



# Journal of the Senate

Number 17

Wednesday, May 21, 1986

## PRAYER

The following prayer was offered by the Rev. Dr. Jack Snell, Pastor, Hendricks Avenue Baptist Church, Jacksonville:

Eternal God, Father of all people and ruler of all nations, we thank you that you have made us citizens of this great land. Help us to love our country with a passion so strong and so true that we shall be jealous for its honor and instant in its service. Enable the men and women who lead our government to be people whose only master is their conscience and whoever speak with you before they speak to their fellowmen.

Give to these Senators, we pray, the wisdom which will enable them at all times to know what to do. Help them to know when to speak and when to be silent. Grant that no cowardice may keep them from speaking when they ought to speak, and grant that no angry passion may make them speak, when they would regret having spoken.

Help them to know when to say no and when to say yes. Grant that no weakness may make them yield to, or agree with, that which is wrong, and grant that no self-will may make them unreasonably and stubbornly set on their own way.

Help them to know when to act and when to wait. Enable them to recognize the things which must be done at once, if they are to be done at all, and to see what things cannot be hurried and for which they must wait in patience.

In short, our Father, bless with unusual insight and courage these and all others who govern and administer our state and country this day, that they may accomplish the greatest good for the greatest number, for thy sake. Amen.

## CALL TO ORDER

The Senate was called to order by the President at 9:00 a.m. A quorum present—40:

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

## REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Wednesday, May 21, 1986: SB 1320, SB 1321, SB 1322, CS for SB 311, CS for SB 313, CS for SB 314, CS for SB 870

Respectfully submitted,  
*Kenneth C. Jenne, Chairman*

The Committee on Commerce recommends the following pass: SB 1161

The Committee on Health and Rehabilitative Services recommends the following pass: SB 817, CS for SB 990

The Committee on Judiciary-Criminal recommends the following pass: CS for SB 787, SB 810, SB 826, SB 884, SB 881 with 1 amendment, SB 883 with 1 amendment

The Committee on Personnel, Retirement and Collective Bargaining recommends the following pass: SB 798

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

The Committee on Judiciary-Criminal recommends the following pass: SB 1175

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

The Committee on Commerce recommends the following pass: SB 660

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

The Committee on Governmental Operations recommends the following pass: SB 1074 with 2 amendments

The Committee on Judiciary-Criminal recommends the following pass: SB 882 with 2 amendments

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

The Committee on Commerce recommends the following pass: SB 1221

The Committee on Judiciary-Criminal recommends the following pass: HB 154, SB 790 with 2 amendments, SB 874 with 1 amendment, SB 1181 with 2 amendments

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

The Committee on Commerce recommends the following not pass: SB 33, SB 811

The bills were laid on the table.

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: CS for SB's 1180 and 1230

The Committee on Judiciary-Criminal recommends a committee substitute for the following: CS for SB 1111

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

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: SB 1034

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

The Committee on Commerce recommends committee substitutes for the following: SB 6, SB 446, SB 1096, SB 1108

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: CS for SB 1172

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

The Committee on Personnel, Retirement and Collective Bargaining recommends a committee substitute for the following: SB 1210

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

The Committee on Commerce recommends a committee substitute for the following: SB 1229

**The bill with committee substitute attached was referred to the Committee on Personnel, Retirement and Collective Bargaining under the original reference.**

The Committee on Commerce recommends a committee substitute for the following: SB 661

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

The Committee on Commerce recommends committee substitutes for the following: SB 32, SB 676

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: SB 1225

The Committee on Judiciary-Criminal recommends committee substitutes for the following: SB 764, SB 1243

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

#### FIRST READING OF COMMITTEE SUBSTITUTES

By the Committee on Commerce and Senator Fox—

**CS for SB 6**—A bill to be entitled An act relating to economic development; providing for the creation of one or more Florida Equity Exchanges for certain purposes, contingent upon a feasibility study; providing for a committee to write a constitution and bylaws for the exchange; providing requirements with respect to the self-regulation thereof; providing for a members' security fund; providing for certain tax exemptions and providing an exception; providing for the applicability of securities laws; providing for reimbursement of administrative costs; providing for limitations on investments in exchange members; providing an effective date.

By the Committee on Commerce and Senators D. Childers, Castor, Weinstein, Myers, Peterson and Langley—

**CS for SB 32**—A bill to be entitled An act relating to motor vehicles; creating s. 316.1936, F.S., prohibiting the possession of open containers of alcoholic beverages in motor vehicles being operated in the state; providing exceptions; providing penalties; providing an effective date.

By the Committee on Commerce and Senator Thurman—

**CS for SB 446**—A bill to be entitled An act relating to thoroughbred horse racing; allowing thoroughbred permitholders to contract with one entity to broadcast live races of such permitholders and take wagers on such races; requiring the Florida Pari-mutuel Commission to approve such contracts; authorizing the Florida Pari-mutuel Commission to approve the location of the facility taking wagers; providing location criteria; providing an effective date.

By the Committee on Commerce and Senators Plummer and Weinstein—

**CS for SB 661**—A bill to be entitled An act relating to motor vehicle insurance; amending s. 316.066, F.S.; specifying when accident reports must be filed; amending s. 324.051, F.S.; removing an exception; amending s. 324.151, F.S.; removing requirement of optional property deductibles; amending s. 627.727, F.S.; providing for rejection of uninsured motorist coverage; amending s. 627.4132, F.S.; authorizing stacking of certain uninsured motorist coverage; providing an effective date.

By the Committee on Commerce and Senator Plummer—

**CS for SB 676**—A bill to be entitled An act relating to motor vehicle liability insurance; amending s. 626.9541, F.S.; changing restrictions upon increases in premiums for, or refusal to review, motor vehicle liability insurance solely because of certain noncriminal traffic infractions; providing an effective date.

By the Committee on Judiciary-Criminal and Senator Fox—

**CS for SB 764**—A bill to be entitled An act relating to criminal history records; amending s. 943.058, F.S.; requiring the Department of Law Enforcement to notify the state attorney of certain unlawful orders of sealing or expunction and providing for corrective action; providing that certain records may not be expunged; providing an effective date.

By the Committee on Health and Rehabilitative Services and Senators Fox and Stuart—

**CS for SB's 829, 402 and 223**—A bill to be entitled An act relating to indigent health care; amending s. 154.01, F.S.; authorizing county public health units to broker primary care services; amending s. 409.266, F.S.; requiring the purchase of Medicaid program services in a cost-efficient manner; requiring the Medicaid program to emphasize certain kinds of services; exempting certain information from the public records law; increasing the Medicaid outpatient cap; providing for increased funding for primary care programs through county public health units; providing standards for such programs; creating demonstration projects for the cost-effective delivery of comprehensive health care services to certain indigent persons and specifying program guidelines, eligibility for participation, and funding; amending s. 409.2662, F.S.; authorizing funding of the medically indigent demonstration projects from the Public Medical Assistance Trust Fund; authorizing counties to establish programs to provide health care coverage to specified aliens; providing for matching funds; requiring approval by the Department of Health and Rehabilitative Services; defining benefits; providing for rules; providing an exemption to part II and part III of chapter 641, F.S.; providing an appropriation; establishing a right to receive physician care; imposing a tax on health insurance premiums; creating a trust fund; requiring the Department of Health and Rehabilitative Services to increase certain Medicaid physician fees; amending s. 110.131, F.S.; requiring the Department of Administration to approve extensions for other personal service employment under certain circumstances; amending s. 768.28, F.S.; providing a definition and extending sovereign immunity to certain persons; creating a task force on state-supported health services; requiring a review of existing state health care policy; requiring a report; directing the Secretary of the Department of Health and Rehabilitative Services to appoint a task force to make recommendations for revising its Medicaid eligibility certification and provider reimbursement procedures and forms; requiring a report; directing the Auditor General to conduct a program audit of the Medicaid program; providing an effective date.

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

**CS for SB 1034**—A bill to be entitled An act relating to uniform fire-safety standards; amending ss. 400.441, 633.05, F.S.; providing for uniform fire-safety standards for nonresidential child care facilities and adult congregate living facilities; providing legislative intent; providing an effective date.

By the Committee on Commerce and Senator Thurman—

**CS for SB 1096**—A bill to be entitled An act relating to pari-mutuel wagering; amending s. 550.262, F.S., providing for the payment of a sum equal to the breaks plus a certain percent of all pari-mutuel pools conducted for the general promotion of owning and breeding racing quarter horses; authorizing the Florida Quarter Horse Breeders and Owners Association to receive payments and make awards; providing for use of funds; providing for awards; providing for required records; providing procedures with respect to the failure of the association to comply with the provisions of the act; providing for the establishment of an annual plan for supplementing purses and prizes and general promotion approved by the Florida Pari-Mutuel Commission; amending s. 550.263, F.S., providing for the payment of certain funds to the association; amending s. 550.265, F.S., deleting certain powers and duties of the Department of Agriculture and Consumer Services with respect to quarter horse racing; deleting certain provisions with respect to fraudulent acts and misrepresentations; eliminating registration fees; providing an effective date.

By the Committee on Corrections, Probation and Parole and Senator Grant—

**CS for SB 1106**—A bill to be entitled An act relating to county jails; creating s. 950.001, F.S.; authorizing the establishment of regional jails; providing for regional jail authorities and the powers, organization, and duties thereof; allocating responsibility for certain jail and transportation expenses; providing for the withdrawal of a county from a regional jail agreement under certain conditions; limiting the use of superseded facilities; amending s. 212.055, F.S.; providing for a regional jail construction surtax and a regional jail trust fund; providing an effective date.

By the Committee on Commerce and Senator Crawford—

**CS for SB 1108**—A bill to be entitled An act relating to tourism; amending s. 20.17 and creating ss. 288.341, 288.3411, F.S.; creating the Florida

Tourism Commission and providing for the membership thereof; providing that the commission shall approve appointment of the Director of the Division of Tourism; providing for financial disclosure by members; creating ss. 288.348-288.3493, F.S.; providing for imposition of a tourism promotion fee to be calculated pursuant to ch. 212, F.S., relating to the sales and use tax; providing for alteration of the fee by the commission; specifying sales, rentals, admissions, and leases upon which the fee shall be applicable; providing for collection and administration by the Department of Revenue and the Division of Tourism of the Department of Commerce; providing for penalties; amending s. 215.22, F.S., relating to administration of the Tourism Promotion Trust Fund; authorizing promulgation of emergency rules; amending ss. 288.34, 288.342, F.S., relating to powers and duties of the Division of Tourism and to deposit of funds in the Tourism Promotion Trust Fund; providing for transfer of unexpended funds in the Tourism Promotional Trust Fund; repealing s. 288.347, F.S., the Tourism Advisory Council; providing effective dates.

By the Committees on Judiciary-Criminal and Corrections, Probation and Parole and Senator Crawford—

**CS for CS for SB 1111**—A bill to be entitled An act relating to parole; amending ss. 26.012, 921.187, 944.291, 944.30, 947.005, 947.01, 947.03, 947.04, 947.06, 947.10, 947.13, 947.165, 947.1745, 947.25, 947.26, 948.01, F.S.; creating s. 947.081, F.S.; providing for conditional release of inmates released through accumulation of gain-time; providing for revocation of conditional release by the circuit court under specified circumstances; providing that an inmate placed on probation as part of a split sentence is subject to the jurisdiction of the court that imposed such sentence; amending s. 944.30; authorizing the Secretary of Corrections to recommend certain inmates for clemency investigation; amending s. 947.005, F.S.; providing for a definition of board; amending s. 947.01, F.S.; providing for a reduction in the number of parole commissioners; providing for termination and reappointment; amending s. 947.03, F.S.; specifying terms; amending s. 947.04, F.S.; providing for temporary employment of ex-commissioners; amending s. 947.06, F.S., relating to commission meetings; amending s. 947.10, F.S.; providing for appointment of commissioners to the board; amending s. 947.13, F.S.; deleting certain portions thereof; amending s. 947.165, F.S.; providing for judicial objection to parole release; amending s. 947.1745, F.S.; requiring notification; amending s. 947.25, F.S.; providing for clemency recommendations to be made by the board; amending s. 947.26, F.S.; clarifying the board's right of access; creating s. 947.081, F.S.; creating a Board of Clemency; providing for membership and duties; amending s. 33 of ch. 83-131, Laws of Florida; delaying the repeal of s. 20.32, F.S.; providing an effective date.

By the Committees on Health and Rehabilitative Services and Corrections, Probation and Parole—

**CS for CS for SB 1172**—A bill to be entitled An act relating to corrections; providing definitions; creating the State of Florida Correctional Medical Council; providing powers, duties, and membership; amending s. 768.28, F.S.; providing sovereign immunity protection for certain health care providers and their agents and employees under contract to the Department of Corrections and for limited waiver thereof; providing procedure for resolution of disputes between health care providers and the Department of Corrections; providing an effective date.

By the Committees on Health and Rehabilitative Services and Education and Senators Kirkpatrick and Gordon—

**CS for CS for SB's 1180 and 1230**—A bill to be entitled An act relating to education; providing definitions; prohibiting the order or purchase, for use in public schools, of art or craft materials containing toxic substances; authorizing exemptions; providing for rules; specifying duties of the Department of Health and Rehabilitative Services and the Department of Education; providing an effective date.

By the Committee on Personnel, Retirement and Collective Bargaining and Senator Vogt—

**CS for SB 1210**—A bill to be entitled An act relating to public employees; requiring the establishment of quality improvement programs by state and local executive agencies, schools, community colleges, and universities; providing for establishment of guidelines; providing for application of ch. 447, F.S.; providing an effective date.

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

**CS for SB 1225**—A bill to be entitled An act relating to consumer protection; providing legislative intent; providing definitions; specifying labeling requirements for the distribution and sale of art and craft materials containing toxic substances; requiring that certain notification be made; providing a civil penalty and for deposit of fines to a certain trust fund; providing for rules; providing effective dates.

By the Committee on Commerce and Senator Langley—

**CS for SB 1229**—A bill to be entitled An act relating to labor organizations; amending s. 447.14, F.S.; providing penalties for a violation of part I of ch. 447, F.S., by a business entity; providing for injunctive relief; providing an effective date.

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

**CS for SB 1231**—A bill to be entitled An act relating to respiratory care; amending s. 468.354, F.S.; modifying procedure for filling vacancies on the Advisory Council on Respiratory Care; amending s. 468.357, F.S.; providing that examinations for certification as a respiratory therapy technician shall be offered in a language other than English upon request for a certain period; providing that such examinations shall be offered at least four times a year for a certain period; grandfathering certain persons; providing a continuing education requirement; extending the examination deadline for certain persons; providing an effective date.

By the Committee on Judiciary-Criminal and Senator Girardeau—

**CS for SB 1243**—A bill to be entitled An act relating to confidentiality of criminal records; amending s. 119.07, F.S.; providing for confidentiality of court and other records regarding victims of sexual offenses under a specified age; providing an effective date.

**MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

*The Honorable Harry A. Johnston, II, President*

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendments and passed HB 45 as amended.

*Allen Morris, Clerk*

**SPECIAL ORDER**

**SB 1320**— A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1986, and ending June 30, 1987, to pay salaries, other expenses, capital outlay - buildings and other 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 Thomas and Neal offered the following amendment which was moved by Senator Thomas and adopted:

**Amendment 1—**

SECTION 01, PAGE 14 STRIKE: INSERT:  
ITEM 119

AGRICULTURE AND CONSUMER SERVICES,  
DEPARTMENT OF FORESTRY,  
DIVISION OF

119	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	2,893,073	2,693,073
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SECTION 02

AGRICULTURE AND CONSUMER SERVICES,  
DEPARTMENT OF MARKETING,  
DIVISION OF

After Item 1805C insert new Item

	FIXED CAPITAL OUTLAY PLANNING/CONSTRUCTION WALTON COUNTY STATE FARMERS MARKET FROM GENERAL REVENUE FUND	-0-	200,000
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Senator Kirkpatrick offered the following amendment which was moved by Senator Thomas and adopted:

Amendment 2—

SECTION 01, PAGE 18 STRIKE: INSERT: ITEM 164

BUSINESS REGULATION, DEPARTMENT OF PARI-MUTUEL WAGERING, DIVISION OF

After Item 164 insert new Item

164A LUMP SUM RELOCATION OF PARI-MUTUEL DRUG TESTING LABORATORY FROM PARI-MUTUEL WAGERING TRUST FUND 200,000

After new Item insert proviso:

Funds provided in Specific Appropriation 164A shall be used to relocate the Pari-Mutuel Drug Testing Laboratory Facility from Dade County to the University of Florida in Gainesville.

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

Amendment 3—

SECTION 01, PAGE 21 STRIKE: INSERT: ITEM 203

COMMERCE, DEPARTMENT OF TOURISM, DIVISION OF

203 SPECIAL CATEGORIES PAID ADVERTISING FROM GENERAL REVENUE FUND 5,362,176 5,262,176

ECONOMIC DEVELOPMENT, DIVISION OF

212 SPECIAL CATEGORIES PAID ADVERTISING AND PROMOTION FROM GENERAL REVENUE FUND 1,186,843 1,286,843

After Item 212, add the following proviso:

From funds provided in Specific Appropriation 212, \$100,000 shall be used to support trade missions of the Greater Orlando Area Chamber of Commerce.

