families with dependent children program and the food stamp program; requiring the Department of Health and Rehabilitative Services and the Department of Labor and Employment Security work to establish a work program; providing that the departments make use of certain federal government programs; providing for the cooperation of state employees; providing for reports; creating a task force on employment services for recipients of public assistance; providing applicability; providing components of employment services; providing for membership, staff support, per diem and travel expenses, and organization of the task force; providing purpose; requiring an action plan and a report and specifying particulars with respect thereto; providing an effective date.

—was read the first time by title. On motion by Senator Johnston, the rules were waived and HB 1645 was placed on the calendar.

SPECIAL ORDER

SB 1362—A BILL TO BE ENTITLED AN ACT MAKING SUPPLEMENTAL APPROPRIATIONS; PROVIDING MONIES 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 SECTIONS 216.301, 235.435(3), 236.081, AND 236.25, FLORIDA STATUTES, AND CHAPTER 79-212, LAWS OF FLORIDA; PROVIDING AN EFFECTIVE DATE.

—was read the second time by title.

Senator Ware moved the following amendment which was adopted:

Amendment 1—

Section 01

Item

Insert new items as follows:

DEPARTMENT OF ADMINISTRATION Office of the Secretary

1980-81

15A Other Personal Services From General Revenue Fund

15,000

15B Expenses From General Revenue Fund

7,000

(and renumber subsequent suffixes)

(Explanation: Reactivates the State Officers' Compensation Commission. General Revenue cost, \$22,000 recurring.)

Senators Scott, Poole, Jenne, Williamson and W. D. Childers offered the following amendment which was moved by Senator Scott and adopted:

Amendment 2—

Section 01

Item

Add the following item in Division of Marketing:

1980-81

18A Other Personal Services From General Revenue Fund

\$22,000

Provided, however, the moneys in item 18A 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.

(and renumber subsequent suffixes)

(Explanation: This provides \$22,000 to the Division of Marketing to conduct a study to determine the feasibility of expanding the Pompano Farmers Market. This appropriation is to be non-recurring.)

Senator Peterson moved the following amendments which were adopted:

Amendment 3—

Section 01 (Page 4)

1980-81

Item

33 Salaries and Benefits Positions

-9

Comments:

This would reduce the positions in the Bureau of Criminal Justice to reflect the new level of funding.

Amendment 4—

Section 01 (Page 5)

Item

37 Data Processing Services Following this item insert the following proviso language:

Provided, however, that in the event federal LEAA funds become available for FY 1980-81 for the operation of the Bureau of Criminal Justice Assistance, then the authorization to use the Block Grant Matching Trust Funds appropriated in Items 33, 33A, 34, 36 and 37 for the operation of the Bureau of Criminal Justice Assistance is reduced proportionately to the amount of LEAA funds received.

Comments:

The appropriation to fund the Bureau of Criminal Justice Assistance from Block Grant Matching Trust Funds is based on expected federal cut-backs in LEAA funds. If the cut-backs do not occur, then the Block Grant Matching Trust Fund dollars should not be made available to BCJA.

Amendment 5—

Section 01 (Page 5)

Insert:

1980-81

Community Affairs, Department of Local Resource Management, Division of

Insert:

AFTER Item 40A INSERT a new item:

Aid to Local Governments Local Government Comprehensive Planning Act From General Revenue Fund

40,000

and INSERT the following proviso language following this item:

The provision language related to Item 212, Chapter 79-212, Laws of Florida, for the Local Government Comprehensive Planning Act is repealed. Provided, however, that should the Division of Local Resource Management have an uncommitted balance on June 30, 1980 of less than \$40,000 from the specific appropriation in Item 212, Chapter 79-212, Laws of Florida, providing funds for FY 1979-80 to the Local Government Comprehensive Planning Act, then the appropriator in the above item shall be reduced to the amount of the uncommitted balance.

Comment:

Removes restrictions on the LGCPA to allow local governments to apply for a second grant and carries forward the unexpended funds from 1979-80 of approximately \$40,000.

Amendment 6—

Section 01 (Page 5)

Insert:

1980-81

Item

Under Local Resources Management, Division of, following Item 40A insert a new item:

Special Categories Census of Local Governments From General Revenue Fund

43,762

and INSERT the following proviso language following this item:

Provided, however, that should the Division of Local Resource Management have an unexpended balance on June 30, 1980 of less than \$43,762 from the specific appropriation in Item 214A Chapter 79-212, Laws of Florida, providing for a Census of Local Government, then the appropriation in the above item shall be reduced to the amount of the unexpended balance.

Comment:

This is to carry forward the uncommitted appropriation from 1979-80.

Senators McKnight, Anderson and Holloway offered the following amendment which was moved by Senator McKnight and adopted:

Amendment 7—

Section 01 (Page 5)

Insert:
1980-81

Following Item 40A ADD a new item 40B
Community Affairs, Department of Local Resource Management, Division of 40B Aid to Local Governments
Monroe County Board of County Commissioners
From General Revenue Fund

50,000

and add the following proviso language below this item: Provided, however, the appropriation in Item 40B from the General Revenue Fund to the Monroe County Board of County Commissioners shall be for the purpose of funding the preparation by Monroe County of additions to a land use plan element adopted or to be adopted pursuant to s. 163.3177(6)(a), Florida Statutes, for that portion of unincorporated Monroe County currently designated as an area of critical state concern, and for any incorporated municipality within Monroe County that enters into an agreement with the Board of County Commissioners.

Comments:

\$50,000 is appropriated for Planning in Monroe County.

Senator Fechtel moved the following amendments which were adopted:

Amendment 8—

Section 01
Item

Insert:

Major Institutions
47A Expenses
From General Revenue Fund

2,500

Proviso:

Provided, however, that \$2,500 of the funds appropriated in Item 47A are used only for the purpose of transferring from Lake Correctional Institution to other facilities in the Department of Corrections any inmate who is classified as maximum or close custody, or who has a history of escape from a secure facility, or who is serving a sentence for one or more of the following offenses: Murder, armed robbery, sexual battery, aggravated assault, aggravated battery or kidnapping.

Explanation: Provides additional expense funds for Lake Correctional Institution. Increases general revenue appropriation by \$2,500.

Amendment 9—

Section 01
Item

Insert:

Major Institutions
47B Operating Capital Outlay
From General Revenue Fund

8,000

Proviso:

Provided, however, that \$8,000 of the funds appropriated in Item 47B be used to improve the perimeter security of Lake Correctional Institution.

Explanation: Provides purchase of Razor Ribbon for perimeter of Lake Correctional Institution. Increases general revenue appropriation by \$8,000.

