



Journal of the Senate

Number 20

Wednesday, May 27, 1981

BILL ACTION SUMMARY

Wednesday, May 27, 1981

H 116	Refused to concur; requested House to recede
H 305	Requested House to return; reconsidered; passed as amended
H 1200	Substituted for C/S SB 900; Passed as amended; Immediately certified
S 40	Adopted
S 175	Concurred; Passed as amended
S 189	Concurred in House amendments as amended; Passed as amended
S 900	Iden./Sim. House Bill substituted; refer to HB 1200
S 1098	Adopted
S 1112	Adopted

The Senate convened at 9 a.m. and adjourned at 5:15 p.m.

INTRODUCTION AND REFERENCE OF BILLS

First Reading

The following bills are offered for introduction. This constitutes first reading as provided in Article III, Section 7 of the Constitution and the bills are referred as indicated.

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 as amended HB 1026, HB 155 and CS for HB 861 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Health and Rehabilitative Services—

HB 1026—A bill to be entitled An act relating to dependent children; amending s. 409.168(2)(a) and (3)(a)4., Florida Statutes, 1980 Supplement; modifying the definition of child; providing that a performance agreement shall be prepared, but need not be submitted to the court, in certain cases; providing an effective date.

—was referred to the Committee on Health and Rehabilitative Services.

By Representative Grant and others—

HB 155—A bill to be entitled An act relating to the Department of General Services; amending s. 287.082, Florida Statutes, providing a procedure for determining the winning bid with respect to equal competitive bids on certain commodities; amending subsection 287.012(3), Florida Statutes, 1980 Supplement, expanding provisions relating to the procurement of contractual services by the Department of General Services; providing an effective date.

—was referred to the Committee on Governmental Operations.

By the Committee on Insurance and Representative Batchelor—

CS for HB 861—A bill to be entitled An act relating to life care contracts; amending s. 651.011(2) and (8), Florida Statutes, and adding subsections (11) and (12); providing definitions; amending s. 651.015(2)(c) and (4), Florida Statutes; providing for levy of a fine for noncompliance; providing for

administrative penalties; amending s. 651.021, Florida Statutes; deleting provisions relating to maintenance of net worth by providers and requiring maintenance of a liquid reserve; amending s. 651.026(1), (3), (4), (5), (6), and (7), Florida Statutes, 1980 Supplement, and adding new subsections (8) and (10); revising provisions relating to application for certificate of authority; including reference to "applicant" within said provisions; providing that a late fee may be charged if information is not received; requiring the Department of Insurance to issue acknowledgment of an application; providing a time limitation for certification or notification of deficiencies; revising information, including financial information, required to be included in annual statement; providing for departmental inquiry to determine accuracy of certain information; providing that the advisory council may assist a facility in formulating a remedial plan; providing time limitation for submission of such plan; providing for extension of time period granted to correct deficiencies; requiring providers to show a specified ratio of assets to liabilities; specifying fiscal year; providing exemptions; amending s. 651.031, Florida Statutes; requiring all persons intending to offer continuing care agreements to obtain a provisional certificate of authority; revising information to be submitted to the department; allowing deposit of funds collected from prospective members with the department; providing basis for denial of provisional certificate; requiring that entrance fees remain in reserve until financing of the facility is assured; creating s. 651.033, Florida Statutes; establishing requirements for escrow accounts; amending s. 651.035, Florida Statutes; specifying reserves which must be maintained by a provider; requiring notification to the department prior to use of certain portion of said reserves for other than authorized purposes; providing for emergency use of reserves; providing effect of failure to maintain reserves; amending s. 651.041, Florida Statutes, relating to use of reserves; deleting exceptions to maintenance of investments in forms as prescribed by part II of chapter 625, Florida Statutes; amending s. 651.055, Florida Statutes; revising requirements of continuing care agreements with respect to properties transferred, availability of services, conditions of cancellation and refund, conditions of acceptance, of remaining in the facility, and of death or removal of member, conditions for fee changes, affiliations of the provider, and reserve funding policies; regulating refunds; requiring that agreements include a statement regarding applicant's rights; requiring a provider to present a copy of the agreement to all parties thereto prior to the transfer of any money or property; allowing an addendum to an agreement; amending s. 651.061, Florida Statutes; providing conditions of dismissal of a member for inability to pay monthly maintenance fees; amending s. 651.085, Florida Statutes; providing for notice to members of quarterly meetings with the board of directors or a designated representative thereof; amending s. 651.091(3) and (4), Florida Statutes; revising requirements regarding posting of summaries of examination reports and annual statements in the facility; amending s. 651.095(1), Florida Statutes; providing that the department shall not approve certain advertisements; amending s. 651.105(1), (3) and (4), Florida Statutes; providing for examination of applicants for certification of authority; providing for compensation for examinations; providing that the department shall require corrective action or a plan therefor from providers to remedy deficiencies; creating s. 651.106, Florida Statutes; providing grounds for denial, suspension, or revocation of, or refusal to renew, a certificate of authority; creating s. 651.107, Florida Statutes; providing duration of suspension period; providing provider's obligations during such period; providing for reinstatement; creating s. 651.108, Florida Statutes; providing for administrative fines in lieu of suspension or revocation and other fines; amending s. 651.111(3), Florida Statutes; authorizing action by advisory council upon receipt of complaint regarding a provider; amending s. 651.114, Florida Statutes, 1980 Supplement; providing procedures when a portion of a required reserve fund escrow has been or is proposed

to be released; requiring provider to submit information to the advisory council; providing duties of advisory council; providing for reports; amending s. 651.121(1), (3), and (4)(b) and (c), Florida Statutes; providing for a Continuing Care Advisory Council; providing for appointment and membership; providing for per diem; providing for inspection of its records; amending s. 651.132, Florida Statutes; providing application to amendment or renewal of existing contracts; repealing s. 651.045, Florida Statutes, relating to conversion of property; amending s. 159.27(16), Florida Statutes, 1980 Supplement; redefining "health care facility" for purposes of the Florida Industrial Development Financing Act; adding subsection (10) to s. 11.6105, Florida Statutes, 1980 Supplement; providing that chapter 651, Florida Statutes, shall be repealed and reviewed in accordance with the Regulatory Reform Act of 1976 providing an effective date.

—was referred to the Committee on Commerce.

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 1052 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Commerce—

HB 1052—A bill to be entitled An act relating to mortgage instruments; creating s. 697.07, Florida Statutes, providing legislative intent; authorizing acceleration provisions in mortgage instruments; providing limitations on such acceleration provisions; prohibiting prepayment penalties under certain circumstances; providing for enforceability of acceleration clauses; providing an effective date.

—was referred to the Committees on Commerce and Judiciary-Civil.

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 1127 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Community Affairs—

HB 1127—A bill to be entitled An act relating to the Florida Housing Finance Agency Act; amending s. 420.503(3) and (7)(a), Florida Statutes, 1980 Supplement, providing definitions; amending s. 420.508(2)(a) and (d) and (3)(a), Florida Statutes, 1980 Supplement, providing a time limitation on the issuance of certain loans; amending s. 420.509(1), (3), (4), and (5), Florida Statutes, 1980 Supplement, providing for the payment of expenses incident to the issuance and sale of any bonds under the act from pledged revenues; eliminating the minimum 5-year bond requirement; authorizing reduced reserves; providing for the basis of award of bonds; prohibiting financial advisors to the Florida Housing Finance Agency to underwrite agency bonds within 2 years of having been its advisor; providing an effective date.

—was referred to the Committees on Economic, Community and Consumer Affairs; Commerce; and Finance, Taxation and Claims.

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 206 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representatives Nuckolls and J. H. Smith—

HB 206—A bill to be entitled An act relating to obstructing justice; creating s. 843.185, Florida Statutes; prohibiting the obstruction of justice by false information; providing a penalty; providing an effective date.

—was referred to the Committee on Judiciary-Criminal.

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 341 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representatives Young and Rosen—

HB 341—A bill to be entitled An act relating to education; amending section 232.04, Florida Statutes, requiring the Department of Education to adopt standards for early admission to kindergarten; providing an effective date.

—was referred to the Committee on Education.

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

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

Excused: Senator Jenkins for the morning session

Prayer by the Rev. John Anderegg, Pastor, Calvary Assembly of God Church, Ormond Beach:

Father, we do count it a privilege to be named among your children. Lord, we thank you today for these that you have appointed to be over us in a position of authority and, Father, we ask as they deliberate on these matters today that you would give them wisdom that would surpass their natural abilities. Lord, give them divine wisdom today for you have told us in your word that those who are set in authority over us are your ministers. Lord, we pray that today they might minister to the people of this great state in a way that would bring glory and honor to you and to your Kingdom. Father, be with them, watch over them, protect them and let them know thy grace. Grant these things, we pray in the name of your Son, our Lord, Jesus Christ. Amen.

The Senate pledged allegiance to the flag of the United States of America.

Employee Recognition Ceremony

Senator Dunn—Mr. President, members of the Senate: Each session the Senate, with the leadership of the President, pauses in the hectic deliberations of the last week of the session or the last two weeks to recognize the loyal and highly professional employees that are employed by the Florida Senate and so ably assist us in the handling of the public's business.

Today, Mr. President and members of the Senate, seated in the west gallery are some 24 members of the Statutory Revision Division of the Legislature. They are led by the very able director and a former law school classmate of mine, Jane Harris. Jane was appointed as Director of Statutory Revision in January 1978, and since then she and the member employees of that division have made great strides in the timely publication of the Florida Statutes. This group, led by Jane, when we leave here begins work in earnest because the work of that division is predominantly an accelerated effort after the laws are passed and the Governor has either approved, or disapproved with his veto power. So we are very happy to point to Jane and members of her Statutory Revision Division with great pride because we feel that we have one of the best, if not the best, in the country—the best statutory codification procedures and operations in all of the states.

