



Journal of the Senate

Number 18

Wednesday, May 16, 1984

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

Mr. President	Fox	Jenne	Neal
Barron	Frank	Jennings	Plummer
Beard	Gersten	Johnston	Rehm
Carlucci	Girardeau	Kirkpatrick	Scott
Castor	Gordon	Langley	Stuart
Childers, D.	Grant	Malchon	Thomas
Childers, W. D.	Grizzle	Mann	Thurman
Crawford	Hair	Margolis	Vogt
Deratany	Henderson	McPherson	Weinstein
Dunn	Hill	Myers	

Excused: Senator Meek

Prayer by Dr. Charles Horton, Pastor, College Park Baptist Church, Orlando:

Our Father, with the psalmist we exclaim: "This is the day the Lord hath made. Let us rejoice and be glad!"

We begin this session by looking to thee in faith, recognizing that you are our creator, redeemer, protector and guide.

We acknowledge our need for wisdom as we deliberate on vital issues affecting the present and future of our growing state.

Help us to realize our stewardship to the citizens of Florida who have sent us here on mission in their behalf. May there be healthy dialogue with openness and trust that leads to good decision making.

Remind us that our ultimate accountability is to the living God, who hears our words, sees our actions and even knows our motives in every vote and decision.

I pray for integrity, honesty, fairness and vision for each member of this Senate today. For our good and to thy glory, we pray in the name of our Lord. Amen.

On motion by Senator Thomas, by two-thirds vote SR 1129 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Thomas—

SR 1129—A resolution recognizing the members of the Baker High School Varsity Football Team of Baker, Florida, for winning the Class "A" State Football Championship.

—was taken up out of order by unanimous consent, read the second time in full and adopted. The vote on adoption was:

Yeas—33

Mr. President	Frank	Langley	Scott
Beard	Girardeau	Malchon	Stuart
Carlucci	Grant	Mann	Thomas
Castor	Grizzle	Margolis	Thurman
Childers, D.	Henderson	McPherson	Vogt
Childers, W. D.	Hill	Myers	Weinstein
Deratany	Jenne	Neal	
Dunn	Jennings	Plummer	
Fox	Johnston	Rehm	

Nays—None

Vote after roll call:

Yea—Barron, Hair

The President recognized Senator Thomas who introduced Coach John Ensor and escorted him to the rostrum where he was presented a copy of SR 1129.

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Wednesday, May 16, 1984: SB 1125, SB 1124, CS for SB 954, SB 846, HB 69, SB 315

Respectfully submitted,
Dempsey J. Barron, Chairman

The Committee on Finance, Taxation and Claims recommends the following pass: SB 198

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

The Committee on Appropriations recommends the following pass: SB 156, SB 665, SB 1019, SB 1027

The Committee on Finance, Taxation and Claims recommends the following pass: SB 336 with 2 amendments, SB 349 with 1 amendment, SB 351, CS for SB 813, SB 897, SB 1101

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

The Committee on Transportation recommends a committee substitute for the following: SB 1030

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

The Committee on Appropriations recommends a committee substitute for the following: CS for SJR 612

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: CS for SB 159, CS for SB 601

The Committee on Finance, Taxation and Claims recommends committee substitutes for the following: SB 333, SB 649, SB 998

The Committee on Transportation recommends a committee substitute for the following: SB 949

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

REQUESTS FOR EXTENSION OF TIME

May 16, 1984

The Committee on Agriculture requests an extension of 15 days for consideration of the following: Senate Bills 190, 397, 622, 915

The Committee on Commerce requests an extension of 15 days for consideration of the following: Senate Bills 752, 982

The Committee on Corrections, Probation and Parole requests an extension of 15 days for consideration of the following: Senate Bills 246, 533

The Committee on Education requests an extension of 15 days for consideration of the following: Senate Bills 771, 779, 800, 825, 845, 873, 895, House Bills 217, 256

The Committee on Finance, Taxation and Claims requests an extension of 15 days for consideration of the following: Senate Bills 1, 7, 13, 22, 71, 267, 297, 314, 455, 492, 518, 542, 703, 704, 745, 808, 859, 887, 904

The Committee on Governmental Operations requests an extension of 15 days for consideration of the following: Senate Bills 761, 796, 843; HB 301

The Committee on Health and Rehabilitative Services requests an extension of 15 days for consideration of the following: Senate Bills 655, 797, 829, 830, 840, 841, 842, 852, 854, 901, 902, 1045; HB 270

The Committee on Judiciary-Criminal requests an extension of 15 days for consideration of the following: Senate Bills 143, 804, 810, 812, 821, 824, 851, 857; HB 134

The Committee on Natural Resources and Conservation requests an extension of 15 days for consideration of the following: Senate Bills 306, 757, 768, 790, 806, 807, 814; House Bills 365, 1187

The Committee on Personnel, Retirement and Collective Bargaining requests an extension of 15 days for consideration of the following: Senate Bills 794, 823

The Committee on Rules and Calendar requests an extension of 15 days for consideration of the following: Senate Bills 227, 661, 769, 849, 1112

The Special Master for Claims requests an extension of 15 days for consideration of the following: SB 631

The Committee on Transportation requests an extension of 15 days for consideration of the following: Senate Bills 765, 772, 817, 910, 914, 767, 822; HB 3

INTRODUCTION AND REFERENCE OF BILLS

First Reading

SR 1131 was introduced and adopted May 15.

By Senator Grant—

SB 1132—A bill to be entitled An act relating to Bradford County; creating the Bradford County Peat Mining and Restoration Act; providing definitions; requiring county permits for peat mining; specifying permit application requirements; providing administrative procedures; providing mining standards; requiring mining restoration plans; providing for a monitoring plan; requiring financial responsibility, insurance, and bonds; providing for enforcement of the act, including awards for costs and attorney's fees; providing for absolute liability for damages; providing penalties for specified acts; creating a county environmental restoration fund; providing severability; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Deratany—

SB 1133—A bill to be entitled An act relating to St. Lucie County; authorizing and providing for the establishment of water districts in St. Lucie County by referendums; providing definitions; authorizing and empowering such water districts to acquire, construct, reconstruct, improve, extend, enlarge, equip, repair, maintain, and operate waterworks and sewerage facilities, either within or without or partly within and partly without such districts; prescribing the powers and duties of such districts; providing for paying the whole or a part of the cost of waterworks and sewerage facilities by the issuance of bonds payable from water rates and sewer service charges or from such rates or charges and special assessments, and, to the extent necessary and if approved by referendum, ad valorem taxes; providing for the imposition and collection of water rates and sewer service charges, and for the levy of special assessments and taxes, and for the application of the proceeds thereof; granting to such water districts the power to acquire necessary real and personal property, and to exercise the power of eminent domain; authorizing acceptance of grants and contributions in aid of the purposes of the act; authorizing the issuance of refunding bonds; prescribing the powers and duties of the board of county commissioners of said county in relation to the foregoing; repealing any conflicting laws; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Deratany—

SB 1134—A bill to be entitled An act relating to Indian River County, Indian River County hospital district; adding section 1.1 to chapter 61-2275, Laws of Florida, as amended, to define certain terms; amending section 2 of chapter 61-2275, Laws of Florida, as amended by chapter 71-688, Laws of Florida, substituting "health facilities in or through which the district provides health and medical services" for "hospitals, clinics, nursing homes, parking facilities, ambulance services, billing and collection services and the like," empowering the board of trustees to lease, as lessee or lessor, and to expend district funds for any purpose related to or supportive of the activities of the district and providing that the powers granted to the board of trustees by the act are in addition to those granted by the general law of the state; adding section 2.1 to chapter 61-2275, Laws of Florida, as amended, empowering the board of trustees to enter into contracts or agreements for the purpose of operating and managing a health facility in or through which the district provides health and medical services, to enter into financing agreements and to lease health facilities in or through which the district provides health and medical services for any land or property of the district, to sell such rights in real or personal property as the district determines are no longer useful in connection with health facilities and to enter into interlocal agreements pursuant to the Florida Interlocal Cooperation Act of 1969; amending section 4 of chapter 61-2275, Laws of Florida, as amended by chapters 63-1432 and 67-1515, Laws of Florida, empowering the board of trustees to lease, as lessee or lessor, sell and convey by financing agreement, lease, deed, or other instrument of conveyance real and personal property; authorizing the board to provide for the management of health facilities and the employment of personnel and providing that the powers granted to the board of trustees by the act are in addition to those granted by the general law of the state; amending section 11 of chapter 61-2275, Laws of Florida, as amended by chapter 71-688, Laws of Florida, substituting revised terminology for the terms "hospital and facilities" and "hospital or facilities"; amending subsection (3) of section 12 of chapter 61-2275, Laws of Florida, as amended by chapter 76-387, Laws of Florida, empowering the board to grant or refuse, revoke or suspend membership on the medical staff, or any privileges attendant to such membership, so that the best interests of the district may at all times be best served, and deleting certain provisions concerning such medical staff privileges; amending subsections (1), (3), (5) and (7) of section 13 of chapter 61-2275, Laws of Florida, as amended by chapters 71-688 and 76-387, Laws of Florida, substituting "health facilities" for previous terminology, providing for the investment of district surplus funds pursuant to chapter 218, Florida Statutes, providing for an increase in the dollar amount of the purchases or contracts for purchase of supplies, equipment and materials and leasing of equipment which must be submitted to public bid, providing for an increase in the dollar amount of contracts for construction of buildings or other improvements to health facilities owned and operated by the district authorized under this act which must be submitted to public bid, providing that such bids shall not be opened by the district until after the time at which all bids to be considered are required to be received by the district, empowering the district to participate in group bidding, providing for the procedures to participate in such group bidding and providing that the board of trustees may adopt an alternate bidding procedure which would not require the board of trustees to comply with the bidding procedures of section 13; adding section 13.1 to chapter 61-2275, Laws of Florida, as amended, providing that the board of trustees may require dual bidding in the submission of public bids for contracts for any construction, improvement or repair to any health facility wherein the district will provide health and medical services itself; amending section 14 of chapter 61-2275, Laws of Florida, as amended by chapter 72-568, Laws of Florida, reorganizing the structure of section 14, providing that the general obligation bonds to be secured by the levy of ad valorem taxes are the bonds authorized by section 17, authorizing use of tax funds to lease health facilities and pay other expenses reasonably related to or supportive of the authorized activities of the district, substituting "health facilities" for "hospitals, clinics, nursing homes, parking facilities, ambulance services, billing and collection services and the like," and providing for the board to have the discretion to provide for the payment of expenses of medically indigent patients transferred to institutions outside the district; adding section 14.1 to chapter 61-2275, Laws of Florida, as amended, authorizing the district to fix rates, rents, fees and charges for the use of health facilities and for the health and medical services furnished in each health facility, and contract with any entity with respect thereof, and requiring the district to fix and adjust such rates, rents, fees and charges so as to provide funds at least sufficient with other revenues and money to (a) pay the cost of maintaining, repairing and

operating a health facility, (b) pay principal and interest on outstanding revenue bonds of the district, and (c) create reserves required by any resolution authorizing, or trust agreement securing, such revenue bonds of the district; amending section 15 of chapter 61-2275, Laws of Florida, as amended, providing for the delivery of resolutions of the board which authorize taxes of the district to the Property Appraiser and Tax Collector of Indian River County and the Department of Revenue of the State of Florida, among others, within the time as may be specified by the laws of the State of Florida, and substituting "Property Appraiser" for "Tax Assessor"; amending section 16 of chapter 61-2275, Laws of Florida, as amended by chapter 71-688, Laws of Florida, to provide for interest rates not exceeding the maximum rate permissible under Florida Law; adding section 16.1 to chapter 61-2275, Laws of Florida, as amended, empowering the board of trustees of the district, in order to acquire and finance the acquisition of capital assets in the form of personal property, to borrow money from specified lenders, or as part of a pooled financing from designated lenders, to secure such borrowing by executing such security instruments or lease instruments as permitted by law or pledging as security the equipment acquired through such borrowing and requiring that any amounts so borrowed shall be repaid solely and exclusively from nontax revenues and shall not be within the limitations of section 16; adding section 16.2 to chapter 61-2275, Laws of Florida, as amended, providing for the issuance by the district of negotiable revenue bonds which do not pledge the faith and credit or the taxing power of the state or any political subdivision thereof or of the district, but are payable solely out of revenues and other funds of the district legally available therefor, and revenue bond anticipation notes to pay or refinance any of the cost of any health facility; amending section 17 of chapter 61-2275, Laws of Florida, as amended by chapters 71-688 and 74-499, Laws of Florida, classifying the bonds authorized by this section as "general obligation" bonds, substituting "health facilities and to provide such health and medical services" for "hospitals, clinics, nursing homes, parking facilities, ambulance services, billing and collection services and the like," providing for interest rates not exceeding the maximum rate permissible under Florida Law, deleting the ceiling on the maximum amount of general obligation bonds which may be outstanding at any one time, providing for the issuance by the district of bonds in registered form pursuant to the Registered Public Obligations Act of Florida, increasing the maximum length of maturity to forty (40) years and providing that any general obligation bonds issued by the district shall have all the quality of negotiable instruments under the Florida Uniform Commercial Code-Investment Securities; adding section 17.1 to chapter 61-2275, Laws of Florida, as amended, providing for the issuance by the district of negotiable refunding bonds; adding section 26.1 to chapter 61-2275, Laws of Florida, as amended, empowering the district to provide insurance and other benefits for its officers and employees; amending section 27 of chapter 61-2275, Laws of Florida, as amended by chapter 71-688, Laws of Florida, providing for an increase in the dollar amount of borrowing authorized under section 27 and providing for interest rates not exceeding the maximum rate permissible under Florida Law; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Henderson—

SR 1135—A resolution commending John Satterfield for his accomplishments in attaining the office of Potentate of Morocco Temple.