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

Amendment 4—

SECTION 01, PAGE 26 STRIKE: INSERT: ITEM 243A

COMMUNITY AFFAIRS, DEPARTMENT OF EMERGENCY MANAGEMENT, DIVISION OF

After Item 243 insert new Item 243A

243A AID TO LOCAL GOVERNMENTS LOCAL GOVERNMENT PROGRAM SUPPORT FROM GENERAL REVENUE FUND 200,000

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

Amendment 5—

SECTION 01, PAGE 45 STRIKE: INSERT: ITEM 364

EDUCATION, DEPARTMENT OF, AND COMMISSIONER OF EDUCATION

OFFICE OF DEPUTY COMMISSIONER FOR EDUCATIONAL MANAGEMENT

364 SPECIAL CATEGORIES UNIVERSITY OF MIAMI-ROSENTHAL PHD MARINE AND ATMOSPHERIC SCIENCE FROM GENERAL REVENUE FUND 250,000 150,000

Insert new Item after Item 1510

NATURAL RESOURCES, DEPARTMENT OF MARINE RESOURCES, DIVISION OF

LUMP SUM QUEEN CONCH HATCHERY FROM GENERAL REVENUE FUND -0- 2 Positions 100,000

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

Amendment 6—

SECTION 01, PAGE 102 STRIKE: INSERT: ITEM 585B

ENVIRONMENTAL REGULATION, DEPARTMENT OF

585B LUMP SUM REGIONAL LANDFILL STUDY FROM WATER QUALITY ASSURANCE TRUST FUND 180,000 250,000

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

Amendment 7—

SECTION 01, PAGE 195 STRIKE: INSERT: ITEM 1505

NATURAL RESOURCES, DEPARTMENT OF MARINE RESOURCES, DIVISION OF

1505 SALARIES AND BENEFITS 173 Positions 174.5 Positions FROM MARINE BIOLOGICAL RESEARCH TRUST FUND 637,096 674,629

1506 OTHER PERSONAL SERVICES FROM MARINE BIOLOGICAL RESEARCH TRUST FUND 590,996 553,463

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

Amendment 8—

SECTION 01, PAGE 195 ITEM 1508

NATURAL RESOURCES, DEPARTMENT OF MARINE RESOURCES, DIVISION OF

After Item 1508 add the following proviso:

From the funds provided in Specific Appropriation 1508, \$75,000 from the Marine Biological Research Trust Fund shall be provided to the Sarasota County Board of County Commissioners for the construction of artificial fishing reefs off the coast of Sarasota-Manatee Counties.

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

**Amendment 9—**

SECTION 01, PAGE 198 STRIKE: INSERT:  
 ITEM 1535C  
 NATURAL RESOURCES, DEPARTMENT OF RECREATION AND PARKS, DIVISION OF  
 1535C SPECIAL CATEGORIES GRANTS AND AIDS - LOCAL RECREATIONAL DEVELOPMENT PROJECTS FROM LAND ACQUISITION TRUST FUND 1,764,300 2,264,300

Senator W. D. Childers offered the following amendments which were moved by Senator Thomas and adopted:

**Amendment 10—**

SECTION 01 STRIKE: INSERT:  
 ITEM 1641A  
 STATE, DEPARTMENT OF, AND SECRETARY OF STATE ARCHIVES, HISTORY AND RECORD MANAGEMENT, DIVISION OF  
 1641A SPECIAL CATEGORIES GRANTS AND AIDS-ACQUISITION AND RESTORATION OF HISTORIC PROPERTIES FROM GENERAL REVENUE FUND 2,698,000 2,848,000  
 AGRICULTURE AND CONSUMER SERVICES FORESTRY, DIVISION OF  
 119 OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND 2,893,073 2,689,073

**Amendment 11—**

SECTION 01 STRIKE: INSERT:  
 ITEM 1671  
 STATE, DEPARTMENT OF, AND SECRETARY OF STATE HISTORIC PENSACOLA PRESERVATION BOARD  
 1671 EXPENSES FROM GENERAL REVENUE FUND 13,334 53,334 FROM OPERATING TRUST FUND 130,797 140,797  
 BANKING AND FINANCE, DEPARTMENT OF INFORMATION SYSTEMS, DIVISION OF  
 138 EXPENSES FROM GENERAL REVENUE FUND 6,425,262 6,385,262

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

**Amendment 12—**

SECTION 01 STRIKE: INSERT:  
 ITEM 1689  
 TRANSPORTATION, DEPARTMENT OF PROGRAM DEVELOPMENT AND SUPPORT  
 1689 OTHER PERSONAL SERVICES FROM STATE TRANSPORTATION

(PRIMARY)  
 TRUST FUND 318,800 893,800  
 DISTRICT PRODUCTION  
 1770 SPECIAL CATEGORIES RIGHT-OF-WAY LAND ACQUISITION FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 183,995,000 183,420,000

Senators Crenshaw, Girardeau and Hair offered the following amendment which was moved by Senator Thomas and adopted:

**Amendment 13—**

SECTION 01 STRIKE: INSERT:  
 ITEM 1713  
 TRANSPORTATION, DEPARTMENT OF TECHNICAL POLICY AND ENGINEERING SERVICES  
 1713 AID TO LOCAL GOVERNMENTS RIGHT-OF-WAY ACQUISITION REVOLVING TRUST FUND FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 20,500,000 21,150,000  
 DISTRICT OPERATIONS  
 1795 SPECIAL CATEGORIES OTHER STATE 100% ROAD CONSTRUCTION CONTRACTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 93,564,000 92,914,000

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

**Amendment 14—**

SECTION 01 STRIKE: INSERT:  
 ITEM 1727  
 TRANSPORTATION, DEPARTMENT OF TECHNICAL POLICY AND ENGINEERING SERVICES  
 1727 SPECIAL CATEGORIES FLORIDA TURNPIKE WORK PROGRAM FROM FLORIDA TURNPIKE TRUST FUND 89,241,000 -0-  
 1727A SPECIAL CATEGORIES TURNPIKE CONSULTANTS FROM FLORIDA TURNPIKE TRUST FUND 700,000  
 1727B SPECIAL CATEGORIES TURNPIKE RIGHT-OF-WAY LAND ACQUISITION FROM FLORIDA TURNPIKE TRUST FUND 8,807,000  
 1727C SPECIAL CATEGORIES TURNPIKE CONSTRUCTION FROM FLORIDA TURNPIKE TRUST FUND 45,508,000

1727D SPECIAL CATEGORIES  
 TURNPIKE CONSTRUCTION  
 INSPECTION CONSULTANT  
 FROM FLORIDA TURNPIKE  
 TRUST FUND 2,350,000

After Item 1727D add the following proviso language:

Funds provided in Specific Appropriations 1727A through 1727D are to be paid from 1986-87 Turnpike revenues without new bond issues. The Department shall also develop the Five Year Transportation Plan based on the assumption that no new bonds will be issued for the Turnpike.

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

**Amendment 15—**

SECTION 01	STRIKE:	INSERT:
ITEM 1749		
TRANSPORTATION, DEPARTMENT OF DISTRICT PLANNING AND PUBLIC TRANSIT		

After Item 1749, add new Item:

1749A AID TO LOCAL GOVERNMENTS AIRPORT AUTHORITY-SEBRING FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	-0-	100,000
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DISTRICT OPERATIONS

1795 SPECIAL CATEGORIES OTHER STATE 100% ROAD CONSTRUCTION CONTRACTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND	93,564,000	93,464,000
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Senators Fox and Plummer offered the following amendment which was moved by Senator Thomas and adopted:

**Amendment 16—**

SECTION 01, PAGE 226  
ITEM 1795

TRANSPORTATION, DEPARTMENT OF  
DISTRICT OPERATION

After Item 1795, add the following proviso language:

From funds provided in Specific Appropriation 1795, \$500,000 shall be used to reconstruct SR 27 (South Krome Avenue) in Homestead.

Senators Stuart, Hair, Crenshaw, Girardeau, Margolis and Grizzle offered the following amendment which was moved by Senator Thomas and adopted:

**Amendment 17—**

SECTION 03, PAGE 241 ITEM 1911A	STRIKE:	INSERT:
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NATURAL RESOURCES, DEPARTMENT OF  
BEACHES AND SHORES, DIVISION OF

1911A FIXED CAPITAL OUTLAY JACKSONVILLE BEACH RENOURISHMENT FROM EROSION CONTROL TRUST FUND	600,000	3,979,800
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Insert new Item 1912

1912 FIXED CAPTIAL OUTLAY TRANSFER TO EROSION CONTROL TRUST FUND FROM COASTAL PROTECTION TRUST FUND	-0-	5,000,000
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After Item 1912 insert proviso:

The funds in Specific Appropriation 1912 are appropriated from unbudgeted funds in the Coastal Protection Trust Fund intended for acquisition of spoil sites at ports. It is the intent of the Legislature to replace these funds from the Erosion Control Trust Fund when that fund has a designated revenue source.

	STRIKE:	INSERT:
1914B FIXED CAPITAL OUTLAY HURRICANE PASS/HONEYMOON ISLAND BEACH RENOURISHMENT FROM EROSION CONTROL TRUST FUND	400,000	-0-
FROM LAND ACQUISITION TRUST FUND	-0-	400,000
1914C FIXED CAPITAL OUTLAY SUNNY ISLES RESTORATION FROM EROSION CONTROL TRUST FUND	1,000,000	-0-

Insert new Item 1914C

1914C FIXED CAPITAL OUTLAY HAULOVER BEACH NOURISHMENT/ DADE COUNTY FROM EROSION CONTROL TRUST FUND	-0-	2,608,760
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After the new Item 1914C insert the following proviso:

Provided, however, that funds appropriated in Specific Appropriation 1914C are contingent upon Dade County entering into a commitment contract with the Federal Government, U.S. Army Corps of Engineers, for the Sunny Isles Restoration Project.

	STRIKE:	INSERT:
Insert New Item 1914D		
1914D FIXED CAPITAL OUTLAY JOHN U. LLOYD RENOURISHMENT FROM LAND ACQUISITION TRUST FUND	-0-	1,601,000

After Specific Appropriation 1914D insert the following proviso:

It is the intent of the Legislature that funding be provided in the Fiscal Year 1987-88 General Appropriations Act to fund the state share of the following beach restoration projects:

1. Sunny Isles Restoration - \$5,250,000
2. Sand Key Renourishment - \$1,215,000
3. Pass-A-Grille Renourishment - \$187,000
4. North Boca Raton Restoration - \$2,223,250

Senators Hair, Crenshaw and Girardeau offered the following amendment which was moved by Senator Thomas and adopted:

**Amendment 18—**

SECTION 06, PAGE 254  
ITEM 1951N

GENERAL SERVICES, DEPARTMENT OF  
FACILITIES MANAGEMENT, DIVISION OF

After Item 1951N, insert the following proviso:

Funds in Specific Appropriation 1951N may be utilized for land acquisition, planning for the construction of a new building by means of low bid, negotiation, or design-build, or the preliminary costs associated with the acquisition of an existing building, whichever is determined by the Department of General Services to be in the best interest of the state.

Senator Myers moved the following amendment which failed:

**Amendment 19--**

SECTION 01 STRIKE: INSERT:  
ITEM 690

After Item 690 insert new Item:

SPECIAL CATEGORIES  
GOVERNOR'S COMMISSION  
ON DRUG AND ALCOHOL ABUSE  
FROM GENERAL REVENUE FUND 50,000

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

**Amendment 20--**

SECTION 01 STRIKE: INSERT:  
ITEM 1505

NATURAL RESOURCES, DEPARTMENT  
OF MARINE RESOURCES, DIVISION OF

1505	SALARIES AND BENEFITS	170 Positions	171 Positions
	FROM GENERAL REVENUE FUND	2,712,707	2,731,666
1507	EXPENSES		
	FROM GENERAL REVENUE FUND	1,455,123	1,463,123
1510	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	328,418	338,918

Senator Myers moved the following amendments which failed:

**Amendment 21--**

SECTION 01 STRIKE: INSERT:  
ITEM 1508

NATURAL RESOURCES, DEPARTMENT OF  
MARINE RESOURCES, DIVISION OF

Insert after Item 1508:

AID TO LOCAL GOVERNMENTS  
FISHING REEF NOURISHMENT/MARTIN  
COUNTY  
FROM GENERAL REVENUE FUND 15,000

**Amendment 22--**

SECTION 01 STRIKE: INSERT:  
ITEM 1530

NATURAL RESOURCES, DEPARTMENT OF  
RECREATION AND PARKS, DIVISION OF

1530	SALARIES AND BENEFITS	869 Positions	871 Positions
	FROM STATE PARK TRUST FUND	16,159,279	16,196,384
1532	EXPENSES		
	FROM STATE PARK TRUST FUND	7,478,624	7,483,674
1535	OPERATING CAPITAL OUTLAY		
	FROM STATE PARK TRUST FUND	1,195,067	1,218,850

**Senator Johnson presiding**

Senator Gersten moved the following amendment which failed:

**Amendment 23--**

SECTION 01, PAGE 200 STRIKE: INSERT:  
ITEM 1548

NATURAL RESOURCES, DEPARTMENT OF  
LAW ENFORCEMENT, DIVISION OF

1548 SPECIAL CATEGORIES  
ACQUISITION AND REPLACEMENT  
OF MOTOR VEHICLES  
FROM GENERAL REVENUE FUND 1,019,570 669,570

Insert new Item following Item 1546:

LUMP SUM  
INTERCEPTION PROGRAM  
FROM GENERAL REVENUE FUND -0- 350,000

**The President presiding**

On motion by Senator Jenne, the rules were waived and time of adjournment was extended until completion of the special order calendar.

**Senator Johnson presiding**

Senator Fox moved the following amendment which failed:

**Amendment 24--**

SECTION 06, PAGE 255  
ITEM 1951S

After item 1951S insert the following proviso:

Funds provided in Specific Appropriation 1951S assume that the State Department of General Services shall declare the state owned Graham Building surplus to its needs. After this declaration, state agencies can no longer use appropriated funds for payment of rent in the Graham Building. Once the Graham Building has been declared surplus, the Board of Trustees of the Internal Improvement Fund of the State of Florida shall then lease the Graham Building to the Metropolitan Dade County Board of County Commissioners at a nominal fee for a period of fifty years with a ten year renewal option for use by the Office of the State Attorney.

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

**Amendment 25--**

SECTION 01, PAGE 150 STRIKE: INSERT:  
ITEM 973

HIGHWAY SAFETY AND MOTOR VEHICLES,  
DEPARTMENT OF  
DRIVER LICENSES, DIVISION OF

973	SALARIES AND BENEFITS	1472 Positions	1478 Positions
	FROM ACCIDENT REPORTS		
	TRUST FUND	11,950,030	12,046,821
974	OTHER PERSONAL SERVICES		
	FROM ACCIDENT REPORTS		
	TRUST FUND		3,600
975	EXPENSES		
	FROM ACCIDENT REPORTS		
	TRUST FUND		48,150
976	OPERATING CAPITAL OUTLAY		
	FROM ACCIDENT REPORTS		
	TRUST FUND		15,305
978	DATA PROCESSING SERVICES		
	FROM ACCIDENT REPORTS		
	TRUST FUND		14,694

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

**Amendment 26--**

SECTION 01, PAGE 45 STRIKE: INSERT:  
ITEM 364

EDUCATION, DEPARTMENT OF, AND  
COMMISSIONER OF EDUCATION

OFFICE OF DEPUTY COMMISSIONER  
FOR EDUCATIONAL MANAGEMENT

364 SPECIAL CATEGORIES  
UNIVERSITY OF MIAMI-ROSENTIEL  
PHD MARINE AND ATMOSPHERIC SCIENCE  
FROM GENERAL REVENUE FUND 250,000 150,000

Insert new Item after Item 1510

NATURAL RESOURCES, DEPARTMENT OF  
MARINE RESOURCES, DIVISION OF

LUMP SUM  
QUEEN CONCH HATCHERY 2 Positions  
FROM GENERAL REVENUE FUND -0- 100,000

Senator Castor moved the following amendments which were adopted:

**Amendment 27—**

SECTION 01, PAGE 46 STRIKE: INSERT:  
ITEM 366D

366D SPECIAL CATEGORIES  
BARRY UNIVERSITY - PODIATRY  
FROM GENERAL REVENUE FUND 100,000

and add a new Item in the Educational  
and General Budget after Item 530

LUMP SUM 3 Positions  
SUNCOAST AREA TEACHER TRAINING  
FROM GENERAL REVENUE FUND 100,000

**The President presiding****Amendment 28—**

SECTION 01, PAGE 58 STRIKE: INSERT:  
ITEM 433

## DEPARTMENT OF EDUCATION

## 1. Basic Programs

D. Educational Alternatives Educational Alternatives/  
Intensive English

H. Educational Alternatives Educational Alternatives/  
Mainstream Mainstream/  
Intensive English

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

**Amendment 29—**

SECTION 01, PAGE 63  
ITEM 445

DEPARTMENT OF EDUCATION  
GRANTS AND AIDS - TEACHERS AS ADVISORS  
FROM GENERAL REVENUE FUND

Following the existing proviso language for Item 445 on page 63 insert the  
following language "Funds appropriated in Specific Appropriation 445  
may be used to provide staff development and training during the  
summer of 1986 and summer of 1987 for persons serving as teacher advi-  
sors."

Senator Weinstein offered the following amendment which was moved  
by Senator Castor and adopted:

**Amendment 30—**

SECTION 01, PAGE 68 STRIKE: INSERT:  
ITEM 458  
IN THE SECOND LINE OF PROVISIO 700,000 450,000  
IN THE THIRD LINE OF PROVISIO 700,000 450,000

Add the following new proviso following existing proviso:

From the Funds appropriated in Specific Appropriation 458, \$500,000 is  
provided for a Middle School Enhancement Program in Broward County.