Also, in the west gallery are eight members of the Economic and Demographic Research Division, led by Dr. Jim Zingale. Dr. Zingale, as we know, has had extensive experience in the appropriations process in the Florida Senate and under his leadership, and with the advice and assistance of his very highly

competent and professional staff, we now have an economic data base for the state. We have some excellent economic econometric consultations from out of state. We have developed probably the best forecasting mechanism of any state in the union. Our economic model also provides revenue forecasts for up to ten years and will in due time permit us to make long range enrollment and prison population projections. The division maintains our financial information system. It publishes a monthly newsletter. It assists the Appropriations Committee in development of the formula budgets that we deal with. A significant contribution of this new division to the legislative process, is that the members can be assured that the financial data which we use in the developing of our appropriations bill and in forecasting revenues is made on a professional and non-partisan basis. We are very proud to salute and welcome them.

On the floor today are some twenty members of the Senate Appropriations Committee staff. This committee staff, headed by John Andrew Smith, has spent many hours and weekends and overtime in the process of developing our appropriations package which will be presented today. This year, more than ever, it is appropriate to recognize this particular group of dedicated and professional Senate employees.

We would appreciate now if the employees in those divisions and groups would please stand and at the same time the Senators' district staff who are in the galleries will also please stand so that we as members of the Senate can give you a well-deserved and very much, I'm sure, appropriate expression of our recognition.

Following employee recognition, the President introduced Dr. Rhett E. Enzor, who has practiced medicine for 50 years in Okaloosa County and made a great contribution to the health and well-being of the citizens of Okaloosa County and the surrounding area. Dr. Enzor's two oldest brothers were responsible for the establishment of a hospital in Crestview.

The Senate was then entertained by the "Country Velvets", a musical group composed of Paul Messer, Charles Messer, Morris Donnell, Frank Morrison and Jim Hobbs.

The President requested Senators Scott, Stuart and Thomas and Sergeant Melton to approach the Well of the Senate. Howard Walton, Executive Director, Office of the President of the Senate, was presented several awards in recognition of his diligent efforts and long hours spent on behalf of the Senate.

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Wednesday, May 27, 1981. Any bill on this Special Order Calendar on which final action is not taken will be carried over to Friday, May 29, 1981, following the Local Bill Calendar. SB 900, SB 246, SB 1034, SB 929, SB 920, SB 285, CS for SB 324, SB 513, SB 38, SB 723, SB 726, SB 727, SB 728, SB 729, SB 730, CS for SB 895, SB 971, CS for SB 302, CS for SB 306, CS for SB 882, SB 485, SB 788, CS for CS for SB 252, SB 442, SB 443, CS for SB 866, SB 671, SB 692, HB 487, SB 401, SB 651, SB 868, SB 871, CS for SB 816, SB 1121, SB 819, SB 642, SB 575, SB 483, SB 379, SB 147, CS for SB 344, SB 637, SB 675, SB 653, SB 612, CS for SB 606, CS for SB 589, SB 524, CS for SB 409, SB 822, HB 245, HB 607, SB 935, CS for SB 753

Respectfully submitted,
Edgar M. Dunn, Jr., Chairman

The Committee on Commerce recommends the following pass: CS for SB 335 with 3 amendments, SB 481 with 2 amendments

The Committee on Education recommends the following pass: SB 105 with 2 amendments, SB 758, SB 1087

The Committee on Health and Rehabilitative Services recommends the following pass: SB 183

The Committee on Judiciary-Criminal recommends the following pass: SB 1032 with 4 amendments

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

The Committee on Governmental Operations recommends the following pass: SB 857, SB 1074 with 3 amendments

The bills were referred to the Committee on Commerce under the original reference.

The Committee on Commerce recommends the following pass: SB 681

The bill was referred to the Committee on Finance, Taxation and Claims under the original reference.

The Committee on Education recommends the following pass: SB 751 with 1 amendment

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

The Committee on Transportation recommends the following pass: HB 410

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

The Committee on Governmental Operations recommends the following pass: CS for HB 251

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

The Committee on Commerce recommends the following pass: SB 995, HB 314, HB 378, HB 508, HB 756

The Committee on Economic, Community and Consumer Affairs recommends the following pass: HB 651, HB 316 with 2 amendments, HB 423, HB 520 with 2 amendments, HB 552, HB 565 with 1 amendment, HB 632, HB 759, HB 760 with 1 amendment, HB 899, HB 997 with 2 amendments, HB 1002, HB 863, HB 896 with 1 amendment

The Committee on Judiciary-Civil recommends the following pass: HB 730 with 3 amendments, HB 761, HB 928

The Committee on Natural Resources and Conservation recommends the following pass: HB 654

The Committee on Personnel, Retirement and Collective Bargaining recommends the following pass: HB 869 with 2 amendments

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

The Committee on Appropriations recommends the following pass: SB 34, SB 39 with 1 amendment, SB 310, CS for SB 354, SB 430, SB 514, SB 676, SB 678 with 2 amendments

The Committee on Commerce recommends the following pass: SB 115, SB 943, SB 968, SB 1001, SB 1062

The Committee on Economic, Community and Consumer Affairs recommends the following pass: SB 756, SB 473 with 1 amendment

The Committee on Education recommends the following pass: SB 1085, SR 1086 with 3 amendments, HB 662 with 4 amendments

The Committee on Finance, Taxation and Claims recommends the following pass: CS for SB 112, SB 499, SB 660, SB 713, SB 777, SB 914, CS for SB 916, SB 970 with 1 amendment, CS for Senate Bills 1034 and 987, SB 1046, SB 1065, SB 1093 with 1 amendment, HB 37, HB 146 with 1 amendment, HB 153, HB 205, HB 392 with 1 amendment, HB 511, HB 1195

The Committee on Governmental Operations recommends the following pass: SB 685, SB 829, SB 860 with 2 amendments,

SB 869 with 2 amendments, SB 937 with 2 amendments, SB 1099, SB 1091 with 1 amendment

The Committee on Health and Rehabilitative Services recommends the following pass: SB 946 with 2 amendments, SB 978 with 1 amendment

The Committee on Judiciary-Civil recommends the following pass: SB 545, SB 802 with 2 amendments, HB 338 with 7 amendments, HB 467, HB 1005 with 4 amendments

The Committee on Judiciary-Criminal recommends the following pass: SB 776, SB 581 with 3 amendments, HB 130

The Committee on Natural Resources and Conservation recommends the following pass: SB 958, SB 1028

The Committee on Transportation recommends the following pass: HB 602 with 2 amendments, SB 1011 with 2 amendments, SB 1083

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

The Committee on Appropriations recommends the following not pass: SB 493

The Committee on Economic, Community and Consumer Affairs recommends the following not pass: SB 964

The Committee on Finance, Taxation and Claims recommends the following not pass: SB 907

The Committee on Judiciary-Criminal recommends the following not pass: SB 450, SB 1020

The Committee on Natural Resources and Conservation recommends the following not pass: SB 225

The Committee on Personnel, Retirement and Collective Bargaining recommends the following not pass: HJR 1032

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

The Committee on Appropriations recommends a committee substitute for the following: SB 212

The bill with committee substitute attached was referred to the Committee on Finance, Taxation and Claims under the original reference.

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: SB 587

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

The Committee on Appropriations recommends committee substitutes for the following: SB 7, SB 900

The Committee on Commerce recommends committee substitutes for the following: SB 314, SB 1057, Senate Bills 664 and 666

The Committee on Judiciary-Criminal recommends a committee substitute for the following: SB 512

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

Standing Committee Appointment

The President announced the appointment of Senator McKnight to the Committee on Rules and Calendar.

Select Committee Appointments

The President announced the appointment of Senators Dunn, Kirkpatrick, Jenne, Maxwell and Ware as a select committee to screen requests for withdrawal of bills from committees for the remainder of the session.

Special Appointments

The President announced the following appointments for congressional apportionment activity in the Senate: Senator Gordon, co-chairman and Senator Stuart, co-vice-chairman on the part of the majority party; Senator Scott, co-chairman and Senator Maxwell, co-vice-chairman on the part of the minority party.

