



Journal of the Senate

Number 7

Friday, April 24, 1981

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

Mr. President	Henderson	Maxwell	Steinberg
Anderson	Hill	McClain	Stevens
Barron	Jenkins	McKnight	Stuart
Beard	Jenne	Neal	Thomas
Carlucci	Jennings	Peterson	Tobiassen
Childers, D.	Johnston	Poole	Trask
Dunn	Kirkpatrick	Rehm	Vogt
Frank	Langley	Renick	Ware
Gordon	Lewis	Scott	Winn
Grizzle	Margolis	Skinner	

Excused: Senator Hair

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

Our Father, we would seek the blessings of wisdom and knowledge for our lives; for when these reign in us, discretion and understanding will govern our conduct.

Grant us these blessings so that we may exercise self-control over our actions lest we become merely contentious in debate.

May we not be afraid of challenge to our convictions. May we respect the convictions of others and not view them as opposition to our persons. May opposing ideas within this Senate Chamber become the refining abrasive to give our state the best laws and government.

Grant to these your servants strength for today and perspective for the future so that their governing shall be in the context of the total history of our state and not be isolated to a myopic present.

Hear us, our God, because we need you. Amen.

REPORTS OF COMMITTEES

The Committee on Natural Resources and Conservation recommends the following pass: SB 324 with 3 amendments

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

The Committee on Agriculture recommends the following pass: SB 564 with 2 amendments

The Committee on Commerce recommends the following pass: SB 387 with 2 amendments, SB 478 with 1 amendment

The Committee on Education recommends the following pass: SB 641 with 1 amendment

The Committee on Governmental Operations recommends the following pass: SB 403, SB 514 with 5 amendments

The Committee on Natural Resources and Conservation recommends the following pass: SB 465, SB 618

The Committee on Personnel, Retirement and Collective Bargaining recommends the following pass: CS for SB 326, CS for SB 327, SB 333, SB 356

The Committee on Transportation recommends the following pass: SB 584 with 3 amendments

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

The Committee on Commerce recommends the following pass: SB 362 with 3 amendments

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

The Committee on Commerce recommends the following pass: SB 423

The Committee on Economic, Community and Consumer Affairs recommends the following pass: SB 543

The Committee on Governmental Operations recommends the following pass: CS for SB 16

The Committee on Natural Resources and Conservation recommends the following pass: SB 620

The Committee on Transportation recommends the following pass: SB 483 with 2 amendments, SB 596

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

The Committee on Commerce recommends the following pass: SB 354 with 4 amendments

The Committee on Personnel, Retirement and Collective Bargaining recommends the following pass: SB 604

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

The Committee on Governmental Operations recommends the following pass: SB 500, SB 502

The bills were referred to the Committee on Personnel, Retirement and Collective Bargaining under the original reference.

The Committee on Agriculture recommends the following pass: SB 421 with 2 amendments, SB 605, SB 612

The Committee on Commerce recommends the following pass: SB 507, SB 613 with 1 amendment

The Committee on Economic, Community and Consumer Affairs recommends the following pass: SB 319 with 1 amendment, SB 485, SB 570

The Committee on Education recommends the following pass: SB 590 with 1 amendment, SB 649

The Committee on Governmental Operations recommends the following pass: SB 405 with 1 amendment, SB 406, SB 433

The Committee on Judiciary-Civil recommends the following pass: SB 379, SB 582 with 2 amendments

The Committee on Natural Resources and Conservation recommends the following pass: SB 368, SB 408, SB 513, SB 535 with 2 amendments, SB 580, SB 632 with 2 amendments

The Committee on Transportation recommends the following pass: SB 451, SB 572, SB 625 with 2 amendments, SB 642

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

The Committee on Agriculture recommends the following not pass: SB 370

The Committee on Commerce recommends the following not pass: SB 42

The Committee on Education recommends the following not pass: SB 569

The Committee on Personnel, Retirement and Collective Bargaining recommends the following not pass: SB 495

The Committee on Transportation recommends the following not pass: SB 484

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

The Committee on Education recommends a committee substitute for the following: SB 591

The bill with committee substitute attached was referred to the Committee on Appropriations under the original reference.

The Committee on Governmental Operations recommends a committee substitute for the following: SB 8

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: SB 349

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 Commerce recommends committee substitutes for the following: SB 113, SB 258

The bills with committee substitutes attached were referred to the Committee on Finance, Taxation and Claims under the original reference.

The Committee on Economic, Community and Consumer Affairs recommends a committee substitute for the following: SB 293

The bill with committee substitute attached was referred to the Committee on Governmental Operations under the original reference.

The Committee on Agriculture recommends a committee substitute for the following: Senate Bills 57 and 229

The Committee on Commerce recommends a committee substitute for the following: SB 607

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: SB 347

The bills with committee substitutes attached contained in the foregoing reports were placed on the calendar.