Senator Castor moved the following amendments which were adopted:

**Amendment 31—**

SECTION 01, PAGE 72 STRIKE: INSERT:  
ITEM 488B

DEPARTMENT OF EDUCATION  
AID TO LOCAL GOVERNMENTS  
GRANTS AND AIDS - HIGH  
COST EQUIPMENT  
FROM GENERAL REVENUE FUND 1,000,000 985,000

Add a new Item in the Universities - Educational and General Budget

LUMP SUM  
CENTER FOR STATE AND LOCAL  
GOVERNMENTS  
FROM GENERAL REVENUE FUND 15,000

**Amendment 32—**

SECTION 01, PAGE 78  
ITEM 495

## DIVISION OF COMMUNITY COLLEGES

In the second full paragraph of proviso on page 78 before Item 495 strike  
the first 4 lines of proviso beginning with "No state" and ending with  
"1987".

**Amendment 33—**

SECTION 01, PAGE 83 STRIKE: INSERT:  
ITEM 524A

## DIVISION OF UNIVERSITIES

524A LUMP SUM  
COMPREHENSIVE UNIVERSITY  
PRESENCE  
FROM GENERAL REVENUE FUND 5,723,439 8,001,057

Strike the 3rd paragraph of proviso on page 89 following Item 532N,  
beginning with "Up to 60" and add:

Up to 145 positions may be established with the funds in Specific Appro-  
priation 524A.

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

**Amendment 34—**

SECTION 01, PAGE 87  
ITEM 532N

## DIVISION OF UNIVERSITIES

In the proviso on page 87, 3rd full paragraph following Item 532N begin-  
ning with "From the funds" and after "purpose." Add:

FIU may also convert funds to Salaries to support an additional one posi-  
tion for the Institute for Public Policy and Citizenship Studies.

Senator Castor moved the following amendments which were adopted:

**Amendment 35—**

SECTION 01, PAGE 85  
ITEM 532N

DEPARTMENT OF EDUCATION  
DATA PROCESSING SERVICES

Proviso on page 90, paragraph 1 beginning with "Funds provided" strike "at the discretion of the Board of Regents as salary increases" and ", notwithstanding any contrary provisions of any collective bargaining agreement."

And after "distributed" insert "as a 1 percent across the board salary increase"

**Amendment 36—**

SECTION 01, PAGE 91  
ITEM 540D

IFAS

In the 2nd paragraph on page 92 following Item 540D beginning with "funds provided" strike "at the discretion of the Board of Regents as salary increases" and ", notwithstanding any contrary provisions of any collective bargaining agreement"

And after "distributed" insert "as a 1 percent across-the-board salary increase"

**Amendment 37—**

SECTION 01, PAGE 94  
ITEM 548E

USF MEDICAL CENTER

In the 5th paragraph of proviso following Item 548E on page 94 beginning with "Funds provided" strike "at the discretion of the Board of Regents as salary increases" and ", notwithstanding any contrary provisions of any collective bargaining agreement"

And after "distributed" insert "as a 1 percent across-the-board salary increase"

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

**Amendment 38—**

SECTION 01, PAGE 97  
ITEM 562

Add new proviso following Item 562 on page 97 after existing proviso.

From the funds appropriated in Specific Appropriations 549 through 552, the Board of Regents in conjunction with the Postsecondary Education Planning Commission shall study the existing role and scope of the Cancer Center at USF and shall make recommendations regarding its future mission. Such recommendations shall include, but not be limited to, the role of instruction, research and medical treatment activities, the funding of such activities, alternative uses for the existing facilities and a determination of the appropriate costs to be borne by the state.

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

**Amendment 39—**

SECTION 01, PAGE 98  
ITEM 562D

	STRIKE:	INSERT:
562D OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	2,055,363	2,255,363
488B AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - HIGH COST EQUIPMENT FROM GENERAL REVENUE FUND	1,000,000	800,000

Senator Castor moved the following amendments which were adopted:

**Amendment 40—**

SECTION 01, PAGE 99  
ITEM 568E

UF HEALTH CENTER

In the 4th paragraph of proviso following Item 568E, beginning with "Funds provided" on page 99 strike "at the discretion of the Board of Regents as salary increases" and ", notwithstanding any contrary provisions of any collective bargaining agreement"

and after "distributed" insert "as a 1 percent across-the-board salary increase"

**Amendment 41—**

SECTION 01, PAGE 100  
ITEM 571B

FLORIDA MENTAL HEALTH INSTITUTE

In the proviso following Item 571B on page 100 beginning with "Funds provided" strike

"at the discretion of the Board of Regents as salary increases" and "notwithstanding any contrary provisions of any collective bargaining agreement."

And after "distributed" insert "as a 1 percent across-the-board salary increase"

Senator Thurman offered the following amendment which was moved by Senator Castor and adopted:

**Amendment 42—**

SECTION 04, PAGE 247  
ITEM 1941A

DEPARTMENT OF EDUCATION  
FIXED CAPITAL OUTLAY  
COMMUNITY COLLEGE PROJECTS  
FROM PUBLIC EDUCATION CAPITAL  
OUTLAY AND DEBT SERVICE TRUST  
FUND

Following "Roof replacement statewide"	9,899,658	9,799,658
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and insert a new Item following Broward - math/science building

	STRIKE:	INSERT:
"Central Florida - Addition to Career Center (p)"		100,000

Senator Mann offered the following amendment which was moved by Senator Castor and adopted:

**Amendment 43—**

SECTION 04, PAGE 248  
ITEM 1941B

DEPARTMENT OF EDUCATION  
FIXED CAPITAL OUTLAY  
STATE UNIVERSITY SYSTEM  
PROJECTS FROM PUBLIC  
EDUCATION CAPITAL OUTLAY  
AND DEBT SERVICE TRUST FUND

Following the Item

IFAS/UF Belle Glade facility (p.c.)	4,500,000	4,300,000
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and insert a new Item

IFAS/UF Immokalee (completion)		200,000
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Senator Fox offered the following amendment which was moved by Senator Castor and adopted:

**Amendment 44—**

SECTION 04, PAGE 248 STRIKE: INSERT:  
ITEM 1941B

DEPARTMENT OF EDUCATION  
FIXED CAPITAL OUTLAY  
STATE UNIVERSITY SYSTEM PROJECTS  
FROM PUBLIC EDUCATION CAPITAL  
OUTLAY AND DEBT SERVICE TRUST FUND

Following the Item

IFAS/UF - Belle Glade  
facility (p.c.) 4,500,000 4,200,000

and insert a new Item  
IFAS/UF - Homestead (completion) 300,000

Senator Grizzle offered the following amendment which was moved by Senator Castor and adopted:

**Amendment 45—**

SECTION 04, PAGE 250 STRIKE: INSERT:  
ITEM 1945B

1945B FIXED CAPITAL OUTLAY  
COMMUNITY EDUCATION FACILITIES  
ST. PETERSBURG/CLEARWATER  
RECREATION COMPLEX

FROM PUBLIC EDUCATION CAPITAL  
OUTLAY FUND AND DEBT SERVICE  
TRUST FUND 3,000,000 2,000,000  
FROM GENERAL REVENUE FUND 1,000,000

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

**Amendment 46—**

SECTION 01, PAGE 44 STRIKE: INSERT:  
ITEM 361

SPECIAL CATEGORIES  
GRANTS AND AIDS - SUNSHINE  
STATE GAMES  
FROM GENERAL REVENUE FUND 161,000 261,000

and insert the following new proviso following existing proviso:

From the funds appropriated in Specific Appropriation 361, \$100,000 is provided for the Pan American Junior Track and Field Championship.

and from Specific Appropriation 488B on page 72

AID TO LOCAL GOVERNMENTS  
GRANTS AND AIDS - HIGH COST  
EQUIPMENT  
FROM GENERAL REVENUE 1,000,000 900,000

Senator Gordon moved the following amendment which failed:

**Amendment 47—**

SECTION 01, PAGE 37 STRIKE: INSERT:  
ITEM 328

DEPARTMENT OF EDUCATION  
DEPUTY COMMISSIONER OF  
EDUCATIONAL MANAGEMENT

328 SPECIAL CATEGORIES  
GRANTS AND AIDS - AUXILIARY

LEARNING AIDS  
FOR POSTSECONDARY HANDICAPPED  
STUDENTS  
FROM GENERAL REVENUE FUND 978,978 1,478,978

383 FINANCIAL ASSISTANCE PAYMENTS  
PRIVATE TUITION ASSISTANCE  
FROM GENERAL REVENUE FUND 13,736,399 13,236,339

Senators Johnson and Langley offered the following amendment which was moved by Senator Johnson and failed:

**Amendment 48—**

SECTION 01, PAGE 49 STRIKE: INSERT:  
ITEM 386

DEPUTY COMMISSIONER FOR ADMINISTRATION

386 FINANCIAL ASSISTANCE PAYMENTS  
VIRGIL HAWKINS FELLOWSHIP PROGRAM  
FROM GENERAL REVENUE FUND 240,000 -0-

and insert a new Item 386A

386A FINANCIAL ASSISTANCE PAYMENTS  
GWEN CHERRY FELLOWSHIP PROGRAM  
FROM GENERAL REVENUE FUND 240,000

and move the existing proviso below Item 386 to Item 386A

Senator Frank moved the following amendment which failed:

**Amendment 49—**

SECTION 01, PAGE 60 STRIKE: INSERT:  
ITEM 433

In the second line of the last  
paragraph of proviso on page 60 81,789,536 69,000,000

Senator Grizzle moved the following amendment:

**Amendment 50—**

SECTION 01, PAGE 68 STRIKE: INSERT:  
ITEM 457A

PUBLIC SCHOOLS

457A SPECIAL CATEGORIES  
GRANTS AND AIDS - MASTER  
TEACHER PROGRAM  
FROM GENERAL REVENUE FUND 14,600,000 4,600,000

458 SPECIAL CATEGORIES  
GRANTS AND AIDS - MIDDLE  
CHILDHOOD  
FROM GENERAL REVENUE FUND 3,714,875 13,714,875

and add a sentence of proviso at the end of existing proviso on page 68 following Item 458:

(9) funds remaining in Specific Appropriation 458 shall be allocated using proration based on each district's share of the state total full-time equivalent student count in grades 4-8. Districts shall use these funds only to implement middle childhood programs.

Senators Langley, Johnson, and Frank offered the following substitute amendment which was moved by Senator Johnson and failed:

Amendment 51—

SECTION 01, PAGE 69 ITEM 464A		STRIKE:	INSERT:
464A SPECIAL CATEGORIES MERIT SCHOOLS FROM GENERAL REVENUE FUND	10,000,000		-0-

and on page 56:

433 AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - FLORIDA EDUCATIONAL FINANCE PROGRAM FROM GENERAL REVENUE FUND	2,777,178,768	2,787,178,768
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Insert the following new paragraph of proviso after Item 433 before the existing proviso: From the funds appropriated in Specific Appropriation 433, \$10,000,000 shall be allocated to districts that are not eligible to receive discretionary tax equalization funds. The allocation shall be made using proration based on each eligible district's share of the total full-time equivalent student count of all eligible districts.

The vote was:

Yeas—13

Beard	Grant	Kiser	Thurman
Childers, D.	Grizzle	Langley	
Childers, W. D.	Jennings	Malchon	
Frank	Johnson	Myers	

Nays—23

Mr. President	Fox	Mann	Scott
Castor	Girardeau	Margolis	Stuart
Crawford	Gordon	McPherson	Thomas
Crenshaw	Hair	Neal	Vogt
Deratany	Hill	Peterson	Weinstein
Dunn	Jenne	Plummer	

Amendment 50 failed.

Senator Johnson offered the following amendment which was moved by Senator Castor and adopted:

Amendment 52—

SECTION 01, PAGE 68 ITEM 458		STRIKE:	INSERT:
In the sixth line of proviso	75,000		150,000

Senators Johnson and Langley offered the following amendment which was moved by Senator Johnson and failed:

Amendment 53—

SECTION 01, PAGE 72 ITEM 488A		STRIKE:	INSERT:
488A AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - TRUCK DRIVERS TRAINING PROGRAM FROM GENERAL REVENUE FUND	4,790,000		-0-

and on page 56:

433 AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - FLORIDA EDUCATIONAL FINANCE PROGRAM FROM GENERAL REVENUE FUND	2,777,178,768	2,781,968,768
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and insert the following paragraph of proviso after Item 433 before the existing proviso:

From the funds appropriated in Specific Appropriation 433, \$4,790,000 shall be allocated to districts that are not eligible to receive discretionary tax equalization funds. The allocation shall be made using proration based on each eligible district's share of the total full-time equivalent student count of all eligible districts.

Senator Meek offered the following amendment which was moved by Senator Castor and adopted:

Amendment 54—

SECTION 01, PAGE 79 ITEM 496		STRIKE:	INSERT:
DEPARTMENT OF EDUCATION			
496 OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	235,376		160,376
498 AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - COMMUNITY COLLEGES PROGRAM FUND FROM GENERAL REVENUE FUND	381,741,819		381,816,819

Senators Fox and Meek offered the following amendment which was moved by Senator Fox and failed:

Amendment 55—

SECTION 01, PAGE 79 ITEM 498B		STRIKE:	INSERT:
DEPARTMENT OF EDUCATION			
498B AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - INSTRUCTIONAL EQUIPMENT FROM GENERAL REVENUE FUND			

Following 498B add the following proviso:

Included in Specific Appropriation 498B is \$170,000 for the Southeast Florida Criminal Justice Institute at Miami-Dade.

Senators Fox and Gordon offered the following amendment which was moved by Senator Fox and failed:

Amendment 56—

SECTION 01, PAGE 93 ITEM 548A		STRIKE:	INSERT:
DEPARTMENT OF EDUCATION			
548A SPECIAL CATEGORIES GRANTS AND AIDS - CANCER CENTER OPERATION FROM GENERAL REVENUE FUND	9,783,699		8,783,699
557 SPECIAL CATEGORIES GRANTS AND AIDS - FIRST ACCREDITED MEDICAL SCHOOL FROM GENERAL REVENUE FUND			10,966,570

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

Amendment 57—

SECTION 04, PAGE 246 ITEM 1938
DEPARTMENT OF EDUCATION OFFICE OF DEPUTY COMMISSIONER FOR EDUCATIONAL MANAGEMENT

In the second paragraph of proviso following Item 1938 insert the following language after "Dixie County":

“, \$400,000 for Bradford County,”

Senator Grant moved the following amendment which failed:

**Amendment 58—**

SECTION 04, PAGE 245  
ITEM 1939

STRIKE:                      INSERT:

DEPARTMENT OF EDUCATION  
OFFICE OF DEPUTY COMMISSIONER  
FOR EDUCATIONAL MANAGEMENT

1939	FIXED CAPITAL OUTLAY SURVEY RECOMMENDED NEEDS - PUBLIC SCHOOLS FROM PUBLIC EDUCATION CAPITAL OUTLAY AND DEBT SERVICE TRUST FUND	122,482,600	113,159,009
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and on page 248

1943	FIXED CAPITAL OUTLAY SPECIAL FACILITY CONSTRUCTION ACCOUNT FROM PUBLIC EDUCATION CAPITAL OUTLAY AND DEBT SERVICE TRUST FUND	13,394,703	22,718,294
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**Senator Stuart presiding**

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

**Amendment 59—**

SECTION 04, PAGE 247  
ITEM 1941A

STRIKE:                      INSERT:

	DEPARTMENT OF EDUCATION FIXED CAPITAL OUTLAY COMMUNITY COLLEGE PROJECTS FROM PUBLIC EDUCATION CAPITAL OUTLAY AND DEBT SERVICE TRUST FUND	48,382,544	48,312,544
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	Following "Miami-Dade - Liberty City Center"	2,355,000	250,000
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	and insert a new Item following "roof replacement statewide" - as follows "Brevard - Auditorium"		2,035,000
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and insert a new Item

1947C	FIXED CAPITAL OUTLAY PUBLIC BROADCASTING - WMFE-TV/FM ORLANDO (p) FROM PUBLIC EDUCATION CAPITAL OUTLAY AND DEBT SERVICE TRUST FUND		70,000
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Senator Castor moved the following amendment:

**Amendment 60—**

SECTION 01, PAGE 57  
ITEM 433

STRIKE:                      INSERT:

DEPARTMENT OF EDUCATION  
GRANTS AND AIDS - FLORIDA EDUCATIONAL  
FINANCE PROGRAM  
FROM GENERAL REVENUE FUND

	In the second line of the third full paragraph of proviso following Item 433 on page 57	1,972.61	1,913.969
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	and in the fourth line of the third full paragraph of proviso on page 57	1,542,935,251	1,449,931,322
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Senator Scott moved the following substitute amendment which failed:

**Amendment 61—**

SECTION 01, PAGE 57  
ITEM 433

STRIKE:                      INSERT:

ADD TO LOCAL GOVERNMENT GRANTS  
AND AIDS - FLORIDA EDUCATION  
FINANCE PROGRAM

	In the second line of the third full paragraph of proviso following Item 433 on page 57	1,972.61	1,889.279
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	And in the fourth line of the third full paragraph of proviso on page 57	1,542,935,251	1,387,928,694
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The vote was:

Yeas—15

Childers, D.	Hill	Malchon	Plummer
Fox	Jenne	Margolis	Scott
Gordon	Johnson	McPherson	Weinstein
Grizzle	Kiser	Myers	

Nays—24

Mr. President	Crenshaw	Hair	Neal
Barron	Dunn	Jennings	Peterson
Beard	Frank	Kirkpatrick	Stuart
Castor	Gersten	Langley	Thomas
Childers, W. D.	Girardeau	Mann	Thurman
Crawford	Grant	Meek	Vogt

Amendment 60 was adopted.