REQUESTS FOR EXTENSION OF TIME

May 25, 1981

The Committee on Commerce requests an extension of 15 days for consideration of the following: SB 715, SB 717, SB 741, SB 742, SB 757, SB 774, SB 784, SB 792, SB 812, SB 823, SB 851, SB 855, SB 861, SB 887, SB 897, SB 908, SB 917, SB 936, SB 940, SB 941, SB 963, SB 982, SB 994, SB 992, SB 1021, SB 1023, SB 1029, SB 1049, HB 90, HB 486, HB 599, HB 600, SB 433, SB 573, SB 614, SB 626, HB 125, HB 486, HB 665, HB 672, HB 827, HB 834

May 26, 1981

The Committee on Education requests an extension of 15 days for consideration of the following: SB 694, SB 698, SB 699, SB 734, SB 739, SB 755, SB 767, SB 782, SB 804, SB 858, SB 875, SB 899, SB 901, SB 932, SB 954, SB 956, SB 1004, SB 1008, SB 1015, SB 355, SB 778

The Committee on Rules and Calendar requests an extension of 15 days for consideration of the following: SJR 364, CS for SB 847, SB 1112, SB 1114, SB 1115, SB 1116, SB 1118

The Committee on Judiciary-Civil requests an extension of 15 days for consideration of the following: SB 9, SB 15, SB 25, SB 29, SB 61, SB 453, SB 691

May 27, 1981

The Committee on Education requests an extension of 15 days for consideration of the following: SB 594, SB 600, SB 601, SB 608, SB 619, SB 108, SB 153, SB 263, SB 296, SB 312, SB 313, SB 331, SB 345, SB 384, SB 413, SB 414, SB 418, SJR 419, SB 425, SB 154, SCR 160, SB 268, SB 546, SB 594, SB 600, SB 601, SB 608, SB 619, SB 658, SB 659, SB 662, SB 686, SB 1064, SB 1090, SB 1101, HB 188, HB 341

The Committee on Health and Rehabilitative Services requests an extension of 15 days for consideration of the following: SB 48, SB 64, SB 135, SB 149, SB 165, SB 173, SB 176, SB 188, SB 196, SB 272, SB 342, SB 383, SB 392, SB 415, SB 420, SB 438, SB 525, SB 530, SB 667, SB 677, SB 818, SB 883, SB 885, SB 949, SB 966, SB 979, SB 985, SB 1022, SB 1039, SB 1041, SB 1080, HB 478, SB 707, SB 879, SB 986, SB 1059

MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Dunn, the rules were waived and by two-thirds vote Senate Bills 1104, 754, 654 and 1010 were withdrawn from the Committee on Appropriations.

On motion by Senator Dunn, the rules were waived and by two-thirds vote SB 891 was withdrawn from the Committee on Judiciary-Civil.

On motion by Senator Dunn, the rules were waived and by two-thirds vote SB 847 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Dunn, the rules were waived and by two-thirds vote HB 251 was withdrawn from the Committee on Judiciary-Criminal.

On motion by Senator Gordon, by two-thirds vote the session scheduled for May 29 was cancelled.

On motion by Senator Gordon, the rules were waived and time of adjournment of the session this day and May 28 was changed from 6:00 p.m. to 5:00 p.m.

On motion by Senator Dunn, by two-thirds vote SB 651 was added to the special order calendar following CS for SB 882.

On motions by Senator Dunn, by two-thirds vote CS for SB 252, SB 442 and SB 443 were removed from the special order calendar and Senate Bills 692 and 789 were substituted therefor.

On motion by Senator D. Childers, the House was requested to return HB 305.

On motions by Senator Gordon, the rules were waived and by two-thirds vote Senate Bills 481, 482, 632, 684, 781, 824, 870, 928, 962, 965, 990, 1077 and SJR 1005 were withdrawn from the Committee on Appropriations.

On motions by Senator Carlucci, by two-thirds vote Senate Bills 389, 768 and 850 were withdrawn from the committees of reference and indefinitely postponed.

On motion by Senator Hair, the rules were waived and by two-thirds vote SB 793 was withdrawn from the Committee on Commerce.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had transmitted to the office of the Secretary of State Senate Bills 84, 121, 122 and 125 which he had approved on May 22; and SB 622 which he had approved on May 26.

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 Senate Bills 602, 981, 390, 308, 886, 288, 346, 368, 374, 381, 356, 179, 981, 628, 144, 297, 797, 237 and CS for SB 146.

Allen Morris, Clerk

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has adopted Senate Concurrent Resolutions 1098 and 435.

Allen Morris, Clerk

The bills contained in the above messages were ordered enrolled.

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments and passed HB 624, as amended.

Allen Morris, Clerk

The Honorable W. D. Childers, President

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

SB 189—A bill to be entitled An act relating to the duties of school attendance assistants; amending s. 232.17(2)(h), Florida Statutes; prescribing times for making reports to the school board of all service performed; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 2—On page 1, lines 27 and 28, strike all of section 2 and insert: Section 2.(1) Any school district whose ad

valorem tax levy for 1980-81 is subject to a delinquency date of June 30, 1981 or later is hereby authorized to borrow from the Working Capital Fund an amount equal to 20% of its ad valorem tax levy for said year. Said amount plus interest shall be repaid by the district to the Working Capital Fund within 30 days of said delinquency date. Interest shall be paid on said amount at a rate equal to the average rate earned on Working Capital Fund investments for the second quarter of 1981.

(2) There is hereby appropriated from the Working Capital Fund an amount sufficient to fund any loan request made pursuant to subsection (1).

(3) Any school district eligible to borrow from the Working Capital Fund pursuant to subsection (1) but which elects not to so borrow, notwithstanding the 80% limit provided in s. 237-151(1) Florida Statutes, and the interest rate ceiling imposed in s. 236.68, Florida Statutes, may borrow an additional 20% of its 1980-81 ad valorem tax levy, to be retired from the district tax receipts anticipated in the operating budget and the debt service budget, at any rate deemed reasonable by the district school board not to exceed 18%.

Section 3. This act shall take effect upon becoming a law.

Amendment 3—In title on page 1, lines 6 and 7, strike: "providing an effective date" and insert: providing for loans from the Working Capital Fund to school districts under certain circumstances; providing an appropriation; providing for borrowing by school districts in excess of certain prescribed limitations under certain circumstances; providing an effective date.

Senator Margolis moved the following amendments which were adopted:

Amendment 1 to House Amendment 2—On page 1, between lines 22 and 23 insert:

Section 3. Paragraph (b) of subsection (9) of section 230.23, Florida Statutes, 1980 Supplement, is amended to read:

230.23 Powers and duties of school board.—The school board, acting as a board, shall exercise all powers and perform all duties listed below:

(9) SCHOOL PLANT.—Approve plans for locating, planning, constructing, sanitating, insuring, maintaining, protecting, and condemning school property as prescribed in chapter 235 and as follows:

(b) Sites, buildings, and equipment.—

1. Select and purchase school sites, playgrounds, and recreational areas located at centers at which schools are to be constructed, of adequate size to meet the needs of pupils to be accommodated;

2. Approve the proposed purchase of any site, playground, or recreational area for which district funds are to be used;

3. Expand existing sites;

4. Rent buildings when necessary;

5. Enter into leases or lease-purchases, as may be approved under regulations of the State Board of Education, with the Department of General Services for the rental of necessary grounds and buildings for school purposes or of buildings to be erected for school purposes, the terms of said leases or lease-purchases not to exceed 30 years at a stipulated rental, to be paid from current or other legally available funds, and make all other contracts or agreements necessary or convenient in carrying out such purpose. The school board shall also enter into leases or lease-purchase arrangements with private individuals or corporations for the rental of necessary grounds and buildings for school purposes or of buildings to be erected for school purposes. ~~Notwithstanding any other statutes, if the rental is to be paid from funds received from ad valorem taxation and the agreement is for a period greater than 12 months, an approving referendum must be held.~~ The provisions of such contracts, including building plans, shall be subject to approval by the Department of Education, and no such contract shall be entered into without said approval. The State Board of Education is authorized to promulgate such rules as it deems necessary to implement the provisions hereof.

6. Provide for the proper supervision of construction;

7. Make or contract for additions, alterations, and repairs on buildings and other school properties;

8. Ensure that all plans and specifications for buildings provide adequately for the safety and well-being of pupils, as well as for economy of construction by having such plans and specifications submitted to the Department of Education for approval; and

9. Provide furniture, books, apparatus, and other equipment necessary for the proper conduct of the work of the schools.

(Renumber subsequent section.)

Amendment 2 to House Amendment 2—On page 1, between lines 22 and 23 insert:

Section 4. Section 112.0801, Florida Statutes, 1980 Supplement is amended to read:

112.0801 Group insurance; participation by retired employees.—Every county, municipality, community college, or district school board in the state which provides life, health, accident, hospitalization, or annuity insurance, or all of any kinds of such insurance, or *self-insurance plan*, for the officers, and employees and dependents thereof upon a group insurance plan is *hereby* authorized to allow retired former personnel and their eligible dependents the option of continuing to participate in such group insurance plan, or *self-insurance plan*, provided the cost of any such continued participation or any portion thereof for the retired employees only may in any such group insurance plan shall be paid by the employer or retired employee. Any such coverage continued on behalf of dependents of the retired employee shall be paid for entirely by the retiree. In addition the county, municipality, community college, or district school board in the state may commingle the claims experience of the retiree group with the claims experience of the active employees. Premiums resulting from the commingling, or any portion thereof, may be paid by the employer or retired employee. However, a municipality or county may pay all or a portion of the cost of any such continued participation if it so desires. The provisions of this section shall not be negotiable or bargainable under the provisions of part II of chapter 447.

(Renumber subsequent section.)

Amendment 1 to House Amendment 3—In title on page 1, line 8, after the semicolon insert: amending s. 230.23(9)(b), Florida Statutes, 1980 Supplement; deleting the requirement for a referendum when a district school board rents property under certain circumstances;

Amendment 2 to House Amendment 3—In title on page 1, line 8, after the semicolon insert: amending s. 112.0801, Florida Statutes, 1980 Supplement; authorizing counties, municipalities, community colleges, or district school boards which provide any kind of group insurance or self-insurance plans for officers, employees and their dependents to allow retired former personnel and their dependents to continue to participate in such programs; providing that costs of such programs continued for retired employees only may be paid by the employer or retired employee; providing that costs of such programs continued for the dependents of retired employees shall be paid by the retiree; authorizing the commingling of claims experience of active employees and retirees; providing that premiums resulting from commingling may be paid by the employer or retired employee;

On motions by Senator Margolis, the Senate concurred in the House amendments as amended and the House was requested to concur in the Senate amendments.