Senator Gordon moved the following amendment which was adopted:

Amendment 10—

Section 01
Item 48A, page 6

Insert:

Strike the proviso after Item 48A, and insert the following:

Provided, the moneys appropriated in Item 48A are to be used as required by the Department of Corrections to, (a) contract with Open Door, Inc. to continue operation of a probation and restitution center during the fiscal year 1980-81, and (b) evaluate that operation and report to the legislature by November 1, 1980 the feasibility and costs of state assumption of the operation. Provided further, as a part of its contract agreement, Open Door, Inc. shall report to the legislature by November 1, 1980 its position regarding state assumption of the operation together with its reasons for the position.

(Explanation: Rewrites the proviso to relate to the use of appropriated moneys. No substantive change.)

Senator Scarborough presiding

Senator Peterson moved the following amendment which was adopted:

Amendment 11—

Section 01 (page 7)
Item

Insert:
1980-81

On page 7 following the caption Office of Deputy Commissioner for Educational Management ADD the following items:

Salaries and Benefits
From General Revenue Fund

Positions 2
\$40,351

Other Personal Services
From General Revenue Fund

(-\$40,351)

Comment:

This allows the establishment of two career service positions in the Department of Education to be responsible for coordinating information on non-public schools.

Senator Steinberg moved the following amendment which was adopted:

Amendment 12—

Section 01 (Page 7)
Item

Insert:
1980-81

On page 7, following Item 51A ADD the following item:

Special Categories
Study of Educational Centers for the Emotionally Disturbed
From General Revenue Fund

25,000

and ADD the following proviso language below this item:

Provided, that the Commissioner of Education shall study the need for educational centers for emotionally disturbed students in Florida. Such study shall include criteria for participation by students in the programs of such centers; the number of full-time equivalent students anticipated; governance, recommended geographic locations, programs, and staffing; start-up costs and continuing annual costs; and a schedule for implementation. The commissioner shall report the results of such study to the chairmen of the appropriate committees in the House of Representatives and in the Senate by February 1, 1981.

Comments:

Provides for a feasibility study of Educational Centers for the Emotionally Disturbed.

Senator Gordon moved the following amendments which were adopted:

Amendment 13—

Section 01
Item

Insert:

Insert the following item and proviso after Item 6 in Administered Funds:

1980-81

6A Special Categories Advertising Contingency Fund	From Working Capital Fund	2,319,894
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Provided, however, that funds appropriated in Item 6A may be expended only upon request by the Secretary of Commerce and upon approval of the Administration Commission for preservation or promotion by tourism activity in the event that Florida's tourist arrivals decline. Provided, further, that should the Division of Tourism have an unexpended balance on June 30, 1980 of less than \$2,319,894 from the specific appropriation in Item 19A, Administered Funds, Section 1, Chapter 79-212, Laws of Florida, providing for an Advertising Contingency Fund, then the appropriation in the above item shall be reduced to the amount of the unexpended balance.

Delete and repeal paragraphs one and two of proviso for Administered Funds, Section 1, following Item 19A, ET SEQ., Chapter 79-212, Laws of Florida, as reads:

"Provided, however, that funds appropriated in Item 19A may be expended only upon request by the Secretary of Commerce and upon approval by the Administration Commission for preservation or promotion of tourism activity in the event that Florida's tourist arrivals decline in any two consecutive months over the same months in the prior year."

Provided, further, any unencumbered balance in this appropriation may be certified forward pursuant to section 216.301, Florida Statutes, for use during the 1980-81 Fiscal Year."

(Explanation: Carries forward the uncommitted appropriations from 1979-80. Redefines proviso language on how the Division of Tourism, in the event of a sharp decline in tourism, can expend any unused portion of the unexpended balance in the Tourism Emergency Advertising Fund.)

Amendment 14—

Section 01 (Pages 4 & 5) Items 33, 34 and 36	Strike: 1980-81	Insert: 1980-81
33 Salaries and Benefits From General Revenue Fund	Positions 48,254	5 138,279
34 Expenses From General Revenue Fund	6,808	31,640
36 Operating Capital Outlay From General Revenue Fund		5,530

Comments:

This provides five positions to the Bureau of Disaster Preparedness for the creation of a Hazardous Materials Mitigation Program Total—\$120,387

Senator Steinberg moved the following amendment which failed:

Amendment 15—

Section 01 (Page 7) Item	Insert: 1980-81
INSERT above Item 51A under Office of Deputy Commissioner for Educational Management	
Positions	3
Salaries and Benefits From General Revenue Fund	46,229
Other Personal Services From General Revenue Fund	86,100

Expenses	
From General Revenue Fund	31,009
Operating Capital Outlay From General Revenue Fund	18,700

Following Expenses insert the following proviso language:

Provided, however, that the funds appropriated in Items are contingent upon SB 1116 or similar legislation becoming law.

Comments:

To implement the instructional computing study of the Commission's Advisory Committee on Instructional Computing. Total cost \$182,038.

Senator Gordon moved the following amendment which was adopted:

Amendment 16—

Section 1, page 7

In the third paragraph of language on page 7, after the words "to study financing" add the following: and budgeting of

Senator Poole moved the following amendment which was adopted:

Amendment 17—

Section 01 (Page 7)

Insert:
1980-81

Department of Education
On page 7 following the caption Office of Deputy Commissioner for Special Programs INSERT the following item:

Financial Assistance Payments Seminole Indian Scholarships	From General Revenue Fund	35,000
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Comment:

Provides \$35,000 for Seminole Indian Scholarships.

Senator Gordon moved the following amendment which was adopted:

Amendment 18—

Section 01 (Page 73)

Insert:
1980-81

Education, Department of
Office of Deputy Commissioner for Educational Management

On page 7 following Item 51A ADD the following item:

Special Categories Southeast Florida Educational Consortium	From General Revenue Fund	\$93,000
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Comments:

This provides \$93,000 to develop a model for a regional consortium.

Senator Peterson moved the following amendment which was adopted:

Amendment 19—

Section 01 (Page 8)
Item

Insert:
1980-81

On page 8 following Item 51B ADD the following item:

Financial Assistance Payments Florida Academic Scholars' Fund	From General Revenue Fund	500,000
---	---------------------------	---------

and add the following proviso language:

The funds in this item are contingent upon passage of CS/SB 133 and 436 or similar legislation becoming law.

Comments:

Provides funding for the Florida Academic Scholars' Fund.

Senator Gordon moved the following amendment which was adopted:

Amendment 20—

Section 01
Item 51B, page 8

In the proviso after Item 51B, after the words "for the 1980-81 fiscal year" insert a period (.) and strike the remainder of the proviso.

(Explanation: Strikes the part of the proviso not related to the use of appropriated funds.)

Senator Peterson moved the following amendment which was adopted:

Amendment 21—

Section 01 (Page 8)	Strike:	Insert:
Item 52	1980-81	1980-81

Aid to Local Governments Florida Education Finance Program From General Revenue Fund	46,889,011	40,821,761
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Following the existing proviso language ADD the following proviso language:

Provided, however, that any unweighted FTE assigned to the Alternative Education Program in any district which is in excess of 2.55% of the Grades 9-12 unweighted FTE for that district shall be adjusted to a cost factor of 1.0.