REQUESTS FOR EXTENSION OF TIME

April 21, 1981

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

the following: SB 155, SB 191, SB 201, SB 276, CS for SB 326, CS for SB 327, SB 333, SB 351, SB 355, SB 356, SB 454, SB 476, SB 482, SB 495, SB 523, SB 542, SB 577, SB 604, SB 606

April 22, 1981

The Committee on Governmental Operations requests an extension of 15 days for consideration of the following: CS for SB 16, SB 518, SB 531

April 24, 1981

The Committee on Economic, Community and Consumer Affairs requests an extension of 15 days for consideration of the following: SB 519, SB 547, SB 578

The Committee on Judiciary-Civil requests an extension of 15 days for consideration of the following: SB 586, SB 588, SB 597, SB 623, SB 627, SB 648, SB 656

The Committee on Governmental Operations requests an extension of 15 days for consideration of the following: SB 235, SB 236

The Committee on Health and Rehabilitative Services requests an extension of 15 days for consideration of the following: SB 521, SB 524, SB 525, SB 526, SB 529, SB 530

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The following amended Executive Order of Suspension was filed with the Secretary:

EXECUTIVE ORDER NUMBER 81-40

(Amended Executive Order of Suspension)

WHEREAS, JEFF D. GAUTIER has been previously suspended from the public office which he then held, to-wit: State Attorney of the Sixteenth Judicial Circuit, Monroe County, Florida by Executive Order 80-100, effective at 5:00 p.m., Friday, November 21, 1980, and

WHEREAS, as a result of an investigation conducted by the Federal Bureau of Investigation, the Honorable Eugene T. Whitworth, State Attorney for the Eighth Judicial Circuit, and the Florida Department of Law Enforcement, violations of the laws of Florida have been discovered, to-wit:

1. During the term of his office, JEFF D. GAUTIER, in violation of Chapter 893, Florida Statutes, committed the below-listed acts:
 - a. In the fall of 1977, aboard a yacht in the vicinity of Monroe County and in the company of various private citizens, he did possess, smoke and offer to another for no consideration, the controlled substance marijuana.
 - b. In the summer of 1979, while in his home in Monroe County and in the company of a private citizen, he did possess, smoke and offer to another for no consideration, the controlled substance marijuana.
 - c. On or about June 12-14, 1980, while in the company of undercover agents of the Federal Bureau of Investigation and other private citizens, JEFF D. GAUTIER possessed and consumed methaqualone (quaalude) tablets and offered methaqualone (quaalude) tablets to another for no consideration.
 - d. On or about June 13-14, 1980, while in the company of undercover agents of the Federal Bureau of Investigation and other private citizens, JEFF D. GAUTIER, used and possessed the controlled substance marijuana.
 - e. On or about June 27-28, 1980 while in the company of undercover agents of the Federal Bureau of Investigation and other private citizens, JEFF D. GAUTIER, used, possessed and offered to others for no consideration, the controlled substance marijuana.

NOW, THEREFORE, I, BOB GRAHAM, as Governor of Florida, pursuant to the Constitution and Laws of Florida, do hereby find, determine, and for the purposes of Section 112.41, Florida Statutes, allege as follows:

A. JEFF D. GAUTIER is, and at all times material hereto was, the duly elected State Attorney of the Sixteenth Judicial Circuit, Monroe County, Florida.

B. The Office of the State Attorney of the Sixteenth Judicial Circuit is within the purview of the suspension powers of the Governor pursuant to Article IV, Section 7, Florida Constitution.

C. Pursuant to Article V, Section 17, Florida Constitution, and Chapter 27, Florida Statutes, the State Attorney is the principal prosecuting officer for all criminal matters before all trial courts in his circuit and is responsible for representing the State in the Circuit and County Courts and prosecuting on behalf of the State of Florida all violations of the Criminal Laws of the State of Florida.

D. JEFF D. GAUTIER did commit the acts and violations of Florida law as alleged in this executive order constituting grounds for suspension under Article IV, Section 7(a), Florida Constitution.

E. JEFF D. GAUTIER'S acts and actions, as set forth herein, contravene his oath of office as set forth in Article III, Section 5, Florida Constitution, to "... well and faithfully perform the duties of State Attorney of the Sixteenth Judicial Circuit...".

F. The acts alleged herein constitute the offenses of malfeasance, misfeasance, neglect of duty, incompetence, and/or commission of a felony as such offenses are used in Article IV, Section 7, Florida Constitution.

G. The interests of the citizens of the State of Florida and the ends of justice can best be served by the continued suspension of JEFF D. GAUTIER from the public office of State Attorney of the Sixteenth Judicial Circuit.

BEING FULLY ADVISED in the premises, and in accordance with the Constitution and Laws of the State of Florida, this Executive Order is hereby promulgated effective immediately.

Section 1.

The suspension of JEFF D. GAUTIER, from public office, to-wit: State Attorney of the Sixteenth Judicial Circuit, Monroe County, Florida, is continued in full force and effect without interruption.

Section 2.

The grounds for suspension from office recited in Paragraph "D," "1" to "4" of Executive Order 80-100 are amended by substituting Paragraph "1.a." to "1.e." of this Order.

Section 3.

JEFF D. GAUTIER is hereby continually prohibited from performing any official act, duty or function of any public office, from receiving any pay or allowances, and from being entitled to any of the emoluments or privileges of public office during the period of this suspension, which shall remain in effect from the effective date of Executive Order, 80-100, until further Executive Order, or as otherwise provided by law.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed at Tallahassee, the Capitol, this 7th day of April 1981.

Bob Graham
GOVERNOR

ATTEST:

George Firestone
SECRETARY OF STATE

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has passed SB 634.

Allen Morris, Clerk

The bill contained in the above message was ordered enrolled.

Votes Recorded

Senator Hair was recorded as voting yea on the following bills which passed the Senate on April 22: SR 815, SCR 435, CS for HB 19, Senate Bills 11, 234, 31, 254, 262, 325, 280, 297, 382, 259, 50 and 68.