SB 189 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—34

Mr. President	Dunn	Hill	Lewis
Anderson	Frank	Jenne	Margolis
Barron	Grizzle	Jennings	Maxwell
Beard	Hair	Johnston	McClain
Childers, D.	Henderson	Langley	McKnight

Neal	Scott	Stuart	Ware
Peterson	Skinner	Thomas	Winn
Rehm	Steinberg	Trask	
Renick	Stevens	Vogt	

Nays—None

The Honorable W. D. Childers, President

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

SB 175—A bill to be entitled An act relating to probate; amending s. 732.207, Florida Statutes; providing the formula for computing the elective share; amending s. 733.2123, Florida Statutes; requiring a copy of the will to be attached to formal notice of petition for administration; amending s. 733.702(1), Florida Statutes, 1980 Supplement; requiring timely presentation of claims for funeral or burial expenses; amending s. 733.703, Florida Statutes; requiring informal notice procedure for serving creditor's claims on the personal representative; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 2, line 10, insert: Section 3. Subsection (1) of section 733.305, Florida Statutes is amended to read:

733.305 Trust companies and other corporations.—

(1) All trust companies incorporated under the laws of the state and all state banking corporations and state savings associations authorized and qualified to exercise fiduciary powers in Florida and all national banking associations and federal savings and loan associations authorized and qualified to exercise fiduciary powers in Florida shall be entitled to act as personal representatives and curators of estates.

(Renumber remaining sections accordingly.)

Amendment 2—On page 3, line 24, insert:

Section 6. Subsection (1) of section 733.901, Florida Statutes, is amended to read:

733.901 Distribution; final discharge.—

(1) When a personal representative has completed administration except for distribution, he shall file a final accounting and a petition for discharge that shall contain:

(a) A complete report of all receipts and disbursements since the date of the last annual accounting or, if none, from the commencement of administration.

(b) A statement that he has fully administered the estate by making payment, settlement, or other disposition of all claims and debts that were presented and the expenses of administration.

(c) The proposed distribution of the assets of the estate.

(d) Any prior distributions that have been made.

(e) A statement that objections to this report or proposed distribution of assets be filed within 30 days.

The final accounting and petition for discharge shall be filed and served on all interested persons within 12 months after issuance of letters for estates not required to file a federal estate tax return, otherwise 12 months from the date the return is due, unless the time is extended by the court for cause shown after notice to interested persons. The petition shall state the status of the estate and the reasons for the extension.

Section 7. Subsection (5) of section 744.309, Florida Statutes, is amended to read:

744.309 Who may be appointed guardian of a resident incompetent.—

(5) TRUST COMPANY, STATE BANK OR SAVINGS ASSOCIATION, OR NATIONAL BANK OR FEDERAL SAVINGS AND LOAN ASSOCIATION.—A trust company incorporated under Florida law, or a state banking corporation or

state savings association authorized and qualified to exercise fiduciary powers in Florida, or a national banking association or federal savings and loan association authorized and qualified to exercise fiduciary powers in Florida, may act as guardian of the property of an incompetent.

(Renumber remaining section accordingly.)

Amendment 3—In title on page 1, strike all of lines 2-14 and insert: An act relating to estates; amending s. 732.207, Florida Statutes, providing that mortgages, liens or security interests on probate assets shall be taken into account in computing the elective share; amending s. 733.2123, Florida Statutes, requiring that a copy of the petition for administration and a copy of the will accompany the notice in an adjudication before issuance of letters; amending s. 733.305(1), Florida Statutes, providing that all state banking corporations and state savings associations and federal savings and loan associations authorized to exercise fiduciary powers in Florida shall be entitled to act as personal representatives and curators of estates; amending s. 733.702(1), Florida Statutes, 1980 Supplement, limiting claims or demands against decedent's estates for funeral or burial expenses; amending s. 733.703, Florida Statutes, requiring creditors to serve copies of claims upon the personal representative in a described manner; amending s. 733.901(1), Florida Statutes, extending the time for filing the petition for discharge for estates required to file a federal estate tax return; amending s. 744.309(5), Florida Statutes, providing that a state banking corporation or a state savings association or federal savings and loan association authorized to exercise fiduciary powers in Florida may be appointed the guardian of a resident incompetent; providing an effective date.

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

SB 175 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

The bill was ordered engrossed and then enrolled.

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has refused to recede from House Amendment 4 to Senate Amendment 1 and again requests the Senate to concur.

Allen Morris, Clerk

By the Committee on Ethics & Elections and Representatives Hieber and Woodruff—

HB 116—A bill to be entitled An act relating to elections; amending s. 97.021(9)(a), (18), Florida Statutes; providing definitions; amending s. 99.021(1)(a) and (c), Florida Statutes; providing oath for write-in candidates; amending s. 99.061(1) and (2), Florida Statutes, and adding a new subsection (3) to said section; providing for method of qualifying as a write-in candidate; exempting write-in candidates from filing fees and party assessments; amending s. 99.092(1), Florida Statutes, conforming language; adding a subsection to s. 101.011, Florida Statutes; providing for voting for write-in candidates; amending s. 101.151(3)(a), Florida Statutes; providing specifications for general election ballot; amending s. 101.191(1), Florida Statutes; providing form of general election ballot; adding a subsection to s. 101.251, Florida Statutes; specifying duties of supervisor of elections; amending s. 101.27(3), Florida Statutes; providing for write-in votes on voting machines; creating s. 101.445, Florida Statutes; providing for casting write-in votes; amending s. 101.54(1) and (2), Florida Statutes; providing for tabulation and filing of write-in votes; amending s. 101.56, Florida Statutes; providing for securing of

write-in ballots; adding a subsection to s. 101.5608, Florida Statutes; providing for separate write-in ballots; amending s. 101.5614(6), Florida Statutes, and adding a new subsection (4) to said section; providing for canvass of write-in votes; creating s. 103.022, Florida Statutes; providing for write-in candidates for President and Vice President; amending s. 104.19, Florida Statutes; prohibiting use of stamps or stickers in casting write-in votes; providing penalties; amending s. 105.031(1) and (3), Florida Statutes; exempting write-in judicial candidates from filing fees; adding a subsection to s. 105.041, Florida Statutes, 1980 Supplement; providing for ballot for write-in judicial candidates; amending s. 105.051(1)(b), Florida Statutes; providing for determination of election of judicial candidates; providing an effective date.

(Amendments attached to original bill.)

On motion by Senator Hair, the Senate again refused to concur in the House amendment and the House was requested to recede. The action of the Senate was certified to the House.

On motion by Senator Kirkpatrick, the rules were waived and by two-thirds vote SR 40 was withdrawn from the Committee on Rules and Calendar.

SR 40—A resolution commending Kevin Corley and Jeff Kiker.

—was read the second time in full. On motion by Senator Kirkpatrick, SR 40 was adopted. The vote on adoption was:

Yeas—38

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

Nays—None

On motion by Senator Kirkpatrick, Kevin and Jeff were escorted to the rostrum where they were presented copies of the resolution.

On motion by Senator Kirkpatrick, by two-thirds vote SR 1112 was withdrawn from the Committee on Rules and Calendar.

SR 1112—A resolution honoring Robert R. Treweek, of Gainesville, Florida, who has been elected President of the Independent Insurance Agents of America, Inc.

—was read the second time in full. On motion by Senator Kirkpatrick, SR 1112 was adopted. The vote on adoption was:

Yeas—35

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

Nays—None

MATTERS ON RECONSIDERATION

The motion by Senator Dunn that the Senate reconsider the vote by which CS for SB 568 passed on May 21 was not taken up and therefore considered abandoned. The bill was certified to the House.

SPECIAL ORDER

By the Committee on Appropriations—

CS for 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, 943.22, AND CHAPTER 427, FLORIDA STATUTES; PROVIDING AN EFFECTIVE DATE.

—was read the first time by title and SB 900 was laid on the table.

On motion by Senator Gordon, by two-thirds vote CS for SB 900 was read the second time by title.

Senators Dunn, Peterson and Thomas offered the following amendment which was moved by Senator Thomas and adopted:

Amendment 1—

Section 01
Item

Following the Department of Commerce, insert the following proviso (p. 16):

All funds expended for receptions by various Department heads for Economic development and tourism shall be reimbursed from the Department of Commerce's promotional funds in specific appropriations 194 and 200A, upon approval of the Office of Planning and Budgeting in the Executive Office of the Governor.

Senator Carlucci moved the following amendment which failed:

Amendment 2—Section 01

Description	Positions and amount Strike:
Item PAGE 47	
362A Salaries and Benefits From General Revenue Fund	Positions 5 153,459
362B Other Personal Services From General Revenue Fund	68,500
362C Expenses From General Revenue Fund	90,041
362D Operating Capital Outlay From General Revenue Fund	10,000

Explanation:
To eliminate funding for Postsecondary Education Planning Commission.

Senator Neal moved the following amendment which was adopted:

Amendment 3—

Section 1
Item 449
PAGE 63

Insert under Item 449: Of the funds appropriated in Specific Appropriation 449, \$50,000 is provided for the Division of Fisheries to contract with the University of Florida to determine whether the commercial fishing permitted under Chapter 76-182 and 76-216, Laws of Florida, has had a deleterious effect upon the population or size of scale fish. The Commission shall provide the University with any and all information pertaining to the program as required by the University. A report shall be made to the President of the Florida Senate and the Speaker of the Florida House of Representatives not later than April 1, 1982.