**The President presiding**

Senator Castor moved the following amendment which was adopted:

**Amendment 62—**

SECTION 01, PAGE 60  
ITEM 433

DEPARTMENT OF EDUCATION

Below the third full paragraph of proviso on page 60 insert the following two paragraphs of new proviso following Item 433: From the amount appropriated in Specific Appropriation 433, funds shall be provided as partial equalization of districts' discretionary levy. Equalization funds shall be calculated in the following manner. An amount shall be calculated that is the state average amount per FTE generated with a one mill levy. This average shall be the sum of the value of a one mill levy per FTE student for each district divided by the state total FTE. Each district's equalization entitlement shall be calculated by multiplying (A) any part of the one-half mill between 0.619 and 1.119 that is included in the actual discretionary millage levied by the district and by (B) the difference between the state average value of one mill per FTE student and the district value of one mill per FTE student, and by (C) the district's FTE student count. Provided, however, this figure shall be adjusted by the difference between the 1985-86 allocation for discretionary tax equalization and a revised 1985-86 allocation for discretionary tax equalization calculated by multiplying (A) the amount of the actual discretionary millage levied by the district that is in the last .5 mill allowable discretionary millage, (B) the difference between the state average value of one mill per FTE student and the district value of one mill per FTE student calculated on tax rolls adjusted by an assessment ratio equalization factor as prescribed in s. 236.081(4)(b), F.S., and by (C) the district's FTE student count.

Senator Mann moved the following amendment which was adopted:

**Amendment 63—**

SECTION 01, PAGE 35  
ITEM 319

STRIKE:                      INSERT:

DEPARTMENT OF CORRECTIONS  
COMMUNITY FACILITIES AND ROAD  
PRISONS

319	EXPENSES FROM GENERAL REVENUE FUND	10,184,968	8,634,968
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**Amendment 69—**

SECTION 01, PAGE 139  
ITEM 879A

DEPARTMENT OF HEALTH AND REHABILITATIVE SERVICES HEALTH SERVICES

Strike proviso following Specific Appropriation 879A and insert:

Funds in Specific Appropriation 879A shall be allocated as follows: Columbia County, \$500,000; Taylor County, \$200,000; Polk County, \$500,000; Lee County, \$650,000; Collier County, \$1,850,000; Monroe County, \$500,000; South Broward County, \$4,760,000; Miami Beach Community Health Center, \$500,000.

Senator D. Childers offered the following amendment which was moved by Senator Mann and adopted:

**Amendment 70—**

SECTION 01, PAGE 139  
ITEM 883

DEPARTMENT OF HEALTH AND REHABILITATIVE SERVICES HEALTH SERVICES

883	AID TO LOCAL GOVERNMENTS IMPROVED PREGNANCY OUTCOME PROGRAM FROM GENERAL REVENUE FUND	5,368,693	5,043,693
	FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND	2,538,006	2,863,006
781	SPECIAL CATEGORIES ALZHEIMER'S DISEASE PILOT PROJECTS/ PURCHASE OF SERVICES FROM GENERAL REVENUE FUND	666,667	991,667
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		75,000

Insert proviso following Specific Appropriation 781:

Of the funds in Specific Appropriation 781, \$400,000 is provided for the purchase of Adult Day Care and Respite Care Services in District 9 for the families and individuals afflicted with Alzheimer's Disease.

Senators Mann, Jenne, Hair, Crenshaw, Girardeau, Langley, Thurman, Peterson and Crawford offered the following amendment which was moved by Senator Mann and adopted:

**Amendment 71—**

SECTION 01, PAGE 157  
ITEM 1046

JUDICIAL BRANCH  
SUPREME COURT

1046	SALARIES AND BENEFITS FROM GENERAL REVENUE FUND	124 Positions 3,716,354	126 Positions 3,759,361
1048	EXPENSES FROM GENERAL REVENUE FUND	1,129,474	1,130,954
1049	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	65,188	68,621

Insert new Item after 1049:

1049A	LUMP SUM TRIAL COURT INFORMATION SYSTEMS DEVELOPMENT PROGRAM FROM GENERAL REVENUE FUND		4 Positions 256,926
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ADMINISTERED FUNDS

1053	LUMP SUM JUDICIAL CERTIFICATIONS FROM GENERAL REVENUE FUND	37 Positions 2,000,000	0 Positions -0-
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1053A	LUMP SUM LAW CLERK PILOT PROGRAM FROM GENERAL REVENUE FUND		16 Positions 404,297
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Insert proviso following Specific Appropriation 1053A:

The funds in Specific Appropriation 1053A shall be used to implement a Law Clerk Pilot Program in the 4th, 5th, and 10th judicial circuits. Seven law clerks shall be provided for the 4th circuit, four law clerks shall be provided for the 5th circuit, and five law clerks shall be provided for the 10th circuit.

1060	SPECIAL CATEGORIES PRINTING REPORTS FROM GENERAL REVENUE FUND	277,053	314,133
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CIRCUIT COURTS (p. 161)

Insert proviso immediately preceding Specific Appropriation 1071:

From the funds in Specific Appropriations 1071, 1073, and 1060, \$521,222 is provided to establish one new circuit court judgeship in each of the following six judicial circuits: 7th, 12th, 13th, 18th, 19th, and 20th. Each judgeship shall be funded for two positions to include the judge and a judicial assistant.

From the funds in Specific Appropriation 1071, \$206,043 is provided for trial court administration personnel in the following judicial circuits:

CIRCUIT	POSITION	AMOUNT
		\$
2nd	Deputy Court Administrator	20,606
3rd	Secretary III	11,954
4th	Secretary II	10,718
4th	Clerical Assistant and Secretary II	22,672
8th	Administrative Assistant I	14,426
10th	Secretary III	11,954
11th	Secretary III	13,155
12th	Deputy Court Administrator II	20,606
15th	Judicial Analyst II	18,134
17th	Deputy Court Administrator	20,606
18th	Deputy Court Administrator	20,606
20th	Deputy Court Administrator	20,606

The funds identified above represent nine months cost for the salaries and benefits of the positions.

		<b>STRIKE:</b>	<b>INSERT:</b>
1071	SALARIES AND BENEFITS FROM GENERAL REVENUE FUND	937 Positions 42,796,651	961 Positions 43,484,055
1073	EXPENSES FROM GENERAL REVENUE FUND	645,080	662,693

COUNTY COURTS (p. 161)

Insert proviso immediately preceding Specific Appropriation 1075:

From the funds in Specific Appropriations 1075, 1076, and 1060, \$314,731 is provided to establish one new county court judgeship in each of the following counties: Dade, Marion, Pinellas, and Palm Beach. Each judgeship shall be funded for two positions to include the judge and a judicial assistant.

		<b>STRIKE:</b>	<b>INSERT:</b>
1075	SALARIES AND BENEFITS FROM GENERAL REVENUE FUND	438 Positions 21,358,096	446 Positions 21,649,340
1076	EXPENSES FROM GENERAL REVENUE FUND	191,346	200,001

DEPARTMENT OF HEALTH AND REHABILITATIVE SERVICES  
ALCOHOL, DRUG ABUSE AND MENTAL HEALTH SERVICES (p.126)

797 SPECIAL CATEGORIES  
GRANTS AND AIDS - COMMUNITY MENTAL  
HEALTH SERVICES  
FROM GENERAL REVENUE FUND 57,314,407 57,513,268

In the proviso immediately preceding Specific Appropriation 791, strike "\$2,000,000" and insert "\$2,198,861".

SECTION 02

SUPREME COURT

1880A FIXED CAPITAL OUTLAY  
SUPREME COURT BUILDING  
RENOVATION/EXPANSION STUDY  
FROM GENERAL REVENUE FUND 50,000

Insert proviso following Specific Appropriation 1880A:

The funds in Specific Appropriation 1880A shall be used to conduct a space utilization study for the Supreme Court and a study of the existing electrical, mechanical, and lighting systems to determine appropriate renovations.

Senator Langley moved the following amendment which failed:

**Amendment 72—**

SECTION 01, PAGE 114  
ITEM 709

HEALTH AND REHABILITATIVE SERVICES, DEPARTMENT OF

Insert proviso immediately following Department Title-Health and Rehabilitative Services:

Of the funds provided in Specific Appropriations 709-957, no general revenue or federal funds shall be used for the establishment or operation of public school-based health clinics which provide family planning, disperse contraceptives or provide counseling or referral for abortion.

Public Medical Assistance Trust Funds shall not be used for the performance, counseling or referral for abortions, unless the mother's life is in danger and the procedure is necessary to save it.

Senator Gordon moved the following amendment which failed:

**Amendment 73—**

SECTION 01, PAGE 114 STRIKE: INSERT:  
ITEM 712A

712A LUMP SUM  
SOCIAL SERVICES PROGRAMS  
FROM GENERAL REVENUE FUND 132,791,135

Insert proviso following Specific Appropriation 712A:

The funds in Specific Appropriation 712A are contingent upon passage of legislation increasing the tax rate on cigarettes. In the event that general revenue raised through this method is insufficient to fund the total amount appropriated, the amount for each item shall be reduced on a proportional basis. This appropriation shall fund the following items in the specified amounts:

Improved Pregnancy Outcome Program 5,000,000  
Perinatal Program 1,600,000  
Children's Medical Services Medicaid Expansion 3,000,000  
Elderly and Disabled Low Income ACLF/Foster Care Medicaid Expansion 1,788,000

Pilot Projects for Wellness Prevention, Primary Care, and Home Health Care 665,000  
Screening and Diagnostic Services for Medicaid Non-Eligible Children 2,300,000  
Subsidized Child Day Care 10,000,000  
Shelter and Foster Home Care 2,400,000  
Family Planning 1,500,000  
Aid to Families with Dependent Children (AFDC) Payment Level Increase (5%) 1,900,000  
Black Adoption Project 60,000  
Pre-Kindergarten for Handicapped Children 9,800,000  
Child Welfare Worker Training 1,700,000  
Children's Services Workers Pay Adjustments 2,300,000  
Adolescent Runaway Services 1,800,000  
Community Mental Health Services for Disturbed Children and Adolescents 3,600,000  
Sexual Abuse Treatment 450,000  
Pre-Kindergarten Education for Disadvantaged Children 4,000,000  
Non-Secure Detention Supervision 350,000  
Licensure Staff for ACLFS and Nursing Homes 602,201  
ACLF Payment Level Increase 1,537,767  
Personal Needs Allowance Increase for Low Income Residents in ACLF 319,496  
Increase Medicaid Eligibility Cap for Nursing Homes to the Federal Poverty Level 3,322,800  
Increase the Medicaid Payment for Home Health Services 704,720  
Community Care for the Elderly 7,700,000  
Mental Health Overlay to Nursing Home Residents 2,108,760  
Expand Medicaid Eligibility to all State Supplement Recipients 1,788,106  
Increase Adult Protective Services Staff 997,184  
Upgrade Salary Levels and Training for Adult Protective Services Staff 552,338  
Public Guardianship Program 500,000  
Fund Prescribed Medicine for Non-Medicaid Eligible Elderly Persons 10,000,000

Provide Registered Nurses to be Available 24 Hours in Nursing Homes	16,000,000
Increase Medicaid Reimbursement for Dental Services	4,397,524
Foster and Group Homes for Developmentally Disabled	1,684,447
Independent Family Living	1,940,020
Non-retarded Developmentally Disabled	719,491
Case Management for Developmentally Disabled Clients	1,261,327
Increase Mental Health Providers Price Level Increase	2,197,512
Replace Medicaid Funds with General Revenue to Expand Mental Health Services	2,232,009
Continuity of Care Management System for Mentally Ill	1,401,744
Expand Deinstitutionalization Programs for Mental Health	3,864,251
Crisis Stabilization Units and Short Term Residential Programs	494,000
Replace Proposed Gramm-Rudman-Hollings Reduction in Mental Health	5,000,000
Baker Act Services	2,754,000
Indigent Psychiatric Drug Program	500,000
Mental Health Outreach to the Elderly	1,000,000
Mental Health Services to Emotionally Disturbed Children	2,000,000
Forensic Services	998,438

The President declared the Senate in informal recess at 1:27 p.m.

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

Senator Grant moved the following amendment which failed:

**Amendment 74—**

SECTION 01, PAGE 127 ITEM 800	STRIKE:	INSERT:
DEPARTMENT OF HEALTH AND REHABILITATIVE SERVICES ALCOHOL, DRUG ABUSE AND MENTAL HEALTH SERVICES		
800 SPECIAL CATEGORIES GRANTS AND AIDS - COMMUNITY DRUG ABUSE SERVICES FROM GENERAL REVENUE FUND	13,121,829	13,196,829

Insert proviso following Specific Appropriation 800:

From the funds in Specific Appropriation 800, \$75,000 shall be used to fund the operations of Turn About, a drug rehabilitation program for adolescents in Leon County.

821 SPECIAL CATEGORIES

GRANTS AND AIDS - CHILD DAY CARE FROM GENERAL REVENUE FUND	14,570,835	14,495,835
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Strike proviso immediately preceding Specific Appropriation 822 and insert the following proviso immediately preceding Specific Appropriation 822:

From the funds in Specific Appropriation 821, the \$3,934,776 of additional funds provided shall be distributed by district on the equity index developed by the department and approved by the Executive Office of the Governor. However, funds for additional day care slots distributed to each district shall be provided first to eligible clients who have successfully participated in the Work Incentive Program or other Department of Health and Rehabilitative Services employment programs.

Senator Vogt moved the following amendment which failed:

**Amendment 75—**

SECTION 01, PAGE 138  
ITEM 876

DEPARTMENT OF HEALTH AND REHABILITATIVE SERVICES  
HEALTH SERVICES

Insert proviso immediately preceding Specific Appropriation 876:

The funds in Specific Appropriations 880, 881A, 883, 884 and 885 shall not be used for abortion procedures, counseling for abortion or referral for abortion.

The vote was:

Yeas—15

Beard Childers, D. Childers, W. D. Crenshaw	Dunn Grant Jennings Johnson	Kiser Langley Myers Peterson	Scott Thomas Vogt
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Nays—21

Mr. President Castor Crawford Deratany Fox Frank	Gersten Girardeau Gordon Grizzle Hill Jenne	Malchon Mann Margolis McPherson Meek Plummer	Stuart Thurman Weinstein
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Vote after roll call:

Yea—Neal

Nay to Yea—Hill, Plummer

On motions by Senators Gersten, W. D. Childers and Thomas, by unanimous consent their votes on Amendment 75 were reflected in the roll call.

Senator Fox moved the following amendment which failed:

**Amendment 76—**

SECTION 01, PAGE 139 ITEM 879A	STRIKE:	INSERT:
DEPARTMENT OF HEALTH AND REHABILITATIVE SERVICES HEALTH SERVICES		
879A AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - CONSTRUCTION AND RENOVATION OF COUNTY HEALTH UNIT FACILITIES FROM GENERAL REVENUE FUND	9,460,000	10,460,000
880 AID TO LOCAL GOVERNMENTS CONTRIBUTION TO COUNTY HEALTH UNITS FROM GENERAL REVENUE FUND	68,701,693	67,701,693

Strike proviso immediately following Specific Appropriation 879A and insert the following:

Funds in Specific Appropriation 879A shall be allocated as follows: Columbia County, \$500,000; Taylor County, \$200,000; Polk County, \$500,000; Lee County, \$650,000; Collier County, \$2,350,000; Monroe County, \$500,000; South Broward County, \$4,760,000; South Miami, \$1,000,000.

Senator Frank moved the following amendment which failed:

Amendment 77—

SECTION 01, PAGE 122 STRIKE: INSERT:
ITEM 758B

DEPARTMENT OF HEALTH AND REHABILITATIVE SERVICES ECONOMIC SERVICES

758B LUMP SUM EMERGENCY ASSISTANCE FOR HOMELESS FROM GENERAL REVENUE FUND 562,500

Insert proviso following Specific Appropriation 758B:

Of the funds in Specific Appropriation 758B, the following is for staffing and administration of the local coalitions for the homeless; to implement the grant-in-aid program, to implement the statewide automated information system, to implement the emergency financial assistance program, as matching funds for the Temporary Emergency Financial Assistance Program under Title IV of the United States Social Security Act. These funds are contingent upon passage of SB 1223 or similar legislation.

488B AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - HIGH COST EQUIPMENT FROM GENERAL REVENUE FUND 1,000,000 437,500

Senator Gordon moved the following amendment which was adopted:

Amendment 78—

SECTION 01, PAGE 142 STRIKE: INSERT:
ITEM 901A

DEPARTMENT OF HEALTH AND REHABILITATIVE SERVICES VOCATIONAL REHABILITATION SERVICES

901A AID TO LOCAL GOVERNMENT GRANTS AND AIDS - SPINAL CORD INJURY RESEARCH FROM GENERAL REVENUE FUND 250,000

Insert proviso following Specific Appropriation 901A:

The amount in Specific Appropriation 901A shall be used to fund a spinal cord research program at Jackson Memorial Hospital-University of Miami Medical School.

Senator Frank moved the following amendment which failed:

Amendment 79—

SECTION 01, PAGE 170 STRIKE: INSERT:
ITEM 1191

JUDICIAL BRANCH STATE ATTORNEYS THIRTEENTH JUDICIAL CIRCUIT

Insert proviso immediately preceding Specific Appropriation 1191:

From the funds in Specific Appropriations 1192, 1193, 1194, 1197 and 1198, up to \$180,000 may be transferred to Salaries and Benefits to increase the approved salary rate for the Thirteenth Circuit State Attorney's Office.