On motion by Senator Beard, the House was requested to return informally SB 68.

On motion by Senator Rehm, SB 711 was withdrawn prior to introduction.

On motion by Senator Gordon, the rules were waived and time of adjournment was extended until final action on SB 900.

On motion by Senator Gordon, the rules were waived and staff members of the Committee on Appropriations were granted privileges of the floor during consideration of SB 900.

SPECIAL ORDER

SB 900—A BILL TO BE ENTITLED AN ACT MAKING APPROPRIATIONS; PROVIDING MONEYS FOR THE ANNUAL PERIOD BEGINNING JULY 1, 1981 AND ENDING JUNE 30, 1982, TO PAY SALARIES, OTHER EXPENSES, CAPITAL OUTLAY - BUILDINGS AND IMPROVEMENTS, AND FOR OTHER SPECIFIED PURPOSES OF THE VARIOUS AGENCIES OF STATE GOVERNMENT; SUSPENDING SECTIONS 216.292, 240.209, 253.025, AND 943.22, FLORIDA STATUTES; PROVIDING AN EFFECTIVE DATE.

—was read the second time by title.

Senator Gordon moved the following amendments which were adopted:

Amendment 1—Section 01, Item 302(P. 33), line 1, paragraph 1, is amended to read as follows: The base student allocation is \$1,222.22 in 1981-82.

Comment: Technical Amendment

It is necessary to adjust the base student allocation because the committee added an amendment which placed an enrollment cap on the specific learning disability part-time program. (See p. 35 below "6. Adult Basic and High School")

Amendment 2—Section 01 (page 43) Items 348 and 348A

348 Aid to Local Governments Community College Library Books From General Revenue Fund

Insert in line 3 of the first paragraph following the word "expended" the following proviso language: "from state general revenue funds"

And insert in line 6 of the first paragraph following the word "expended": "from state general revenue funds"

348A Aid to Local Governments Community College Instructional Equipment From General Revenue Fund

Insert in line 3 of the first paragraph following the word "expended": "from state general revenue funds"

And insert in line 6 of the first paragraph following the word "expended": "from state general revenue funds"

Comment: Clarifying language related to supplanting of funds provided for community college library books and instructional equipment so that the supplanting restriction applies only to state general revenue funds.

Amendment 3—

Description	Positions and amount	Positions and amount
	Strike:	Insert:
Section 01 (Page 47) Item 364		
<i>Education and General</i>		
364 Salaries and Benefits—Positions		12,611
368 Lump Sum—Positions		12,582
Unmet needs in Broward County		29

Comment: There is no change in the total number of positions. The positions associated with the Lump Sum appropriations were inadvertently included in salaries and benefits.

Amendment 4—

Section 01 (Page 49)
Item 370

In the third full paragraph of proviso language on page 49, STRIKE the following: \$131,000 appropriated in specific appropriations 364 through 367 and 377 and INSERT in lieu thereof: From the funds appropriated in specific appropriations 364 through 367 and 377 no less than the current year funding or \$131,000, whichever is greater, plus salary and inflationary adjustments.

Comment: This conforms the language in this paragraph to similar language in other paragraphs where the intent is to provide salary increases and inflationary adjustments for programs identified in proviso language. This change was inadvertently omitted.

Amendment 5—

Section 01 (page 55)
Items 405A, 406 & 406A

- 405A Special Categories
On the second line after the word "Grants" INSERT the following:—University of Miami
- 406 Special Categories
On the second line after the word "Hospital" INSERT the following: and Clinics, Inc.,
- 406A Special Categories
On the second line after the word "Laboratory" INSERT the following:—University of Miami

Comment: Amendment needed to more accurately identify recipient institution or organization.

Amendment 6—

Section 01
Items 570 and 571
Page 71

Proviso language to follow specific appropriation 571:

Funding appropriated in items 570 and 571 from the General Revenue Fund and the Federal Grants Trust Fund may be expended for the Silver-Haired Legislature project in accordance with the State Plan on Aging.

Explanation: Provides specific spending authority for Aging and Adult Services administrative funds to be spent on activities related to the Silver-Haired Legislature. These funds have been spent in this fashion in past years.

Amendment 7—

Description	Positions and amount	Positions and amount
	Strike:	Insert:
Section 01 Item 1058, Page 120 OPS		
From Administrative Trust Fund	150,000	450,000

Explanation: Technical amendment increases Trust Fund for staff oversight. (Hydro Carbon Study at Port Charlotte)

Amendment 8—

Description	Positions and amount	Positions and amount
	Strike:	Insert:
Section 02 Item 020 (page 160)		
Strike Specific Appropriation 100: Fixed Capital Outlay Five Halfway Houses		
From General Revenue Fund	2,103,000	
Insert Specific Appropriation 100A: Fixed Capital Outlay Two Halfway Houses		
From General Revenue Fund		2,103,000

Comment: Technical amendment to clarify description of appropriation. No change in funds required or intent.

Amendment 9—

Description	Positions and amount	Positions and amount
	Strike:	Insert:
Section 03 Item 2 (page 167)		
Strike Specific Appropriation 2: 02 Fixed Capital Outlay Improvement to Perimeter Security, Eleven Institutions		
From General Revenue Fund	720,000	
Insert Specific Appropriation 2A: 02A Fixed Capital Outlay Improvement to Perimeter Security, Twelve Institutions		
From General Revenue Fund		720,000

Explanation: Technical amendment to clarify description of appropriation. No change in funds required or intent.