Senator Carlucci moved the following amendment which was adopted:

Amendment 4—

Description	Positions and amount Strike:	Positions and amount Insert:
Section 1 Item 8 Special Categories		
Salary Increases—All Pay Plan Changes and Salary Increases		
From General Revenue Fund	87,129,980	87,196,189
From Trust Fund	28,830,454	28,830,454

Description	Positions and amount Strike:	Positions and amount Insert:
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Section 20
A. Career Service System (Insert in first paragraph after the words "Department of Corrections"); , the Parole and Probation Commission
(Add to paragraph three paren 6):
(6) Parole Examiners I, II and III in the Parole and Probation Commission

Explanation: Provides the \$130. per month salary adjustment to be paid to 44 Parole Examiners in the Parole & Probation Commission. (This \$130. adjustment is currently in the bill for probation officers in the Department of Corrections.) Total 10 month cost for 44 Parole Examiners is \$66,209.

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

Amendment 5—

Section 01
Item 695
Page 89

Insert qualifying language following Item 695 to read as follows: FUNDS PROVIDED IN SPECIFIC APPROPRIATION 695 FOR EPILEPSY PROGRAMS SHALL BE ALLOCATED TO THE DISTRICTS UTILIZING A FORMULA WHICH PROVIDES A BASE ALLOCATION IN AN AMOUNT NOT LESS THAN THAT ALLOCATED TO A DISTRICT IN THE PREVIOUS FISCAL YEAR. ANY REMAINING FUNDS SHALL BE DISTRIBUTED AMONG THE DISTRICTS IN PROPORTION TO THE NUMBER OF CLIENTS SERVED IN EACH DISTRICT. Explanation: Provides that price level increases for epilepsy programs for 1981-82 will be allocated based on current charts served rather than on the current funding base. Net effect on General Revenue: \$ 0

Senator Tobiassen moved the following amendment which was adopted:

Amendment 6—

Description	Positions and amount Strike:	Positions and amount Insert:
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Section I
Item 1328 Salaries and Benefits
PAGE 150

Within Item 1328, adjust only the following:

From General Revenue Fund	522,960	532,960
From Community Shelter Planning Trust Fund	94,127	97,421
From Disaster Planning Trust Fund	18,472	18,814
From Personnel and Administration Trust Fund	266,916	273,280

Net Fiscal Impact for 9 months:

GR	\$10,000
P&A	6,364
Community Shelter	3,294
Net Dis. Planning	342
TOTAL	\$20,000

Explanation: To upgrade 20 positions in the Department of Community Affairs, Division of Public Safety Planning and Assistance.

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

Amendment 7—

Description	Positions and amount Insert:
Section 01 Item Insert a new item:	
1091B Special Categories Special Studies From General Revenue Fund	75,000
Insert a new item:	
1097A Aid to Local Governments Grant and Aid From Land Acquisition Trust Fund	250,000
1331 Aid to Local Governments Disaster Relief Payments From General Revenue Fund	75,000

Comment:
Provides assistance to Winter Park (Non-recurring GR increase \$150,000)

Senator Neal moved the following amendment which was adopted:

Amendment 8—

Description	Positions and amount Strike:	Positions and amount Insert:
Section 03 Item 6A PAGE 174 From General Revenue	\$303,000	\$ 95,000
Section 04 Item OB PAGE 177 From General Revenue		\$208,000

and add the following proviso language following the first paragraph of existing proviso for OB: From the cumulative total General Revenue appropriated to the Boards of Trustees of the Community Colleges, \$208,000 shall be allocated to the Board of Trustees of the Manatee Junior College for planning of the Venice Campus in addition to the \$100,000 from PECO.

Net GR impact: \$0

On motions by Senator Kirkpatrick, the rules were waived and by two-thirds vote SCR 1098 was withdrawn from the Committee on Rules and Calendar and by two-thirds vote placed on the special order calendar.

SCR 1098—A concurrent resolution recognizing the contributions of the Ronald McDonald Houses to the citizens of Florida.

—was read the second time in full. On motion by Senator Kirkpatrick, SCR 1098 was adopted and certified to the House. The vote on adoption was:

Yeas—39

Mr. President	Hair	Maxwell	Steinberg
Anderson	Henderson	McClain	Stevens
Barron	Hill	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	

Nays—None

The President appointed Senators Kirkpatrick, Poole, Skinner and Ware as a committee to escort a group representing the Ronald McDonald Houses to the rostrum. Senator Kirkpatrick introduced Tim Folley and Nat Moore of the Miami Dolphins;

Doug Williams and Jimmy Giles of the Tampa Bay Buccaneers; Pat Summerall, sports announcer; Nancy Luack, McDonald's; Tom Hunt and Ronald McDonald to the Senate. Tom Hunt, Tim Folley and Pat Summerall addressed the Senate briefly.

The President presented a copy of SCR 1098 to Ronald McDonald. The Committee escorted the Group to the Chamber of the House of Representatives.

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

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 recalled from the Enrolling Room and returned HB 305 as requested.

Allen Morris, Clerk

By the Committee on Criminal Justice and Representative M. E. Hawkins—

HB 305—A bill to be entitled An act relating to drug abuse prevention and control; amending s. 893.147(1), Florida Statutes, 1980 Supplement, providing that it is unlawful to possess or use drug paraphernalia for certain purposes related to controlled substances in violation of law; providing a penalty; providing an effective date.

On motion by Senator D. Childers, the rules were waived and the Senate immediately reconsidered the vote by which HB 305 passed on May 19.

Senator D. Childers moved the following amendment which was adopted by two-thirds vote:

Amendment 1—On page 1, line 18, strike the comma after the word "paraphernalia"

On motion by Senator D. Childers, by two-thirds vote HB 305 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

The President appointed Senators Gordon and Thomas as a committee to escort to the rostrum Congressman Claude Pepper who addressed the Senate.

SPECIAL ORDER, continued

Senator Stuart presiding

The Senate resumed consideration of—

CS for 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, 943.22, AND CHAPTER 427, FLORIDA STATUTES; PROVIDING AN EFFECTIVE DATE.

Senators Gordon, Barron and Poole offered the following amendment which was moved by Senator Gordon and adopted:

Amendment 9—On page 3 after item 30 insert: The Secretary of the Department of Administration shall by no later than October 1, 1981 create and develop class specifications for a transitional class of positions. The specification shall provide a means whereby nonprofessional state employees who have demonstrated skills appropriate for a professional position may substitute previous state employment for other credentials or requirements established for professional positions and move into entry-level professional positions. Provided further that no funds appropriated in item 27 shall be released or expended after October 1, 1981 until such time as the specifications have been developed and the class has been established.

Senator Gordon moved the following amendments which were adopted:

Amendment 10—

Description	Positions and amount Strike:	Positions and amount Insert:
Section 01 Item 191A, Page 16 and 194, Page 17 Division of Tourism		
191A Lump Sum Program Enhancements From General Revenue Fund	772,993	714,993
194 Special Categories Promotion From General Revenue Fund	856,714	756,200

Explanation: Technical Amendment General Revenue Impact -0-

Amendment 11—

Description	Positions and amount Strike:	Positions and amount Insert:
Section 01 Item 196, p. 17		
Salaries and Benefits From Grants and Donations Trust Fund	209,949	205,949

Explanation: Technical Amendment

Amendment 12—

Description	Positions and amount Strike:	Positions and amount Insert:
Section 01 Item 199A, Page 17 Division of Economic Development		
Lump Sum Program Enhancements From General Revenue Fund	1,081,238	999,181

Explanation: Technical amendment - decreases General Revenue Fund by \$82,057.

Amendment 13—

Section 01
Item 302 (page 32)

Insert as second paragraph of proviso language the following: In the expenditure of funds appropriated in specific appropriation 302, districts are encouraged to give a high priority to the instruction of writing at the secondary school level. This emphasis on writing instruction should include the hiring of additional teachers to establish separate writing classes and to reduce the number of students in each writing class to a maximum of 25 and to reduce the daily pupil load for writing teachers to a maximum of 100. This emphasis on writing

should also include the requirement that each student in a writing class produce not less than one report or similar written work product each week of class.

Amendment 14—

Description	Positions and amount Strike:	Positions and amount Insert:
Section 01 Items 620 and 625A (pages 80 and 81)		
620 Salaries and Benefits Positions	657	648
625A Lump Sum Medicaid Waiver Project Positions	—0—	9

Explanation: Technical amendment to shift 9 positions improperly placed in Salaries and Benefits item into a Lump Sum item.

Amendment 15—

Description	Positions and amount Strike:	Positions and amount Insert:
Section 01 Item 654 (page 84)		
654 Juvenile Alternative Services Program Positions	7	1

Explanation: Technical amendment; deletes 6 positions which were inadvertently included in the item. The funding includes funds for one position.

Amendment 16—

Description	Positions and amount Strike:	Positions and amount Insert:
Section 04 Item OB page 177		
In the first paragraph of proviso language on line 3:	\$22,517,713	\$22,258,938
Technical Amendment net GR impact	—0—	

Amendment 17—

Description	Positions and amount Strike:	Positions and amount Insert:
Section 05 Item page 180		

On page 180 STRIKE the 3rd paragraph of proviso language beginning with "No project proposed . . ." and INSERT the following in lieu thereof:

No project proposed by a university, other than those currently authorized, which is to be funded from capital improvement trust fund fees or building fees shall be submitted to the Board of Regents for approval without prior consultation of the student government association of that respective university. The Board of Regents shall promulgate rules which are consistent with this requirement.

Technical Amendment

This amendment was approved by the Senate Appropriations Committee at its May 14, 1981 meeting. An earlier version was inadvertently included with the other approved amendments to SB 900.