The vote was:

Yeas—16

Beard Frank Grizzle Langley
Castor Girardeau Jennings Myers
Dunn Gordon Johnson Scott
Fox Grant Kiser Vogt

Nays—19

Mr. President Deratany Mann Stuart
Childers, D. Gersten Margolis Thomas
Childers, W. D. Hair McPherson Thurman
Crawford Hill Neal Weinstein
Crenshaw Jenne Peterson

Senator Dunn moved the following amendment which was adopted:

Amendment 80—

SECTION 01, PAGE 189 STRIKE: INSERT:
ITEM 1456A

DEPARTMENT OF LAW ENFORCEMENT DIVISION OF LOCAL LAW ENFORCEMENT ASSISTANCE

1456A LUMP SUM CRIME CONTROL BUREAU FROM GENERAL REVENUE FUND 37 Positions 1,978,760

Insert proviso following Specific Appropriation 1456A:

The positions and funds provided in Specific Appropriation 1456A are contingent upon passage of SB 311 or similar legislation.

The vote was:

Yeas—27

Mr. President Gersten Kirkpatrick Neal
Castor Girardeau Kiser Plummer
Childers, D. Grant Langley Stuart
Childers, W. D. Grizzle Malchon Thomas
Crenshaw Hair Mann Vogt
Dunn Jenne McPherson Weinstein
Fox Johnson Myers

Nays—8

Barron Deratany Margolis Peterson
Beard Gordon Meek Scott

Vote after roll call:

Yea—Hill

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

Amendment 81—

SECTION 01, PAGE 78 STRIKE: INSERT:
ITEM 495

DIVISION OF COMMUNITY COLLEGES

In the second full paragraph of proviso on page 78 before Item 495 strike the first 4 lines of proviso beginning with "No state" and ending with "1987".

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

**Amendment 82—**

SECTION 08, PAGE 257  
ITEM 2A.3.

(2)A.3. Strike all words preceding the comma “,” in the first sentence and insert the following:

For employees in the Professional Health Care Collective Bargaining Unit,

Create paragraph number “6.” as follows:

6. For employees in certified Correctional Officer classes, funds are provided in Specific Appropriation 8A for competitive pay adjustments of 5 percent on each employee’s base rate of pay effective January 1, 1987 plus each employee, whose most recent performance appraisal is at least “meets performance standards”, a 5 percent increase in base pay on the employee’s anniversary date.

Senator Neal moved the following amendment which was adopted:

**Amendment 83—**

SECTION 08, PAGE 257  
ITEM 2A.4.

Insert the following new paragraph after the existing language:

Effective January 1, 1987, the current law enforcement classifications shall be advanced one pay grade in the non-Department of Law Enforcement pay plan. Longevity pay steps shall not be utilized and current steps L1 and L2 shall become a part of the normal pay ranges. The restructured pay grades shall be numbered 52 through 56 in the new pay plan.

Senator Dunn moved the following amendment which was adopted:

**Amendment 84—**

SECTION 01, PAGE 02  
ITEM 8D

	STRIKE:	INSERT:
8D LUMP SUM ELECTED OFFICERS AND EXEMPT PAY PLANS FROM GENERAL REVENUE FUND	3,874,977	3,917,617
8E LUMP SUM JUDICIAL PAY PLANS FROM GENERAL REVENUE FUND	3,976,298	3,933,658

Senators Dunn, Hair, D. Childers, Stuart, Vogt, Hill, Crenshaw, McPherson, Deratany, Beard, Thurman, Malchon, Thomas, Fox, Johnson, Weinstein, Crawford, Frank, Scott, Myers, Jenne, Peterson, Castor, Grizzle, Meek and W. D. Childers offered the following amendment which was moved by Senator Neal and adopted:

**Amendment 85—**

SECTION 08, PAGE 258  
ITEM (2)D

	STRIKE:	INSERT:
STATE ATTORNEYS		
CIRCUITS WITH 1,000,000 POPULATION OR LESS	70,640	75,000
CIRCUITS OVER 1,000,000	73,970	80,000

SECTION 01, PAGE 02  
ITEM 8D

8D LUMP SUM ELECTED OFFICERS AND EXEMPT PAY PLANS FROM GENERAL REVENUE FUND	3,874,977	3,917,617
8E LUMP SUM JUDICIAL PAY PLANS FROM GENERAL REVENUE FUND	3,976,298	3,933,658

Senator Dunn moved the following amendment which was adopted:

**Amendment 86—**

SECTION 08, PAGE 259  
ITEM (2)D

	STRIKE:	INSERT:
PUBLIC DEFENDERS		
CIRCUITS WITH 1,000,000 POPULATION OR LESS	66,447	70,548
CIRCUITS OVER 1,000,000	69,627	75,303

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

**Amendment 87—**

SECTION 01  
ITEM 1566

PROFESSIONAL REGULATION, DEPARTMENT OF

After Item 1566, add the following proviso language:

From funds provided in Specific Appropriation 1566, the Department of Professional Regulation shall perform a study of the difficulties exiled foreign professionals encounter in attempting to obtain licensure in Florida. The Department shall also make recommendations to the Legislature regarding the establishment of exile licensure programs in each regulated profession or occupation, said recommendations shall be made on or before January 5, 1987.

Senator Stuart moved the following amendment which was adopted:

**Amendment 88—**

SECTION 01, PAGE 196  
ITEM 1516

	STRIKE:	INSERT:
NATURAL RESOURCES, DEPARTMENT OF BEACHES AND SHORES, DIVISION OF		
1516 SALARIES AND BENEFITS FROM COASTAL PROTECTION TRUST FUND	62 Positions	68 Positions 146,882
1518 EXPENSES FROM COASTAL PROTECTION TRUST FUND		20,000
1519 OPERATING CAPITAL OUTLAY FROM COASTAL PROTECTION TRUST FUND		144,063
1520 DATA PROCESSING SERVICES FROM COASTAL PROTECTION TRUST FUND		189,055
After Item 1519 insert new Item 1519A:		
1519A SPECIAL CATEGORIES SPECIAL STUDIES/RESEARCH PROGRAMS FROM COASTAL PROTECTION TRUST FUND		500,000

After Item 1520 insert the following proviso:

Funds appropriated in Specific Appropriations 1516 through 1520 from the Coastal Protection Trust Fund assume that such funds will be replaced from the Erosion Control Trust Fund when such fund has a designated revenue source.

Senator Grant moved the following amendment which failed:

**Amendment 89—**

SECTION 01 STRIKE: INSERT:  
ITEM 61

AGRICULTURE AND CONSUMER SERVICES, DEPARTMENT OF OFFICE OF COMMISSIONER AND DIVISION OF ADMINISTRATION

After Item 61 insert new Item:

61A LUMP SUM  
G/A AGRICULTURAL AND RURAL ECONOMIC DEVELOPMENT GRANTS FROM GENERAL REVENUE FUND 300,000

COMMERCE, DEPARTMENT OF TOURISM, DIVISION OF

203 SPECIAL CATEGORIES PAID ADVERTISING FROM GENERAL REVENUE FUND 5,362,176 5,062,176

On motion by Senator Stuart, the Senate reconsidered the vote by which Amendment 89 failed. Amendment 89 was adopted.

Senator Kiser moved the following amendment which was adopted:

**Amendment 90—**

SECTION 01 STRIKE: INSERT:  
ITEM 1660

STATE, DEPARTMENT OF CULTURAL AFFAIRS, DIVISION OF

1660 AID TO LOCAL GOVERNMENT FROM GENERAL REVENUE FUND

And insert the following proviso after Item 1660

Funds of \$80,000 in Item 1660 are to be expended for the Tarpon Springs Centennial Project

Senator Kiser moved the following amendment which failed:

**Amendment 91—**

SECTION 03, PAGE 241 STRIKE: INSERT:  
ITEM 1908

ENVIRONMENTAL REGULATION, DEPARTMENT OF

1908 FIXED CAPITAL OUTLAY AID TO WATER MANAGEMENT DISTRICTS LAND ACQUISITION FROM WATER MANAGEMENT LANDS TRUST FUND 36,980,610 36,717,735

And insert new Item 1908A

1908A FIXED CAPITAL OUTLAY EDGEWATER DRIVE STABILIZATION FROM WATER MANAGEMENT LANDS TRUST FUND 262,875

Senators Margolis, Gordon, Frank, Girardeau, Meek, Grizzle, Fox, Malchon, Dunn and McPherson offered the following amendment which was moved by Senator Margolis and failed:

**Amendment 92—**

SECTION 08, PAGE 257  
ITEM (2)A

(2) A.2. At the end of paragraph "2." insert the following:

Additional critical class adjustments, supplementing those recommended by the Governor, are funded and include classes in the following groups: records technician; cashier; corporate licensing; vocational instructor; teacher and library technician; fiscal and accounting; revenue examiner; criminal justice reporting; archivist; statistical and research; field insurance representative; financial aid and admissions; engineering technician; radiological technician; laborer; custodial and groundskeeping; and crime laboratory technicians.

The vote was:

Yeas—17

Beard	Frank	Malchon	Thurman
Castor	Gersten	Mann	Weinstein
Crenshaw	Girardeau	Margolis	
Dunn	Gordon	McPherson	
Fox	Grizzle	Meek	

Nays—19

Mr. President	Grant	Johnson	Plummer
Barron	Hair	Langley	Stuart
Childers, D.	Hill	Myers	Thomas
Childers, W. D.	Jenne	Neal	Vogt
Deratany	Jennings	Peterson	

Senator Myers moved the following amendment which failed:

**Amendment 93—**

SECTION 01 STRIKE: INSERT:  
ITEM 1360

JUDICIAL BRANCH  
PUBLIC DEFENDER  
19th JUDICIAL CIRCUIT

1360 SALARIES AND BENEFITS FROM GENERAL REVENUE FUND	36 Positions 1,024,920	41 Positions 1,147,721
1361 OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	6,525	8,971
1362 EXPENSES FROM GENERAL REVENUE FUND	96,162	162,842
1363 OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	10,098	18,171

Senator Margolis moved the following amendment which was adopted:

**Amendment 94—**

SECTION 01, PAGE 81  
ITEM 521

POSTSECONDARY EDUCATION PLANNING COMMISSION

After all proviso on page 82 which follows Item 521 add a new paragraph of proviso:

Funds in Specific Appropriations 518 through 520 shall be used by the Postsecondary Education Planning Commission, in cooperation with the Florida Motion Picture, Television, and Recording Industry Advisory Council, to study the training needs of the film industry and the current capacity of Florida postsecondary education institutions to respond to those needs. The Commission shall submit a report to the legislature and the State Board of Education in March, 1987. The report shall provide an inventory of existing programs, and also recommendations to respond to existing unmet or future training needs.

Senator Dunn moved the following amendment which was adopted:

**Amendment 95—**

SECTION 01, PAGE 187 STRIKE: INSERT:  
ITEM 1429A

DEPARTMENT OF LAW ENFORCEMENT

OFFICE OF THE EXECUTIVE DIRECTOR  
AND STAFF SERVICES

1429A LUMP SUM  
INVESTIGATIVE SUPPORT FOR THE  
STATEWIDE GRAND JURY  
FROM GENERAL REVENUE FUND

4 Positions  
126,542

Insert proviso following Specific Appropriation 1429A:

The positions and funds provided in Specific Appropriation 1429A shall be contingent upon passage of SB 311 or similar legislation.

Senator Jennings moved the following amendment which was adopted:

**Amendment 96—**

SECTION 04, PAGE 247  
ITEM 1941B

STRIKE:            INSERT:

1941B FIXED CAPITAL OUTLAY STATE  
UNIVERSITY SYSTEM PROJECTS  
FROM PUBLIC EDUCATION CAPITAL  
OUTLAY AND DEBT SERVICE  
TRUST FUND

64,173,420            64,103,420

and on page 248 in the list of projects

IFAS/UF BELLE GLADE  
FACILITY (p.c.)

4,500,000            4,430,000

and on page 251 insert a new Item

1947C FIXED CAPITAL OUTLAY  
PUBLIC BROADCASTING -  
WMEF - TV AND FM ORLANDO (p)  
FROM PUBLIC EDUCATION CAPITAL  
OUTLAY AND DEBT SERVICES  
TRUST FUND

70,000

Senator Gordon moved the following amendment which was adopted:

**Amendment 97—**

SECTION 01, PAGE 21  
ITEM 203

STRIKE:            INSERT:

COMMERCE, DEPARTMENT OF  
TOURISM, DIVISION OF

203 SPECIAL CATEGORIES  
PAID ADVERTISING  
FROM GENERAL REVENUE FUND

5,362,176            5,262,176

ECONOMIC DEVELOPMENT,  
DIVISION OF

211A SPECIAL CATEGORIES  
GRANTS AND AIDS -  
MIAMI FILM FESTIVAL  
FROM GENERAL REVENUE FUND

- 0 -            100,000

Senator Hill moved the following amendment which was adopted:

**Amendment 98—**

SECTION 01, PAGE 28  
AFTER ITEM 254

COMMUNITY AFFAIRS, DEPARTMENT OF HOUSING  
AND COMMUNITY DEV., DIVISION OF

After Item 254 insert the following proviso:

From the funds provided in Specific Appropriation 254, \$200,000 shall be provided in the form of a grant to the City of Hialeah for a sewer and drainage project.

Senator Grant moved the following amendment which failed:

**Amendment 99—**

SECTION 01  
ITEM 488B

STRIKE:            INSERT:

488B AID TO LOCAL GOVERNMENT  
GRANTS AND AIDS -  
HIGH COST EQUIPMENT  
FROM GENERAL REVENUE FUND

1,000,000            954,600

356 SPECIAL CATEGORIES  
GRANTS AND AIDS  
POSTSECONDARY COOPERATION

420,986            466,386

and insert the following proviso language following the existing words "Business Coalition,": "the North Florida Junior College Hearing Impaired Program"

Senator Grant moved the following amendment which was adopted:

**Amendment 100—**

SECTION 04, PAGE 247  
ITEM 1941A

In the list of projects on page 247 following Lake City:

Strike: remodel administration building and insert: Golf Course Mechanical Lab (P,C)

Senator Castor moved the following amendment which was adopted:

**Amendment 101—**

SECTION 01, PAGE 46  
ITEM 366A

Following the last sentence of proviso language in the first full paragraph add the following language:

From the funds appropriated in Specific Appropriation 459, \$75,000 shall be used for the Division of Community Colleges to contract with CHOICES for the on-line advisement and career counseling system.

On motion by Senator Castor, the Senate reconsidered the vote by which Amendment 101 was adopted. By permission, Amendment 101 was withdrawn.

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

**Amendment 102—**

SECTION 04  
ITEM 1941B

STRIKE:            INSERT:

1941B FIXED CAPITAL OUTLAY  
STATE UNIVERSITY SYSTEM  
PROJECTS  
FROM PUBLIC EDUCATION  
CAPITAL OUTLAY AND DEBT  
SERVICE TRUST FUND

64,173,420            63,173,420

and in the list of projects on page 248 following

IFAS/UF - Belle Glade

4,500,000            3,500,000

and on page 246

1941A FIXED CAPITAL OUTLAY  
COMMUNITY COLLEGE PROJECTS  
FROM PUBLIC EDUCATION  
CAPITAL OUTLAY AND DEBT  
SERVICES TRUST FUND

48,382,544            49,382,544

and add to list of projects on page 247 following Okaloosa - Walton project a new Item

PALM BEACH - BOCA RATON  
CAMPUS

1,000,000



Proviso in paragraph 5 on page 87, beginning with "funds appropriated" after "out-of-state fees."

Add

In addition the Board of Regents may waive additional out-of-state fees for graduate teaching and research assistants for a total of \$300,000. Matriculation fees may be waived for graduate research and teaching assistants for a total of \$2,680,067.

Senator Mann moved the following amendment which was adopted:

**Amendment 112—**

SECTION 01, PAGE 118  
ITEM 732C

DEPARTMENT OF HEALTH AND  
REHABILITATIVE SERVICES  
ASSISTANT SECRETARY FOR PROGRAMS

Insert proviso following Specific Appropriation 732C:

Funds appropriated in Specific Appropriation 732C shall be used to continue a joint project with the Department of Education for Developmental Services clients.

Senator Neal moved the following amendments which were adopted:

**Amendment 113—**

SECTION 01, PAGE 149  
ITEM 965

HIGHWAY SAFETY AND  
MOTOR VEHICLES,  
DEPARTMENT OF  
FLORIDA HIGHWAY PATROL,  
DIVISION OF

965 SALARIES AND BENEFITS		
FROM GENERAL REVENUE FUND	47,151,641	47,236,641

968A LUMP SUM		
TRAFFIC LAW ENFORCEMENT/ TROOPERS		
FROM GENERAL REVENUE FUND	2,000,000	1,915,000

**Amendment 114—**

SECTION 01, PAGE 198  
ITEM 1535

NATURAL RESOURCES, DEPARTMENT OF  
RECREATION AND PARKS, DIVISION OF

After Item 1535 add the following proviso:

From the funds and positions provided in Specific Appropriations 1530, 1532, and 1535, one position and \$48,459 is provided for on-site management of Savannas State Reserve.