Alternative Education Programs shall include students as specified in Section 232.01(1)(d)2. who could benefit from a special class or program better suited to their special needs. Bilingual Education Programs shall not be considered within the definition of Alternative Education Programs.

Comments: This amendment provided for capping the Alternative Education Program at the 1979-80 enrollment level. This will reduce the supplemental appropriation by \$6,067,250. The proviso language implements the cap and specifies that students who become or have been married, unmarried students who are pregnant, and students who have previously had a child outside of wedlock are to be included in Alternative Education Programs but Bilingual Program enrollments shall not be included.

Senator MacKay moved the following amendment which was adopted:

Amendment 22—

Section 1
Item 52

On page 8 following item 52 add the following proviso language: "Not withstanding the provisions of item 315, section 1, chapter 79-212, Laws of Florida, and the authorized base student allocation for 1980-81, as contained in this item, it is further provided that when the growth in FTE resulting from unanticipated Cuban Refugee students during 1980-81, would cause a decrease in the authorized base student allocation the Executive Office of the Governor is authorized to release from the State Working Capital Fund an amount sufficient to assure all school districts the base student allocation as authorized herein for 1980-81."

Senator Peterson moved the following amendment which was adopted:

Amendment 23—

Section 01 (Page 8)
Item 52

Aid to Local Governments Florida Education Finance Program From General Revenue Fund
--

Following the existing proviso language under this item ADD as last paragraph the following proviso language:

The funds appropriated in Item 52 and Item 315, Section 1, Chapter 79-212, Laws of Florida, shall be used to fund all school-aged migratory children so that funds appropriated under Section 141 of Title I of the Elementary and Secondary Education Act may be used for the 3 and 4-year-old Migrant Education Program.

Comments: This amendment provides that the school districts can use the Federal Title I funds for 3 and 4-year-old programs.

Senators Peterson and Maxwell offered the following amendment which was moved by Senator Peterson and adopted:

Amendment 24—

Section 01 (Page 8)
Item 52

On page 8 following Item 52 *delete* the first paragraph of proviso language and *add* the following:

Notwithstanding the provisions of Item 315, Section 1, Chapter 79-212, Laws of Florida, and Section 236.081, Florida Statutes, the base student allocation shall not exceed \$1,101 in 1980-81. Provided further, that the State Board of Education shall have the authority to use funds from the working capital trust fund to maintain the base student allocation at \$1,101 if funds appropriated in Item 52 and in Item 315, Section 1, Chapter 79-212, Laws of Florida are insufficient to maintain this level.

Comment:

This fixes the base student allocation at \$1,101 and provides that the State Board of Education can use the working capital trust funds if the enrollment exceeds the appropriated level.

Senator Gordon moved the following amendment which was adopted:

Amendment 25—

Section 01 (Page 8)
Item 52

On page 8 in the second paragraph following Item 52 strike the following:

and section 236.25, Florida Statutes,

Comment:

This notwithstanding clause is not needed.

Senators Thomas, Barron, Gorman, Neal and Stuart offered the following amendment which was moved by Senator Thomas and adopted:

Amendment 26—

Section 1
Item 52

On page 8, following item 52 add the following language: "In the event that SB 1219 or similar legislation becomes law relating to the delay in transferring the education instructional services for students from the Department of Health and Rehabilitative Services to the respective district school boards, and one or more institutions elect to delay the transfer after July 30, 1980, the Executive Office of the Governor is authorized to transfer from item 52, page 8, *aid to local governments- Florida Educational Finance Program* and add to Item 69B, page 15 an amount sufficient to provide the base student allocation for each FTE student provided education instructional services by the Department of Health and Rehabilitative Services during 1980-81."

Senators Steinberg, McKnight, Winn, Anderson, Jenne, Poole, Frank, Ware, McClain, Beard, Williamson, Gordon, Myers, Hill, Scott and Holloway offered the following amendment which was moved by Senator Steinberg:

Amendment 27—

Section 1
Item 52

Add new paragraph 5

Notwithstanding the provisions of CS for SB 505 or similar legislation the discretionary local millage for the 1980-1981 fiscal year shall be 1.6 mills. If levied, such millage shall be approved in accordance with the provisions contained in CS for SB 505.

Senator Maxwell raised a point of order that SB 1362 did not speak to local discretionary funds, therefore the amendment was not germane.

The Presiding Officer ruled the point well taken and the amendment out of order.

Senator Gordon moved the following amendments which were adopted:

Amendment 28—

Section 01 (Page 9)
Item 53

On page 9, in the second paragraph following Item 53, strike: Notwithstanding the provisions of Section 236.081, Florida Statutes,

Comment:

This notwithstanding clause is not needed.

Amendment 29—On page 9, ITEM 53 strike NOTWITHSTANDING THE PROVISIONS OF SECTION 236.081, FLORIDA STATUTES THESE FUNDS SHALL BE DISTRIBUTED BY THE PERCENT THAT EACH DISTRICT IS OF THE STATE TOTAL FULL-TIME EQUIVALENT STUDENTS IN GRADES K-3.

Senator Steinberg moved the following amendment which failed:

Amendment 30—

Section 01 (Page 9)
Item 54

Insert:
1980-81

On page 9 following Item 54 ADD the following item:

Aid to Local Governments	
School Breakfast Programs	
From General Revenue Fund	2,500,000

also ADD the following proviso below this item:

Provided, however, that funds are appropriated to this item only if Senate Bill 143 or similar legislation becomes law. Provided further, that the funds appropriated in this item shall be spent in accordance with provisions of SB 143 or similar legislation.

Comments:

This provides funds to support the School Breakfast Program.

Senator Don Childers moved the following amendment which failed:

Amendment 31—

Section 01 (Page 9)
Item

On page 9, following Item 54, DELETE the proviso language and INSERT the following:

The funds appropriated in Item 54 shall be spent only for the purchase of diesel-powered school buses, except when a district

school board, with the approval of the Commissioner of Education, determines that it is justifiable to purchase buses powered by other means.

Comments:

Provides that school boards must purchase diesel-powered school buses unless it can be justified that another type be purchased.

Senators Peterson and Hair offered the following amendment which was moved by Senator Hair and adopted:

Amendment 32—

Section 01 (Page 9)
Item 54

In line 2 of the proviso language under *Item 54* ADD the following sentence:

Provided, however, any district providing student transportation services with other than publicly-owned vehicles may use the funds provided in Item 54 to assist in financing the actual cost of student transportation that is in excess of state funds provided pursuant to the provision of Section 236.083, Florida Statutes.

Comments:

Provides that school districts which contract for transportation services can use these funds for the increased costs of operating the program.

Senator Peterson moved the following amendment which was adopted:

Amendment 33—

Section 01 (Page 9)

Insert:
1980-81

Public Schools, Division of
Immediately after Item 54A INSERT the following item:

Special Categories	
Florida Bar Contract	
From General Revenue Fund	63,600

Comments:

This amendment provides funds to continue the law education program in the public schools. These funds replace an LEAA grant from the U. S. Department of Justice which will be cut out of the Federal budget.