—was referred to the Committee on Rules and Calendar.

FIRST READING OF COMMITTEE SUBSTITUTES

By the Committee on Judiciary-Civil and Senators Dunn, Stuart, Jenne and Carlucci—

CS for SB 182—A bill to be entitled An act relating to subscription television systems; providing definitions; prohibiting specified acts relating to theft of service from such systems; providing penalties; creating a civil cause of action in behalf of the subscription television system; specifying damages; providing for punitive damages; providing for attorney's fees; providing for injunctions; providing an effective date.

By the Committee on Judiciary-Civil and Senator Hill—

CS for SB 420—A bill to be entitled An act relating to the grand jury; amending s. 905.01, F.S., authorizing the chief judge of a circuit court to replace grand jurors under certain circumstances; providing that only the chief judge may dispense with the grand jury; providing an effective date.

By the Committee on Education and Senator McPherson—

CS for SB 511—A bill to be entitled An act relating to education; amending s. 229.805, F.S.; providing an exemption to the requirement that the Department of Education shall not fund a new educational television or radio system where such new system substantially duplicates an existing public broadcasting system; amending s. 229.8051, F.S.; providing an exemption to the requirement that no systems or services shall be created where there will be a substantial duplication of any system; providing an effective date.

By the Committee on Transportation and Senator Langley—

CS for SB 949—A bill to be entitled An act relating to aircraft; amending s. 329.01, F.S.; requiring the recording of instruments affecting civil aircraft with the office of the Federal Aviation Administrator of the United States; amending s. 329.10, F.S.; expanding the application of provisions prohibiting the possession of unregistered aircraft in the state; prohibiting the supplying of certain false information; amending s. 329.51, F.S.; providing a time period for the filing of liens on aircraft; providing an effective date.

By the Committee on Education and Senators Johnston and Kirkpatrick—

CS for SB 953—A bill to be entitled An act relating to education; providing a short title; amending ss. 228.041, 229.575, 230.23, 230.2313, 230.2315, 232.19, F.S.; defining "habitual truant" and "dropout"; requiring inclusion of specified disciplinary information in district and school annual reports; authorizing school boards to prohibit corporal punishment; providing for distribution of a code of student conduct; providing for joint planning in disciplinary, truancy, and dropout matters; including conflict resolution services in student services programs; providing for development of alternative methods of classroom management; providing for exit interviews with dropouts; requiring development of school-based student services plans; providing for establishment of student services personnel standards; providing for establishment of educational alternative programs; creating an alternative education task force; specifying membership, terms, powers, and duties; specifying actions required in connection with petitions for dependency based on habitual truancy; specifying duties of parents and guardians; providing penalties; creating s. 232.195, F.S.; requiring truancy remediation to continue upon transfer of students; repealing s. 232.26(1)(d), F.S., relating to school annual reports; providing an effective date.

By the Committee on Commerce and Senators Barron, Johnston, Hair, Thomas, Margolis, Vogt, Jennings, McPherson, Henderson, Girardeau, Peterson, Castor, Crawford, Grant and Beard—

CS for SB 1022—A bill to be entitled An act relating to medical incident compensation; creating s. 442.01, F.S.; providing a short title; creating s. 442.02, F.S.; providing definitions; creating s. 442.03, F.S.; providing that certain health care providers are covered by chapter 442, creating s. 442.06, F.S.; providing that a health care provider who fails to secure compensation may not raise certain defenses in certain suits brought against him; creating s. 442.07, F.S.; requiring health care providers to secure compensation for patients; creating s. 442.09, F.S.; establishing coverage guidelines; creating s. 442.10, F.S.; requiring all health care providers to secure compensation required by the chapter; providing for the payment of compensation irrespective of fault; providing that benefits due under the chapter shall be primary and providing for a right of reimbursement; creating s. 442.11, F.S.; providing that liability of a health care provider under the chapter shall be exclusive; providing the same immunity from liability shall extend to each employee of a health care provider; creating s. 442.115, F.S.; providing for priority of payments in situations where more than one health care provider is required to pay benefits; providing maximum amounts payable and apportionment of losses among certain health care providers; creating s. 442.12, F.S.; establishing when compensation begins and setting limits on weekly and monthly rates of compensation; creating s. 442.13, F.S.; requiring certain treatment and supplies to be provided to a patient; requiring certain reports to be filed with the health care provider or carrier and with the division; prohibiting a patient's family members from receiving compensation for providing certain care; providing for exclusivity of payments; limiting the payment of fees to those amounts scheduled; prohibiting a health care provider from refusing to treat a patient because payment is limited to the amounts scheduled; authorizing the division to investigate health care providers; prohibiting excessive fees; establishing a peer review procedure; providing statutory consent to submit certain reports

and comply with the division's decisions; providing procedures for recovering excess fees paid to health care providers; providing certain procedures are subject to chapter 120 and excluding certain procedures from chapter 120; providing for reimbursement of patients' transportation expenses; creating s. 442.14, F.S.; providing guidelines for computing a patient's pay rate; creating s. 442.15, F.S.; providing guidelines and limitations for computing disability and wage-loss compensation; providing for certain patients' income reports; providing that benefits due under the chapter shall be primary; providing for reimbursement of certain benefits paid; providing for termination or reduction of benefits in certain situations; creating s. 442.16, F.S.; providing guidelines, limitations, and methods of computing death benefits; creating s. 442.17, F.S.; providing for the appointment of a guardian for minors or incompetents; creating s. 442.185, F.S.; establishing requirements and procedures for filing notices of incidents or death by health care providers and patients; providing for the handling by the division of such notices; providing for additional reports; providing for notice of coverage to be filed by certain carriers; providing penalties for the failure to file certain reports; requiring the reporting of compensable wage loss; creating s. 442.19, F.S.; establishing time limitations and procedures for filing claims; creating s. 442.20, F.S.; establishing guidelines and procedures for the payment of benefits; providing penalties for late payments; providing procedures for controversion of the right to compensation; requiring reports and providing penalties for the failure to file such reports; permitting lump-sum or advance payments only under special circumstances; providing guidelines and procedures for such lump sum or advance payments; requiring ongoing examination by the division to identify certain questionable practices by carriers; requiring notice of such practice to the Department of Insurance and requiring the department to take action to stop such practices; requiring an annual report by the division of carriers' payment practices; requiring the division to adopt rules; prohibiting the recovery of certain penalties through rate-base adjustment by carriers or self-insurers; providing for an ongoing review and reports by the division of certain questionable health care management practices of health care providers; requiring the Department of Health and Rehabilitative Services to take action to halt such practices; creating a peer review panel to investigate certain incidents and prescribing its duties; providing immunity from civil liability with respect to certain actions by health care facilities, the panel, its members, and its employees; creating s. 442.21, F.S.; prohibiting certain invalid agreements and providing penalties; creating s. 442.22, F.S.; prohibiting certain assignments; exempting benefits from levy; creating s. 442.23, F.S.; treating compensation as a lien against the assets of a carrier or health care provider; creating s. 442.24, F.S.; providing for the enforcement of compensation orders; providing penalties for failure to comply with such orders; creating s. 442.25, F.S.; providing procedures for claims and hearing requests; providing hearings procedures; requiring certain reports; providing appeals procedures; providing for the award of disability compensation after the death of a patient; providing for physical examination of certain patients; creating s. 442.271, F.S.; providing for appeals of a medical commissioner's order; creating s. 442.28, F.S.; providing for the modification of a medical commissioner's order; creating s. 442.29, F.S.; establishing procedures for hearings before medical commissioners; creating s. 442.30, F.S.; providing for depositions; creating s. 442.31, F.S.; providing for witness fees; creating s. 442.32, F.S.; providing for the award of costs in certain proceedings; creating s. 442.33, F.S.; providing the powers of medical commissioners; creating s. 442.34, F.S.; providing for attorney's fees and costs; providing penalties for carriers acting in bad faith; providing penalties for certain unauthorized fees; creating s. 442.35, F.S.; requiring each health care provider to maintain a record of incidents or deaths; creating s. 442.37, F.S.; providing penalties for certain misrepresentation or fraudulent acts; establishing a cause of action for certain persons damaged by such fraudulent acts; providing penalties for certain persons making unlawful solicitations; creating s. 442.38, F.S.; requiring health care providers to provide certain security for payment of compensation; requiring self-insurers to file certain reports and providing a civil penalty for the failure to do so; providing for the license of certain insurance businesses or self-insurers to be revoked or suspended; requiring a permit to write certain compensation insurance; requiring claims-adjusters; providing penalties; requiring carriers to provide coinsurance upon request; providing procedures for claims handling of coinsurance; deeming certain political entities self-insurers; creating s. 442.39, F.S.; allowing suits against third-party tortfeasors; providing subrogation rights against third-party tortfeasors; providing procedures for such suits; permitting suits by carriers or health care providers upon the failure of the patient to file suit against third-party tortfeasors; creating s. 442.41, F.S.; providing for the substitution of carriers for health care providers in certain situations; creating s. 442.42, F.S.; requiring certain provisions to

be included in insurance contracts issued under authority of the chapter; providing for the handling of claims involving multiple carriers; creating s. 442.43, F.S.; providing penalties for the failure of a health care provider to secure payment of compensation; creating s. 442.44, F.S.; providing for the establishment, staffing, and operation of the Division of Medical Incident Compensation; creating the Medical Incident Compensation Council; subjecting the division to the provisions of chapter 120; creating s. 442.442, F.S.; providing that the medical commissioners are subject to the Code of Judicial Conduct; creating s. 442.45, F.S.; providing for the appointment, qualifications, and term of office of medical commissioners; creating s. 442.46, F.S.; providing for investigations of incidents by the division; providing penalties for the refusal to admit division representatives into a health care provider's establishment; creating s. 442.47, F.S.; providing for travel expenses; creating s. 442.48, F.S.; requiring an annual report by the Department of Labor and Employment Security; creating s. 442.49, F.S.; requiring the provision of rehabilitative services for certain patients; requiring continual study of rehabilitation by the division; creating s. 442.50, F.S.; establishing the Medical Incident Compensation Administration Trust Fund; establishing procedures for the operation of such fund; creating s. 442.51, F.S.; providing for the expenses of administration of chapter 442 by the division; providing for the payment of such expenses by carriers writing medical incident compensation insurance; providing penalties for any carrier failing to pay its assessment; providing for reports by carriers and self-insurers; requiring certain recordkeeping by the division; creating s. 442.52, F.S.; providing for the registration of carriers; providing for the suspension or revocation of such carriers' authority to write medical incident compensation insurance; creating s. 442.53, F.S.; providing for a statute of limitations for actions and offset of awards in the event of the unconstitutionality of the chapter; creating s. 442.55, F.S.; permitting actions against the state under certain circumstances; creating s. 442.57, F.S.; providing for the pooling of liabilities and the creation of a group self-insurer's fund by public or private health care providers; requiring the division to adopt rules; providing for medical malpractice risk apportionment; authorizing a Medical Incident Compensation Joint Underwriting Plan and providing guidelines and procedures for the operation of such plan; amending s. 20.171, F.S.; creating the Division of Medical Incident Compensation within the Department of Labor and Employment Security; creating s. 627.0635, F.S.; prescribing rate standards for medical incident compensation insurance; creating s. 624.6075, F.S.; defining medical incident compensation coverage; amending s. 631.52, F.S.; providing conforming language; amending s. 631.713; providing conforming language; creating a task force to study and report on discipline by boards and agencies which license health care providers; providing an effective date.

By the Committee on Transportation—

CS for SB 1030—A bill to be entitled An act relating to public transportation; amending s. 341.011, F.S.; correcting a cross-reference; repealing s. 341.021, F.S., relating to legislative intent; amending s. 341.031, F.S.; correcting a cross-reference; providing definitions; amending s. 341.041, F.S.; providing responsibilities of the Department of Transportation; amending s. 341.051, F.S.; providing for project eligibility for funding; providing limitations on state participation in transit projects not approved for federal funding; providing for the advance of state funds to assist transit systems to become self-sufficient; providing for state participation in service development projects or transit urban corridor projects; providing for increases in the duration of such service development projects; creating s. 341.061, F.S.; providing for minimum safety standards for bus transit and fixed guideway transit systems; providing for the inspection of fixed guideway and bus transit systems; amending s. 341.101, F.S.; amending the scope of "municipal purpose" for state purchase of mass transit vehicles and facilities; amending s. 341.102, F.S.; substituting "local government entity" for county or municipality; providing an effective date.

By the Committee on Education and Senators Castor and Gordon—

CS for SB's 1069 and 906—A bill to be entitled An act relating to education; creating s. 231.172, F.S.; establishing an experimental alternative certification program for secondary education teachers; providing certification requirements; amending s. 231.17, F.S.; providing certain education requirements for certification of elementary school teachers; modifying the current teacher certification examination to include the College Level Academic Skills Test in certain circumstances, to upgrade the professional skills part of the examination, and to include a specific subject area test; requiring the Department of Education to report on the impact of modifications to certification requirements; amending s.