**Amendment 115—**

SECTION 01, PAGE 201  
ITEM 1556

NATURAL RESOURCES, DEPARTMENT OF  
MARINE FISHERIES COMMISSION

1556 SALARIES AND BENEFITS	7 Positions	10 Positions
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**Amendment 116—**

SECTION 01, PAGE 211  
ITEM 1662A

STATE, DEPARTMENT OF,  
AND SECRETARY OF STATE

CULTURAL AFFAIRS, DIVISION

1662A SPECIAL CATEGORIES		
GRANTS AND AIDS - ART		
FACILITIES DEVELOPMENT AND		
OPERATIONS PROGRAMS		
FROM GENERAL REVENUE FUND	280,000	480,000

BANKING AND FINANCE,  
DEPARTMENT OF  
INFORMATION SYSTEMS,  
DIVISION OF

138 EXPENSES		
FROM GENERAL REVENUE FUND	6,425,262	6,225,262

**Amendment 117—**

SECTION 02, PAGE 236  
ITEM 1879

INSURANCE, DEPARTMENT  
OF AND TREASURER  
STATE FIRE MARSHAL,  
DIVISION OF

1879 FIXED CAPITAL OUTLAY		
STATE FIRE COLLEGE, MARION COUNTY		
FROM INSURANCE		
COMMISSIONER'S TRUST FUND	8,697,281	-0-

Senator Fox moved the following amendment which was adopted:

**Amendment 118—**

SECTION 04, PAGE 247  
ITEM 1941A

DEPARTMENT OF EDUCATION  
OFFICE OF DEPUTY COMMISSIONER  
FOR EDUCATIONAL MANAGEMENT

Following "Miami-Dade - purchase building and land":

Insert "Inter-American Center on SW 27th Avenue":

Senator Neal moved the following amendment which was adopted:

**Amendment 119—**

SECTION 08, PAGE 259  
ITEM (2)F2

Strike the words: trial court administrator and insert: court administrative classes

Senator Johnson moved that the Senate reconsider the vote by which Amendment 64 was adopted. The motion failed.

Senators Myers and Girardeau offered the following amendment which was moved by Senator Myers and adopted:

**Amendment 120—**

SECTION 01  
ITEM 954

Insert proviso following Item 954:

Of the funds in Specific Appropriation, \$700,000 shall be used to increase the pharmacist dispensing fee for the dispensation of all drug products. No funds shall be used to provide incentives for dispensing generic versus trade name drugs.

The vote was:

Yeas—18

Beard	Girardeau	Kiser	Scott
Childers, D.	Grizzle	Langley	Vogt
Crenshaw	Hill	McPherson	Weinstein
Deratany	Jennings	Myers	
Frank	Johnson	Plummer	

Nays—14

Mr. President	Fox	Malchon	Peterson
Castor	Gordon	Mann	Stuart
Childers, W. D.	Hair	Margolis	
Crawford	Jenne	Neal	

Vote after roll call:

Yea to Nay—Plummer

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

**Amendment 121—**

SECTION 01, PAGE 119  
ITEM 737

Insert the following proviso after "imposed" in previously adopted proviso:

The Phosphate Research Council is instructed to fund this study to be done by the University of South Florida's College of Public Health and School of Medicine.

On motion by Senator Neal, the rules were waived and staff of the Appropriations Committee was instructed to make title amendments and technical changes in SB 1320 as necessary.

On motion by Senator Neal, by two-thirds vote SB 1320 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

On motion by Senator Neal, the rules were waived and SB 1320 after being engrossed was ordered immediately certified to the House.

**SB 1321**—A bill to be entitled An act relating to state government; implementing and administering the General Appropriations Act for fiscal year 1986-1987; 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 the 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; restricting expenditure of certain funds available as a result of litigation against oil companies and refineries; providing restrictions with respect to advances for program start-up or advances for contracted services; providing for waiver of said restrictions; providing for reimbursement to school districts for costs of residential nonpublic school contracts and providing conditions, eligibility, and funding with respect thereto; providing that appropriations to the Department of Education for certain purchases of electronic data processing equipment by school districts, community colleges, and the Board of Regents are subject to approval by the Commissioner of Education; providing for inclusion of certain students in educational alternative programs; retitling certain educational programs; modifying certain match funding requirements relating to cer-

tain funds appropriated for local community mental health centers and alcohol project grants; modifying procedures for determining annual allocations to school districts; providing for establishment of enrollment ceilings by program groups; providing for deposit of certain revenues received by the Department of Law Enforcement into the Forfeiture and Investigative Support Trust Fund; providing for advance of funds in any specific appropriation under certain conditions; providing restrictions upon the transfer of certain individuals or their services between state agencies; restricting use of Special Category Contract Education funds of the Department of Corrections; providing procedures for state agencies with respect to solicitation for contractual training needs; providing for differential premium rates for state group health insurance; providing that certain provisions relating to education shall be implemented only to the extent specifically provided for in the General Appropriations Act; providing for allocation of resources by the Department of Transportation; providing for monthly reports; providing for reallocation of resources within the Department of Transportation; authorizing the Department of Transportation to fund economic development transportation projects; requiring the transfer of certain funds to the Department of Agriculture and Consumer Services; authorizing the Department of Transportation to advance state funds for certain aviation projects; abolishing certain trust funds and providing for transfer of moneys therein; reviving certain trust funds scheduled for repeal; providing procedures for determining annual allocations through the Florida Education Finance Program; providing exemptions from certain student fees; providing for waiver of certain fees and acceptance of in-kind contributions in lieu of fees; providing for the establishment of certain student fees by school districts; providing that workload adjustments for individual community colleges shall be in lieu of certain other reductions in funds; providing for reductions by other community colleges; specifying a date for use in calculating certain appropriations; requiring the Division of Vocational, Adult, and Community Education to develop a plan for the statewide assessment of vocational programs; repealing s. 1(1)(k) of chapter 84-542, Laws of Florida, relating to funding for a joint-use facility of the District School Board of Clay County and St. Johns River Community College; repealing s. 35(3)(f) of chapter 85-116, Laws of Florida, relating to an appropriation for St. Johns River Community College; providing that funds for certain projects shall not be subject to certain provisions; authorizing the Board of Regents to construct a dormitory building at the University of Central Florida with certain bonds; authorizing the Board of Regents to construct certain buildings on various university campuses; authorizing the transfer of up to \$30 million from the Working Capital Trust Fund to compensate for certain federal budget cuts; providing for the expenditure of a \$50,000 appropriation to plan and design a new Florida Highway Patrol Station in Brevard County; reviving and readopting the provisions of s. 212.11(1)(a) 1. and 2. and (5), F.S., relating to tax returns and regulations; specifying authorized uses of the sod aircraft landing strip at the Blackwater Forestry Center; requiring the Department of Health and Rehabilitative Services to develop a proposal to amend the Medicaid reimbursement plan for nursing homes; requiring the Department of Administration to develop a master plan for a comprehensive classification review and salary survey of occupational groups within the Career Service System; authorizing district school boards to levy a specified nonvoted discretionary millage for fiscal year 1986-1987; specifying sources of funding for certain state office buildings; providing a retroactive effective date and an expiration date.

—was read the second time by title.

Senator Castor moved the following amendment which was adopted:

**Amendment 1**—On page 9, lines 9-14, strike beginning at the end of line 9 with "The" and continuing through line 14 and insert: Intensive English language instruction, however, may be provided for students whose native language is other than English. The provisions of s. 236.081(1)(c), F.S., to the contrary notwithstanding, the programs identified as Educational Alternatives and Educational Alternatives Mainstream shall be retitled Educational Alternative/Intensive English and Educational Alternative/Intensive English Mainstream, respectively, and the programs identified as Speech and Hearing Part-Time and Deaf shall be retitled Speech, Language, and Hearing Part-time and Speech, Language, and Hearing, respectively.

Senator Crawford moved the following amendment which was adopted:

**Amendment 2**—On page 15, between lines 5 and 6, insert:

(4) Notwithstanding the provisions of s. 332.007, Florida Statutes, the Department of Transportation may transfer \$100,000 to the Sebring Airport Authority from funds appropriated for that purpose.

Senator Castor moved the following amendments which were adopted:

**Amendment 3**—On page 20, lines 3-19, strike all of Section 29 and insert new Section 29:

*Section 29. The Division of Vocational, Adult and Community Education, in consultation with the Divisions of Community Colleges and Public Schools and Postsecondary Education Planning Commission, shall develop a plan for the uniform, statewide assignment of all vocational programs as to level of degree or certificate pursuant to s. 240.355(2), F.S. The plan, which shall be submitted to the Legislature and State Board of Education by December 1, 1986 shall provide a timeline for completion of the assignment of all existing vocational programs offered by school districts and community colleges no later than December 1, 1987 and shall also specify on-going procedures for the assignment of newly created programs. The plan shall be submitted to the State Board of Community Colleges for review and approval prior to submission to the Legislature and State Board of Education.*

**Amendment 4**—On page 23, line 30, strike "0.819" and insert: 1.119

Senator Crawford moved the following amendment which was adopted:

**Amendment 5**—In title, on page 3, line 4, after the semicolon (;) insert: authorizing the Department of Transportation to provide funds to the Sebring Airport Authority;

On motion by Senator Neal, by two-thirds vote SB 1321 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

On motion by Senator Neal, the rules were waived and SB 1321 after being engrossed was ordered immediately certified to the House.

**SB 1322**—A bill to be entitled An act relating to appropriations; providing a supplemental appropriation to the Department of Corrections; providing a supplemental appropriation to the Supreme Court; providing an effective date.

—was read the second time by title. On motion by Senator Neal, by two-thirds vote SB 1322 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

On motion by Senator Neal, the rules were waived and SB 1322 was ordered immediately certified to the House.

**CS for SB 311**—A bill to be entitled An act relating to the corporate income tax; amending s. 214.14, F.S.; providing procedures and interest rate relating to refunds of overpayment of taxes; amending s. 214.40, F.S.; providing penalties for failing to provide certain notice or file certain returns; amending s. 214.72, F.S.; providing for computing revenue miles for certain transportation services; amending s. 220.131, F.S.; revising the deadline for filing certain consolidated returns; providing for apportion-

ing certain income of certain affiliated group members; amending s. 220.03, F.S.; adopting the current Internal Revenue Code; amending s. 214.71, F.S.; including certain charges in an apportionment formula sales factor; amending s. 220.15, F.S.; including intangible personal property in an apportionment formula property factor; amending s. 221.01, F.S.; applying the emergency excise tax to certain income; repealing s. 220.13(1)(c), F.S., relating to installment sales occurring on or before October 19, 1980; repealing s. 220.69, F.S., relating to certain exemptions for out-of-state banks; amending ss. 220.03, 221.01, 221.02, 221.04, F.S.; applying emergency excise tax provisions for an additional year; providing an appropriation; providing a retroactive effective date.

—was read the second time by title.

Senator Crawford moved the following amendments which were adopted:

**Amendment 1**—On page 2, strike all of lines 6-28 and insert: 6 percent per year upon any overpayment in respect of a tax made subject to this chapter, except that if any overpayment is refunded or credited within 9 months after the last date prescribed for filing the return of such tax, including any extension thereof, or within 9 months after the return was filed, whichever is later, no interest shall be allowed on such overpayment.

(2) *Interest shall accrue from the due date of such tax return, including extensions, or the date the return was actually filed, whichever is later. Interest shall be paid until such a date as determined by the department, which shall be no more than 15 days prior to the date of the refund warrant.*

(3) *No interest shall accrue on any overpayment if the department refunds or credits such overpayment within 9 months after receiving notice of the overpayment. Notice of overpayment shall be deemed given on filing an amended return, or filing the notice required by s. 220.23, reflecting federal adjustments creating such overpayment. Notice shall also be deemed given on the date the taxpayer executes a written agreement with the department for any adjustment that results in a redetermination or recomputation of Florida taxable income or loss, or the date such adjustment is finally determined.*

(4) *For purposes of this section, no amount of tax for any taxable year shall be treated as having been paid before the date on which the tax return for such year was due under applicable law, or the date the payment was actually made, whichever is later without regard to any extension of the time for filing such return.*

**Amendment 2**—On page 14, strike all of lines 3-6 and renumber subsequent sections.

On motion by Senator Crawford, by two-thirds vote CS for SB 311 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

On motion by Senator Crawford, the rules were waived and CS for SB 311 after being engrossed was ordered immediately certified to the House.

**CS for SB 313**—A bill to be entitled An act relating to taxation; amending s. 199.042, F.S.; providing due dates for early payment discounts on certain taxes; amending s. 199.062, F.S.; requiring certain annual tax information reports; amending s. 199.232, F.S.; providing criteria for an audit or assessment of the annual intangible tax; amending s. 199.282, F.S.; providing criminal and civil penalties; providing for personal liability of corporate officers and directors under certain circumstances with respect to intangible taxes; providing for an amnesty pro-

gram for annual intangible taxes; providing appropriations to the Department of Revenue to implement source reporting requirements and an amnesty program for intangible taxes; providing an appropriation; amending s. 199.103, F.S.; providing a method for valuing shares of regulated investment companies; amending s. 201.02, F.S.; providing for taxing certain partnership conveyances; amending s. 206.44, F.S.; providing a date certain from which to calculate interest on delinquent tax; amending s. 206.45, F.S.; requiring the Department of Revenue maintain a certain balance in the Gas Tax Collection Trust Fund; amending s. 213.06, F.S.; authorizing certain emergency rules on behalf of the Department of Revenue under certain circumstances; amending ss. 211.33, 213.21, 220.34, F.S.; authorizing the Department of Revenue to settle or compromise certain tax penalties; amending s. 213.22, F.S.; authorizing the Department of Revenue to collect certain fees; amending s. 215.26, F.S.; authorizing the denial of certain tax refunds; amending ss. 159.15, 159.31, 159.50, 150.621, 159.708, F.S.; exempting certain security instruments from all taxation; amending s. 214.23, F.S.; providing procedures for issuing notice to certain taxpayers; amending s. 324.26, F.S.; limiting the liability of the Department of Revenue under certain circumstances; amending s. 197.502, F.S.; providing for certain lands to escheat to a county under certain circumstances; amending s. 206.27, F.S.; providing for confidentiality of certain audits or records of the Department of Revenue; amending s. 213.53, F.S.; providing for confidentiality of letters of technical advice; amending s. 213.24, F.S.; providing for thresholds for billings of deficiencies of tax, penalties, and interest; requiring the Inspector General of the department to conduct certain annual studies; amending ss. 206.404, 206.877, 212.67, 336.021, 336.026, 72.041, 206.47, 206.41, 206.60, 206.605, 206.59, 212.66, 336.025, F.S.; requiring monthly reports and remittances; providing penalties; removing an exemption for certain vehicles powered by alternative fuels; providing for partial payment of certain fees; correcting and clarifying cross references; revising provisions relating to levy and collection of various local option fuel taxes; providing for enforcement of out-of-state tax liabilities; revising distribution formula for constitutional gas tax; specifying applicability of constitutional gas tax, county tax on motor fuels, and municipal tax on motor fuels; providing for investigations and audits; providing for taxation of fuel that is unaccounted for; specifying liability for differences between taxes collected and taxes paid; providing transitional provisions; specifying applicability; amending s. 213.27, F.S.; authorizing the Department of Revenue to contract with certain agencies for activities related to mail-order businesses; providing a limitation; providing for application of certain sections; providing an effective date.

—was read the second time by title.

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

**Amendment 1**—On page 36, strike all of lines 27-31 and insert:

(a) ~~The tax first 2 cents shall be levied by an ordinance adopted by a majority vote of the governing body or by referendum. The next 4 cents shall be levied by an ordinance adopted by a majority plus one vote of the governing body or, subject to approval by referendum, by a majority vote of the governing body.~~ Such

Senator Crawford moved the following amendments which were adopted:

**Amendment 2**—On page 41, before line 1, insert:

Section 42. Section 206.9825, Florida Statutes, is amended to read:

206.9825 Aviation fuel tax.—An excise tax of 5.7 cents per gallon of aviation fuel is imposed upon every gallon of aviation fuel sold in this state, or brought into this state for use, upon which such tax has not been paid or the payment thereof has not been lawfully assumed by some person handling the same in this state. Fuel taxed pursuant to this part shall not be subject to the tax imposed by ss. 336.021, ~~and~~ 336.025, ~~and~~ 336.026.

(Renumber subsequent sections.)

**Amendment 3**—On page 41, before line 1, insert:

Section 42. Subsection (1) of 199.143, Florida Statutes, is amended and a new subsection (3) is added to said section to read:

199.143 Future advances.—

(1) *Except as provided in subsection (3), if the mortgage, deed of trust, or other lien is recorded or executed after December 31, 1985 and secures a line of credit or otherwise secures future advances, as provided in s. 697.04, the nonrecurring tax shall initially be paid on the initial obligation secured, excluding future advances. Each time an additional amount is borrowed or a future advance is made, additional nonrecurring tax shall be paid on the amount of the advance. However, any increase in the amount of original indebtedness caused by interest accruing under an adjustable interest rate obligation having an initial interest rate adjustment interval of not less than 6 months shall be taxable as a future advance only to the extent such increase is a computable sum certain when the original indebtedness is incurred.*

(3) *If the property subject to the mortgage, deed of trust, or other lien which secures a line of credit is a residence of the borrower, then the non-recurring tax shall be paid as provided in s. 199.135 on the maximum amount of the line of credit and no further non-recurring tax shall be due on any borrowing under the line of credit.*

(Renumber subsequent sections.)

**Amendment 4**—On page 17, line 2, after “amended” insert: and subsection (3) is added to said section

Senator Peterson moved the following amendment which failed:

**Amendment 5**—On page 41, between lines 12 and 13, insert:

Section 43. Section 212.63, Florida Statutes, is hereby repealed.

(Renumber subsequent section.)