Senator Gordon moved the following amendments which were adopted:

Amendment 34—

Section 01 (Page 10)
Item

ADD the following proviso language immediately following the existing proviso beneath Universities, Division of, Educational and General Activities:

From the funds appropriated in Items 363-366, Chapter 79-212, Laws of Florida, for 1980-81, \$184,000 shall be allocated to continue the program of the Center for Labor Research and Studies at Florida International University.

Comments:

Changes the 1980-81 allocation to the Center for Labor Research from \$131,000 to \$184,000.

Amendment 35—

Section 01
Item 55, page 10

Strike the proviso after Item 55, and insert the following:

Notwithstanding the positions and moneys appropriated in Item 55, the role and scope of the school shall remain unchanged until the Board of Trustees, the State Board of Education and the legislature review and adopt the 1981-83 legislative budget

for the school. The Commissioner shall develop staffing standards for all instructional and non-instructional programs of the Florida School for The Deaf and The Blind. These standards shall be consistent with national, state or local standards when available. The standards shall be adopted by the Board of Trustees and the State Board of Education. The standards shall be used for the preparation of the 1981-83 budget for the school, and said budget shall consider the positions and moneys appropriated in Item 55.

(Explanation: Rewrite the proviso to relate it to appropriated moneys.)

On motion by Senator Johnston, the rules were waived and time of adjournment was extended until 1:00 p.m.

Senator Tobiassen moved the following amendment which was adopted:

Amendment 36—

Section 1 Item 55A

On page 10, strike under Educational and General Activities the words "From the funds appropriated in Item 366, chapter 79-212, Laws of Florida, for 1980-81, \$56,000 shall" and insert: From the funds appropriated in Item 366, chapter 79-212, Laws of Florida, for 1980-81, \$58,550 shall

Senator Gordon moved the following amendment which was adopted:

Amendment 37—

Section 01 (Page 11)
Item

Universities, Division of
Educational and General

INSERT after Item 56A the following new item:

Positions	4
Lump Sum	
School of Business and Industry—FAMU	
From General Revenue Fund	\$100,000

Comments:

This amendment provides \$100,000 for the FAMU School of Business and Industry.

On motion by Senator Winn, the rules were waived and time of adjournment was extended until 12:30 p.m.

Senator Gordon moved the following amendment which was adopted:

Amendment 38—

Section 01 (Page 12)
Item 56I

In the first paragraph of the proviso language following Item 56I, INSERT in Line 6, after the period, the following:

The study shall also address and include recommendations concerning alternative plans for enhancing educational opportunities in the Southeast Florida area.

Comments:

This amendment expands the scope of the study.

The President presiding

Senator Thomas moved the following amendment which was adopted:

Amendment 39—

Section 01	Insert:
Item	

Add the following item in the Department of Environmental Regulation:

58A Other Personal Services	1980-81
From General Revenue Fund	\$100,000

(Explanation: To fund testing of innovative technology for sewage treatment plants.)

On motion by Senator Barron, the Senate recessed at 12:15 p.m. to reconvene at 2:00 p.m.

AFTERNOON SESSION

The Senate was called to order by the President at 2:00 p.m. A quorum present—40:

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

On motions by Senator W. D. Childers, the rules were waived and the Committee on Commerce was granted permission to meet Friday, May 30, from 1:00 p.m. until 5:00 p.m. to consider the following bills: HB 1451, CS for HB 1635, HB 1090, Senate Bills 865, 832, 807, 850, CS for HB 996, Senate Bills 904, 609, 1095, 737, House Bills 1638, 1175, 756, 1798, 1315 and SB 1185.

On motion by Senator Peterson, by two-thirds vote SB 1104 was placed on the special order calendar.

On motions by Senator Hair, the rules were waived and by two-thirds vote House Bills 612 and 615 were withdrawn from the Committee on Economic, Community and Consumer Affairs.

On motion by Senator Barron, the rules were waived and all bills on the local bill calendar that were not in fact and law local bills were removed from the calendar and placed on the consent calendar.

On motion by Senator Don Childers, the House was requested to return HB 934.

The Senate resumed consideration of—

SB 1362—A BILL TO BE ENTITLED 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 SECTIONS 216.-301, 235.435(3), 236.081, AND 236.25, FLORIDA STATUTES, AND CHAPTER 79-212, LAWS OF FLORIDA; PROVIDING AN EFFECTIVE DATE.

Senator Dunn moved the following amendment which was adopted:

Amendment 40—

Section 01 Item	Strike:	Insert:
Governor, Executive Office of the	1980-81	1980-81
61 Salaries and Benefits Positions	8	10
From General Revenue Fund	65,048	76,670
63 Expenses		
From General Revenue Fund	14,530	8,550
66 Operating Capital Outlay		
From General Revenue Fund	3,629	5,909

(Explanation: Provides two additional positions for the automated planning and budgeting system in the Executive Office of the Governor. General Revenue, \$7,922.)

Senator Gordon moved the following amendments which were adopted:

Amendment 41—

Section 01, Page 16
Item

In the middle of the language paragraph following Item 69C, following the words "Delegation of authority to District Administrators and," insert: from District Administrators to

(Explanation: To clarify lines of authority).

Amendment 42—

Section 01 Item	Strike:	Insert:
78 Positions Salaries and Benefits From General Revenue Fund	13 296,084	17 350,093
79 Expenses From General Revenue Fund	80,393	83,984
84B Special Categories Community Residential Training From General Revenue Fund	-150,000	-207,600

Explanation: To provide four positions and \$57,600 in funding for the Model Legal Services Program at the Florida State Hospital. (\$54,009 Salaries and Benefits; \$3,591 Expenses)

Senator McKnight moved the following amendment which was adopted:

Amendment 43—

Section 01 (Page 12)
Item

56I Special Categories
Feasibility Study-
Merger of Universi-
ties/Merger of Uni-
versity Hospital of
Jacksonville as Component
of Florida
From General Revenue Fund

Following paragraph D. ADD a new paragraph as follows:

E. With regard to any merger of Florida International University, the study will include specific consideration of establishing the following programs:
Lower Division and General Education
Graduate School of Social Welfare
Doctoral Programs in Education
Ph.D. in Business Administration
Ph.D. in Public Administration
Engineering
School of Communication
School of Nursing and Allied Health
Masters and Doctoral level programs in Psychology, Economics, Computer Sciences, Fine Arts, Linguistics and Translation Skills, Latin American and Caribbean Studies, International Studies, International Banking, Statistics, Environmental Sciences, Biological Sciences

Comment:

Expands the scope of the study.