231.545, F.S.; revising the makeup of the Education Standards Commission; amending s. 231.546, F.S.; requiring such commission to recommend certain new standards to the State Board of Education; amending s. 240.245, F.S.; requiring the Board of Regents to establish a system for evaluating a faculty members' service to public schools; providing an effective date.

By the Committee on Education and Senators Meek, Castor, Gordon, Peterson, Girardeau, Gersten, Jenne, Stuart, Vogt, Thurman and Grant—

CS for SB's 1081 and 884—A bill to be entitled An act relating to education; establishing the "Disadvantaged and Minority Student Educational Enhancement Act"; amending s. 229.053, F.S.; directing the State Board of Education to adopt parity standards for bilingual students; amending s. 229.565, F.S.; providing for an analysis of pupil progression programs; creating s. 230.2316, F.S.; establishing the Teachers-as-Tutors program; amending s. 231.17, F.S.; providing an additional certification requirement; amending s. 232.246, F.S., relating to high school graduation requirements; amending s. 232.2465, F.S.; relating to Florida Academic Scholars; amending s. 236.0811, F.S.; providing for multi-ethnic inservice training for teachers; creating s. 240.107, F.S.; defining "minority"; amending s. 240.117, F.S.; providing conforming language; requiring assessment of the basic skills competence of vocational students; providing conditions for college preparatory instruction offered in community colleges; creating s. 240.1171, F.S.; establishing a support services program for the college-level communication and computation skills testing program; amending s. 240.118, F.S.; providing for postsecondary feedback on bilingual students; creating s. 240.120, F.S.; authorizing a secondary and higher education sharing plan; providing for the sharing of faculty, facilities and equipment; creating s. 240.127, F.S.; establishing the college reach-out program; creating s. 240.128, F.S.; creating the college mentor work-study program; amending s. 240.209, F.S.; providing that recruitment of minorities be an additional criteria in the evaluation of university presidents; requiring 50 percent of financial aid funds to be based on need; requiring review and approval of comprehensive plans for state universities; providing for the establishment of an academic advisement policy and pilot projects; amending s. 240.227, F.S.; requiring universities to develop comprehensive plans; amending s. 240.233, F.S.; delaying the effective date of test scores for the college-level communication and computation skills; creating s. 240.238, F.S.; requiring a plan to expand the university summer enrichment program; amending s. 240.247, F.S.; providing for a minority recruitment program; amending s. 240.311, F.S.; providing for approval of comprehensive plans for community colleges; directing the State Board of Community Colleges to coordinate and assist community colleges in providing support instruction for the college-level communication and computation skills testing program; amending s. 240.319, F.S.; providing that recruitment of minority faculty and administrators be an additional criteria in the evaluation of community college presidents; requiring development and submission of comprehensive plans; amending s. 240.3215, F.S.; delaying the effective date of test scores for the college-level communication and computation skills; amending s. 240.335, F.S.; providing for a minority recruitment program; amending s. 240.35, F.S.; requiring 50 percent of financial aid funds to be based on need; amending s. 240.404, F.S.; providing for certain students to continue to receive state financial assistance; amending s. 240.409, F.S.; extending the time allowed for students to receive an award; amending s. 240.424, F.S.; providing for a review and analysis of the impact of financial aid; creating s. 240.50, F.S.; establishing the Virgil Hawkins Fellowship Trust Fund; amending s. 228.072, F.S.; broadening the definition of "adult general education"; providing for service priorities and delivery; requiring that certain courses be evaluated and funded in separate categories; amending s. 228.074, F.S.; changing the length of terms of lay members of regional coordinating councils for vocational education, adult education, and community instructional services; amending s. 228.075, F.S.; requiring regional coordinating councils to compile certain information; authorizing district school boards or community college boards of trustees to contract to provide certain vocational education programs or facilities; creating s. 229.556, F.S.; providing legislative intent regarding a uniform coordinated system of vocational education; creating s. 229.557, F.S.; providing for a vocational education management information system; creating s. 229.558, F.S.; providing vocational education reporting requirements; creating s. 229.559, F.S.; establishing the Florida State Advisory Council for Vocational Education; amending s. 229.551, F.S.; providing for the Department of Education to evaluate public vocational education programs; providing criteria for ineligibility of such programs for state funding; providing for an automated system to match the social security numbers of persons completing vocational programs with Unem-

ployment Insurance Wage Reports and Workers' Compensation Reports; requiring the State Board of Education to adopt rules relating to the transfer of course credit from proprietary to public vocational programs; amending s. 240.355, F.S.; expanding requirements for the content of rules related to community college comprehensive vocational education programs; creating s. 240.410, F.S.; creating the State Vocational Education Grant Fund; providing eligibility standards for grantees and for participating institutions; providing for renewal, transferral, payment, and refund of grants; providing restrictions on participants; providing for a feasibility study of a "Student Choice -- Postsecondary Vocational Program"; amending s. 230.645, F.S.; establishing guidelines for the average noncredit postsecondary vocational fees and restricting fee waiver; providing for vocational student financial aid; amending s. 240.60, F.S.; expanding the eligibility for the college career work experience program and amending the employer's percent-wage requirement; amending s. 240.601, F.S.; allowing certain graduate students to be in the work experience program; providing for a feasibility study of state postsecondary accreditation; amending s. 231.62, F.S.; amending "critical teacher shortage area" to delete high priority location areas; amending s. 240.4064, F.S.; allowing critical teacher shortage tuition reimbursement for a specified number of hours per term; creating the Critical Teacher Shortage Trust Fund; amending s. 240.4062, F.S.; deleting certain extra credit for payment for teacher scholarship loans; creating s. 240.116, F.S.; allowing certain proprietary educational institutions to participate in the statewide common course numbering system; creating the Adult Literacy Act; stating the goal of the act; providing for the administration, evaluation, and funding of literacy instruction; amending s. 20.15, F.S.; establishing the Division of Vocational, Adult, and Community Education; creating the Latin American and Caribbean Basin Scholarship Program; providing an effective date.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Hair, the rules were waived and by two-thirds vote CS for SB 775 was withdrawn from the Committee on Health and Rehabilitative Services and referred to the Committee on Judiciary-Criminal and then to the Committee on Appropriations.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Curtis Peterson, President

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

SB 474—A bill to be entitled An act relating to Water Conservation Area designation; designating certain parts of the Water Conservation Area 3-B of the South Florida Water Management District as the Francis S. Taylor Wildlife Management Area; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 1, line 24, after the colon (:), insert:

Section 1. State Road 123 in Okaloosa County is hereby designated and named the "Roger J. Clary Highway."

Section 2. The Department of Transportation is authorized and directed to erect appropriate markers designating the "Roger J. Clary Highway."

(Renumber subsequent section.)

Amendment 2—On page 1 in the title, line 3, after the semi-colon (;), insert: designating State Road 123 in Okaloosa County as the "Roger J. Clary Highway"; providing for the erection of appropriate markers by the Department of Transportation;

Amendment 3—On page 1, line 29, after the period (.), insert:

Section 2. The overpass at the State Road 46 railroad crossing west of Sanford in Seminole County is hereby designated as the Sidney O. Chase, Jr. Overpass.

Section 3. The Department of Transportation is authorized and directed to erect appropriate markers designating the Sidney O. Chase, Jr. Overpass.

(Renumber the subsequent section.)

Amendment 4—On page 1 in the title, line 6, after the semicolon (;), insert: naming an overpass in Seminole County;

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

SB 474 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—31

Mr. President	Frank	Johnston	Rehm
Beard	Girardeau	Langley	Scott
Carlucci	Grizzle	Malchon	Stuart
Castor	Hair	Mann	Thomas
Childers, D.	Henderson	McPherson	Thurman
Childers, W. D.	Hill	Myers	Vogt
Deratany	Jenne	Neal	Weinstein
Fox	Jennings	Plummer	

Nays—None

The bill was ordered engrossed and then enrolled.

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has adopted SCR's 886 and 1063.

Allen Morris, Clerk

The bills contained in the foregoing message were ordered enrolled.

On motions by Senator Johnston, by two-thirds vote Senate Bills 1125 and 1124 were withdrawn from the Committee on Appropriations.

On motions by Senator Gersten—

SCR 984—A concurrent resolution commending Jose Ferrer on his dedication to the arts and his untiring commitment to bringing the Coconut Grove Playhouse to national and international prominence.

—was taken up out of order by unanimous consent, read the second time in full, adopted and certified to the House. The vote on adoption was:

Yeas—38

Mr. President	Frank	Jennings	Plummer
Barron	Gersten	Kirkpatrick	Rehm
Beard	Girardeau	Langley	Scott
Carlucci	Gordon	Malchon	Stuart
Castor	Grant	Mann	Thomas
Childers, D.	Grizzle	Margolis	Thurman
Childers, W. D.	Hair	McPherson	Vogt
Crawford	Henderson	Meek	Weinstein
Dunn	Hill	Myers	
Fox	Jenne	Neal	

Nays—None

Vote after roll call:

Yea—Deratany

On motion by Senator Gersten, the rules were waived and SCR 984 was ordered immediately certified to the House.

Mr. Ferrer was escorted by Secretary of State George Firestone and Senators Gordon, Gersten, Plummer, Fox, Hill and Margolis to the rostrum where he was presented a copy of the resolution. Mr. Ferrer addressed the Senate briefly.

The President recognized David Black, managing director of Coconut Grove Playhouse.

SPECIAL ORDER

SB 1125—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1984, and ending June 30, 1985, 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.

—was read the second time by title.

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

Amendment 1—

SECTION 01, PAGE 4 STRIKE: INSERT:
INSERT NEW ITEM 29A:

DEPARTMENT OF ADMINISTRATION
DIVISION OF VETERANS AFFAIRS

29A SPECIAL CATEGORIES
ENVIRONMENTAL IMPACT STUDY
FROM GENERAL REVENUE FUND 30,000

In addition to funds in Specific Appropriation 29A, all departments shall, upon request of the Secretary of Administration, and within the agencies' existing budgets, provide assistance and support to the Department of Administration in the preparation of environmental impact studies, site plans, architectural plans and other studies required for completion of the application for a veterans' domiciliary care facility directed by Chapter 88-227, Laws of Florida.

Senator Neal moved the following amendment which was adopted:

Amendment 2—

SECTION 01, PAGE 88
ITEM 616

Insert the following proviso after Item 616:

Funds appropriated in Specific Appropriation 616 for Water Well Clean-up are contingent upon SB 1039 or similar legislation becoming law.

Senator Johnston moved the following amendments which were adopted:

Amendment 3—

SECTION 01, PAGE 124 STRIKE: INSERT:
ITEMS 952, 954, 955, 956, 957, 958

SECTION 1.
ITEM 952

SALARIES AND BENEFITS	POSITIONS 2,030	POSITIONS 2,067
FROM GENERAL REVENUE FUND	40,893,232	41,369,130
FROM REIMBURSEMENT TRUST FUND	3,439,318	3,467,376

ITEM 954

EXPENSES		
FROM GENERAL REVENUE FUND	3,722,636	3,829,425
FROM REIMBURSEMENT TRUST FUND	281,138	287,240

ITEM 955

OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	1,991,484	2,218,004
FROM REIMBURSEMENT TRUST FUND	48,434	61,378

ITEM 956

SPECIAL CATEGORY:
ACQUISITION OF MOTOR VEHICLES

FROM GENERAL REVENUE FUND	3,823,257	4,169,372
FROM REIMBURSEMENT TRUST FUND	715,392	735,170

ITEM 957

SPECIAL CATEGORY:
OPERATION OF MOTOR VEHICLES

FROM GENERAL REVENUE FUND	5,521,130	5,608,665
FROM REIMBURSEMENT TRUST FUND	690,543	695,545

ITEM 958

SALARY INCENTIVE PAYMENT		
FROM GENERAL REVENUE FUND	1,100,095	1,109,345
FROM REIMBURSEMENT TRUST FUND	85,637	86,177

After Item 958 insert the following proviso language:

"of the funds provided in Specific appropriation 952 through 958, \$1,324,731 and 37 Florida Highway Patrol Troopers, are contingent on the passage of SB 957 or related legislation."

Amendment 4—

SECTION 01, PAGE 159

In the proviso following the title LEGISLATIVE BRANCH on line 1 strike "\$9,000" and replace with "\$40,000"

Senator Langley presiding

Senator Grant moved the following amendment which failed:

Amendment 5—

SECTION 01, PAGE 174

STRIKE: INSERT:

DEPARTMENT OF STATE
DIVISION OF LIBRARY SERVICES

INSERT NEW ITEM:

AID TO LOCAL GOVERNMENTS CONSTRUCTION GRANTS FROM GENERAL REVENUE FUND	100,000
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Senator Neal moved the following amendment which was adopted:

Amendment 6—

SECTION 01, PAGES 178 & 180

STRIKE: INSERT:

DEPARTMENT OF TRANSPORTATION
ADD NEW ITEM 1585A:

1585A LUMP SUM SETTLEMENT FOR FAIRBANKS GROUNDWATER CONTAMINATION FROM WORKING CAPITAL TRUST FUND	12,000
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The Legislature imposes the following restriction and qualification which it finds is directly and rationally related to the expenditure of funds authorized in Specific Appropriation 1585A; and \$12,000 of funds shall be paid to the various recipients contingent upon the valid execution and receipt by the department of a full release of all past, present and future property damage claims and full release of all past and present personal injury claims by each proposed recipient of the settlement funds hereby appropriated.