Amendment 10—

Section 18 (Page 174)
Item C. Florida School for the Deaf and the Blind

On line 6 after the words "in the amount of 7%" INSERT: to each employee on September 1, 1981.

Explanation: Technical Amendment to complete the above sentence in the Bill. The last portion of the sentence was inadvertently dropped by the computer when the bill was printed.

Amendment 11 was offered by Senators Langley and Neal striking all after the enacting clause and inserting a new bill.

Senator Langley moved that further consideration of Amendment 11 be deferred. The motion failed and the vote was:

Yeas—16

Anderson	Hill	Maxwell	Rehm
Barron	Jennings	McClain	Scott
Grizzle	Langley	Neal	Trask
Henderson	Lewis	Poole	Ware

Nays—22

Mr. President	Gordon	McKnight	Stuart
Beard	Jenkins	Peterson	Tobiassen
Carlucci	Jenne	Renick	Vogt
Childers, D.	Johnston	Skinner	Winn
Dunn	Kirkpatrick	Steinberg	
Frank	Margolis	Stevens	

Senator Dunn moved the following amendment to Amendment 11 which was adopted:

Amendment 11A—Section 01 (pages 31 and 32)

Except the Division of Blind Services in Line Item 282-286 is exempt.

The vote was:

Yeas—22

Mr. President	Gordon	McKnight	Stuart
Beard	Jenkins	Peterson	Thomas
Carlucci	Jenne	Rehm	Vogt
Childers, D.	Johnston	Renick	Winn
Dunn	Kirkpatrick	Skinner	
Frank	Margolis	Steinberg	

Nays—17

Anderson	Jennings	Neal	Trask
Barron	Langley	Poole	Ware
Grizzle	Lewis	Scott	
Henderson	Maxwell	Stevens	
Hill	McClain	Tobiassen	

Senators McKnight, Dunn and Gordon offered the following amendment to Amendment 11 which was moved by Senator McKnight and adopted:

Amendment 11B—

Section 1
Item 730

Except aid to local governments—perinatal program—specific appropriation 730

The vote was:

Yeas—28

Mr. President	Gordon	Langley	Renick
Anderson	Hill	Lewis	Skinner
Beard	Jenkins	Margolis	Steinberg
Carlucci	Jenne	Maxwell	Stuart
Childers, D.	Jennings	McKnight	Thomas
Dunn	Johnston	Peterson	Vogt
Frank	Kirkpatrick	Rehm	Winn

Nays—9

Grizzle	Neal	Stevens	Ware
Henderson	Poole	Tobiassen	
McClain	Scott		

Senator Stevens moved that further consideration of Amendment 11 as amended be deferred. The motion failed and the vote was:

Yeas—14

Barron	Langley	Poole	Trask
Grizzle	Lewis	Rehm	Ware
Henderson	McClain	Scott	
Jennings	Neal	Stevens	

Nays—25

Mr. President	Gordon	Maxwell	Thomas
Anderson	Hill	McKnight	Tobiassen
Beard	Jenkins	Peterson	Vogt
Carlucci	Jenne	Renick	Winn
Childers, D.	Johnston	Skinner	
Dunn	Kirkpatrick	Steinberg	
Frank	Margolis	Stuart	

On motions by Senator Dunn, the Senate reconsidered the votes by which Amendments 11A and 11B were adopted. By permission Senator Dunn withdrew the amendments.

By permission, Senator Langley withdrew Amendment 11.

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

Amendment 12—

Page 35, Delete paragraph beginning with "From the amount generated . . ." and ending with "vocational equipment." and

add: From the amount generated through the FEFP for vocational students, districts shall spend no less than 2.78% of the total for the replacement of vocational equipment.

Senator Margolis moved the following amendment which was adopted:

Amendment 13—

Section 01
Item 302 (p. 33)

Insert the following proviso language beneath "From Principal State School Trust Fund . . . 1,000,000"

In the expenditure of funds appropriated in specific appropriation 302, districts shall give a high priority to providing a 7% salary increase to all instructional personnel.

Comment: Requires school districts to give a high priority to providing a 7% salary increase to all instructional personnel from funds provided by the Legislature for this purpose.

Senator Maxwell moved the following amendment which failed:

Amendment 14—

Section Item	Description	Positions and amount Strike:	Positions and amount Insert:
317A	Writing Skills Enhancement (general revenue)	\$15,000,000	\$11,700,000
1192	Library Grants (general rev.)	\$ 4,251,692	\$ 7,551,692

Amendment 15 was withdrawn.

Senator Langley moved the following amendment which failed:

Amendment 16—

Section Item	Description	Positions and amount Strike:	Positions and amount Insert:
317A	Special Categories		
	Writing Skills Enhancement From General Revenue	15,000,000	
1012	Salaries and Benefits	275 positions	470 positions
		5,894,024	11,610,024
1013	Other Personal Services	5,000	15,000
1014	Expenses	2,733,357	6,607,357
1015	Operating Capital Outlay	2,343,802	6,893,802
1016	Salary Incentives	231,541	431,541
1017	Data Processing Services	199,782	849,782

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

Amendment 17—

Section 01
Item 321
Page 39

Strike proviso language following item 321 and insert the following:

Each district school board desiring to participate in the allocation of funds pursuant to (2) shall make a good faith effort to reach an acceptable agreement with the local responsible agency or council to provide transportation services to the disadvantaged; however, any district failing to reach such agreement shall submit to the Commissioner of Education all the facts relating to the efforts and failure to reach such agreement. The commissioner shall evaluate the evidence and based on this examination decide whether or not the district did in fact make a good faith effort. In those instances in which the commissioner's decision is in the affirmative, the commissioner

shall allocate the funds computed for that district, the provisions of Chapter 427, Florida Statutes, to the contrary notwithstanding.