The vote was:

Yeas—15

Mr. President	Girardeau	Hill	Neal
Beard	Grant	Jennings	Peterson
Childers, D.	Grizzle	Johnson	Stuart
Crawford	Hair	Myers	

Nays—20

Barron	Fox	Langley	Plummer
Childers, W. D.	Frank	Malchon	Scott
Crenshaw	Gordon	Mann	Thurman
Deratany	Kirkpatrick	Margolis	Vogt
Dunn	Kiser	McPherson	Weinstein

Vote after roll call:

Nay—Jenne

Senator Peterson moved the following amendment which was adopted:

**Amendment 6**—On page 39, between lines 11 and 12, insert:

Section 41. Paragraph (a) of subsection (1), paragraphs (a) and (d) of subsection (3), and paragraph (a) of subsection (4) of section 212.67, Florida Statutes, are amended to read:

212.67 Refunds.—

(1) The following refunds apply to the tax imposed by this part, to the extent provided in this section:

(a) Refunds on fuel used for local transit operations.—Any person who uses motor fuel or special fuel on which the taxes imposed by this part have been paid for any system of mass public transportation authorized to operate within any city, town, municipality, county, or transit authority region in this state, as distinguished from any over-the-road or charter system of public transportation, is entitled to a refund of such taxes. A public transportation system or transit system as defined above may operate outside its limits when such operation is found necessary to adequately and efficiently provide mass public transportation services for the city, town, or municipality involved. A transit system as defined above includes demand service that is an integral part of a city, town, municipality, county, or transit or transportation authority system but does not include independent taxicab or limousine operations. The terms “city,” “county,” and “authority” as used in this paragraph include any city, town, municipality, county, or transit or transportation authority organized in this state by virtue of any general or special law enacted by the Legislature. ~~Notwithstanding the provisions of paragraphs (3)(a) and (4)(a), a mass transit public transportation system shall be refunded the tax imposed by this part on motor fuel or special fuel purchases of less than 26 gallons.~~

(3)(a) When motor fuel or special fuel is sold to a person who claims to be entitled to a refund under this section ~~and the amount sold is not less than 26 gallons~~, the seller of such motor fuel or special fuel shall make out a sales invoice, which shall contain the following information:

1. The name, post-office address, and residence address of the purchaser.
2. The number of gallons purchased.
3. The date on which the purchase was made.
4. The price paid for the motor fuel or special fuel.
5. The name and place of business of the seller of the motor fuel or special fuel.

(d) Notwithstanding provisions of this subsection to the contrary, the department has authority to designate certain retail service stations as agents of refiners, importers, wholesalers, *jobbers*, or dealers when no refiners, importers, wholesalers, *jobbers*, or dealers are available to serve commercial fishermen.

(4)(a) No refund may be authorized unless a sworn application therefor containing such information as the department may determine is filed with the department not later than the last day of the month following the quarter for which the refund is claimed. However, when a justified excuse for late filing is presented to the department, and the last preceding claim was filed on time, the deadline for filing may be extended an additional month. ~~No refund will be authorized for any purchase of less than 26 gallons at any one time, and no refund will be authorized unless the amount due is for \$5 or more for any refund period and unless application is made upon forms prescribed by the department.~~

Senators Barron and Crawford offered the following amendment which was moved by Senator Barron and adopted:

**Amendment 7**—On page 17, between lines 19 and 20, insert:

(3) *Notwithstanding the provisions of s. 215.47, bonds, notes, or obligations of any municipality or political subdivision or any agency or authority of this state, collateralized as to principal and interest by any investment otherwise authorized by s. 215.47, in cases where such collateral is to be utilized to guarantee payment and performance bond obligations for maritime and other construction projects undertaken by employers in this state, where the employer could not receive a payment or performance bond absent such guarantee, and where the municipality or political subdivision is experiencing economic distress by reason of a high unemployment rate or other factors, shall constitute legal investments for state, county, municipal, and all other public funds. For purposes of s. 159.02(4), the word "project" shall also include any escrow fund pledged as collateral to be utilized for the purposes and under the circumstances described in this subsection.*

Senator Peterson moved the following amendment which was adopted:

**Amendment 8**—In title, on page 3, line 14, after the semicolon (;) insert: amending s. 212.67, F.S.; removes certain minimum gallonage criteria for purposes of refunds;

Senator Crawford moved the following amendments which were adopted:

**Amendment 9**—In title, on page 2, line 8, after the semicolon (;) insert: declaring certain governmental obligations to be legal investments for certain public funds;

**Amendment 10**—In title, on page 3, line 18, after the semicolon (;) insert: amending s. 199.143, F.S.; excluding from the intangible tax future borrowing on certain lines of credit;

**Amendment 11**—In title, on page 3, line 18, after the semicolon (;) insert: amending s. 206.9825, F.S.; exempting aviation fuel from certain local option motor fuel or special fuel taxes;

On motion by Senator Crawford, by two-thirds vote CS for SB 313 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

On motion by Senator Crawford, the rules were waived and CS for SB 313 after being engrossed was ordered immediately certified to the House.

**CS for SB 314**—A bill to be entitled An act relating to the tax on sales and other transactions; amending s. 212.02, F.S.; providing definitions; amending s. 212.07, F.S.; providing criteria for "resale"; authorizing the Department of Revenue to establish effective tax rates for certain industries under certain circumstances; providing tax liability for certain taxable transactions; amending s. 212.031, F.S.; applying the sales tax to certain licenses in real property; providing exemptions; creating s. 212.0505, F.S.; providing for taxing of unlawful transactions involving certain drugs, cannabis, or controlled substances; providing exemptions; providing for administration; amending s. 212.054, F.S.; providing criteria for collecting, and indicating the amount of, certain surtaxes; creating s. 212.0303, F.S.; creating the County Tourist Resort Tax Act; providing for administration and collection of certain taxes; providing penalties; amending s. 212.0305, F.S.; providing legislative intent; providing for the establishment of a Convention Development Trust Fund; authorizing certain counties to levy convention development taxes; providing procedures for administering and collecting such taxes; providing for uses of tax revenues; providing limitations on imposition of the tax; authorizing counties to levy a tourist development tax; providing procedures for levying such tax; requiring a county advisory council; providing for uses of tax revenues; requiring a referendum; providing for the expiration of such tax ordinance; authorizing certain activities of county tourism promotion agencies; amending s. 212.06, F.S.; providing a definition; applying certain title certificate restrictions to mobile homes and motor vehicles; amending s. 212.08, F.S.; correcting a reference to a certain educational institution for tax-exemption purposes; reviving and readopting s. 212.11, F.S., relating to tax returns and regulations; amending s. 212.12, F.S.; providing a tax collection credit for certain dealers; authorizing the Department of Revenue, under certain circumstances, to use certain sampling procedures in estimating sales taxes due; amending s. 212.18, F.S.; providing registration requirements for certain businesses; providing legislative intent; preserving certain ordinances; repealing ss. 125.0104, 212.057, F.S., s. 5, chapter 84-67, Laws of Florida, s. 8, chapter 84-324, Laws of Florida, s. 2, chapter 84-373, Laws of Florida, relating to convention development taxes and tourist development taxes; providing an effective date.

—was read the second time by title.

Senator Vogt moved the following amendments which were adopted:

**Amendment 1**—On page 5, between lines 2 and 3, insert:

8. *Property used at a port authority as defined in s. 315.02(2) exclusively for the purpose of ocean going vessels or tugs docking, or such vessels mooring on property used by a port authority for the purpose of loading or unloading passengers or cargo onto or from such a vessel, or property used at a port authority for fueling such vessels.*

**Amendment 2**—On page 9, between lines 7 and 8, insert:

8. *Property used at a port authority as defined in s. 315.02(2) exclusively for the purpose of ocean going vessels or tugs docking, or such vessels mooring on property used by a port authority for the purpose of loading or unloading passengers or cargo onto or from such a vessel, or property used at a port authority for fueling such vessels.*

Senators W. D. Childers and Margolis offered the following amendment which was moved by Senator W. D. Childers and adopted:

**Amendment 3**—On page 45, between lines 26 and 27, insert:

Section 15. Paragraph (a) of subsection (1) of section 212.05, Florida Statutes, is amended to read:

212.05 Sales, storage, use tax.—It is hereby declared to be the legislative intent that every person is exercising a taxable privilege who engages in the business of selling tangible personal property at retail in this state, or who rents or furnishes any of the things or services taxable under this chapter, or who stores for use or consumption in this state any item or article of tangible personal property as defined herein and who leases or rents such property within the state.

(1) For the exercise of such privilege, a tax is levied on each taxable transaction or incident, which tax is due and payable as follows:

(a)1.a. At the rate of 5 percent of the sales price of each item or article of tangible personal property when sold at retail in this state, computed on each taxable sale for the purpose of remitting the amount of tax due the state, and including each and every retail sale.

b. Each occasional or isolated sale of an aircraft, boat, mobile home, or motor vehicle of a class or type which is required to be registered, licensed, titled, or documented in this state or by the United States Government shall be subject to tax at the rate provided in this paragraph. The department shall, by rule, adopt the NADA Official Used Car Guide as the reference price list for any used motor vehicle which is required to be licensed pursuant to s. 320.08(1), (2), (3)(a), (b), (c), or (f) or (9). If any party to an occasional or isolated sale of such a vehicle reports to the tax collector a sales price which is less than 80 percent of the average loan price for the specified model and year of such vehicle as listed in the most recent reference price list, the tax levied under this paragraph shall be computed by the department on such average loan price unless the parties to the sale have provided to the tax collector an affidavit signed by each party, or other substantial proof, stating the actual sales price. Any party to such sale who reports a sales price less than the actual sales price is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.083. The department shall collect or attempt to collect from such party any delinquent sales taxes. In addition, such party shall pay any tax due and any penalty and interest assessed, plus a ~~mandatory~~ penalty equal to twice the amount of the additional tax owed but not more of ~~not~~ less than \$500 or an amount equal to 100 percent of the tax, whichever is greater. For purposes of this sub-subparagraph, an occasional or isolated sale is one in which the seller is not a motor vehicle dealer as defined in s. 320.27(1)(c).

2. This paragraph does not apply to the sale of a boat by or through a registered dealer under this chapter to a purchaser who removes such boat from this state within 10 days after the date of purchase or, when the boat is repaired or altered, within 10 days after completion of such repairs or alterations. In no event shall the boat remain in this state more than 90 days after the date of purchase. This exemption shall not be allowed unless the seller:

a. Obtains from the purchaser within 90 days from the date of sale written proof that the purchaser licensed, registered, or documented the boat outside the state;

b. Requires the purchaser to sign an affidavit that he has read the provisions of this section; and

c. Makes the affidavit a part of his permanent record.

In the event the purchaser fails to remove the boat from this state within 10 days after purchase or, when the boat is repaired or altered, within 10 days after completion of such repairs or alterations, or permits the boat to return to this state within 6 months from the date of departure, the purchaser shall be liable for use tax on the cost price of the boat and, in addition thereto, payment of a penalty to the Department of Revenue equal to the tax payable. This penalty shall be in lieu of the penalty imposed by s. 212.12(2) and is mandatory and shall not be waived by the department.

Section 16. Notwithstanding any other provision of law, the Department of Revenue may waive or compromise any penalty imposed after July 1, 1985 pursuant to s. 212.05(1)(a)1.b.

(Renumber subsequent section.)

Senator Crawford moved the following amendments which were adopted:

**Amendment 4**—On page 41, between lines 4 and 5, insert:

(7) MISCELLANEOUS EXEMPTIONS.—

(m) Boiler fuels.—When purchased for use as a combustible fuel, purchases of natural gas, residual oil, recycled oil, waste oil, solid waste material for use as a fuel, coal, sulfur, or wood, wood residues, or wood bark used in an industrial manufacturing, processing, compounding, or production process at a fixed location in this state are exempt from the taxes imposed by this chapter; however, such exemption shall not be allowed unless the purchaser signs a certificate stating that the fuel to be exempted is for the exclusive use designated herein. This exemption does not apply to the use of boiler fuels that are not used in manufacturing, processing, compounding or producing items of tangible personal property for sale, or to the use of boiler fuels used by any firm subject to regulation by the Division of Hotels and Restaurants of the Department of Business Regulation.

**Amendment 5**—On page 4, between lines 3 and 4, insert:

(c) The terms "Retail sales," "sale at retail," "use," "storage," and "consumption" do not include materials, containers, labels, sacks, or bags intended to be used one time only for packaging tangible personal property for sale and do not include the sale, use, storage, or consumption of industrial materials, including chemicals and fuels except as provided herein, for future processing, manufacture, or conversion into articles of tangible personal property for resale when such industrial materials, including chemicals and fuels except as provided herein, become a component or ingredient of the finished product. However, said terms include the sale, use, storage, or consumption of tangible personal property, including machinery and equipment or parts thereof, purchased electricity, and fuels used to power machinery, when said items are fuels, used and dissipated in fabricating, converting, or processing tangible personal property for sale, even though they may become ingredients or components of the tangible personal property for sale through accident, wear, tear, erosion, corrosion or similar means.

**Amendment 6**—On page 37, line 18, strike "Paragraph (a)" and insert: Paragraphs (a) and (m)

**Amendment 7**—On page 3, lines 1 and 2, strike "paragraph (a)" and insert: paragraphs (a) and (c)

**Amendment 8**—On page 37, between lines 25 and 26, insert:

(2) EXEMPTIONS; MEDICAL.—

(a) There shall be exempt from the tax imposed by this chapter any product, supply, or medicine dispensed in a retail establishment by a pharmacist licensed by the state, according to an individual prescription or prescriptions written by a prescriber authorized by law to prescribe medicinal drugs practitioner of the healing arts licensed by the state; hypodermic needles; hypodermic syringes; chemical compounds and test kits used for the diagnosis or treatment of human disease, illness, or injury; and common household remedies recommended and generally sold for internal or external use, in the cure, mitigation, treatment, or prevention of illness or disease in human beings, but not including cosmetics or toilet articles, notwithstanding the presence of medicinal ingredients therein, according to a list prescribed and approved by the Department of Health and Rehabilitative Services, which list shall be certified to the Department of Revenue from time to time and included in the rules promulgated by the Department of Revenue. There shall also be exempt from the tax imposed by this chapter artificial eyes and limbs; prescription eyeglasses and items incidental thereto or which become a part thereof; dentures; hearing aids; crutches; prosthetic and orthopedic appliances; feminine hygiene products, including, but not limited to, sanitary panties, sanitary belts, sanitary napkins, and tampons; and funerals. Funeral directors shall pay tax on all tangible personal property used by them in their business.

(b) For the purposes of this subsection:

1. "Prosthetic and orthopedic appliances" means any apparatus, instrument, device, or equipment used to replace or substitute for any missing part of the body, to alleviate the malfunction of any part of the body, or to assist any disabled person in leading a normal life by facilitating such person's mobility. Such apparatus, instrument, device, or equipment shall be exempted according to an individual prescription or prescriptions written by a prescriber authorized by law to prescribe medicinal drugs practitioner of the healing arts who is licensed by the state or according to a list prescribed and approved by the Department of Health and Rehabilitative Services, which list shall be certified to the Department of Revenue from time to time and included in the rules promulgated by the Department of Revenue.

2. "Cosmetics" means articles intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or otherwise applied to the human body for cleansing, beautifying, promoting attractiveness, or altering the appearance and articles intended for use as a compound of any such articles, including, but not limited to, cold creams, suntan lotions, makeup, and body lotions.

3. "Toilet articles" means any article advertised or held out for sale for grooming purposes and those articles which are customarily used for grooming purposes, regardless of the name by which they may be known, including, but not limited to, soap, toothpaste, hair spray, shaving products, colognes, perfumes, shampoo, deodorant, and mouthwash.

(c) This subsection shall be strictly construed and enforced.

**Amendment 9**—On page 37, strike all of lines 18 and 19 and insert:

Section 9. Subsection (2) and paragraph (a) of subsection (7) of section 212.08, Florida Statutes, are amended to read:

**Amendment 10**—On page 38, strike all of lines 21-27 and insert:

a. "Religious institutions" means churches, *synagogues*, and established physical places for worship in this state at which nonprofit religious services and activities are regularly conducted and carried on. The term "religious institutions" includes nonprofit corporations the sole purpose of which is to provide free transportation services to church members, their families, and other church attendees. *The term "religious institution" also includes state, district or other governing or administrative offices the function of which is to assist or regulate the customary activities of religious organizations or members within the state or district organization.*

**Amendment 11**—On page 40, line 27, after the period (.) insert: *The term "educational institution" also includes state, district or other governing or administrative offices the function of which is to assist or regulate the customary activities of educational organizations or members within the state or district organization.*

**Amendment 12**—On page 45, lines 13-31, and on page 46, lines 1 and 2, strike all of said lines and insert:

Section 14. This act shall take effect July 1, 1986, or upon becoming a law, whichever occurs later, except that sections 1, 2, 3, 9 and 13 shall take effect October 1, 1986, and sections 6, 7, and 8 shall take effect January 1, 1987, and if this act becomes a law after July 1, 1986, section 11 shall operate retroactively to July 1, 1986.

**Amendment 13**—On page 16, lines 10-31, all of the lines on pages 16-35, and on page 36, lines 1-4, strike all of said lines and insert:

Section 6. Section 212.0305, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 212.0305, F.S., for present text.)

212.0305 Convention development taxes; intent; administration; authorization; use of proceeds.—

(1) **TITLE.**—This section may be cited as the "Convention Development Tax Act."