DIVISION OF PRECONSTRUCTION AND DESIGN

ADD NEW ITEM 1614A:

1614A LUMP SUM AID TO LOCAL GOVERNMENTS - FAIRBANKS GROUNDWATER CONTAMINATION PROJECT CONSULTANT FEES FROM WORKING CAPITAL TRUST FUND	1,466,200
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Senator Johnston moved the following amendments which were adopted:

Amendment 7—

SECTION 05, PAGE 198

SALARIES AND BENEFITS

At the end of paragraph (a) at top of page 198 insert:

Provided, however, the minimums and maximums of the pay ranges of all career service classes shall be increased by at least 4% with the exception of law enforcement classes being assigned to a step pay plan.

Amendment 8—

SECTION 05, PAGE 199

SALARIES AND BENEFITS

After paragraph (i) insert:

(j) From funds provided in Specific Appropriations 21B and 1103 through 1202, salary increases during 1984-85 for all employees in State Attorneys' offices shall not exceed an overall average of 5% of the December 31, 1984 salary rate. Provided, however, in the eleventh circuit, funds appropriated in Specific Appropriation 21H are in addition to the funds appropriated for 5% increases.

Senators Johnston, Hill and Neal offered the following amendment which was moved by Senator Hill and adopted:

Amendment 9—

SECTION 01, PAGE 21
NEW ITEM

STRIKE: INSERT:

DEPARTMENT OF COMMERCE DIVISION OF ECONOMIC DEVELOPMENT AFTER ITEM 221B, INSERT NEW ITEM 221C 221C SPECIAL CATEGORY GRANTS AND AIDS - HIALEAH TRADE CENTER FROM GENERAL REVENUE FUND	-0-	300,000
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State funds appropriated for the Hialeah Trade Center shall be provided for project planning. These funds shall not be released until an agreement between the Department of Commerce and the City of Hialeah has been entered into stating that no state funds will be requested for project construction.

Senator Hair moved the following amendment which was adopted:

Amendment 10—

SECTION 01, PAGES 22 and 23
ITEMS 230, 231, 232, and 244

STRIKE: INSERT:

230 SALARIES AND BENEFITS U. S. CONTRIBUTIONS TRUST FUND	POSITIONS 86 361,142	POSITIONS 88 406,262
231 OTHER PERSONAL SERVICES U. S. CONTRIBUTIONS TRUST FUND		12,924
232 EXPENSES U. S. CONTRIBUTIONS TRUST FUND	223,171	261,773
244 OPERATING CAPITAL OUTLAY U. S. CONTRIBUTIONS TRUST FUND	6,077	8,635

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

Amendment 11—

SECTION 01, PAGE 24
FOLLOWING ITEM 262
INSERT A NEW ITEM:

STRIKE: INSERT:

SPECIAL CATEGORIES GRANTS AND AIDS - F.I.T. FROM GENERAL REVENUE FUND	26,000
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And add the following proviso:

Included in Specific Appropriation . . . are sufficient funds to reimburse the Department of Community Affairs for participating in and evaluating the results of the Indian River Resource Symposium as described in the Indian River Resource Symposium proposal received by the Senate on April 25, 1984.

Senator Hair moved the following amendment which was adopted:

Amendment 12—

SECTION 01, PAGE 50

Insert the following new paragraph of proviso as the last paragraph of proviso on Page 50 for Item 412.

Contingent upon SB 884 or similar legislation becoming law, the Department of Education shall include the following in its estimate of 1985-86 full-time equivalent students: (1) the number of full-time equivalent students in adult vocational programs in each district who are taking courses to earn a high school diploma or its equivalent and who are taking vocational courses as electives, (2) the number of full-time equivalent students enrolled in adult vocational programs in each district who are not Florida residents, and (3) the number of full-time equivalent students who have been exempted from the fee requirement by law or State Board Rule.

Senator Grant moved the following amendment which was adopted:

Amendment 13--

SECTION 01, PAGE 50

Add a new paragraph of proviso as the last paragraph of proviso for item 412 on page 50.

Any course provided by a district to satisfy the one-half credit life management skills training graduation requirement defined by s. 232.246(1)(b) shall be funded at the appropriate level for a basic education program course.

Senators Gersten and Fox offered the following amendment which was moved by Senator Gersten and adopted:

Amendment 14--

SECTION 01, PAGE 54

In the proviso following Item 433A, line 8, following the words "7 through 9 program." remove the period and add:

, and an amount not to exceed \$170,000 should be allocated to the Dade County School Board for a pilot model program to provide academic, vocational and life skills to students whose educational needs are not otherwise met in the basic grades 10 through 12 program.

Senator Hair moved the following amendment which was adopted:

Amendment 15--

SECTION 01, PAGE 70	STRIKE:	INSERT:
ITEMS 516 and 322		

516 SPECIAL CATEGORIES INDIAN EDUCATION SUMMER PROGRAM - FSU FROM GENERAL REVENUE FUND	25,000	-0-
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322 SPECIAL CATEGORIES COLLEGE REACH OUT PROGRAM FROM GENERAL REVENUE FUND	320,000	345,000
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and insert the following proviso: An amount of \$25,000 shall be allocated to the Governor's Council on Indian Affairs for the Florida Indian Youth Summer Program at FSU.

Senator Gordon moved the following amendment which failed:

Amendment 16--

SECTION 01, PAGE 71	STRIKE:	INSERT:
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FOLLOWING ITEM 524 ON PAGE 71
ADD THE FOLLOWING NEW ITEM:

LUMP SUM CENTER FOR LABOR MANAGEMENT RELATIONS FROM GENERAL REVENUE FUND	98,000
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Senator Hair moved the following amendments which were adopted:

Amendment 17--

SECTION 01, PAGE 71
ITEM 525

Strike the second paragraph of proviso language following Item 525 and add: The Board of Regents is authorized to use the \$4,185,912 provided in Specific Appropriation 518 for enrollment workload increases to adjust the planned enrollment approved by the Board for 1984-85 to achieve equity, to the extent possible, in the allocation of funds to the universities for the Instruction and Research program component, provided, however, that the Board of Regents does not exceed the planned enrollments for any level. The following are the planned enrollments for 1984-85:

Lower Level	23,285
Upper Level	50,402
Graduate Classroom	12,613
Thesis/Dissertation	786
Total	87,086

Amendment 18--

SECTION 01, PAGE 76
ITEM 525

In the first full paragraph of proviso language on page 76, following Item 525, strike the last two sentences as follows:

Of the funds in Specific Appropriation 514, \$2,000,000 shall be allocated among UCF, USF, FAU, and UNF to address, proportionately, the funding of these institutions as compared to the 1983-84 State University System average. The adjustment shall be approved by the Board of Regents.

Senators Meek, Gordon, Girardeau and Thomas offered the following amendment which was moved by Senator Gordon and failed:

Amendment 19--

PAGE 82	STRIKE:	INSERT:
BOARD OF REGENTS GENERAL OFFICE		
572 SALARIES AND BENEFITS FROM FACILITIES CONSTRUCTION ADMINISTRATIVE TRUST FUND	POSITIONS 135 391,859	POSITIONS 137 427,859
573 OTHER PERSONAL SERVICES FROM FACILITIES CONSTRUCTION ADMINISTRATIVE TRUST FUND	11,907	21,907
574 EXPENSES FROM FACILITIES CONSTRUCTION ADMINISTRATIVE TRUST FUND	43,055	121,055
575 OPERATING CAPITAL OUTLAY FROM FACILITIES CONSTRUCTION ADMINISTRATIVE TRUST FUND	-0-	6,000

Senator Castor moved the following amendment which was adopted:

Amendment 20--

SECTION 01, PAGE 63
ITEM 465

In the first paragraph of proviso on page 63 strike:

1. Colleges which were unable to receive a full match for their efforts in 1983-84

and insert:

1. The two colleges which received only a partial match for their efforts in 1983-84 as a result of the complete utilization of the dollars in the Academic Improvement Trust Fund

Senator Gordon moved the following amendment which failed:

Amendment 21—

SECTION 01, PAGES 71 and 84 ITEM 591	STRIKE:	INSERT:
ON PAGE 84: 591 SPECIAL CATEGORIES SHANDS HOSPITAL CONTRACT FROM GENERAL REVENUE FUND	9,433,419	3,044,827
ON PAGE 71: FOLLOWING ITEM 524 ADD THE FOLLOWING NEW ITEM AND PROVISIO LANGUAGE: SPECIAL CATEGORIES UNIVERSITY COST DIFFERENTIAL SALARY ADJUSTMENT FROM GENERAL REVENUE FUND		5,234,634

The funds in Specific Appropriation . . . shall be allocated to the uni-
versities located in the counties listed in the amount per FTE faculty
member and for the total amount shown below:

Alachua	605	749,170
Dade	2,886	1,480,667
Duval	1,345	251,576
Escambia	-0-	-0-
Hillsborough	531	482,118
Leon	630	809,351
Orange	1,437	796,181
Palm Beach	1,902	665,571

On motion by Senator Scott, the rules were waived and time of
adjournment was extended until final action on Senate Bills 1125, 1124
and CS for SB 954.

Senator Peterson moved the following amendment which was adopted:

Amendment 22—

SECTION 01, PAGE 83 ITEM FOLLOWING 579C	STRIKE:	INSERT:
FOLLOWING ITEM 579C ADD THE FOLLOWING ITEM: LUMP SUM COLLEGE OF CHIROPRACTIC FROM GENERAL REVEUNE FUND		150,000

Add the following proviso after this new item:

Funds provided in Specific Appropriation . . . are a one-time appropri-
ation solely for the purpose of assisting the cooperative efforts of the
National Chiropractic College in establishing a joint chiropractic program
with a college or university in Florida. Matching funds shall be provided
prior to the receipt of any state funds.

Senator Beard moved the following amendment which was adopted:

Amendment 23—

SECTION 01, PAGE 70 INSERT NEW ITEM:	STRIKE:	INSERT:
EDUCATION AND GENERAL ACTIVITIES LUMP SUM FLORIDA CENTER OF TRANSPORTATION - TECHNOLOGY RESEARCH FROM STATE TRANSPORTATION TRUST FUND		POSITIONS 5 450,000

Senator Hair moved the following amendments which were adopted:

Amendment 24—

SECTION 01, PAGE 46 ITEM 412	STRIKE:	INSERT:
AID TO LOCAL GOVERNMENTS FEFP FROM GENERAL REVENUE FUND	2,239,790,715	2,238,272,907

In the second line of the third full paragraph of proviso for Item 412 on
page 47, strike \$1660.876 and insert \$1660.128

The President presiding

Amendment 25—

SECTION 01, PAGE 50 ITEM 416	STRIKE:	INSERT:
AID TO LOCAL GOVERNMENTS INSTRUCTIONAL MATERIALS FROM GENERAL REVENUE FUND	41,576,422	44,588,998

Insert the following paragraph as the first paragraph of proviso for Item
416 on page 50:

“From the funds provided in Specific Appropriation 416, \$3,012,576 is
provided for increased costs associated with full implementation of the
seventh period.”

Amendment 26—

SECTION 01, PAGE 51 ITEM 417	STRIKE:	INSERT:
AID TO LOCAL GOVERNMENTS GRADES K-3 IMPROVEMENT FROM GENERAL REVENUE FUND	86,149,926	85,538,865

Amendment 27—

SECTION 01, PAGE 51 ITEM 420	STRIKE:	INSERT:
AID TO LOCAL GOVERNMENTS SAFE SCHOOLS FROM GENERAL REVENUE FUND	10,510,000	10,000,000

Amendment 28—

SECTION 01, PAGE 52 ITEM 424	STRIKE:	INSERT:
424 AID TO LOCAL GOVERNMENTS STUDENT DEVELOPMENT SERVICES FROM GENERAL REVENUE FUND	26,688,012	24,988,012

Amendment 29—

SECTION 01, PAGE 53 ITEM 425	STRIKE:	INSERT:
AID TO LOCAL GOVERNMENTS STUDENT TRANSPORTATION FROM GENERAL REVENUE FUND	80,113,760	90,513,760

Insert the following paragraph of proviso as the second paragraph of pro-
visio for Item 425:

“From the funds appropriated in Specific Appropriation 425, \$10,000,000
is provided for increased transportation costs associated with full imple-
mentation of the seventh period.”