Senator Maxwell moved the following amendment which was adopted:

Amendment 18—

Description	Positions and amount Strike:	Positions and amount Insert:
Section 01 Item 342 (p. 41) Special Categories Vocational Contracts and Special Projects From Education Aids Trust Fund	497,568	639,760

Section 01
Item 337 (p. 40)

Description	Positions and amount Strike:	Positions and amount Insert:
Aid to Local Governments Federal Flow Through Funds From Educ. Aids Trust Fund	35,295,135	35,152,943

Add the following language as paragraph 4

From the funds appropriated in specific appropriation 337 not more than \$10,000 shall be used to produce or to distribute the Florida Vocational Journal or any substitute publication.

Comment: This amendment restores \$142,192 to Vocational Contracts and Special Projects and deducts the same amount from Federal flow through funds. That amount represents the production and distribution cost for the Florida Vocational Journal.

Amendment 19 was withdrawn.

Distinguished Guest

The President introduced U. S. Representative Jack Kemp (R-N.Y.) who is co-sponsor of the Kemp-Roth tax-cut proposal. His visit to the Florida Senate was part of a series of visits throughout the nation in support of President Reagan's economic program. Congressman Kemp addressed the Senate.

The President appointed Senators Scott and Ware as a committee to escort Congressman Kemp from the Chamber.

The President declared the Senate in informal recess at 11:23 a.m.

The Senate was called to order by the President at 11:28 a.m. A quorum was present.

The Senate resumed consideration of SB 900.

Senator Peterson moved the following amendments which were adopted:

Amendment 20—

Section 01 (page 47)
Item

Educational and General Activities

After the last paragraph of proviso language on page 47 INSERT the following new paragraph:

Each State University in the University System may withhold transmittal of up to 20% of its incidental revenue trust funds, not to exceed \$250,000 per institution, for a maximum of 90 days for the purpose of funding cost reimbursable contracts and grants. Each university shall, beginning with the 1981-82 fiscal year transfer to a Working Capital Trust Fund not less than 10% of its retained contract and grant overhead, in the total amount it deems appropriate, to fund such cost reimbursable contracts.

Comment: Provides a short-term source of funds to be used to fund cost reimbursable contracts and grants and requires

the establishment of a Working Capital Trust Fund for this purpose from retained contract and grant overhead.

Amendment 21—

Description	Positions and amount Strike:	Positions and amount Insert:
Section 01 Item 365 and 370A		
365 Other Personal Services From General Revenue Fund	24,077,339	22,994,390
370A Lump Sum Colleges of Engineering—Positions	83	110
From General Revenue Fund	5,841,640	6,294,589

Comment: Reduce Other Personal Services \$1,082,949 and add to lump sum \$1,082,949 and 27 positions to fund improvement in the student/teacher ratio in the Colleges of Engineering based on estimated for 1980-81 rather than actual 1979-80.

Amendment 22—

Description	Positions and amount Strike:	Positions and amount Insert:
Section 01 (pages 47 and 48) Items 364, 365, 366 & 367		

DIVISION OF UNIVERSITIES

364 Salaries and Benefits—Positions	12,611	12,624
From General Revenue Fund	226,790,416	227,127,792
365 Other Personal Services From General Revenue Fund	24,077,339	24,085,123
366 Expenses From General Revenue Fund	59,802,854	59,821,628
367 Operating Capital Outlay From General Revenue Fund	25,347,373	24,983,439

Comment: Provides 13 positions and \$363,934 to improve the academic program in Pharmacy at the Florida A and M University. Operating Capital Outlay reduced by \$363,934 to fund the improvement.

Amendment 23—

Section 01 (page 50)
Item 370A

Add the following proviso language following Item 370A: From the funds appropriated in specific appropriation 370A the Board of Regents shall allocate \$194,000 to the Florida International University for the purpose of converting the School of Engineering Technology to a School of Engineering.

Comment: Requires allocation of funds included in amounts provided for Colleges of Engineering for conversion of School of Engineering and Technology to a School of Engineering at the Florida International University.

Senator Margolis moved the following amendment which was adopted:

Amendment 24—

Section 01 (p. 43)
Item 349A

Under Item 349A strike: "Distinguished Visiting Professor Series" and add: Emphasis on Excellence Program

And add the following proviso language:

Funds Appropriated in Specific Appropriation 349A shall be used to continue the Emphasis on Excellence Program at Miami-Dade Community College.

Senator Peterson moved the following amendment which was adopted:

Amendment 25—

Description
Section 01 (page 51)
Items 378, 379 and 380

Description	Positions and amount Strike:	Positions and amount Insert:
INSTITUTE OF FOOD AND AGRICULTURAL SCIENCES		
378 Salaries and Benefits—Positions	2,283	2,285
From General Revenue Fund	41,865,404	41,912,497
379 Other Personal Services		
From General Revenue Fund	2,502,045	2,506,375
380 Expenses		
From General Revenue Fund	10,170,309	10,195,892

Comment: Restores 2 positions and \$77,006 for Blackfly research from \$355,803 and 17 positions deducted in Senate Bill 900.