Senators Frank and Beard offered the following amendment which was moved by Senator Frank and adopted:

Amendment 44—On page 12, Item 56I, after end of D insert: E The feasibility of establishing a teaching hospital at the University of South Florida

Senators Jenne, Scott, Poole, and Williamson offered the following amendment which was moved by Senator Jenne and adopted:

Amendment 45—

Section
Item 56I

In the first paragraph of the proviso language following Item 56I INSERT after the first period the following:

Provided further, that the study shall include the feasibility of locating a four-year institutor in Broward County, and the merging of Florida Atlantic University and the University of Florida.

Comment:

Expands the scope of the study.

Senator Gordon moved the following amendment which was adopted:

Amendment 46—

Section 01 Item 76	Strike: 1980-81	Insert:
Special Categories Early and Periodic Screen- ing of Children From General Revenue Fund	30,324	136,517
From Medical Care Trust Fund	101,753	254,190

INSERT NEW ITEM on
Page 20 after Health
Services as follows:
Children's Medical Services
Special Categories
Purchased Client Services
From General Revenue
Fund

-106,193

Explanation: Will provide for additional follow-up screenings for Medicaid clients age 0-2 years old; to include immunization schedule.

Senators Chamberlin, Ware, Fehchel and Grizzle offered the following amendment which was moved by Senator Chamberlin and adopted:

Amendment 47—

Section 01 Item	Strike:	Insert: 1980-81
77J Aid to Local Govern- ments Community Drug Abuse Services From General Rev- ue Fund		68,432
88B Special Categories Community Residen- tial Training From General Reve- ue Fund	-150,000	-218,432

Explanation: To provide supplemental funding for a TASC drug abuse program operated by Operation PAR, Inc. in Pinellas County.

Senators Peterson, Vogt, Scott, Trask and Fehchel offered the following amendment which was moved by Senator Peterson and adopted:

Amendment 48—

Section 01
Item

Add the following:

Health Services
87 Aid to Local Govern-
ments

Contribution to County Health Units From General Revenue Fund	1980-81	5,000,000
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92U Public Defender, Eleventh Circuit Lump Sum	2 pos.
From General Revenue Fund	56,450

Provided, however, that funds appropriated in Item 87 be allocated to the various county health units as follows: (1) Distribute \$5,000 to each county (\$335,000); (2) Distribute the balance (\$4,665,000) based on the proportional share of each counties' change in estimated population from July 1, 1970 to July 1, 1980 compared to the total change in Florida's estimated population from July 1, 1970 to July 1, 1980, except that no county shall have a reduction in the current 1980-81 appropriation due to a decrease in population.

Explanation: Fund appellate units for Public Defenders at 60 percent of full funding. Increases general revenue by \$281,450 and authorizes an additional 5 positions.

Senator Ware moved the following amendment which was adopted:

Amendment 52—

Section 1 Insert:
Item

JUDICIAL BRANCH STATE ATTORNEYS SIXTH JUDICIAL CIRCUIT 92S LUMP SUM	1 POSITION 0 FUNDS
FROM GENERAL REVENUE FUND	

EXPLANATION: TO PROVIDE ONE ADDITIONAL POSITION FOR THE SIXTH JUDICIAL CIRCUIT WITH NO EFFECT ON GENERAL REVENUE.

Senators McKnight, Anderson and Myers offered the following amendment which was moved by Senator McKnight and adopted:

Amendment 53—

Section 1 Insert:
Item

JUDICIAL BRANCH STATE ATTORNEYS SIXTEENTH JUDICIAL CIRCUIT 92T LUMP SUM	0 POSITIONS 59,306
FROM GENERAL REVENUE FUND	

Explanation: Increases General Revenue Appropriation for the operation of the Office of the Sixteenth State Attorney.

Senators Holloway, Anderson, and McKnight offered the following amendment which was moved by Senator Holloway and failed:

Amendment 54—On page 23, ITEM 95A, strike Item 95A and insert:

95A DATA PROCESSING SERVICES FROM GENERAL REVENUE FUND	10,409
NEW OFFICE—KEY WEST POSITIONS	1
FROM BLOCK GRANT MATCHING TRUST FUND	30,000

PROVIDED, The Department of Law Enforcement shall submit a plan to the Executive Office of the Governor for the expenditure of the appropriation to establish an office in Key West and shall transfer 3 field investigator positions to Key West to staff said office.

Senator Don Childers moved the following amendment which was adopted:

Amendment 55—

Section 02 Insert:
Item 2

Fixed Capital Outlay Land Acquisition and Planning for New Institutions

Insert the following proviso:

Provided, however, that the funds in Section 2, Item 2 are appropriated for the purpose of the site acquisition and planning for three correctional institutions, at least one of which shall be located in an area encompassing Dade County or any other county south of Seminole County which does not already have a major correctional institution.

Provided, further, that each county shall continue to provide at least the same level of contribution to the County Health Unit Trust Fund as in the 1979-80 fiscal year.

Senators Scott, Stuart, Maxwell, Jenne, Poole, Gorman, Fechtel, Winn, Don Childers, Hair, Scarborough, Skinner, Williamson, Hill, Vogt, Carlucci and Dunn offered the following amendment which was moved by Senator Scott and adopted:

Amendment 49—

Section 01	Strike:	Insert:
Item		
92H Salaries and Benefits General Revenue Fund	230,060	285,406
92J Expenses General Revenue Fund	12,500	15,000
92O Salaries and Benefits General Revenue Fund	177,632	290,671
92P Expenses General Revenue Fund	8,000	12,000
92Q Salaries and Benefits General Revenue Fund	104,962	171,756
92R Expenses General Revenue Fund	3,333	5,000

Explanation: Changes starting date of DCA judges from October 1, 1980 to August 1, 1980 and changes starting date of circuit and county judges from March 1, 1981 to January 1, 1981. Increase in General Revenue is \$243,346.

Senator Johnston moved the following amendment which was adopted:

Amendment 50—

Section 01	Insert:
Item	
State Attorneys Eleventh Circuit	
92S Lump Sum	
From General Revenue Fund	37,000

Explanation: To provide additional resources for the state attorney's office in Miami. Increases general revenue appropriation by \$37,000.

Senator Gordon moved the following amendment which was adopted:

Amendment 51—

Section 01	Insert:
Item	
Judicial Branch	
92S Public Defender, Seventh Circuit Lump Sum	1 pos.
From General Revenue Fund	56,580
92T Public Defender, Tenth Circuit Lump Sum	2 pos.
From General Revenue Fund	168,420

Senator Trask moved the following amendment which was adopted:

Amendment 56—

Section 02 Item A	Strike: 1980-81	Insert: 1980-81
Agriculture and Consumer Services, Department of, and Commissioner of Agriculture Fixed Capital Outlay Inflation Supplement From Citrus Inspection Trust Fund		
	25,000	60,000

(Explanation: To provide supplemental funding due to increased cost for renovation of Nora Mayo Hall, the Florida Citrus Building in Winter Haven. Accepted bid on May 15 was \$60,000 over the \$149,500 appropriated for FY 1979-80.)