Amendment 30—

SECTION 01, PAGE 54 ITEM 434A	STRIKE:	INSERT:
434A SPECIAL CATEGORIES FOREIGN LANGUAGE INSTRUCTION FROM GENERAL REVENUE FUND	3,540,000	1,540,000

In line 2 of the proviso language for Item 434A after the word “allocated”
add the following additional words:

for foreign language instruction in high schools

Amendment 31—

SECTION 01, PAGE 56 ITEM 442	STRIKE:	INSERT:
SPECIAL CATEGORIES READING RESOURCE SPECIALISTS FROM GENERAL REVENUE FUND	4,830,000	4,600,000

Amendment 32—

SECTION 01, PAGE 57 ITEM 447	STRIKE:	INSERT:
447 SPECIAL CATEGORIES SUMMER CAMPS FROM GENERAL REVENUE FUND	1,000,000	-0-

Amendment 33—

SECTION 01, PAGE 64 ITEM 472A	STRIKE:	INSERT:
472A SPECIAL CATEGORIES LIBRARY BOOKS AND INSTRUCTIONAL EQUIPMENT FROM GENERAL REVENUE FUND	7,943,707	4,900,000

Amendment 34—

SECTION 01, PAGE 69 ITEM 514	STRIKE:	INSERT:
514 LUMP SUM UNDERGRADUATE IMPROVEMENT FROM GENERAL REVENUE FUND	7,800,000	5,000,000

Senator Vogt moved the following amendments which were adopted:

Amendment 35—

SECTION 01 ITEMS	STRIKE:	INSERT:
PAGE 104 773 FINANCIAL ASSISTANCE PAYMENTS AID TO FAMILIES WITH DEPENDENT CHILDREN FROM GENERAL REVENUE FUND	104,052,414	103,052,414
	163,689,796	164,689,796
PAGE 108 810 LUMP SUM EVALUATION AND TREATMENT CENTER FROM GENERAL REVENUE FUND	7,283,315	5,715,445
PAGE 104 772 FINANCIAL ASSISTANCE PAYMENTS ADULT CONGREGATE LIVING FACILITY CARE SUPPLEMENT FROM GENERAL REVENUE FUND	4,877,757	6,275,160
776 FINANCIAL ASSISTANCE PAYMENTS FOSTER HOME CARE SUPPLEMENT FROM GENERAL REVENUE FUND	702,583	1,026,526
PAGE 109 820 SPECIAL CATEGORIES CHILD DAY CARE FROM GENERAL REVENUE FUND	3,618,994	4,325,518
823 SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	8,856,923	8,896,923
PAGE 107 799 AID TO LOCAL GOVERNMENTS COMMUNITY MENTAL HEALTH SERVICES FROM GENERAL REVENUE FUND	48,707,573	48,807,573

Insert proviso following Specific Appropriation 799:

Of the funds provided in Specific Appropriation 799, \$1,828,664 shall be used to establish community forensic programs in Districts IIIA, IV, V, VIIB, IX and XI.

Amendment 36—

SECTION 01, PAGE 105
ITEM 791

In the proviso language following Specific Appropriation 791, insert the word "increased" after "From the" and before "funds" in the first line.

Senator Thurman moved the following amendment which failed:

Amendment 37—

SECTION 01, PAGE 115	STRIKE:	INSERT:
NEW SPECIFIC APPROPRIATION:		
875A AID TO LOCAL GOVERNMENTS CITRUS COUNTY PUBLIC HEALTH UNIT FROM GENERAL REVENUE FUND		400,000

Senator Frank moved the following amendments which were adopted:

Amendment 38—

SECTION 01, PAGE 116
ITEM 883A

Insert new Specific Appropriation and proviso as follows:

883A SPECIAL CATEGORIES DRUG TREATMENT FOR ORGAN TRANSPLANT PATIENTS FROM GENERAL REVENUE FUND		250,000
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Funds appropriated in Specific Appropriation 883A are contingent upon SB 235 or similar legislation becoming law which increases the driver license road examination fee by \$1.00 and that the first \$250,000 collected be retained by the Department of Highway Safety and Motor Vehicles.

Amendment 39—

SECTION 01, PAGE 124 ITEM 963A	STRIKE:	INSERT:
Insert new Specific Appropriation and proviso as follows:		
963A LUMP SUM - EXAMINATION FEES INCREASE FROM GENERAL REVENUE FUND		POSITIONS 14 250,000

Funds and positions in Specific Appropriation 963A are contingent upon SB 235 or similar legislation becoming law which increases the driver license rules of the road examination fee by \$1.00.

Senator Rehm moved the following amendment which was adopted:

Amendment 40—

SECTION 01, PAGE 117
ITEM 900

Insert proviso following Specific Appropriation 900:

Funds in Specific Appropriation 900 are contingent upon all facilities providing Neonatal Level III and/or Level II services shall identify costs of neonatal care services provided to Children's Medical Services grant sponsored patients by preparing a cost report (Hospital Statement of Reimbursable Costs, HOF A-2552) for each grant contract year ending June 30. The cost reports will be due no later than September 1, following the close of each contract period. The cost report shall be the grant contract period for all centers regardless of their fiscal year. All worksheets, schedules, and allocations shall apportion Neonatal Level III and/or Level II costs using the same methodologies as are used to allocate Title

XIX (Medicaid) costs. To facilitate the preparation of such cost reports, each center shall maintain an NICU log to accumulate only the charges to grant sponsored patients. Charges to insurance eligible and Medicaid NICU patients shall not be included. This information shall be provided to the President of the Senate, the Speaker of the House, and the Governor, who shall direct such reports to the appropriate committees and departments accordingly. This information shall be provided no later than the following November 1, beginning November 1, 1984.

Senators Thurman, Weinstein, Dunn, Scott, Frank and Castor offered the following amendment which was moved by Senator Thurman and failed:

Amendment 41—

SECTION 01, PAGE 3 STRIKE: INSERT:
ITEM 21A

SPECIAL CATEGORIES
SALARY INCREASES-
CAREER SERVICE,
ELECTED AND APPOINTED,
EXEMPT FROM CAREER SERVICE
FROM GENERAL REVENUE FUND 28,943,361 29,486,789

SECTION 05, PAGE 199

(2) ELECTED OFFICERS
JUDGES - COUNTY COURTS 55,467 59,236

Senators Gordon, Margolis, Rehm, Plummer, Girardeau, Myers, Jenne, Gersten, Fox, Jennings and Weinstein offered the following amendment which was moved by Senator Gordon and failed:

Amendment 42—

SECTION 01, PAGE 3
ITEM 21C

Add the following proviso language following Item 21C

\$1,308,659 of the funds in Specific Appropriation 21C shall be allocated to the universities located in the counties listed to achieve one-fourth of the amount per FTE faculty member and for the total amount shown below:

Alachua	605	749,170
Dade	2,886	1,480,667
Duval	1,345	251,576
Escambia	-0-	-0-
Hillsborough	531	482,118
Leon	630	809,351
Orange	1,437	796,181
Palm Beach	1,902	665,571

The vote was:

Yeas—15

Dunn	Girardeau	Jenne	Plummer
Fox	Gordon	Margolis	Rehm
Frank	Henderson	McPherson	Weinstein
Gersten	Hill	Myers	

Nays—21

Mr. President	Crawford	Langley	Thomas
Beard	Deratany	Malchon	Thurman
Carlucci	Grant	Mann	Vogt
Castor	Hair	Neal	
Childers, D.	Johnston	Scott	
Childers, W. D.	Kirkpatrick	Stuart	

Senators Neal, Johnston and Hill offered the following amendment which was moved by Senator Hill and adopted:

Amendment 43—

SECTION 01, PAGE 21 STRIKE: INSERT:

DEPARTMENT OF COMMERCE

222 SPECIAL CATEGORIES
PAID ADVERTISING AND
PROMOTION
FROM GENERAL REVENUE FUND 1,401,823 1,446,823

Senator Malchon moved the following amendment which failed:

Amendment 44—

SECTION 01, PAGE 34
ITEM 333

Insert a new paragraph of proviso as the second paragraph of proviso for Item 333, on page 34:

Of the funds appropriated in Specific Appropriation 333, up to \$500,000 shall be allocated to a study of the long-term effects of airborne radionuclides from phosphogypsum disposal fields upon human health and other air quality concerns.

A study commission shall be appointed by the President of the Senate and the Speaker of the House of Representatives.

The commission shall report no later than January 1, 1986 and the report shall contain at least: (1) a thorough review of potential health effects on airborne radionuclides from phosphogypsum disposal fields, (2) recommendations of sufficient setbacks of phosphogypsum disposal fields from residential areas and public or private schools, and (3) methodologies of existing technology available to abate radionuclides.

Senator Gordon moved the following amendment which was adopted:

Amendment 45—

SECTION 01, PAGE 41
ITEM 380

Insert a new paragraph of proviso as the final paragraph of proviso for Item 380 on page 41.

"Anyone serving on a state or district instructional materials selection committee may be eligible to participate in summer inservice training related to textbook selection."

Senator Frank moved the following amendment which failed:

Amendment 46—

PAGE 57 STRIKE: INSERT:
ITEM 448B

SPECIAL CATEGORIES
MATHEMATICS AND SCIENCE
SEVENTH PERIOD
FROM GENERAL REVENUE FUND 76,750,000 31,750,000

Proviso: Section 232.246(b) shall be amended to read beginning with the 1987-1988 school year.

Senator Gordon moved the following amendment which failed:

Amendment 47—

SECTION 01, PAGE 56 STRIKE: INSERT
ITEM 440C

SPECIAL CATEGORIES
MERIT PAY
FROM GENERAL REVENUE FUND 40,000,000 39,900,000

Insert the following new paragraph of proviso as the second paragraph of proviso for Item 440C on page 56.

Senator Hair moved the following amendment which was adopted:

Amendment 48—

SECTION 01, PAGE 06
ITEM 464

STRIKE: INSERT:

SPECIAL CATEGORIES
INDUSTRY SERVICES
FROM GENERAL REVENUE FUND

652,790 752,790

Senators D. Childers, Jenne, and Kirkpatrick offered the following amendment which was moved by Senator D. Childers and adopted:

Amendment 49—

SECTION 01, PAGE 75
ITEM 525

Strike the last paragraph and add the following language:

Funds provided in Specific Appropriation 498 through 501 are hereby appropriated to plan the orderly, accelerated implementation and expansion of FAU and FIU, so as to create a public comprehensive university presence in Southeast Florida within five years, and to explore other ways that the public institutions can fully address the needs of the area. It is the intention of the Legislature that FAU and FIU develop the plan in cooperation with the Board of Regents and the Postsecondary Education Planning Commission and that the plan give full consideration to cooperative agreements for educational services, now and in the future.

The study is to be delivered to the Governor and the Legislature by December 1, 1984.

Senator Neal moved the following amendment which was adopted:

Amendment 50—

SECTION 01, PAGE 88
ITEM 616

Insert the following proviso after Item 616:

Funds appropriated in Specific Appropriation 616 for Water Well Clean-up are contingent upon SB 1039 or similar legislation becoming law.

Senator Myers moved the following amendment which was adopted:

Amendment 51—

SECTION 01, PAGE 101
DEPT. OF H.R.S. - OPERATIONS

After Item 751 insert the following proviso:

Up to \$50,000 in Specific Appropriation 751 shall be utilized to match revenue from other state agencies to contract with Harbour Branch Foundation for research on the effect of aerial applications of mosquitoicides on marine resources.

Senator Vogt moved the following amendment which was adopted:

Amendment 52—

PAGE 107

HEALTH AND REHABILITATIVE SERVICES, DEPARTMENT OF

Insert proviso before 804 MENTAL HEALTH - INSTITUTIONS: From the funds in Specific Appropriations 804 and 806, up to 29 positions and the associated funds may be transferred to the District Mental Health Program Offices to plan and implement client management services with emphasis on those persons discharged from the state hospital.

Senator Jenne moved the following amendment which was adopted:

Amendment 53—

SECTION 01, PAGE 118

Insert proviso following Specific Appropriation 911:

Up to \$5000 of the funds in Specific Appropriation 911 may be used by the Department to develop a statewide plan which addresses how current appropriations may be directed and coordinated to provide a program for

poison control centers, transportation to centers, and the designation of pediatric intensive care units and trauma centers. The report is to be submitted to the Executive Office of the Governor and the Legislature by January 15, 1985.

Senator Jenne moved the following amendment which failed:

Amendment 54—

PAGE 122
ITEM 940

Following Item 940 insert the following language:

Funds appropriated in Specific Appropriation 940 may be used to increase the pharmacist's dispensing fee, effective July 1, 1984, in an amount deemed appropriate by the Department.