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

Amendment 26—

Description	Positions and amount Strike:	Positions and amount Insert:
Section 01		
Item 431D		
(insert after 431C)		
Lump Sum		
Waste Load Allocation		
Positions		4
From General Revenue Fund		\$150,000

Funds Appropriated in Specific Appropriation 431D are contingent upon SB 448 or similar legislation becoming law.

Explanation: Provides funding to Department of Environmental Regulation for Waste Load Allocation, contingent upon repeal of s. 403.086(1)(B), Florida Statutes.

Senator Lewis moved the following amendment which was adopted:

Amendment 27—

Description	Positions and amount Strike:	Positions and amount Insert:
Section 01		
Item 688A and 690 (page 84)		
688A Special Categories		
Adult Ranch Program	16,500	99,000
690 Special Categories		
Community Residential Training		
From General Revenue Fund	22,406,907	22,324,407
From Federal Aid Trust Fund		
Title XX	6,105,525	6,105,525
From Operations and Maintenance Trust Fund	1,118,652	1,118,652

Explanation: Shifts \$82,500 in General Revenue from retardation community residential training category to a special category to fund a new type of residential program for retarded adult clients. The committee did not provide enough funding initially because of misinformation.

Senator Carlucci moved the following amendment which was adopted:

Amendment 28—

Section 01
Item 713A (page 87)

Insert the following qualifying language:

Funds appropriated in specific appropriation 713A are for the hypertension program at University Hospital of Jacksonville.

Explanation: Clarifying legislative intent that the funding for kidney disease prevention in item 713A is for continuation of an existing program at University Hospital of Jacksonville.

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

Amendment 29—

Description	Positions and amount Strike:	Positions and amount Insert:
Section 1		
Item 1062		
Lump Sum		
Florida Conservation Corps		
From General Revenue Fund		50,000
Item 1064		
Special Categories		
Special litigation		
From General Revenue Fund	500,000	450,000

Explanation: Creates Florida Conservation Corp. in the Div. of Admin. Svcs. of the DNR for employing youth.

Senator Stuart moved the following amendment which was adopted:

Amendment 30—

Section 01
Item 1246
After Item 1246, page 138, strike all the proviso language

Senators Scott, Lewis, Poole and Langley offered the following amendment which was moved by Senator Scott and failed:

Amendment 31—

Description	Positions and amount Strike:	Positions and amount Insert:
Section		
Item		
1294 Special Categories		
Other state 100% road construction contracts		
From Working Capital Fund		75,000,000

Explanation: Appropriates \$75,000,000 from the state surplus for primary road construction

Senator Jenne moved the following amendment which was adopted:

Amendment 32—

Description	Positions and amount Strike:	Positions and amount Insert:
Section 02		
Item		
60A Fixed Capital Outlay Repairs and Renovations—Major Institutions		
From General Revenue Fund	1,544,000	1,444,000
60B Fixed Capital Outlay Conversion of Washington Ward, South Fla. State Hospital to Community Corrections Center		100,000

Explanation: Provides for conversion of Washington Ward of South Florida State Hospital to a Community Correctional Center in Dept. of Corrections. Net Impact on General Revenue.

Senator Hill moved the following amendment which was adopted:

Amendment 33—

Description	Positions and amount Strike:	Positions and amount Insert:
Section 02		
Item 90 (page 159)		
90 Fixed Capital Outlay Repairs and Improvements, State Office Facilities		
From General Revenue Fund	558,800	358,800

Description	Positions and amount	Positions and amount
	Strike:	Insert:
Insert new item in Section 01: 590A Special Categories Grant and Aid—Jackson Memorial Burn Center From General Revenue Fund		200,000

Proviso: Funds provided in specific appropriations 590A are contingent upon Senate Bill 624 or similar legislation becoming law.

Explanation: Provides for the first year funding of a two-year non-recurring construction program for the expansion of a burn center at the University of Miami/Jackson Memorial Burn Center.

Senator Peterson moved the following amendment which was adopted:

Amendment 34—

Description	Positions and amount	Positions and amount
	Strike:	Insert:
Section 03, page 168 Item 7 Universities, Division of Fixed Capital Outlay FSU—Mildred and Claude Pepper Library From General Revenue	418,200	817,685

Comment: Appropriates \$399,485 of FCO funds that reverted 4/1/81 and provides an additional \$418,200 for the project in lieu of anticipated funds from private sources that did not materialize.

Senator Dunn moved the following amendment which was adopted:

Amendment 35—

Description
Section 15
Item

Under:
Public Defenders:
All circuits

Strike:

All population figures relating to state attorneys salaries referred to herein shall be based upon the most recent projected population for July 1 of the Fiscal Year, pursuant to section 23.019, Florida Statutes. Salaries based on population shall become effective July 1, and shall not be changed based on projections or estimates made subsequent to July 1 of the fiscal year. Provided, however, in no instance will the salary of a state attorney be reduced from the prior year by the effect of projected population.

Explanation: In the current Senate Bill State Attorneys' salaries are not based upon population. This amendment deletes the above paragraph relating to the determination of population from the bill since it no longer has significance.