Senator Gordon moved the following amendment which was adopted:

Amendment 57—

Section 02 Item 3AS	Strike: 1980-81	Insert: 1980-81
Fixed Capital Outlay Bronough/Duval Extension From General Revenue Fund		
	6,200,000	2,200,000

(Explanation: Replaces overpass on Bronough/Duval Extension with a grade level crossing.)

Senator Thomas was recorded as voting "nay".

Senator Stuart moved the following amendment which was adopted:

Amendment 58—

Section 02 Item 9	Strike: 1980-81	Insert: 1980-81
Fixed Capital Outlay Renovation and Improvements to HRS Educational Facilities From General Revenue Fund		
	1,622,900	2,308,961

Explanation: Provides an additional \$686,070 for more renovations to Sunland Orlando in order to accommodate the education program transfer to the local school districts.

Senator Peterson moved the following amendments which were adopted:

Amendment 59—

Section 03 (Page 37) Item Division of Universities Under Item 3C INSERT a new item:	Insert: 1980-81
Fixed Capital Outlay Construction, Renovations and Equipment, Teaching Hospital Program, Tampa General Hospital From General Revenue Fund	
	3,500,000

and INSERT the following proviso language following this item: Provided, however, that should the Division of Universities have an unexpended balance on March 31, 1981 of less than \$3,500,000 from the specific appropriation in Item 4B, Section 3, Chapter 79-212, Laws of Florida, providing for construction, renovations and equipment for the Teaching Hospital Program at Tampa General Hospital, then the appropriation in the above item shall be reduced to the amount of the unexpended balance.

Comment:

This is to carry forward the uncommitted appropriation from 1979-80.

Amendment 60—

Section 04 (Page 37)
Item

STRIKE all of Section 4 and renumber subsequent sections.

Senator Gordon moved the following amendments which were adopted:

Amendment 61—

Section 07, page 42
Item

After the first sentence of Section 7, strike the period (.), and insert the following:

built, renovated or rented with funds appropriated in this act.

(Explanation: To relate the use of inmate labor to funds appropriated in the act.)

Amendment 62—On page 42, Section 9, strike PROVIDED, FURTHER, NOTWITHSTANDING SECTION 213.301, FLORIDA STATUTES, ANY UNENCUMBERED BALANCE IN THE APPROPRIATION FOR ITEM 19A, CHAPTER 79-212, LAWS OF FLORIDA, MAY BE CARRIED FORWARD FOR USE DURING THE 1980-81 FISCAL YEAR.

Amendment 63—

Section 09 (page 42)
Item

Strike of all Section 9.

(Explanation: Proviso language is rewritten under Administered Fund, Item 6A, Section 1.)

Senator Gordon moved the following amendment:

Amendment 64—

Section 10, pages 42 and 43 Item	Strike: 9-1-80	Insert: 9-1-80
Governor	60,498	59,098
Lieutenant Governor	48,399	47,279
Secretary of State	48,399	47,279
Comptroller	48,399	47,279
Treasurer	48,399	47,279
Attorney General	48,399	47,279
Education, Commissioner of	48,399	47,279
Agriculture, Commissioner of	48,399	47,279
Supreme Court Justice	52,407	70,000
Judges—District Courts of Appeal	49,748	49,287
Judges—Circuit Courts	47,205	46,769
Commissioner—Public Service Commission	49,748	49,287
Public Employee Relations Commission—Chairman	43,789	42,776
Public Employee Relations Commission—Commissioners	41,484	40,524
Judges—County Courts	44,547	44,135
State Attorneys:		
Circuits with 1,000,000 population or Less	47,205	46,769
Circuits over 1,000,000	49,748	49,287
Public Defenders		
All circuits	44,547	44,135

(Explanation: To return officials' salaries to the amount in Chapter 79-212 and letter of intent (increase of 5.5% to 7.0%) (except for Public Service Commissioners amended to equal DCA Judges) since funds for additional increases were deleted from this bill.)

Senator McClain moved the following amendment to amendment 64 which was adopted:

Amendment 64A—

	Strike:	Insert:
Supreme Court Justice	70,000	59,098

Amendment 64 as amended was adopted.

Senator Scarborough was recorded as voting Nay.

Senator Gordon moved the following amendments which were adopted:

Amendment 65—

Section 10, page 43 Item	Strike: 9-1-80	Insert: 9-1-80
-----------------------------	-------------------	-------------------

Strike:

Public Defenders:

All Circuits

44,135

Insert:

Public Defenders:

Circuits with 1,000,000

Population or less

46,769

Circuits Over 1,000,000

49,287

(Explanation: To increase Public Defenders to the same rate as State Attorneys effective 9-1-80.)

19 @ 2,634 = 50,046

1 @ 5,152 = 5,152

55,198

Amendment 66—

Section 10, page 43

Item

Strike the last language paragraph in Section 10, and insert the following:

All population figures relating to state attorney and public defender 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 September 1, and shall not be changed based on projections or estimates made subsequent to July 1 of each fiscal year. Provided, however, in no instance will the salary of a state attorney or public defender be reduced from the prior year by the effect of projected population.

(Explanation: Eliminates county judges and adds public defenders to those whose salary is affected by circuit population estimates.)

Amendment 67—

Section 11, page 43

Strike Section 11 as shown on page 43, and insert a new Section 11 as follows:

Section 11. Should any officer whose salary has been fixed in Section 10, and whose salary is paid from funds appropriated in this act, receive supplemental salary from any county or municipality, the salary fixed in Section 10 and paid from funds appropriated in this act shall be reduced in an amount equal to such supplement.

(Explanation: To relate the proviso to moneys appropriated in the act.)

Amendment 68—

Section 13, page 44

Strike all of Section 13

(and renumber subsequent sections)

(Explanation: Present Section 13 effectively suspends Section 216.301, F.S., on the subject of reversion of unspent appropriations. Cannot legally do this.)

Senator Vogt moved the following amendments which were adopted:

Amendment 69—

Page 44—Insert a new section 16 and renumber subsequent sections:

Section 16. The Department of Health and Rehabilitative Services is authorized to make advances for program start-up or periodic advance payments for contracted services during fiscal year 1980-81 in the following programs and categories: Supported work assistance project; Florida veterans referral program; aging and adult services community service grants; community care for the elderly-core services; community mental health services; community mental health services-adolescents and children; community alcoholic services; community drug abuse services; mental health district priority projects; mental health community residential services; juvenile alternative services; retarded offender services; S.T.E.P.; developmental disabilities services grants; community retardation services; retardation community group home and ICF/MR start-up funds; family planning services-Title X; emergency medical services grants; sudden infant death syndrome project; regional perinatal intensive care centers; and spouse abuse program.

Amendment 70—

Section

Item Page 44

Insert a new section 16 and renumber subsequent sections.