Senator McClain moved the following amendment which was adopted:

Amendment 18—

Description	Positions and amount
Section 02	
Item	
Page 170	
Insert after item 151:	
Archives, History, and Records Management, Division of	
Fixed Capital Outlay	
Tarpon Springs Sponge Exchange	
From General Revenue Fund	410,000

The Board of Trustees of the Internal Improvement Trust Fund is authorized and directed to acquire, by eminent domain, the Sponge Exchange in Tarpon Springs together with the property upon which the exchange is located. The board shall thereupon turn the property over to the Division of Archives, History and Records Management of the Department of State.

The Division shall continue the operation of the Sponge Exchange as a business.

All funds acquired through the operation of the Exchange shall be used to preserve the Exchange and to pay for its acquisition.

The legislature hereby declares the Sponge Exchange in Tarpon Springs as a valuable historic site worthy of state preservation. It is the intent of the legislature to preserve the exchange, which is presently over 100 years old, so that future generations shall be able to view the Exchange as a functional piece of state history.

Explanation: Appropriates \$410,000 G.R. to acquire the Sponge Exchange in Tarpon Springs with the intent that the state shall continue operation of the Exchange as a business.

Senator McKnight moved the following amendment which was adopted:

Amendment 19—

Description	Positions and amount	Positions and amount
	Strike:	Insert:
Section 01		
Item 763 (page 96)		
763 Special Categories		
Prescribed Medicine/Drugs		
From General Revenue Fund	16,943,559	16,943,559
From Medical Care Trust Fund	29,391,200	31,703,118
From Special Grants Trust Fund	5,028,343	5,413,758
From Administrative Trust Fund	—	1,350,000

Explanation: Provides for an increase of \$.78 for the pharmacy dispensing fee for each Medicaid prescription filled by a pharmacist. Raises the fee from \$2.75 to \$3.53 per prescription, effective 9/15/81.

Net effect on General Revenue: \$ —0—

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

Amendment 20—

Section 01
Item 553 (page 73)

Add additional qualifying language preceding the unit title preceding specific appropriation 553 to read as follows:

During fiscal year 1981-82, the Department of Health and Rehabilitative Services shall implement the proposed rate structure contained in the department's uniform residential rate study to the extent possible utilizing funds appropriated specifically for that purpose by this act.

Explanation: Provides that whatever funds are appropriated for the purpose of implementing rate increases for various

types of residential programs will be expended in a manner consistent with the recommendations of the department's uniform residential rate study.

On motion by Senator Dunn, the Senate recessed at 12:00 noon 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	Hair	Margolis	Skinner
Anderson	Henderson	Maxwell	Steinberg
Barron	Hill	McClain	Stevens
Beard	Jenkins	McKnight	Stuart
Carlucci	Jenne	Neal	Thomas
Childers, D.	Jennings	Peterson	Tobiassen
Dunn	Johnston	Poole	Trask
Frank	Kirkpatrick	Rehm	Vogt
Gordon	Langley	Renick	Ware
Grizzle	Lewis	Scott	Winn

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following revised Special Order Calendar for Wednesday, May 27, 1981: CS for SB 900, SB 723, SB 726, SB 727, SB 728, SB 729, SB 730, SB 246, SB 514, SB 920, SB 285, CS for SB 324, SB 513, SB 38, CS for SB 895, SB 971, CS for CS for SB 302, CS for CS for SB 306, CS for CS for SB 832, SB 485, SB 788, SB 651, CS for SB 866, SB 671, SB 692, SB 1061, HB 487, SB 401, SB 958, SB 868, SB 871, SB 909, SB 1121, SB 819, SB 642, SB 575, SB 483, SB 379, SB 147, CS for SB 344, SB 637, SB 675, SB 653, SB 612, CS for SB 606, CS for SB 589, SB 524, CS for SB 409, SB 822, HB 245, HB 607, SB 935, CS for SB 753, SB 692, CS for SB 789, SB 1070, SB 291, CS for SB 854

SPECIAL ORDER, continued

The Senate resumed consideration of—

CS for 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, 943.22, AND CHAPTER 427, FLORIDA STATUTES; PROVIDING AN EFFECTIVE DATE.

Senator Peterson moved the following amendment which was adopted:

Amendment 21—

Description	Positions and amount	Positions and amount
	Strike:	Insert:
Section 1		
Item 8 Special Categories (page 2)		
All pay plan changes and salary increases		
From General Revenue Fund	86,674,919	86,767,635
Trust Fund	28,830,454	28,830,454

Section 20 (page 184)

c. Florida School for the Deaf and Blind Funds are included to provide an overall average increase of 7% of all administrative/supervisory employees' salary rates as of August 31, 1981 and up to \$1500 for each faculty employees' salary. These increases must be awarded and effective September 1, 1981 and no additional adjustments utilizing these funds may be granted subsequent to September 1, 1981.

Unit Employees:
Distribution of funds shall be in the amount of up-to \$1500 for each employee on September 1, 1981.

Explanation: Additional funds are provided to increase each faculty employee salary of the Florida School for the Deaf & Blind up-to \$1500.

Cost: \$92,716

Senator Gordon moved the following amendment which was adopted:

Amendment 22—

Section 01
Item
p. 3

Insert after Administration, Department of the following proviso: The Department is directed to conduct a review of the engineering related classes within the Department of Transportation to determine if the salary for the classes is sufficiently competitive. If not competitive the Department shall adjust the salary for the classes to become sufficiently competitive.

Senator Gordon moved the following amendment which failed:

Amendment 23—

Section 1
Item

In language following title "Education, Department of, and Commissioner of Education" strike the following: 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 persons not married to each other. 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 Peterson moved the following amendment which was adopted:

Amendment 24—

Section 01
Item 274
page 30

Insert the following proviso language as a continuation of the present proviso language for item 274:

For purposes of implementing SB 222, completed and documented scholarship applications shall be grouped into three categories corresponding to the type of institution attended by the scholarship applicant (public community college, public college or university, private college or university). Awards shall be made in equal numbers from each of these three categories. Applications shall be placed in each category in order according to the postmark date on the grant application. Awards shall be made from each category in consecutive order beginning with the earliest postmark date. The maximum amount of each award shall equal the lower of a) one half the cost of tuition and fees, or b) \$215 for students attending public community colleges, \$350 for undergraduate and graduate students attending public universities, \$1,290 for undergraduate and graduate students attending private colleges and universities. In the event the full amount of the appropriation is not allocated using this method, additional awards may be made as specified above except without regard to type of institution.

Comment: Stipulates grant award criteria for the Academic Scholars Program as required by SB 222.

Senator Maxwell moved the following amendments which were adopted:

Amendment 25—

Section 1
Item 302
Page 33 of Proposed CS for SB 900

Strike all of the paragraph beginning "In addition to the discretionary levy permitted" and insert:

For fiscal year 1981-82, each district school board is authorized to levy a millage tax rate in excess of the maximum non-voted discretionary millage as set forth in Chapter 80-274, Laws

of Florida. Such additional millage rates shall be computed pursuant to the method provided in paragraph (3), of Section 60 of Chapter 80-274, Laws of Florida, that was applicable for 1980-81; provided however, that the total nonvoted discretionary millage rate as authorized in Section 236.25(1), Florida Statutes, shall not exceed 1.6 mills.

Amendment 26—

Section 01
Item 302
page 34

INSERT the following proviso language as a continuation of the first paragraph on page 34 after "228.041(17), Florida Statutes":

The total liability to the working capital fund pursuant to provisions of this hold harmless shall not exceed \$20 million. If this amount is not sufficient to fully fund the provisions of this hold harmless, the department shall prorate each district's entitlement.

Amendment 27—

Section 01
Item

After item 333 on page 41, insert the following new item with accompanying proviso language:

Special Categories

Writing Skills Enhancement	
From General Revenue Fund	10,000,000

Funds appropriated in specific appropriation shall be contingent upon SB 208 or similar legislation becoming law.

Comment: Provides \$10,000,000 from non-recurring general revenue to establish a pilot program to enhance writing skills instruction.

Senator Carlucci moved the following amendment which was adopted:

Amendment 28—

Section 01
Item

Following item 262D on page 47 after "From General Revenue Fund 10,000" insert the following proviso language:

Funds appropriated in specific appropriations 362A, 362B, 362C and 362D are contingent upon SB 735 or similar legislation becoming law.

Comment: Provides that appropriations for the postsecondary Education Planning Commission shall be contingent upon SB 735 or similar legislation becoming law (SB 735 establishes statutory authority for the Commission).

Senators Neal, Poole and Peterson offered the following amendment which was moved by Senator Neal and failed:

Amendment 29—

Description	Positions and	Positions and
	amount	amount
	Strike:	Insert:
Section 01		
Item		
Page 70		
532 Salaries and Benefits	320 Positions	301 Positions
From General Revenue		
Fund	5,593,787	5,218,033

Positions and amount
Insert:

Description	Positions and amount Strike:	Positions and amount Insert:
534 Expenses From General Revenue Fund	1,131,341	1,051,734
536 Operating Capital Outlay From General Revenue Fund	73,644	62,030

Explanation: Reduces the number of positions in the Executive Office of the Governor by 19 positions; G.R. reduction of 466,975.