Senator Stuart moved the following amendment which was adopted:

Amendment 36—

Section 18 (page 173)
Item B Board of Regents

Under unit employees strike:
Funds are provided and shall be distributed for 1981-82 pursuant to the existing agreement between the Board of Regents and United Faculty of Florida, except for the general across-the-board increase for which no funds are provided.

and insert the following in lieu thereof:

The distribution of the funds for unit employees shall be in accordance with the successor collective bargaining agreement between the Board of Regents and the United Faculty of Florida. If no agreement is reached between the parties by August 31, 1981, these funds shall be distributed by the Board of Regents

in accordance with the Board's Pay Plan for Faculty and Administrative and Professional positions.

Explanation: Requests the Board of Regents to distribute salary increases in accordance with the Board pay plan if no agreement is reached with the bargaining agent.

Senator Neal moved the following amendment which was adopted:

Amendment 37—

Description	Positions and amount	Positions and amount
	Strike:	Insert:
Section 01 Item 427		

Special Categories U.S. Geological Survey Cooperative Agreement from General Revenue Fund	248,000	348,000
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Add proviso as follows:

\$100,000 in General Revenue Funds appropriated in specific appropriation 427 shall be used to match a like amount from the U.S. Geological Survey to collect water quality data necessary to specify wasteload allocations

Explanation: Increases matching funds for U.S.G.S. Wasteload Allocation Studies

Staff oversight in funding subcommittee recommendations

Senator Frank moved the following amendment which was adopted:

Amendment 38—

Section 01
Item 302

On page 35 strike the last paragraph and insert:

The department's monthly distribution of F.E.F.P. funds shall be made in equal monthly payments on the 10th & 23rd of each month.

No Fiscal Impact

Senator Frank moved the following amendment which was adopted:

Amendment 39—

Section 01 (Page 56)
Item 415

In the second paragraph of proviso language on page 56 in line 3, between the words "of" and "Florida" INSERT the following: South

Comment: Requires funds for the Florida Institute of Phosphate Research to be allocated to the University of South Florida rather than the University of Florida.

The vote was:

Yeas—23

Mr. President	Grizzle	Lewis	Rehm
Anderson	Henderson	Margolis	Renick
Beard	Jenne	McClain	Stevens
Dunn	Jennings	McKnight	Ware
Frank	Kirkpatrick	Neal	Winn
Gordon	Langley	Poole	

Nays—13

Carlucci	Johnston	Skinner	Vogt
Childers, D.	Maxwell	Stuart	
Hill	Peterson	Thomas	
Jenkins	Scott	Trask	

Senators Ware, Frank, Beard, Grizzle, Rehm, Neal and McClain offered the following amendment which was moved by Senator Ware and adopted:

Amendment 40—

Section 01
Item

After page 137 strike existing proviso and insert: The Department shall proceed with the repair and rebuilding of the Sunshine Skyway Bridge and pier protection system within available federal funds (offset by insurance settlement) and revenue derived from increasing existing tolls and/or bond sales.

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

Amendment 41—

Section 01
Item 634
Page 78

Add qualifying language after item 634 to read: Of the amount included in specific appropriation 634 for community alcoholic services workload increases, \$150,000 shall be allocated to fund an intensive residential treatment program for chronic public inebriates in DHRS District V.

Explanation: Earmarks \$150,000 of \$803,337 provided for workload increases in Community Alcoholic Services Program for an intensive residential treatment program (modified domiciliary program) for chronic alcoholics in Pinellas County.

By permission, Senator Margolis withdrew Amendment 19.

Senator Margolis moved the following amendments which were adopted:

Amendment 42—

Section 01 (Pg 43)
Item 347

On line 7 of the second proviso of page 43, after the words "non-resident aliens" insert: who have not applied for permanent resident status or otherwise declared their intent to become permanent residents

Amendment 43—

Section
Item

Section 1 (page 47)

On line 4 of the first full paragraph of the proviso language on page 47, after the words "non-resident aliens" insert: who have not applied for permanent resident status or otherwise declared their intent to become permanent residents

On motion by Senator Peterson, the Senate reconsidered the vote by which Amendment 21 was adopted:

Senator Peterson moved the following amendment to Amendment 21 which was adopted:

Amendment 21A—

Description	Positions and amount	Positions and amount
	Strike:	Insert:
Section 01 Page 50 370A Lump Sum Colleges of Engineering From General Revenue Fund	6,294,589	6,924,589

Comments: This Corrects a Transposition error in the Original Amendment

Amendment 21 as amended was adopted.

Senator Neal moved the following amendment which failed:

Amendment 44—

Section 01
Item 1246

After item insert the following proviso:

Provided no funds in specific appropriations 1246 shall be expended for operational support of any transit system which has been funded for four years or longer for which the operating ratio is .25 or lower or for any system with a ratio of .4 or lower excluding service development in the computation.

Explanation: Provides no state grants shall be given to transit systems with operating ratio of less than .5

Senator Dunn moved the following amendment which was adopted:

Amendment 45—

Description	Positions and amount	Positions and amount
	Strike:	Insert:
Section 01 Item 8 Special Categories Salary Increases—All Pay Plan Changes and Salary Increase From General Revenue Fund	87,833,566	88,082,167

Section 15

Item D Judicial Pay Plan strike existing language. Insert: Funds are included to provide an overall average increase of 7% of the total August 31, 81 salary rates for employees to implement the Judicial Pay Plan.

Explanation: Increases G-R \$248,601 to implement the Judicial Pay Plan based upon 7% of the rate.