Section 16. Delete and repeal paragraph five of proviso for community mental health services funds, section 1, item 612 et seq., chapter 79-212, Laws of Florida, as reads:

Provided, however, that funding for mental health district boards is only authorized until October 1, 1980 in an annual amount equal to the state allocation for such boards in fiscal year 1978-79. It is further provided that continued state support is contingent upon: a legislative study of the entire mental health delivery system, including state mental health hospitals; state mental health program offices and the community mental health system; and the enactment of substantive legislation supporting and recommending continuation of such funding throughout the remainder of the biennial budget cycle.

Explanation: Permits the funding of mental health district boards during the period October 1, 1980-June 30, 1981. Funding for this period was appropriated in Chapter 79-212, Laws of Florida, but its expenditure is not authorized pursuant to this proviso.

Senators Vogt, Dunn, Beard and Skinner offered the following amendment which was moved by Senator Vogt and adopted:

Amendment 71—

Section Page 44

Item

Insert a new Section 16 and renumber the subsequent sections.

Section 16: Delete and repeal for fiscal year 1980-81 the proviso for the Department of Corrections, Section 1, following item 260, Chapter 79-212, Laws of Florida as reads:

"Provided that the Department of Corrections renegotiate all misdemeanor probation supervision contracts on a yearly basis to include all eligible recipients who apply prior to August 1 of each year. Provided, further, that funding be limited to only cases involving first degree misdemeanor offenses adjudged as such by the court appointing probation and that funding for supervision of these cases be provided for no longer than 90 days."

Provided, further, that for Fiscal Year 1980-81 the Department of Corrections renegotiate all misdemeanor probation supervision contracts on a yearly basis to include all eligible vendors who apply prior to August 1; provided, further, that funding be limited to cases involving only first degree misde-

meanor offenses and the second degree misdemeanor offenses of assault; disorderly intoxication; driving while under the influence of alcoholic beverages, model glue, or controlled substances; reckless driving; and disorderly conduct adjudged as such by the court ordering probation and that funding for supervision of these cases be provided for no longer than 90 days.

Senator Gordon moved the following amendments which were adopted:

Amendment 72—

Section 17, page 44

Strike all of Section 17

(and renumber subsequent sections)

(Explanation: Cannot legally suspend statutory law.)

Amendment 73—

Section 18, page 44

Strike all of Section 18

(and renumber subsequent sections)

(Explanation: Cannot legally suspend statutory law.)

Senator Gordon moved the following amendment which failed:

Amendment 74—

Section 19 (Pages 44 and 45)

Item

STRIKE entire section and renumber subsequent sections.

Comments:

Eliminates pledge of \$21.5 million from the Working Capital Trust Fund to Shands Teaching Hospital to permit the entering into a contract for the construction of the patient services building and eliminates repayment provisions of \$40,000,000 loan to Shands.

On motion by Senator Dunn, the rules were waived and the Senate reverted to the order of introduction for the purpose of introducing the following resolution out of order:

INTRODUCTION

By Senators Dunn, Thomas, Myers, Scarborough, Vogt, McClain, Poole, McKnight, Jenne, Barron, Hair, Winn, Trask, MacKay, Anderson, Steinberg, Lewis, Beard, Carlucci, Chamberlin, Don Childers, W. D. Childers, Fechtel, Gordon, Gorman, Grizzle, Henderson, Hill, Holloway, Johnston, Maxwell, Neal, Peterson, Scott, Skinner, Stuart, Tobiassen, Ware and Williamson—

SR 1381—A Senate resolution commending the Florida Jaycees and recognizing their contribution to the people of Florida.

—was read the first time by title. On motions by Senator Dunn, SR 1381 was taken up out of order by unanimous consent, was read the second time in full and adopted. The vote on adoption was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Winn

The President introduced the following officers of the Florida Jaycees: James E. Poe, President, Lakeland; Tom Majjar, President-Elect, Panama City; Tom Hayes, Executive Director, Lakeland; Paul Bagley, Executive Director-elect, Lakeland; Neal Johnson, Treasurer, Delray Beach; and Neal Browder, Past President of the Tallahassee Jaycees. Also introduced was Dr. Jay Reese of Tampa, Parliamentarian of the U. S. Jaycees.

The President invited Mr. Poe and Mr. Majjar to the rostrum where they were presented copies of the resolution and Mr. Poe addressed the Senate briefly. Mr. Poe then presented the President with a brick from the old Capitol on behalf of the Tallahassee and Florida Jaycees.

SPECIAL ORDER, continued

Senator Scarborough presiding

The Senate resumed consideration of—

SB 1362—A BILL TO BE ENTITLED 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 SECTIONS 216-301, 235.435(3), 236.081, AND 236.25, FLORIDA STATUTES, AND CHAPTER 79-212, LAWS OF FLORIDA; PROVIDING AN EFFECTIVE DATE.

Senator Stuart moved the following amendment which was adopted:

Amendment 75—

Section 21 (Page 45)

Item

Following Section 20

INSERT a new Section 21 and renumber subsequent sections.

Section 21. Provided, however, that \$7,000,000 of the Quality Improvement funds appropriated to the State University System in Item 371-C, Chapter 79-212, Laws of Florida, for FY 1980-81 shall be used to provide competitive/market place salary adjustments for faculty in the State University System.

Each university shall expend funds for competitive/market place salary adjustments after expending salary funds appropriated for non-discretionary increases. These funds shall be expended by rank and discipline category to assure that each continuing faculty member's salary is at least at the Oklahoma State University 1979-80 Salary Survey salary for that rank and discipline category for Region 3. Any remaining competitive/market place salary adjustment funds shall be expended by rank and discipline category on the basis of university master plans and individual merit and experience.

Comment:

Provides that Quality Improvement funds be used to provide competitive/market place salary adjustments for faculty in the State University System.

The vote was:

Yeas—25

Anderson	Frank	MacKay	Stuart
Barron	Gordon	McClain	Thomas
Beard	Gorman	McKnight	Vogt
Carlucci	Grizzle	Myers	Winn
Chamberlin	Hill	Scarborough	
Childers, W. D.	Holloway	Skinner	
Dunn	Jenne	Steinberg	

Nays—14

Mr. President	Henderson	Peterson	Trask
Childers, D.	Johnston	Poole	Ware
Fechtel	Maxwell	Scott	
Hair	Neal	Tobiassen	

Senator Stuart moved the following amendment which was adopted:

Amendment 76—

Section 01 (Page 11)
Item

On Page 11 following the caption Institute of Food and Agricultural Sciences add the following proviso language:

From the funds provided in 1980-81 in Item 372 Chapter 79-212, Laws of Florida, \$1.5 million shall be used to provide salary merit adjustments for faculty in the Institute of Food and Agricultural Sciences.

Senator MacKay moved the following amendment which was adopted:

Amendment 77—

Section 45 (page 6)
Item

Insert:

45C Special Categories
Correctional Standard
Council

From Block Grant Matching
Trust Fund \$35,000

Provided the funds appropriated in Item 45C are contingent on SB 424 or similar legislation becoming law.