Senator Neal moved the following amendment which was adopted:

Amendment 55—

SECTION 01, PAGE 127

STRIKE: INSERT:

DEPARTMENT OF INSURANCE		
933 SALARIES AND BENEFITS	POSITIONS 94	POSITIONS 97
FROM INSURANCE		
COMMISSIONER'S		
REGULATORY TRUST FUND	2,286,126	2,351,272
995 EXPENSES		
FROM INSURANCE		
COMMISSIONER'S		
REGULATORY TRUST FUND	1,158,118	1,215,250
996 OPERATING CAPITAL OUTLAY		
FROM INSURANCE COMMISSIONER'S		
REGULATORY TRUST FUND	7,202	7,877

Senator Carlucci moved the following amendment which failed:

Amendment 56—

SECTION 02, PAGE 188
ITEM 1703

STRIKE: INSERT:

1703 FIXED CAPITAL OUTLAY		
DEPARTMENT OF ENVIRONMENTAL		
REGULATION LABORATORY,		
TALLAHASSEE		
FROM GENERAL REVENUE FUND	500,000	-0-

PAGE 190

1729A FIXED CAPITAL OUTLAY		
LABORATORY ADDITION, HANSON		
BUILDING, JACKSONVILLE		
FROM GENERAL REVENUE FUND		500,000

Senator Neal moved the following amendment which was adopted:

Amendment 57—

SECTION 02, PAGE 192
ITEM 1749

STRIKE: INSERT:

DEPARTMENT OF STATE		
RINGLING MUSEUM OF ART,		
BOARD OF TRUSTEES		
OF THE JOHN AND MABLE		
1749 FIXED CAPITAL OUTLAY		
EMERGENCY REPAIRS		
FROM GENERAL REVENUE FUND	1,900,000	-0-

INSERT NEW ITEM IN SECTION 03
AFTER ITEM 1764A:

FIXED CAPITAL OUTLAY		
EMERGENCY REPAIRS		
FROM GENERAL REVENUE FUND		1,900,000

Senator Myers moved the following amendment which was adopted:

Amendment 58—

SECTION 03, PAGE 195
ITEM 1764A

1764A FIXED CAPITAL OUTLAY
PARK DEVELOPMENT
FROM LAND ACQUISITION
TRUST FUND

	STRIKE:	INSERT:
	4,000,000	3,910,000

INSERT NEW ITEMS IN SECTION 03:

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF RECREATION AND PARKS:
FIXED CAPITAL OUTLAY
TRANSFER TO DEPARTMENT OF
TRANSPORTATION GRANTS AND
DONATIONS TRUST FUND/ST. LUCIE ROAD
FROM LAND ACQUISITION TRUST FUND

	90,000
--	--------

DEPARTMENT OF TRANSPORTATION
DIVISION OF PRECONSTRUCTION AND
DESIGN
FIXED CAPITAL OUTLAY
ST. LUCIE STATE PARK ACCESS ROAD
FROM GRANTS AND DONATIONS TRUST FUND

	90,000
--	--------

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

Amendment 59—

SECTION 03, PAGE 195
ITEM

1764A FIXED CAPITAL OUTLAY
PARK DEVELOPMENT
FROM LAND ACQUISITION
TRUST FUND

	STRIKE:	INSERT:
	4,000,000	3,650,000

1769A FIXED CAPITAL OUTLAY
EAU GALLIE CAUSEWAY
CAT WALK
FROM WORKING CAPITAL
TRUST FUND

	50,000	-0-
--	--------	-----

INSERT NEW ITEMS IN SECTION 03:

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF RECREATION AND PARKS
FIXED CAPITAL OUTLAY
TRANSFER TO DEPARTMENT OF
TRANSPORTATION GRANTS AND
DONATIONS TRUST FUND/EAU GALLIE
CAUSEWAY CAT WALK
FROM LAND ACQUISITION TRUST FUND

	350,000
--	---------

DEPARTMENT OF TRANSPORTATION
DIVISION OF CONSTRUCTION
FIXED CAPITAL OUTLAY
EAU GALLIE CAUSEWAY CAT WALK
FROM GRANTS AND DONATIONS TF

	350,000
--	---------

Senators Langley, Dunn and Weinstein offered the following amendment which was moved by Senator Langley and adopted:

Amendment 60—

SECTION 5(2), lines 5 and 6, Page 200
ITEM

STRIKE:
STATE ATTORNEYS:
CIRCUITS WITH 1,000,000
POPULATION OR LESS

	58,247	62,907
	60,994	65,874

CIRCUITS OVER 1,000,000

AND INSERT:
STATE ATTORNEYS:
CIRCUITS WITH 1,000,000
POPULATION OR LESS

	58,247	64,072
	60,994	67,039

Senator Castor moved the following amendment which was adopted:

Amendment 61—

SECTION 05, PAGE 198

Insert at the end of paragraph (g): Funds are provided in Specific Appropriation 21C to grant the Librarian related classes an additional increase of 8.75% of the employees' November 30, 1984 annual rate.

Senator Stuart moved the following amendment which was adopted:

Amendment 62—

SECTION 01, ITEMS 711, 712

EXECUTIVE OFFICE OF
THE GOVERNOR

PAGE 96

ITEM 711 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND

	6,000	46,000
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ITEM 712 EXPENSES
FROM GENERAL REVENUE FUND

	144,318	150,318
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Senators Dunn, Crawford and Jenne offered the following amendment which was moved by Senator Dunn and adopted:

Amendment 63—

ON PAGE 137,
ITEM 1098D

STATE ATTORNEYS ON
EXECUTIVE ASSIGNMENTS

	STRIKE:	INSERT:
	63,253	142,753

Senator Hair moved the following amendment which was adopted:

Amendment 64—

SECTION 01, PAGE 35
ITEM 342

From the funds appropriated in Specific Appropriation 342, \$500,000 shall be used by the Department of Education for the evaluation, continuation, expansion, and dissemination of projects designed to improve the internship component of approved teacher education programs in public institutions, according to guidelines established by the Department. Specific projects to be completed through this appropriation include: 1) development of a formula for appropriate funding of clinical education, 2) establishment of a coordinated state-wide effort for research on clinical education, 3) design, implementation, and evaluation of a comprehensive faculty inservice model for clinical supervisors, 4) design, implementation, and evaluation of a certification model for district personnel who assist in clinical components of teacher education, and 5) development of a model for a faculty evaluation and reward system that reflects the unique requirements of the clinical components of teacher education.

Senator Johnston moved the following amendment which was adopted:

Amendment 65—

SECTION 01, PAGE 42 ITEMS 383 and 385	STRIKE:	INSERT:
383 SALARIES AND BENEFITS FROM U. S. TRUST FUND	POSITIONS 321 421,567	POSITIONS 325 499,152
385 EXPENSES FROM U. S. TRUST FUND	139,425	153,969

Senator Hair moved the following amendments which were adopted:

Amendment 66—

SECTION 01, PAGE 43 ITEMS 387 and 388	STRIKE:	INSERT:
387 OPERATING CAPITAL OUTLAY FROM FEDERAL REHABILITATION TRUST FUND	29,938	66,452
388 FOOD PRODUCTS FROM FEDERAL REHABILITATION TRUST FUND	90,616	54,102

Amendment 67—

SECTION 01, PAGE 50
ITEM 416

In the third line of the first paragraph of proviso after the word "colleges" insert:

or universities

Amendment 68—

SECTION 01, PAGE 47 ITEM 412	STRIKE:	INSERT:
In the last line of the second full paragraph of proviso and in the second line of the fifth full paragraph of proviso	1983-84	1984-85

Amendment 69—

SECTION 01, PAGE 46
ITEM 412

In the last two lines of the first paragraph of proviso strike the words "maintenance contracts"

Amendment 70—

SECTION 01, PAGE 48
ITEM 412

In lines 7 and 8 of the paragraph of proviso at the top of the page, strike:

"above 1.1 mills"

and insert:

"that is the last .5 mill allowable discretionary millage"

Amendment 71—

SECTION 01, PAGE 57 ITEM 448B	STRIKE:	INSERT:
STRIKE EXISTING TITLE:		
MATHEMATICS AND SCIENCE SEVENTH PERIOD FROM GENERAL REVENUE FUND	76,750,000	
AND INSERT NEW TITLE:		
FULL IMPLEMENTATION OF		

SEVENTH PERIOD
FROM GENERAL REVENUE 76,750,000

Amendment 72—

SECTION 01 ITEM 468	STRIKE:	INSERT:
AID TO LOCAL GOVERNMENTS COMMUNITY COLLEGE PROGRAM FUND FROM GENERAL REVENUE FUND	321,845,422	321,105,977

Senator Johnston moved the following amendments which were adopted:

Amendment 73 —

SECTION 01, PAGE 67
ITEM 497

Strike the first paragraph of proviso language under "Universities, Division of" on page 67 and enter this as the first paragraph immediately following Item 497 on page 66.

Amendment 74—

SECTION 01, PAGE 71 NEW ITEM	STRIKE:	INSERT:
FOLLOWING ITEM 524 ADD THE NEW ITEM:		
SPECIAL CATEGORIES TRANSFER TO THE INSTITUTE OF GOVERNMENT FROM GENERAL REVENUE FUND		250,000

Amendment 75—

SECTION 01, PAGE 71 ITEM 525	STRIKE:	INSERT:
In the second paragraph of proviso following Item 525	48,649	50,402

Amendment 76—

SECTION 01, PAGE 131 ITEM 1044	STRIKE:	INSERT:
1044 SPECIAL CATEGORIES DISCRETIONARY FUNDS OF THE CHIEF JUSTICE		

Insert proviso:

Funds in Specific Appropriation 1044 may be expended at the discretion of the Chief Justice in carrying out the official duties of the court. These funds shall be disbursed by the Comptroller upon receipt of vouchers authorized by the Chief Justice. The Chief Justice shall submit a report to the Legislature by September 1 of each year which states the specific expenses paid with these funds in the prior year.

Amendment 77—

SECTION 01, PAGE 137
ITEM 1098A

SPECIAL CATEGORIES
CONFLICT CASES

From General Revenue Fund

Strike last paragraph of proviso, immediately preceding Specific Appropriation 1098B:

In the event of a general revenue shortfall, as provided in Chapter 216, F.S., funds in Specific Appropriation 1098E shall not be reserved in excess of the amount obtained by multiplying the overall percentage reduction factor required times the amounts in Specific Appropriation 1098A, unless all other general revenue in Specific Appropriations 1095 through 1098 and 1103 through 1282 has been exhausted.

And insert immediately preceding Specific Appropriation 1098B:

In the event of a general revenue shortfall, as provided in Chapter 216, F.S., funds in Specific Appropriation 1098A shall not be reserved in excess of the amount obtained by multiplying the overall percentage reduction factor required times the amounts in Specific Appropriation 1098A, unless all other general revenue in Specific Appropriations 1095 through 1098 and 1103 through 1282 has been exhausted.

Amendment 78—

SECTION 01 STRIKE: INSERT:
ITEM 1351

DEPARTMENT OF LAW ENFORCEMENT
DIVISION OF CRIMINAL JUSTICE
INFORMATION SYSTEMS
1351 SALARIES AND BENEFITS POSITIONS 144 POSITIONS 147

Insert after "Trust Fund" in proviso following Specific Appropriation 1351:

"and three positions"

Amendment 79—

SECTION 01, PAGE 157 STRIKE: INSERT:
ITEM 1364

1364 SALARIES AND BENEFITS POSITIONS 308 POSITIONS 311

Amendment 80—

SECTION 01, PAGE 157

Insert proviso preceding Specific Appropriation 1364 within the Department of Legal Affairs:

State agencies contracting for legal services with the Department of Legal Affairs are hereby authorized to make advanced payments on a quarterly basis for the fiscal year 1984-85.

Amendment 81—

SECTION 01, PAGE 159

In the proviso following the title LEGISLATIVE BRANCH on Line 3 after the number "1374" delete the word "and" and insert the word "through".

Amendment 82—

SECTION 01, PAGE 163 STRIKE: INSERT:
ITEM 1417A

DEPARTMENT OF NATURAL RESOURCES
1417A SPECIAL CATEGORIES
OYSTER PLANTING - ST. JOHNS/
LEVY COUNTIES
FROM GENERAL REVENUE FUND 75,000 -0-

INSERT NEW ITEM IN SECTION 01:

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MARINE RESOURCES
SPECIAL CATEGORIES
OYSTER PLANTING
FROM GENERAL REVENUE FUND 75,000

Amendment 83—

SECTION 01, PAGE 168 STRIKE: INSERT:
ITEM 1479

PUBLIC SERVICE COMMISSION

1479 SPECIAL CATEGORIES
PAY/DIVISION OF
ADMINISTRATIVE HEARINGS
FROM REGULATORY TRUST FUND 30,426 -0-

Amendment 84—

SECTION 01, PAGE 179 STRIKE: INSERT:
ITEM 1593

DEPARTMENT OF TRANSPORTATION
DIVISION OF PUBLIC
TRANSPORTATION OPERATIONS

1593 AID TO LOCAL GOVERNMENTS
MASS TRANSIT MATCHING
GRANTS
FROM WORKING CAPITAL
TRUST FUND 37,930,313 38,180,313

Amendment 85—

SECTION 05, PAGE 199
ITEM 2

Strike the paragraph following salary schedule as follows:

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

And insert:

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

Amendment 86—

SECTION 05, PAGE 201

SALARIES AND BENEFITS

Between paragraphs (e) and (f) strike the character (f) and insert (6) other Requirements

Amendment 87—

SECTION 01, PAGES 11 & 12	STRIKE:	INSERT:
DEPARTMENT OF AGRICULTURE DIVISION OF PLANT INDUSTRY		
103 SALARIES AND BENEFITS FROM GENERAL REVENUE FUND	POSITIONS 256 4,517,314	POSITIONS 262 4,602,498
105 EXPENSES FROM GENERAL REVENUE FUND	1,344,096	1,404,177
106 OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	117,627	204,327
INSERT NEW ITEM 106A:		
106A LUMP SUM OFFICE AUTOMATION FROM GENERAL REVENUE FUND	-0-	34,740

Senator Hair moved the following amendments which were adopted:

Amendment 88—

SECTION 01, PAGE 63 ITEM 468	STRIKE:	INSERT:
AID TO LOCAL GOVERNMENT COMMUNITY COLLEGE PROGRAM FUND FROM GENERAL REVENUE FUND	321,845,422	321,765,123

Amendment 89—

SECTION 01, PAGE 66
ITEM 497

Add the following proviso language:

Funds in Specific Appropriations 492 through 495 shall be used to study the feasibility of the Florida Community College Satellite Network. The Commission shall submit a report by March 1, 1985.