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

Amendment 30—

Description	Positions and amount Strike:	Positions and amount Insert:
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Section 01
Item 637 (page 83)

687 Air to Local Governments Community Drug Abuse Services From General Revenue Fund	4,269,177	4,749,827
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Explanation: Adds \$480,650 GR to replace terminating federal funds in the TASC program

Senators Lewis and McKnight offered the following amendment which was moved by Senator Lewis and adopted:

Amendment 31—

Description	Positions and amount Strike:	Positions and amount Insert:
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Section 01
Items 694 and 696 (pages 88 and 89)

694 Special Categories Independent Family Living From General Revenue Fund	8,052,509	8,252,509
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696 Special Categories Involuntary Admissions Hearings From General Revenue Fund	412,643	212,643
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Explanation: Shifts \$200,000 from a category which funds hearings on involuntary admissions to Sunland Centers to a category to fund Independent Family Living (IFL) services for retarded and developmentally disabled persons.

Net effect on GR: \$0.

Senators Lewis, Peterson, Poole and Tobiassen offered the following amendment which was moved by Senator Lewis:

Amendment 32—

Description	Positions and amount Strike:	Positions and amount Insert:
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Section 01
Item 776A
Page 97

776A Lump Sum Additional FHP Troopers From General Revenue	150 Pos. 3,904,860	150 Pos. 3,658,522
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Insert the following proviso following item 776A:

Providing that the 150 additional Troopers provided in specific appropriation 776A shall be phased in during fiscal year 1981-82 in three equal groups, beginning October 1, 1981, January 1, 1982, and March 1, 1982.

Section 01, Pages 97 and 98

773 Salaries and Benefits From General Revenue Fund	1,739 Pos. 28,436,090	1,709 Pos. 27,956,510
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775 Expenses From General Revenue Fund	2,953,569	2,866,569
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Description	Positions and amount Strike:	Positions and amount Insert:
776 Operating Capital Outlay From General Revenue Fund	1,260,873	1,185,753
777 Special Categories Operation of Motor Vehicles From General Revenue Fund	6,073,690	5,933,290
778 Special Categories Acquisition of Motor Vehicles From General Revenue Fund	3,937,920	3,710,820
779 Special Categories Salary Incentive Payments From General Revenue Fund	1,067,743	1,059,643

Explanation: 1) Proviso which specifies 3 equal phase-in groups for the additional Highway Patrol Troopers, resulting in a general revenue reduction of \$246,338 for 1981-82
2) deletion of 30 current Trooper positions for a general revenue reduction of \$1,017,300.

Net G.R. Impact: (\$1,263,638)

Senators Tobiassen, Lewis, Kirkpatrick, Skinner, Peterson, Gordon, Carlucci, Hair, Margolis, Scott, Poole and Thomas offered the following amendment to Amendment 32 which was moved by Senator Tobiassen and adopted:

Amendment 32A—

Description	Positions and amount Insert:
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Section 01
Item
Page 130

Insert new item after item 1106:

Lump Sum Additional Marine Patrol Officers From General Revenue Fund	20 1,000,000
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Explanation: Appropriates \$1,000,000 G.R. for 20 new marine patrolmen.

Amendment 32 as amended was adopted.

Senator Hill moved the following amendment which was adopted:

Amendment 33—

Section 01
Item 776A, Pages 97 and 98

Strike the proviso following item 776A and insert the following proviso: Providing that priority in the assignment of additional troopers will be on a formula using valid criteria to assure equitable distribution of Florida Highway Patrol manpower.

Explanation: Proviso to assign additional Florida Highway Patrol Troopers in an equitable manner.

Senators Hair, Dunn, Lewis and Poole offered the following amendment which was moved by Senator Hair and adopted:

Amendment 34—

Section 01
Item

Strike Proviso following specific appropriation 1008C.

Insert the following proviso following specific appropriations 1008C:

Provided, however, that the funds in specific appropriation 1008C are for the purpose of providing local sworn law enforcement personnel additional to all currently authorized positions and for salary adjustments or incentives for all sworn law enforcement personnel but not for the purpose of supplanting current funding sources.

Provided, further, that of these funds, 50 percent shall be distributed to each municipality on the basis of the percentage of municipal population to the total municipal population of the state. The remaining 50 percent shall be distributed to each municipality based upon that municipality's percentage of the state's Part I Crimes and Drug Crimes, as defined by the Uniform Crime Report of the Dept. of Law Enforcement. Provided, further, that any county operating under a consolidated charter shall be entitled to participate in the distribution of such funds.

Explanation: Allows for consolidated charter counties to be included in the distribution of funds for local law enforcement officers and further specifies the eligibility for funds

Net Impact on GR: 0

Senator D. Childers moved the following amendment which failed:

Amendment 35—

Description	Positions and amount Strike:	Positions and amount Insert:
Section 01 Item 1040		
House of Representatives		
Lump Sum		
From General Revenue Fund	\$15,200,895	\$15,319,588
1041 Lump Sum		
From General Revenue Fund	\$9,199,733	\$9,238,625

The annual salaries of members of the Senate and House of Representatives shall be increased by a percentage equal to the percentage increase provided state employees in the Career Service System.

The vote was:

Yeas—4

Childers, D.	Jenkins	Johnston	Steinberg
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Nays—36

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

Senators Ware, McClain, Grizzle, Peterson, Henderson, Scott, Lewis, Trask, Jennings, Maxwell and Stevens offered the following amendment which was moved by Senator Ware and adopted:

Amendment 36—

Description	Positions and amount Strike:	Positions and amount Insert:
Section 01 Item 1272A		
Special Categories		
Skyway Bridge		
From General Revenue Fund	6,000,000	15,000,000

Funds appropriated in specific appropriation 1272A shall be used by the Department to support commitments made on the Sunshine Skyway Bridge Replacement Project. The Department is authorized to enter into contracts committing up to the appropriated amount plus the remaining Emergency Relief funds, insurance settlement, and bond and toll proceed amounts not required for debt service and retirement needs.

The vote was:

Yeas—23

Anderson	Henderson	Maxwell	Stevens
Beard	Hill	McClain	Thomas
Carlucci	Jenkins	Peterson	Tobiassen
Childers, D.	Jennings	Poole	Trask
Frank	Langley	Rehm	Ware
Grizzle	Lewis	Scott	

Nays—14

Mr. President	Hair	McKnight	Vogt
Barron	Jenne	Skinner	Winn
Dunn	Kirkpatrick	Steinberg	
Gordon	Margolis	Stuart	

Vote after roll call:

Yea to Nay—Carlucci
Nay to Yea—Barron

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

Amendment 37—

Description	Positions and amount Strike:	Positions and amount Insert:
Section 04 Item OC p. 176		
on the first line of proviso on page 177 to the Board of Regents	167,799,595	167,649,595
on page 178	41,390,639	41,240,639
	UWF—Athletic Facilities Lighting 150,000	
and in Section 05 on page 179 on page 180	32,261,069	32,411,069
	UWF—Tennis, Basketball Courts and Lighting of existing courts. 87,500	UWF—Tennis, Basketball Courts, Baseball and Softball fields and existing courts lighting. 237,500

Charges UWF—Athletic Facilities Lighting from PECO to Student Fees

Net impact GR -0-
PECO <150,000>
Student Fees 150,000

Senator Frank moved the following amendment which failed:

Amendment 38—

Description	Positions and amount Strike:	Positions and amount Insert:
Section 04 Item OC		
	\$41,390,639	\$27,495,953

In the proviso language following item OC, strike: The sum of \$13,076,686 for projects receiving planning appropriation ready for construction in 1981-83. These projects are:
USF—St. Petersburg Completion, Phase I \$4,250,000
UCF—Library Remodeling and Building, Phase II, \$8,826,686

Description	Positions and amount Strike:	Positions and amount Insert:
and INSERT: The sum of \$4,250,000 for a project receiving planning appropriation ready for construction in 1981-83. This project is: USF—St. Petersburg Completion, Phase I \$4,250,000		
STRIKE: \$11,568,750		
and INSERT: 6,500,750		
STRIKE the following:		
USF—Sarasota Library (Planning)	68,000	
FIU—Teaching Gymnasium (Planning)	350,000	
FAU—Teaching Gymnasium (Construction)	4,500,000	
UWF—Athletic Facilities Lighting	150,000	

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

Amendment 39—

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

Following Item 375A add the following new item:

Special Categories FSU—Planning Engineering School From General Revenue Fund		50,000
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Comments: Provides \$50,000 for planning a School of Engineering School at the Florida State University.

Senator Peterson moved the following amendment which was adopted:

Amendment 40—

Description	Positions and amount Strike:	Positions and amount Insert:
Section 04 p. 176 Item		
1st line of page	167,799,595	173,799,595
p. 177 Item OC	41,390,639	47,390,639
p. 178 1st line of Proviso	13,076,686	19,076,686
p. 178 after UCF-Library insert a new item UWF - Panama City Branch Campus		6,000,000

Planning dollars for this project were appropriated last year. The project is now ready to begin construction.

PECO \$6,000,000

Senator Dunn moved the following amendment which was adopted:

Amendment 41—

Description	Positions and amount Strike:	Positions and amount Insert:
Section 01 Item 1158A		

Strike existing proviso insert the following: Funds in specific appropriation 1158A shall be distributed to local governments as follows: 50 percent to counties based on their pro rata share of the miles on the county road system, 50 percent to municipalities based on their pro rata share of the city street system.