Senators MacKay and Peterson offered the following amendment which was moved by Senator MacKay and adopted:

Amendment 78—

On page 7 following the caption, "Education, Department of, and Commissioner of Education", insert the following language:

Provided that, the Commissioner of Education will submit to the Legislature by September 1, 1980 a list of computer projects planned through June 30, 1982 which will automate or further automate reporting requirements so as to measurably reduce the data burden on teachers and non-instructional personnel. This project list will include a brief description of each project, estimated software costs, and estimated reductions statewide of teacher time devoted to data collection and report preparation.

Senator Gordon moved the following amendment which was adopted:

Amendment 79—

Section 01 (Page 7)
Item

Insert:

On page 7, following Item 51A add the following Item:

Expenses
From General Revenue 1,000,000

Comment:

These are funds to provide for the Youth Conservation Corps. This will provide for 500 youths in a residential program for 6 weeks.

Senators MacKay and Peterson offered the following amendment which was moved by Senator MacKay and adopted:

Amendment 80—

Following item 52 on
page 8

Provided that, priority will be given in the allocation and expenditure of common software appropriations to those projects which have the highest potential for reducing the data burden on instructional personnel, first, and non-instructional personnel, second.

Senator Gordon moved the following amendments which were adopted:

Amendment 81—

Section 01
Item 82

Strike: Insert:

Special Categories	1980-81	
Contracted Services		
From Grants and Donations Trust Fund		-398,000
From Federal Aid Trust Fund Title XX		-398,000

Technical Amendment corrects error in trust fund reduction.

Amendment 82—On page 1 in title, line 10, after the word "suspending," strike "SECTIONS 216.301, 235.435(3), 236.081, and 236.25, FLORIDA STATUTES, AND" and insert: *PORTIONS OF*

The President presiding

On motion by Senator Johnston, the Senate reconsidered the vote by which Amendment 65 was adopted. By permission, Senator Gordon withdrew Amendment 65.

Senator MacKay moved the following amendment which failed:

Amendment 83—

On page 11
following item 56A

Insert:

Lump Sum	
WUFT-FM Radio Station Positions	8
From General Revenue Fund	\$150,000

Senator Tobiassen moved that the Senate reconsider the vote by which Amendment 79 was adopted. The motion failed and the Senate refused to reconsider.

On motion by Senator McClain, the Senate reconsidered the vote by which Amendment 83 failed. Amendment 83 was adopted.

On motion by Senator Gordon, staff of the Committee on Ways and Means was given authority to include necessary title amendments and technical changes in SB 1362 in order to conform it to amendments adopted this day.

On motion by Senator Gordon, by two-thirds vote SB 1362 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39

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

Nays—1

Chamberlin

On motion by Senator Gordon, the rules were waived and SB 1362 after being engrossed was ordered immediately certified to the House.

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

On motion by Senator Barron, the rules were waived and CS for HB 1363 was ordered immediately certified to the House.

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 1363 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Natural Resources and Representative Thompson—

CS for HB 1363—A bill to be entitled An act relating to salt-water fisheries; amending s. 370.16(14) and (16)(e), Florida Statutes, providing for an annual 3-month oyster season in a portion of waters of Franklin County and closing that same portion during the remainder of the year; providing for prima facie evidence of violation; providing an annual restriction on the size of oysters that may be taken during the special season; adding subsections (37), (38), (39), and (40) to s. 370.16, Florida Statutes, requiring health permits for certain persons engaged in harvesting, handling, or processing oysters; providing for oyster harvesting licenses; establishing regulations for oyster vessels and the overland transport of oysters; providing penalties; exempting all areas east of the Aucilla River; providing effective dates.

—was read the first time by title and referred to the Committee on Natural Resources and Conservation.

On motion by Senator Barron, by two-thirds vote CS for HB 1363 was withdrawn from the Committee on Natural Resources and Conservation.

On motion by Senator Barron, by unanimous consent CS for HB 1363 was taken up out of order. On motion by Senator Barron, by two-thirds vote CS for HB 1363 was read the second time by title.

Senators Barron and Thomas offered the following amendments which were moved by Senator Barron and adopted:

Amendment 1—On page 3, line 19, insert after "said oysters": *, except that this summer oyster season and its respective provisions shall be postponed in 1980 until 10 days after such time as the approved shellfish harvesting areas of Appalachicola Bay shall be re-opened following satisfactory bacterial sampling results. This 10 day period shall be considered an extension of the regular harvesting season.*

Amendment 2—On page 1, line 7, insert after the word "year,": *extending the regular season in 1980,*

On motion by Senator Barron, by two-thirds vote CS for HB 1363 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

On motion by Senator Barron, the rules were waived and by two-thirds vote SJR 1233 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Barron, the rules were waived and the special order calendar for Thursday, May 29, was set as follows: CS for CS for SB 1104, HB 161 and CS for SB 1076, to be followed by the consent calendar set for this day and carried over, followed by a local bill calendar, followed by a special order beginning with bills objected to on the consent calendar and then the following: HB 1506, CS for SB 146, SB 287, CS for CS for SB 172, SB 512, SB 1304, SB 1219, SB 1342, HB 1165, CS for SB 324, SB 813, HB 310, CS for SB 603, SB 613, SB 366 and SJR 948.

On motion by Senator Ware, the rules were waived and HB 1216 was added to the end of the local bill calendar.

On motion by Senator Henderson, the rules were waived and SB 1338 was added to the end of the local bill calendar.

ENROLLING REPORTS

SB 1020 has been enrolled, signed by the required Constitutional Officers and presented to the Governor on May 22, 1980.

Joe Brown, Secretary

Senate Bills 1244, 453, 654, 781, 300, 428, 452, CS for SB 425 and CS for SB 383 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on May 23, 1980.

Joe Brown, Secretary

CS for SB 420 and CS for SB 476 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on May 26, 1980.

Joe Brown, Secretary

CO-INTRODUCERS

Senators Jenne and Beard—SB 130; Senators Trask and Steinberg—CS for SB 677; Senator MacKay—SB 544; Senators Ware and Thomas—SB 607

CORRECTION AND APPROVAL OF JOURNAL

The Journals of May 27, 26 and 23 were corrected and approved.

The Journal of May 15 was corrected and approved as follows:

Page 324, column 2, strike lines 14 and 15 and insert: Section 18, Paragraph (b) of Subsection (1) of section 205.043, Florida Statutes, is amended to read: 205.043 Conditions for levy; Municipalities.—(1) The following conditions are hereby imposed on the authority of a municipal governing body to levy an occupational license tax:

The Senate adjourned at 5:00 p.m. to convene at 8:30 a.m., Thursday, May 29, for the purpose of introduction and reference of resolutions, memorials, bills and joint resolutions and thereafter to reconvene at 9:00 a.m.