On motion by Senator Johnston, the Senate reconsidered the vote by which Amendment 19 failed and the amendment was adopted.

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

Amendment 90—

SECTION 01
DEPARTMENT OF COMMERCE
211 SPECIAL CATEGORY
PAID ADVERTISING

Insert the following proviso:

From the funds provided in Specific Appropriation 211 the department shall conduct a special advertising program for the City of Miami Beach.

Senator Frank moved the following amendment which was adopted:

Amendment 91—

SECTION I
ITEM 440C

Proviso:

Provided that the 1984 Legislature shall adopt a Merit Pay Plan which establishes the manner of identifying teachers eligible for merit pay

On motion by Senator Johnston, by two-thirds vote SB 1125 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gersten	Johnston	Rehm
Beard	Girardeau	Kirkpatrick	Scott
Castor	Gordon	Langley	Stuart
Childers, D.	Grant	Malchon	Thomas
Childers, W. D.	Grizzle	Mann	Thurman
Crawford	Hair	Margolis	Vogt
Deratany	Henderson	McPherson	Weinstein
Dunn	Hill	Myers	
Fox	Jenne	Neal	
Frank	Jennings	Plummer	

Nays—1

Carlucci

Vote after roll call:

Yea—Barron

Senator Johnston moved that the staff of the Committee on Appropriations be permitted to conform the title to the amendments and make technical corrections in SB 1125. The motion was adopted.

SB 1124—A bill to be entitled An act relating to state government; implementing and administering the General Appropriations Act for fiscal year 1984-1985; providing authority for the Administration Commission to approve certain transfers related to reorganization; providing that, with specified exceptions, automobiles purchased or leased by the state shall be of the subcompact class; restricting price at which vehicles may be purchased; restricting lease or installment purchase of vehicles, machines, and equipment by the executive or judicial branches unless approved by the Comptroller; restricting use of appropriated funds for certain legal services unless approved by the Attorney General; providing that certain unexpended balances of appropriations to the Department of Transportation shall be certified forward at the end of the fiscal year; restricting expenditure of certain funds available as a result of litigation against oil companies and refineries; providing that specific appropriations in the General Appropriations Act may be advanced as provided; providing restrictions with respect to advances for program start-up or advances for contracted services; providing for waiver of said restrictions; providing that appropriations to the Department of Education are subject to approval by the Commissioner of Education of certain purchases of electronic data processing equipment by school districts, community colleges, and the Board of Regents; requiring the Commissioner of Education to conduct an allocation conference prior to distribution of FEFP formula funds; directing the Commissioner of Education to review adult education programs and to report the results thereof; authorizing school districts to contract with nonpublic residential schools for educational programs not otherwise available and providing conditions, eligibility, and funding with respect thereto; modifying procedure for determining annual allocations to school districts; directing the Commissioner of Education to conduct certain enrollment estimating conferences, and to report the results thereof; providing for establishment of enrollment ceilings by program groups; providing for inclusion of certain students in educational alternative programs; delaying effective date of certain provisions relating to required local effort; requiring agencies to first solicit state funded educational institutions for contractual training needs; providing for continuation of certain programs in the event of federal funding; prohibiting use of certain funds for relocation of certain railroads; placing restrictions on transfer of or use of services of agency personnel by another agency; prescribing salary of workers' compensation deputy commissioners and the chief commissioner; repealing section 8, chapter 83-348 Laws of Florida, which relates to the repeal of provisions relating to the depositing of certain fees in the Corporations Trust Fund; providing effective and expiration dates.

—was read the second time by title.

Senator Castor moved the following amendments which were adopted:

Amendment 1—On page 15, before line 1, insert: a new section 25

Other than for in-house training and educational activities, in order for a state agency to contract or to expend any funds including payment or reimbursement of fees for in-service instruction and education of its employees for such reasons as job or self improvement, job retention, job promotion, job certification, and job entry, each state agency shall submit a plan to the Department of Administration which must be approved by the Department of Administration before such funds may be released by

the Executive Office of the Governor and expended by the agency. The expenditure plans must rank the requested programs/classes in priority order, and shall include specific training categories, how this training is to be obtained, why the training is necessary or is beneficial to the state, the number of hours of needed instruction, the estimated cost per hour and other factors necessary for approval of an in-service training plan.

The Department of Administration shall develop by February 1, 1985 an in-service training master plan to be implemented for F.Y. 1985-86 for all state agencies, which shall include procedures for requesting, allocating, and reporting of expenditures of funds appropriated for each respective agency's in-service training program. The request for funding shall be based upon the full cost of the program.

(Renumber subsequent sections.)

Amendment 2—In title, on page 3, line 5, following "Fund;" insert: requiring agency in-service education programs provided by other agencies to be planned and that the plan must be reviewed and approved by the Department of Administration prior to release of funds by the Executive Office of the Governor;

On motion by Senator Johnston, by two-thirds vote SB 1124 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gersten	Johnston	Rehm
Beard	Girardeau	Kirkpatrick	Scott
Castor	Gordon	Langley	Stuart
Childers, D.	Grant	Malchon	Thomas
Childers, W. D.	Grizzle	Mann	Thurman
Crawford	Hair	Margolis	Vogt
Deratany	Henderson	McPherson	Weinstein
Dunn	Hill	Myers	
Fox	Jenne	Neal	
Frank	Jennings	Plummer	

Nays—None

Vote after roll call:

Yea—Barron

CS for SB 954—A bill to be entitled An act relating to educational funding; providing appropriations for certain projects in the public school system, community colleges, and the state university system; authorizing the Board of Regents and the University of Florida to accept certain funds for the construction of a museum of fine arts; authorizing the Board of Trustees of Pasco-Hernando Community College and the Board of Trustees of Seminole Community College to acquire certain property; authorizing the Board of Regents acting on behalf of the University of Florida to accept an academic building subject to certain conditions; providing an effective date.

—was read the second time by title.

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

Amendment 1—On pages 9 and 10, strike all of section 7 and insert:

Section 7. Notwithstanding the provisions of s. 240.295, Florida Statutes, the State Board of Education, in consultation with the President of the Senate and Speaker of the House of Representatives, is authorized to negotiate and approve on behalf of the state an agreement which would result in the discharge of the amended lease between the State Board of Education, the Board of Regents, and the Board of Directors of Shands Teaching Hospital and Clinics, Inc., as currently required by s. 1(15) of chapter 80-414, Laws of Florida. Further, the State Board of Education is authorized to negotiate and approve a financing mechanism which leads to the construction of a new academic building by Shands Teaching Hospital and Clinics, Inc., or the University of Florida. The financing mechanism shall not obligate the state to debt financing or other financial obligations beyond that which would normally accrue.

Senator Vogt presiding

Senator Peterson moved the following substitute amendment which failed:

Amendment 2—On pages 9 and 10, strike all of section 7 and insert:

The State Board of Education is authorized to negotiate and recommend to the Legislature a plan which would result in the discharge of the loan agreement and amended lease between the State Board of Education, the Board of Regents, and the Board of Directors of Shands Teaching Hospital and Clinics, Inc. as currently required by Chapter 80-414, Section 1 (15), Laws of Florida.

Amendment 1 was adopted.

Senators Johnston and Hair offered the following amendments which were moved by Senator Johnston and adopted:

Amendment 3—On page 3, line 10, strike "\$1,700,000" and insert: \$1,180,745

Amendment 4—On page 3, strike all of lines 23-31 and on page 4, strike all of lines 1-4 and insert:

(h) The sum of \$1,830,373 to the Department of Education for equipment grants to the following public broadcasting stations:

1. Pensacola WUWF - FM	27,280
2. Ft. Pierce WQCS - FM	8,338
3. Pensacola WSRE - TV	333,500
4. Miami WLRN - TV and FM	220,000
5. Gainesville WUFT - TV and FM	626,980
6. Orlando WMFE - TV and FM	33,350
7. Tampa WEDU - TV	50,000
8. Tallahassee WFSU - TV	183,425
9. Panama City WKGC - FM	14,000
10. Tampa WUSF - TV	333,500

Amendment 5—On page 6, line 5, strike "10,938,258" and insert: 10,957,886

Amendment 6—On page 6, line 10, strike "\$6,330,837" and insert: \$6,350,465

Amendment 7—On page 7, before line 1, insert:

4. The sum of \$19,628 to the Board of Trustees of Brevard Community College for initial construction of a joint-use auditorium for South Brevard County.

Amendment 8—On page 8, between lines 4 and 5, insert:

(d) The sum of \$190,000 for planning a facility for the Immokalee Agricultural Research Center.

(e) The sum of \$2,140,000 for construction of a facility at the Homestead Agricultural Research Center.

Amendment 9—On page 10, line 29, insert:

Section 9. The sum of \$1,200,000 appropriated to Jacksonville WJCT-FM and TV for equipment grants in section 1,(1)(f)(5), Chapter 83-333, Laws of Florida, from the Public Education Capital Outlay and Debt Service Trust Fund, is hereby reduced by \$800,000 to an appropriation of \$400,000. The sum of \$800,000 is hereby appropriated from the Public Education Capital Outlay and Debt Service Trust Fund for Jacksonville WJCT-FM and TV for costs related to the purchase, installation and operation of a new antenna, transmitter, and tower in cooperation with commercial stations WTVL and WJXT. This sum represents the full amount the state will contribute to this project.

Senator Stuart moved the following amendments which were adopted:

Amendment 10—On page 10, line 29, insert: a new section 9

Section 9. From the Capital Improvement Fee Trust Fund of the Public Education Capital Outlay and Debt Service Trust Fund appropriation in Section 2 (2)(x), Chapter 83-333, Laws of Florida, to the University of Central Florida for fieldhouse construction, the amount of \$2,914,500 is reduced by \$145,000. The sum of \$145,000 is hereby appropriated to the University of Central Florida from the Capital Improvement Fee Trust Fund for planning a multi-purpose competition world class track facility to be fully integrated into the existing athletic complex.

(Renumber subsequent sections.)

Amendment 11—In title, on page 1, line 15, following "conditions;" insert: reducing an appropriation in Chapter 83-333 and appropriating funds for a new facility;

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

Amendment 12—In title, on page 1, line 15, following “conditions,” insert: reducing an appropriation in Chapter 83-333 and appropriating funds for a new purpose;

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

Amendment 13—In title, on page 1, strike all of lines 12-15 and insert: acquire certain property; authorizing the State Board of Education to negotiate and approve an agreement to discharge the amended lease currently required by s. 1(15) of chapter 80-414, Laws of Florida, as well as a financing mechanism for the construction of a new academic building by Shands Teaching Hospital and Clinics, Inc.; providing an

On motion by Senator Kirkpatrick, the Senate reconsidered the vote by which Amendment 1 was adopted. By permission Amendment 1 was withdrawn.

Senator Gordon moved the following amendment which failed:

Amendment 14—On page 9, lines 7-31 and on page 10, lines 1-21, strike all of said language.

On motion by Senator Johnston, the Senate reconsidered the vote by which Amendment 2 failed. Amendment 2 was adopted.

On motion by Senator Johnston, by two-thirds vote CS for SB 954 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

Mr. President	Frank	Jennings	Neal
Beard	Gersten	Johnston	Plummer
Castor	Girardeau	Kirkpatrick	Rehm
Childers, D.	Grant	Langley	Scott
Childers, W. D.	Grizzle	Malchon	Stuart
Crawford	Hair	Mann	Thomas
Deratany	Henderson	Margolis	Thurman
Dunn	Hill	McPherson	Vogt
Fox	Jenne	Myers	Weinstein

Nays—1

Gordon

Vote after roll call:

Yea—Barron

The motion by Senator Hair on May 15, that the Senate reconsider the vote by which CS for SB's 189 and 480 passed on May 15, was taken up and adopted; and the Senate reconsidered.

On motion by Senator Hair, the rules were waived and by two-thirds vote CS for HB 899 was withdrawn from the Committees on Economic, Community and Consumer Affairs; and Finance, Taxation and Claims.

On motion by Senator Hair—

CS for HB 899—A bill to be entitled An act relating to convention development taxes; amending ss. 212.057 and 212.0305, F.S., which authorize the levy of such tax by certain charter and consolidated counties; providing that certain charter county municipalities may prohibit levy of the tax; revising the rental period subject to such taxes; specifying applicability of exemptions; providing procedures for collection and administration; providing penalties; providing for the distribution of proceeds collected prior to the effective date of this act; providing an effective date.

—a companion measure, was substituted for CS for SB's 189 and 480 and read the second time by title.

Senator Hair moved the following amendments which were adopted:

Amendment 1—On pages 1-7, strike everything after the enacting clause and insert:

Section 1. Subsections (1), (3), and (4) of section 212.057, Florida Statutes, as created by chapter 83-354, Laws of Florida, are amended and subsections (5), (6), (7), (8), (9), and (10) are added to said section to read:

212.057 Convention development tax; adoption; application of revenues; administration and collection.—

(1) Each county, as defined in s. 125.011(1), may levy, pursuant to an ordinance enacted by the governing body of the county, a 3 percent convention development tax on the amount of any payment made by any person to rent, lease, or use for a period of 6 months ~~30 days~~ or less any living quarters or accommodations in a hotel, apartment hotel, motel, resort motel, apartment, apartment motel, rooming house, tourist or trailer camp, or condominium, *except payments made by a person to rent, lease, or use any living quarters or accommodations which are exempt under part I of chapter 212.*

(3) The governing body of each municipality ~~in a county~~ in which a municipal tourist tax is levied may adopt a resolution prohibiting the levy of the convention development tax within such municipality. If the governing body adopts such a resolution, the convention tax shall be levied by the county in all other areas of the county except such municipality, provided; no funds collected pursuant to this section ~~set~~ may be expended in a municipality which has adopted such a resolution.