Senator Langley moved the following amendment which was adopted:

Amendment 46—

Description	Positions and amount	Positions and amount
	Strike:	Insert:
Section 02 Item 102 (page 160) 102 Fixed Capital Outlay Major Repairs and Improvements, Community-Based Facilities From General Revenue Fund	816,700	666,700
Insert Specific Appropriation 102A 102A Fixed Capital Outlay Juvenile Detention Center, Lake County From General Revenue Fund		150,000

Explanation: To provide a new detention center (10 beds). No increase in funds, deducts \$150,000 from Item 102.

Senator Frank presiding

The President presiding

Senators Barron, Peterson, Trask, Poole, Stevens, Jenkins, Neal, Tobiasen, Thomas, Rehm, Maxwell, Beard, Lewis, Renick, Jennings, D. Childers and Vogt offered the following amendment which was moved by Senator Barron and adopted:

Amendment 47—

Description	Positions and amount	Positions and amount
	Strike:	Insert:
Section 15 Item Judges—District Courts of Appeal Judges—Circuit Courts	59,748 57,205	53,231 50,510
State Attorneys Circuits with 1,000,000 population or less Circuits over 1,000,000	57,205 57,205	50,510 53,231
Public Defenders All circuits	52,000	47,666

Description	Positions and amount	Positions and amount
Item 8 Salary Categories	Strike:	Insert:
Salary Increases—All Pay Plan Changes and Salary Increases From General Revenue	87,833,566	85,497,264
From Trust Funds	28,830,454	28,830,454

Explanation:

To reduce the salary increases included in the current bill for all elected officials to be consistent at 7% over their current salaries.

Senator Trask moved the following amendment:

Amendment 48—Section 01 Page 22

Item

Insert after existing proviso language following "Education, Department of, and Commissioner of Education" the following proviso:

No funds appropriated herein shall be used to finance any state-supported public or private postsecondary educational institution that charters or gives official recognition or knowingly gives assistance to or provides meeting facilities for any group or organization that recommends or advocates sexual relations between unmarried persons.

Sexual relations means contact with sexual organs of one person by the body of another person for sexual gratification.

Any postsecondary educational institution found in violation of this provision shall have all state funds withheld until that institution is again in compliance with the law.

No state financial aid shall be given to students enrolled at any postsecondary educational institution located in Florida which is in violation of this provision.

Senator Gordon raised a point of order as to the germanity of Amendment 48. The President ruled the point not well taken.

Amendment 48 was adopted. The vote was:

Yeas—24

Mr. President	Jennings	Neal	Stevens
Carlucci	Kirkpatrick	Peterson	Thomas
Childers, D.	Langley	Poole	Tobiassen
Henderson	Lewis	Rehm	Trask
Hill	Maxwell	Renick	Vogt
Jenkins	McClain	Scott	Winn

Nays—12

Anderson	Gordon	Johnston	Skinner
Dunn	Grizzle	Margolis	Stuart
Frank	Jenne	McKnight	Ware

Vote after roll call:

Nay to Yea—Dunn, Skinner

Senator Dunn moved the following amendment which was adopted:

Amendment 49—

Section 15

Item

Under "Public Defenders: All circuits" insert: All population figures relating to state attorneys salaries referred to herein shall be based upon the most recent projected population for July 1 of the fiscal year, pursuant to section 23.019, Florida Statutes. Salaries based on population shall become effective July 1, and shall not be changed based on projections or estimates made subsequent to July 1 of the fiscal year. Provided, however, in no instance will the salary of a state attorney be reduced from the prior year by the effect of projected population.

Explanation: To base State Attorneys' salaries upon population. This amendment adds the above paragraph relating to the determination of population.

On motion by Senator Gordon, the rules were waived and the staff of the Appropriations Committee was granted permission to make technical corrections to SB 900.

On motion by Senator Gordon, by two-thirds vote SB 900 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—33

Mr. President	Henderson	Maxwell	Stuart
Anderson	Hill	McClain	Thomas
Beard	Jenkins	McKnight	Tobiassen
Carlucci	Jenne	Peterson	Trask
Childers, D.	Jennings	Poole	Vogt
Dunn	Johnston	Rehm	Ware
Frank	Kirkpatrick	Renick	
Gordon	Lewis	Scott	
Grizzle	Margolis	Skinner	

Nays—4

Barron	Neal	Stevens	Winn
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Pair

The following pair was announced by the Secretary in accordance with Senate Rule 5.4: I am paired with Senator Hair on SB 900. If he were present he would vote yea and I would vote nay.

Senator Richard H. Langley, 11th District

Explanation of Vote

I am voting no on SB 900 due to the fact that it does not adequately address the many needs of the people of Florida such as law enforcement, education and transportation.

Sherman Winn, 34th District

On motion by Senator Skinner, the rules were waived and SB 900 was ordered immediately certified to the House after engrossing.

Senator Beard moved that the Senate reconsider the vote by which SB 68 passed on April 22.

The motion was placed on the calendar for consideration on April 28, 1981.

ENROLLING REPORT

SB 634 has been enrolled, signed by the required Constitutional Officers and presented to the Governor on April 23, 1981.

Joe Brown, Secretary

CO-INTRODUCERS

Senator Kirkpatrick—SB 344; Senators Gordon and Peterson—SB 643; Senator Gordon—SB 752; Senator Renick—SB 974

CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 22 was corrected and approved.

The Journal of April 7 was further corrected and approved as follows:

Page 73, column 2 from bottom, line 29, after the comma insert: and by two-thirds vote was read the third time by title,

The Senate adjourned at 1:05 p.m. to reconvene at 9:00 a.m. April 28, 1981.