Senator Stuart moved the following amendment which was adopted:

Amendment 42—

Description	Positions and amount Strike:	Positions and amount Insert:
Section 1 Item 15 Special Categories Contribution Rate Adjustment from 9.1% to 10.93%		
From General Revenue Fund	13,239,228	14,639,228
From Trust Fund	6,064,047	6,564,047

Funds appropriated in specific appropriation 15 shall only be used, contingent upon the passage of appropriate Legislation, to adjust the Florida Retirement System contribution rate from 9.1% to 10.93% or a proportion of these funds shall be used to increase the contribution rate from 9.1% to a rate less than 10.93%

Explanation: to provide a graduated supplementary cost-of-living adjustment to retirees

Cost: General Revenue	\$1,400,000
Trust Fund	500,000
TOTAL	\$1,900,000

Senators Anderson, Winn, Peterson, Hill and Renick offered the following amendment which was moved by Senator Anderson and adopted:

Amendment 43—

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

Insert after item 33 on page 41 the following new item with accompanying proviso language

Special Categories School Safety Fund From General Revenue Fund		2,500,000
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Funds appropriated is specific appropriation are to be used to establish a pilot school safety program in Dade County and are contingent upon SB 522 or similar legislation becoming law.

Comment: Provides an appropriation for SB 522 known as the Safe Schools Act to be used to establish a pilot program in Dade County.

Senator Stuart moved the following amendment which was adopted:

Amendment 44—

Section 01 Item Page 50		
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After the third full paragraph of Proviso Language on page 50 insert the following new paragraph:

From funds appropriated in Items 364 through 367 the Board of Regents shall allocate \$172,000 to continue operation of the Southeastern Criminal Justice Training Center, School of Criminology, Florida State University.

Senator Langley moved the following amendment which was adopted:

Amendment 45—

Description	Positions and amount Strike:	Positions and amount Insert:
Section Item 761		

Following item 761 add the following proviso language: Provided however that none of these funds shall be expended for the dispensation of birth control pills, prescriptions or devices

to minors without the written consent of one parent or the child's legal guardian unless said minor is married, pregnant, already a parent or a licensed doctor certifies in writing that such is necessary to protect the mental or physical health of the minor.

Senator Peterson moved the following amendment:

Amendment 46—

Description	Positions and amount Strike:	Positions and amount Insert:
Section 01 Item 364 page 50 Education and General		
364 Salaries and Benefits	Positions 12,595	12,571
From General Revenue Fund	227,127,792	227,052,792

and

on page 49—

In the fourth full paragraph of proviso language on page 49, after the word, INSTITUTIONS., insert: NEITHER FUNDS IN ITEM 364 NOR ANY OTHER STATE FUNDS SHALL BE USED FOR THE PURPOSE OF PLANNING THE ADDITION OF A LOWER DIVISION AT THE UNIVERSITY OF NORTH FLORIDA.

Senator Langley moved the following amendment to Amendment 46 which failed:

Amendment 46A—

Description	Positions and amount Strike:	Positions and amount Insert:
Section 01 Items 364, 365, 366, 367 Page 50		
364 Salaries and Benefits	Positions 12,571	12,498
From General Revenue Fund	227,052,792	225,967,374
365 Other Personal Services		
From General Revenue Fund	23,002,174	22,945,522
366 Expenses		
From General Revenue Fund	59,821,628	59,723,448
367 Operating Capital Outlay		
From General Revenue Fund	18,983,439	18,924,439

Comment: Deletes Appropriations For Lower Divisions at the Florida International University and the University of West Florida.

The President declared the Senate in informal recess at 3:44 p.m.

The Senate was called to order by the President at 3:51 p.m. A quorum present.

The question recurred on Amendment 46 which was adopted. The vote was:

Yeas—24

Anderson	Hill	Maxwell	Renick
Barron	Jenkins	McClain	Scott
Beard	Jennings	Neal	Stevens
Childers, D.	Johnston	Peterson	Thomas
Grizzle	Langley	Poole	Trask
Henderson	Lewis	Rehm	Ware

Nays—15

Mr. President	Gordon	Margolis	Tobiassen
Carlucci	Hair	McKnight	Vogt
Dunn	Jenne	Steinberg	Winn
Frank	Kirkpatrick	Stuart	

Senator Steinberg moved the following amendment which was adopted:

Amendment 47—

Description	Positions and amount Strike:	Positions and amount Insert:
Section 1 Item 15A Special Categories		
Contribution rate adjustment for Legislators.		
From General Revenue Fund	- 0 -	\$120,846

Funds appropriated in Specific appropriation 15A shall only be used, contingent upon the passage of appropriate legislation, to adjust the Florida Retirement System contribution rate provided by the Employer from 10.57% to 16.78% for Legislators.

On motion by Senator Lewis, the Senate reconsidered the vote by which Amendment 32 was adopted.

Senators Lewis, Tobiassen, Dunn and Peterson offered the following substitute amendment for Amendment 32 which was moved by Senator Lewis and adopted:

Amendment 48—

Description	Positions and amount Strike:	Positions and amount Insert:
Section 01 Item 776A Page 97		
776A Lump Sum		
Additional FHP Troopers	150 Pos.	150 Pos.
From General Revenue Fund	3,904,860	3,658,522

Insert the following proviso following item 776A:

Providing that the 150 additional troopers provided in specific appropriation 776A shall be phased in during fiscal year 1981-82 in 3 equal groups, beginning October 1, 1981, January 1, 1982, and March 1, 1982.

Insert new item after item 1106:

Lump Sum		
Additional Marine Patrol Officers	20 Positions	
From General Revenue Fund	1,000,000	

Explanation: 1) Proviso which specifies 3 equal phase-in groups for the 150 additional Highway Patrol Troopers resulting in a G. R. reduction of 246,338, 2) Adding 20 new Marine Patrol Officers for G. R. impact of \$1,000,000.

(Net G. R. increase of \$753,662)

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

Amendment 49—

Description	Positions and amount Strike:	Positions and amount Insert:
Section 01 Item 1202A		
Jax Theater		
1202A Special Categories		
Grant and Aid		
From General Revenue	425,000	
Delete Proviso following item 1202A		

The vote was:

Yeas—21

Anderson	Hill	Peterson	Thomas
Barron	Jennings	Poole	Trask
Beard	Langley	Rehm	Ware
Childers, D.	Lewis	Renick	
Grizzle	McClain	Scott	
Henderson	Neal	Stevens	

Nays—17

Mr. President	Hair	McKnight	Vogt
Carlucci	Jenkins	Skinner	Winn
Dunn	Jenne	Steinberg	
Frank	Johnston	Stuart	
Gordon	Margolis	Tobiassen	

Vote after roll call:

Yea—Kirkpatrick, Maxwell

On motion by Senator Kirkpatrick, the Senate reconsidered the vote by which Amendment 43 was adopted.

Senators Kirkpatrick and Winn offered the following substitute amendment for Amendment 43 which was moved by Senator Kirkpatrick and adopted:

Amendment 50—

Description	Positions and amount Strike:	Positions and amount Insert:
Section 01		
Item		
Insert after item 333 on page 41 the following new item with accompanying proviso language:		
Special Categories		
School Safety Fund		
From General Revenue Fund		2,500,000
Funds appropriated in specific appropriation are to be used to establish a pilot school safety program in Dade County.		
Comment: Provides an appropriation for SB 522 known as the Safe Schools Act to be used to establish a pilot program in Dade County.		

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

Amendment 51—

Section 01
Item 1158A
Strike existing proviso insert the following: Funds in specific appropriation 1158A shall be distributed to local governments as follows: 60 percent to counties based on their pro rata share of the lane miles on the county road system, 40 percent to municipalities based on their pro rata share of the city street system based on lane miles.

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

Senator Gordon moved that the staff of the Committee on Appropriations be permitted to make technical changes in CS for SB 900. The motion was adopted.

Pending further consideration of CS for SB 900 as amended, on motion by Senator Gordon, the rules were waived and by two-thirds vote HB 1200 was withdrawn from the Committee on Appropriations.

On motion by Senator Gordon—

HB 1200—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1,

1981 and ending June 30, 1982, except as otherwise provided within, to pay salaries, other expenses, capital outlay - buildings and improvements and for other specified purposes of the various agencies of state government; providing an effective date.

—a companion measure, was substituted for CS for SB 900 and read the second time by title.

Amendment 1—

Senator Gordon offered an amendment striking everything after the enacting clause which was adopted. The amendment constituted an entirely new bill and pursuant to Rule 7.6 was not printed in the Journal.

Senator Gordon moved the following title amendment which was adopted:

Amendment 2—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, 943.22, AND CHAPTER 427, FLORIDA STATUTES; PROVIDING AN EFFECTIVE DATE.

On motion by Senator Gordon, by two-thirds vote HB 1200 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—3

Carlucci Frank Winn

CS for SB 900 was laid on the table.

EXPLANATION OF VOTE

I am voting no on HB 1200 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 Gordon, the rules were waived and HB 1200 was ordered immediately certified to the House.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of May 25 was corrected and approved.

The Journal of May 21 was corrected and approved as follows:

Page 322, column 2, line 11, strike "The" and insert: SB 240 passed as amended and the

Page 324, column 1, line 2, strike "The" and insert: SB 243 passed as amended and the

Page 324, column 1, from bottom, line 14, strike "The" and insert: SB 244 passed as amended and the

The Journal of May 19 was corrected and approved as follows:

Page 286, column 1, line 17, from bottom, strike “—” and insert: Barron and Thomas—

Page 286, column 2, line 1, strike “moved” and insert: , Thomas and Barron offered

Page 305, column 1, line 26, strike “682” and insert: 628

The Journal of May 18 was further corrected and approved as follows:

Page 255, column 2, line 2, strike “SB” and insert: HB

Page 264, column 2, line 12, strike “776” and insert: 766

The Senate adjourned at 5:15 p.m. to reconvene at 9:00 a.m., Thursday, May 28, 1981.