(4) Before the county enacts an ordinance levying and imposing the tax, the county shall notify the governing body of each municipality in which projects are to be developed pursuant to paragraphs (2)(a) or (b). The governing bodies of such municipalities shall designate or appoint an authority *that shall have the sole power to approve the concept, location, program, and design of the facilities or improvements to be built in accordance with this section and to administer and disburse such proceeds and any other related source of revenue.* The members of each such authority shall be selected from the tourism and hospitality industry that does business within such municipality and shall serve at the pleasure of the governing body of such municipality. The annual budget of such authority shall be subject to approval of the governing body of the municipality.

(5)(a) *The convention development tax shall be in addition to any other tax imposed pursuant to s. 125.0104 and this part, and in addition to all other taxes, fees, and charges including the consideration paid for the rental or lease.*

(b) *The convention development tax shall be charged by the person receiving the consideration for the lease or rental, and it shall be collected from the lessee, tenant, or customer at the time of payment of the consideration for such lease or rental.*

(6) *The person receiving the consideration for such rental or lease shall receive, account for, and remit the tax to the Department of Revenue at the time and in the manner provided for persons who collect and remit taxes under s. 212.03. The same duties and privileges imposed by this part upon dealers in tangible property, respecting the collection and remission of tax; the making of returns, the keeping of books, records, and accounts; and compliance with the rules of the Department of Revenue in the administration of this part shall apply to and be binding upon all persons who are subject to the provisions of this section. However, the Department of Revenue may authorize a quarterly return and payment when the tax remitted by the dealer for the preceding quarter did not exceed \$25.*

(7)(a) *The Department of Revenue shall keep records showing the amount of taxes collected, which shall disclose the taxes collected from each county in which the tax authorized by this section is applicable. These records shall be open for inspection during the regular office hours of the Department of Revenue, subject to the provisions of s. 213.053.*

(b) *Collections received by the Department of Revenue from the tax, less costs of administration of this section, shall be paid and returned on a monthly basis to the county which imposed the tax, for use by the county in accordance with the provisions of this section. Such receipts shall be placed in the Convention Development Trust Fund created by the respective county.*

(8) *The Department of Revenue shall promulgate such rules and shall prescribe and publish such forms as may be necessary to effectuate the purposes of this section. The department is authorized to establish audit procedures and assess for delinquent taxes.*

(9)(a) *Any person taxable hereunder who fails or refuses to charge and collect from the person paying any rental or lease the taxes herein provided, either by himself or through his agents or employees, shall, in*

addition to being personally liable for the payment of the tax, be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b) No person shall advertise or hold out to the public in any manner, directly or indirectly, that he or she will absorb all or any part of the tax, that he or she will relieve the person paying the rental of the payment of all or any part of the tax, or that the tax will not be added to the rental or lease consideration or, when added, that it or any part thereof will be refunded or refused, either directly or indirectly, by any method whatsoever. Any person who willfully violates any provision of this paragraph shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(c) The tax authorized to be levied by this section shall constitute a lien on the property of the lessee, customer, or tenant in the same manner as, and shall be collectible as are, liens authorized and imposed by ss. 713.67, 713.68, and 713.69.

(10) The provisions contained in chapter 212, except s. 212.11(1), apply to the administration of any tax levied pursuant to this section.

Section 2. Subsection (1) of section 212.0305, Florida Statutes, is amended and subsections (5), (6), (7), (8), (9), (10), (11), and (12) are added to said section to read:

212.0305 Convention development tax; adoption; application of revenues; administration and collection.—

(1) Each county which operates under a government consolidated with that of one or more municipalities in the county may levy, pursuant to an ordinance enacted by the governing body of the county, a ~~2-percent~~ convention development tax at the rate of 2 percent of each dollar and major fraction of each dollar of the total consideration charged ~~on the amount of any payment made~~ by any person to rent, lease, or use any living quarters or accommodations in a hotel, apartment hotel, motel, resort motel, apartment, apartment motel, rooming house, tourist or trailer camp, or condominium for a period of 6 months ~~30 days~~ or less. When receipt of consideration is by way of property other than money, the tax shall be levied and imposed on the fair market value of such nonmonetary consideration. Payments made by a person to rent, lease, or use any living quarters or accommodations which are exempt under this part shall likewise be exempt from the tax imposed by this section.

(5)(a) The convention development tax shall be in addition to any other tax imposed pursuant to s. 125.0104 and this part, and in addition to all other taxes, fees, and charges including the consideration paid for the rental or lease.

(b) The convention development tax shall be charged by the person receiving the consideration for the lease or rental, and it shall be collected from the lessee, tenant, or customer at the time of payment of the consideration for such lease or rental.

(6) The person receiving the consideration for such rental or lease shall receive, account for, and remit the tax to the Department of Revenue at the time and in the manner provided for persons who collect and remit taxes under s. 212.03. Except for making estimated tax liability payments required under s. 212.11, the same duties and privileges imposed by this part upon dealers in tangible property, respecting the collection and remission of tax; the making of returns, the keeping of books, records, and accounts; and compliance with the rules of the Department of Revenue in the administration of this part shall apply to and be binding upon all persons who are subject to the provisions of this section. However, the Department of Revenue may authorize a quarterly return and payment when the tax remitted by the dealer for the preceding quarter did not exceed \$25.

(7)(a) The Department of Revenue shall keep records showing the amount of taxes collected, which shall disclose the taxes collected from each county in which the tax authorized by this section is applicable. These records shall be open for inspection during the regular office hours of the Department of Revenue, subject to the provisions of s. 213.053.

(b) Collections received by the Department of Revenue from the tax, less costs of administration of this section, shall be paid and returned on a monthly basis to the county which imposed the tax, for use by the county in accordance with the provisions of this section. Such receipts shall be placed in the Convention Development Trust Fund created by the respective county.

(8) The Department of Revenue shall promulgate such rules and shall prescribe and publish such forms as may be necessary to effectuate the purposes of this section. The department is authorized to establish audit procedures and assess for delinquent taxes.

(9)(a) Any person taxable hereunder who fails or refuses to charge and collect from the person paying any rental or lease the taxes herein provided, either by himself or through his agents or employees, shall, in addition to being personally liable for the payment of the tax, be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b) No person shall advertise or hold out to the public in any manner, directly or indirectly, that he or she will absorb all or any part of the tax, that he or she will relieve the person paying the rental of the payment of all or any part of the tax, or that the tax will not be added to the rental or lease consideration or, when added, that it or any part thereof will be refunded or refused, either directly or indirectly, by any method whatsoever. Any person who willfully violates any provision of this paragraph shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(c) The tax authorized to be levied by this section shall constitute a lien on the property of the lessee, customer, or tenant in the same manner as, and shall be collectible as are, liens authorized and imposed by ss. 713.67, 713.68, and 713.69.

(10) The provisions of s. 212.11(1) shall not apply to any tax levied pursuant to this section.

(11) A certified copy of the ordinance levying the tax shall be furnished by the county to the Department of Revenue within 10 days after approval of such ordinance. The effective date of the levy and imposition of the tax shall be the first day of any month, at least 60 days after enactment of the ordinance levying the tax.

(12) Except as otherwise provided by law, one-half of the proceeds of the tax which is collected within a municipality the government of which is not consolidated with that of the county shall, at the request of the governing body of the municipality, be remitted to the municipality. The revenue remitted to a municipality pursuant to this subsection may be used by the municipality only for the purposes and in the manner authorized in this section, but the municipality may enter into an inter-local agreement with the county or any other municipality in the county to use such revenue to jointly finance any project authorized by this section.

Section 3. Revenues collected by Dade County pursuant to Dade Ordinance 83-91 shall be deposited in the Dade County Convention Development Trust Fund created pursuant to this act. Also, any Dade County Convention Development Tax revenues collected prior to the effective date of this act by the state Department of Revenue and deposited into the state General Revenue Fund are hereby appropriated to Dade County for deposit in the Dade County Convention Development Trust Fund.

Section 4. The provisions of s. 212.0305(12), Florida Statutes, shall not apply to the distribution to the county of any convention development tax revenues necessary to repay principal of or interest on any bonds issued before the effective date of this act pursuant to s. 212.0305(3)(a), Florida Statutes.

Section 5. Any county which was chartered under Art. VIII of the Florida Constitution and which levies a tourist advertising or promotion tax as an ad valorem levy under a special taxing district in that county shall be authorized to levy and impose a convention development tax pursuant to s. 212.057, Florida Statutes. With respect to the adoption, levy, and imposition of the tourist development tax by such county, the provision of s. 212.057(3), Florida Statutes, shall not be applicable, and the "authority" provided for in subsection (4) of that section shall be appointed by the county from qualified persons who reside in the special taxing district. The maximum rate of tax which may be levied and imposed shall be 1 percent of each dollar and major fraction of each dollar of the total consideration, notwithstanding the provisions of s. 212.0305, Florida Statutes. The county may adopt, impose, and levy the tourist development tax as prescribed herein, provided that the tax shall only be made applicable within the special taxing district, the county shall have no power to levy and impose an ad valorem tax in such district on or after January 1 of the year following the date of the adoption of the tourist development tax, and the purposes for which the tourist develop-

ment tax may be expended and used shall include the purposes for which tax revenue may be lawfully expended under the enabling legislation of the special taxing district. The provisions of s. 212.057, Florida Statutes, relating to administration, collection, and enforcement of taxes shall be applicable to taxes levied pursuant to this section.

Section 6. It is the intent of the Legislature that section 1 of this act, including the provisions of chapter 83-354, Laws of Florida, be incorporated into the Florida Statutes as section 212.057 thereof.

Section 7. If any provision of this act or the application thereof to any person or circumstance is held invalid, it is the legislative intent that the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared severable.

Section 8. This act shall take effect upon becoming a law.

Amendment 2—In title, on page 1, strike everything before the enacting clause and insert: A bill to be entitled An act relating to convention development taxes; amending ss. 212.057 and 212.0305, F.S., which authorize the levy of such tax by certain charter and consolidated counties; providing that certain charter county municipalities may prohibit levy of the tax; providing the governing bodies of certain municipalities with certain powers; revising the rental period subject to such taxes; specifying applicability of exemptions; providing procedures for collection, distribution, and administration; providing penalties; providing a limitation on certain distributions; providing for the distribution of proceeds collected prior to the effective date of this act; authorizing the levy, within certain special districts, of a tourist development tax by certain counties in lieu of ad valorem taxes; providing an effective date.

On motion by Senator Hair, by two-thirds vote CS for HB 899 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

Beard	Gersten	Johnston	Rehm
Castor	Girardeau	Langley	Scott
Childers, D.	Gordon	Malchon	Stuart
Childers, W. D.	Grant	Mann	Thomas
Crawford	Hair	Margolis	Thurman
Deratany	Henderson	McPherson	Vogt
Dunn	Hill	Myers	Weinstein
Fox	Jenne	Neal	
Frank	Jennings	Plummer	

Nays—None

Vote after roll call:

Yea—Barron

CS for SB's 189 and 480 was laid on the table.

On motions by Senator Johnston, the rules were waived and SB 1125, SB 1124 and CS for SB 954 after being engrossed were ordered immediately certified to the House.

The President presiding

Recommendation on Point of Order

Senator Barron made the following recommendation on the point of order raised by Senator Langley as to the germanity of Amendment 2 by Senator Dunn to SB 315:

Subject of bill: Humane destruction by a law enforcement or animal control officer without court order of a veterinarian-certified injured/diseased domestic animal.

Subject of amendment: Increased criminal penalty and scope of coverage (to include fowl) of Animal Fighting Act of 1976.

Rule: An amendment proposed must be germane to the subject of the bill.

Applying the generally accepted objective standards from Mason's Manual to determine germanity:

The amendment is not in a natural and logical sequence to the original proposal and neither does it relate to the same subject. The bill authorizes destruction of certain animals without court order. The amendment is a penal statute to proscribe cockfighting.

The amendment is an independent new question. The Rules Select Committees have ruled uniformly that whenever an amendment can be traced to a separate bill that is pending concurrently somewhere in the Legislature, then the amendment is prima facie an independent question.

In this case, Senator Dunn's proposed amendment is identical to CS for SB 981 by the Judiciary-Criminal Committee and is currently on the calendar.

Senator Barron recommended to the President that the amendment was not germane and the point of order well taken.

CORRECTION AND APPROVAL OF JOURNAL

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

Page 263, column 2, from bottom, line 6, before SB insert: CS for

CO-INTRODUCERS

Senator Barron—CS for SB 442; Senator McPherson—SB 503; Senator Malchon—SB 525; Senator Peterson—SB 567, CS for SB's 1081 and 884; Senator Girardeau—SB 657; Senator Jenne—CS for SB 877

ADJOURNMENT

On motion by Senator Barron, the Senate adjourned at 2:25 p.m. to reconvene at 10:00 a.m., Thursday, May 17.