(2) **LEGISLATIVE INTENT.**—No convention development tax on transient rentals shall be imposed by the governing body of any county unless specifically authorized herein. Any tax authorized pursuant to this section shall be administered and collected exclusively as provided herein and may consist of one or more component levies as enumerated in subsection (4). It is the legislative intent that any authorization for imposition of a convention development tax shall be published in the Florida Statutes as a paragraph of subsection (4), irrespective of the duration of the levy. Each enactment shall specify the types of local governments authorized to levy; the rate or rates which may be imposed; the maximum length of time the tax may be imposed, if any; the procedure which must be followed to secure voter approval, if required; the purpose for which the proceeds may be expended; and such other requirements as the Legislature may provide.

(3) **APPLICATION; ADMINISTRATION; PENALTIES.**—

(a) The convention development tax on transient rentals imposed by the governing body of any county authorized to so levy shall apply to the amount of any payment made by any person to rent, lease, or use for a period of 6 months or less any living quarters or accommodations in a

hotel, apartment hotel, motel, resort motel, apartment, apartment motel, roominghouse, tourist or trailer camp, mobile home park, recreational vehicle park or condominium. 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. Any payment made by a person to rent, lease, or use any living quarters or accommodations which are exempt from the tax imposed under s. 212.03 shall likewise be exempt from any tax imposed under this section.

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

(c) The person receiving the consideration for such rental or lease shall receive, account for, and remit the tax to the department 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 in the administration of this part apply to and are binding upon all persons who are subject to the provisions of this section. However, the department may authorize a quarterly return and payment when the tax remitted by the dealer for the preceding quarter did not exceed \$25.

(d) The department shall keep records showing the amount of taxes collected, which records shall disclose the taxes collected from each county in which a local government resort tax is levied. These records shall be open for inspection during the regular office hours of the department, subject to the provisions of s. 213.053.

(e) The collections received by the department from the tax, less costs of administration, shall be paid and returned monthly to the county which imposed the tax, for use by the county as provided in this section. Such receipts shall be placed in a specific trust fund or funds created by the county.

(f) The department 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 to assess for delinquent taxes.

(g) The department, under applicable rules of the Career Service Commission, is authorized to employ persons and incur other expenses for which funds are appropriated by the Legislature.

(h) The estimated tax provisions contained in s. 212.11(1) do not apply to the administration of any tax levied under this section.

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

(j) No person shall advertise or hold out to the public in any manner, directly or indirectly, that he will absorb all or any part of the tax; that he 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, if added, that the tax 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 is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(k) The tax 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.

(l) Any tax levied pursuant to this section shall be in addition to any other tax imposed pursuant to this part and in addition to all other taxes and fees and the consideration for the rental or lease.

(m) The Department shall administer the taxes levied herein as increases in the rate of the tax authorized in s. 125.0104. The Department shall collect and enforce the provisions of this section and s. 125.0104 in conjunction with each other in those counties authorized to levy the taxes authorized herein. The Department shall distribute the

proceeds received from the taxes levied pursuant to this section and s. 125.0104 in proportion to the rates of the taxes authorized to the appropriate trust funds as provided by law. In the event of underpayment of the total amount due by a taxpayer pursuant to this section and s. 125.0104, the department shall distribute the amount received in proportion to the rates of the taxes authorized to the appropriate trust funds as provided by law and the penalties and interest due on both of said taxes shall be applicable.

(a) Consolidated government levy for convention development.—

1. Each county which operates under a government consolidated with that of one or more municipalities in the county may impose, pursuant to an ordinance enacted by the governing body of the county, a levy on the exercise within its boundaries of the taxable privilege of leasing or letting transient rental accommodations described in subsection (3) at the rate of 2 percent of each dollar and major fraction of each dollar of the total consideration charged therefor. The proceeds of this levy shall be known as the consolidated county convention development tax.

2. A certified copy of the ordinance imposing the levy shall be furnished by the county to the department within 10 days after approval of such ordinance. The effective date of imposition of the levy shall be the first day of any month which is at least 60 days after enactment of the ordinance.

3. All consolidated county convention development moneys, including any interest accrued thereon, received by a county imposing the levy shall be used as follows:

a. To extend, enlarge, and improve existing publicly owned convention centers in the county;

b. To construct a multipurpose convention/coliseum/exhibition center or the maximum components thereof as funds permit in the county; and

c. To acquire, construct, extend, enlarge, remodel, repair, improve, or maintain one or more convention centers, stadiums, exhibition halls, arenas, coliseums, or auditoriums.

4. For the purposes of completion of any project pursuant to this paragraph, tax revenues and interest accrued may be used:

a. As collateral, pledged or hypothecated, for projects authorized by this paragraph, including bonds issued in connection therewith; or

b. As a pledge or capital contribution in conjunction with a partnership, joint venture, or other business arrangement between the county and one or more business entities for projects authorized by this paragraph.

5.a. The county may designate or appoint an authority to administer and disburse such proceeds and any other related source of revenue. However, the annual budget of such authority shall be subject to approval of the governing body of the county.

b. 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 subparagraph may be used by the municipality only for the purposes and in the manner authorized in this paragraph, but the municipality may enter into an interlocal agreement with the county or any other municipality in the county to use such revenue to jointly finance any project authorized by this paragraph. The provisions of this subparagraph do not apply to the distribution to the county of any convention development tax revenues necessary to repay the principal of or the interest on any bonds issued pursuant to sub-subparagraph 4.a. before May 29, 1984.

6. The consolidated county convention development tax shall be in addition to any other levy imposed pursuant to this section.

7. Revenues collected and returned to the county shall be deposited in a convention development trust fund, which shall be established by the county as a condition precedent to receipt of such funds.

(b) Charter county levy for convention development.—

1. Each county, as defined in s. 125.011(1), may impose, pursuant to an ordinance enacted by the governing body of the county, a levy on the exercise within its boundaries of the taxable privilege of leasing or letting transient rental accommodations described in subsection (3) at the rate of 3 percent of the total consideration charged therefor. The proceeds of this levy shall be known as the charter county convention development tax.

2. All charter county convention development moneys, including any interest accrued thereon, received by a county imposing the levy shall be used as follows:

a. Two-thirds of the proceeds shall be used to extend, enlarge, and improve the largest existing publicly owned convention center in the county.

b. One-third of the proceeds shall be used to construct a new multipurpose convention/coliseum/exhibition center or the maximum components thereof as funds permit in the most populous municipality in the county.

c. After the completion of any project under sub-subparagraph a. or sub-subparagraph b., the tax revenues and interest accrued may be used to acquire, construct, extend, enlarge, remodel, repair, improve, or maintain one or more convention centers, stadiums, exhibition halls, arenas, coliseums, or auditoriums.

d. For the purposes of completion of any project pursuant to this paragraph, tax revenues and interest accrued may be used:

(I) As collateral, pledged, or hypothecated, for projects authorized by this paragraph, including bonds issued in connection therewith; or

(II) As a pledge or capital contribution in conjunction with a partnership, joint venture, or other business arrangement between a municipality and one or more business entities for projects authorized by this paragraph.

3. The governing body of each municipality in which a municipal tourist tax is levied may adopt a resolution prohibiting imposition of the charter county convention development levy within such municipality. If the governing body adopts such a resolution, the convention development levy shall be imposed by the county in all other areas of the county except such municipality. No funds collected pursuant to this paragraph may be expended in a municipality which has adopted such a resolution.

4. Before the county enacts an ordinance imposing the levy, the county shall notify the governing body of each municipality in which projects are to be developed pursuant to sub-subparagraph 2.a. or sub-subparagraph 2.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 paragraph 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. The charter county convention development levy shall be in addition to any other levy imposed pursuant to this section.

6. A certified copy of the ordinance imposing the levy shall be furnished by the county to the department within 10 days after approval of such ordinance. The effective date of imposition of the levy shall be the first day of any month at least 60 days after enactment of the ordinance.

7. Revenues collected pursuant to this paragraph shall be deposited in a convention development trust fund, which shall be established by the county as a condition precedent to receipt of such funds.

(c) Special district levy for convention development.—

1. Each county which was chartered under Art. VIII of the Florida Constitution and which on January 1, 1984, levied a tourist advertising ad valorem tax within a special taxing district in that county may impose, pursuant to an ordinance enacted by the governing body of the county, a levy within the boundaries of such special taxing district on the exercise of the taxable privilege of leasing or letting transient rental accommodations described in subsection (3) at a rate of 1 percent of

each dollar and major fraction of each dollar of the total consideration charged therefor. The proceeds of this levy shall be known as the special district convention development tax.

2. The county shall designate or appoint an authority to administer and disburse the proceeds of such levy and any revenue related to the levy authorized by this paragraph. The members of such authority shall be selected from persons involved in the tourism and lodging industries doing business within such special district. Not less than a majority of the members shall be selected from persons doing business in the lodging industry. Members shall serve at the pleasure of the governing body of such county and shall serve without compensation. The annual budget of such authority shall be subject to approval of the governing body of the county. The authority shall consist of 11 members, who shall annually select a chairman from among their members.

3. The county shall have no power to levy and impose the tourist advertising ad valorem tax in such district on or after January 1 of the year following the date of the adoption of the levy authorized in this paragraph. All special district convention development moneys, including any interest accrued thereon, received by a county imposing the special district convention development levy shall be used for the following purposes only:

- a. To promote and advertise tourism;
  - b. To fund convention bureaus, tourist bureaus, tourist information centers, and news bureaus.
4. The special district convention development tax shall be in addition to any other levy imposed pursuant to this section.
5. A certified copy of the ordinance imposing the levy shall be furnished by the county to the department within 10 days after approval of such ordinance. The effective date of the levy shall be the first day of any month at least 60 days after enactment of the ordinance.

6. Revenues collected and returned to the county shall be deposited in a convention development trust fund, which shall be established by the county as a condition precedent to receipt of such funds.

Section 7. (1) Section 212.057, Florida Statutes, as amended by chapter 84-67, Laws of Florida, section 5 of chapter 84-67, Laws of Florida, section 8 of chapter 84-324, Laws of Florida, and section 2 of chapter 84-373, Laws of Florida, are hereby repealed.

(2) It is the legislative intent that the amendment of s. 212.0305, Florida Statutes, by this act be construed as a reenactment, recodification, and consolidation in said section of the provisions repealed in subsection (1). No county imposing a tax under any of the provisions amended or repealed by this act shall be required to amend or reenact its original ordinance imposing the tax. All provisions of the ordinance shall remain in effect as though adopted pursuant to s. 212.0305, Florida Statutes, as amended herein.

Section 8. Section 213.05, Florida Statutes, is amended to read:

213.05 Department of Revenue; control and administration of revenue laws.—The Department of Revenue shall have only those responsibilities for ad valorem taxation specified to the department in chapter 192, taxation, general provisions; chapter 193, assessments; chapter 194, administrative and judicial review of property taxes; chapter 195, property assessment administration and finance; chapter 196, exemption; chapter 197, tax collections, sales, and liens; chapter 199, intangible personal property taxes; and chapter 200, determination of millage. The Department of Revenue shall have the responsibility of regulating, controlling, and administering all revenue laws and performing all duties as provided in s. 125.0104, the Local Option Tourist Development Act; ~~s. 125.0165, discretionary sales tax~~; chapter 198, estate taxes; chapter 201, excise tax on documents; chapter 203, gross receipts taxes; chapter 206, motor and other fuel taxes; chapter 207, tax on operation of commercial motor vehicles; chapter 208, tax on generation of hazardous wastes; chapter 211, tax on production of oil and gas and severance of solid minerals; chapter 212, tax on sales, use, and other transactions; chapter 214, administration of designated nonproperty taxes; chapter 220, income tax code; s. 376.11, pollutant spill prevention and control; and ss. 624.509-624.514, insurance code: administration and general provisions.

(Renumber subsequent section.)

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

**Amendment 14**—In title, on page 2, line 27, after the semicolon (;) insert: amending s. 212.05, F.S., providing a penalty;

Senator Crawford moved the following amendments which were adopted:

**Amendment 15**—In title, on page 2, line 10, before "correcting" insert: requiring certain prescriptions to be written by certain persons;

**Amendment 16**—In title, on page 1, line 4, after the semicolon (;) insert: specifying conditions for taxing certain materials and property used to manufacture tangible personal property;

**Amendment 17**—In title, on page 2, line 11, after the semicolon (;) insert: limiting the exemption for boiler fuels;

**Amendment 18**—In title, on page 2, line 11, after the semicolon (;) insert: defining educational institutions and religious institutions;

**Amendment 19**—On page 1, lines 19-31, and on page 2, lines 1-6, strike all of said lines and insert: certain surtaxes; amending s. 212.0305, F.S.; relating to levy of a convention development tax by certain counties operating under a consolidated government; designating said section the "Convention Development Tax Act" and incorporating the provisions of said repealed sections therein; requiring that the levy of any convention development tax on transient rentals be authorized under said section; providing uniform application, administrative, collection, penalty, and lien provisions; redesignating said taxes as the charter county convention development tax, the special district convention development tax, and the consolidated county convention development tax, respectively; providing procedures and requirements for levy of such taxes and providing for use of the proceeds; providing legislative intent with respect to said repeals and recodification; amending s. 213.05, F.S.; deleting references to conform; amending s. 212.06,

**Amendment 20**—On page 2, line 22, after the semicolon (;) through page 2, line 27, strike all of said lines and insert: repealing s. 212.057, F.S., relating to levy of a convention development tax by certain home rule charter counties, and s. 5 of chapter 84-67, Laws of Florida, s. 8 of chapter 84-324, Laws of Florida, and s. 2 of chapter 84-373, Laws of Florida, relating to levy of a convention development tax by certain counties levying a tourist advertising ad valorem tax; providing an

Senators Hair, Crenshaw and Girardeau offered the following amendment which was moved by Senator Hair and adopted:

**Amendment 21**—On page 16, between lines 9 and 10, insert:

Section 6. Paragraph (d) of subsection (1) of section 212.055, Florida Statutes, is amended to read:

212.055 Discretionary sales surtaxes; legislative intent; authorization and use of proceeds.—It is the legislative intent that any authorization for imposition of a discretionary sales surtax shall be published in the Florida Statutes as a subsection of this section, irrespective of the duration of the levy. Each enactment shall specify the types of counties authorized to levy; the rate or rates which may be imposed; the maximum length of time the surtax may be imposed, if any; the procedure which must be followed to secure voter approval, if required; the purpose for which the proceeds may be expended; and such other requirements as the Legislature may provide. Taxable transactions and administrative procedures shall be as provided in s. 212.054.

(1) CHARTER COUNTY TRANSIT SYSTEM SURTAX.—

(d) Proceeds from the surtax shall be:

1. Deposited by the county in the rapid transit trust fund and shall be used only for the purposes of development, construction, equipment, maintenance, operation, supportive services, including a countywide bus system, and related costs of a fixed guideway rapid transit system; or:

2. Remitted by the governing body of the county to an expressway or transportation authority created by law to be used, at the discretion of such authority, for the development, construction, operation, maintenance, or payment of principal and interest on bonds issued for the construction of roads or bridges in the county.

Senator Hair moved the following amendment which was adopted:

**Amendment 22**—In title, on page 1, line 19, after the first semicolon (;) insert: amending s. 212.055, F.S.; authorizing charter counties to impose a discretionary sales surtax to be used by certain authorities for roads or bridges, including payment of principal and interest of bonds;

On motion by Senator Crawford, by two-thirds vote CS for SB 314 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

On motion by Senator Crawford, the rules were waived and CS for SB 314 after being engrossed was ordered immediately certified to the House.

**CS for SB 870**—A bill to be entitled An act relating to the state correctional system; amending s. 944.598, F.S.; raising the population of the correctional system which constitutes a state of emergency; amending the gain-time provisions for reduction of the inmate population by providing for the Secretary of Corrections and the Parole and Probation Commission to determine those persons entitled to early termination of incarceration; amending s. 945.091, F.S.; providing for supervised release for certain inmates; providing an effective date.

—was read the second time by title.

Senator Hill moved the following amendment which was adopted:

**Amendment 1**—On page 6, lines 3-25, strike all of said lines and insert: program. *The department is authorized to terminate any inmate's participation in the program if such inmate fails to demonstrate satisfactory progress in the program as established by departmental rules. The failure of such inmate to demonstrate satisfactory progress in the program is a ground for the department to terminate the inmate's participation in the program and to terminate the extended limits of confinement.*

(d) *Participate in a rehabilitative community reentry program on supervised release for a specified period not to exceed the last 90 days of confinement. While in a supervised release status the inmate shall not be considered to be in the care and custody of the department or in confinement, extended or otherwise. The inmate shall be under the supervision of the department in the community as prescribed by the department. The department is authorized to terminate any inmate's participation in the program if such inmate fails to demonstrate satisfactory progress in the program as established by departmental rules and return such inmate to the institution or facility designated by the department. Inmates shall remain eligible to earn or lose gain-time as prescribed by law and rules of the department.*

On motion by Senator Hill, by two-thirds vote CS for SB 870 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

On motion by Senator Hill, the rules were waived and CS for SB 870 after being engrossed was ordered immediately certified to the House.

**Consideration of Resolution**

On motion by Senator Dunn, by unanimous consent—

By Senator Dunn—

**SR 1329**—A resolution commending Henry P. Trawick, Jr., for his contribution to the Florida Legislature.

WHEREAS, Henry P. Trawick, Jr., was born in Baltimore, Maryland, July 20, 1926, and

WHEREAS, Henry Trawick, graduated from North Carolina State College and received his LLB Degree from the University of Florida in 1950, and

WHEREAS, Henry Trawick, was elected to membership in the Phi Alpha Delta Legal Fraternity while a student at the University of Florida Law School, and

WHEREAS, Henry Trawick, is the founder and senior partner of the law firm of Trawick, Griffis, and Hammersley, and

WHEREAS, Henry Trawick is considered an authority in the areas of civil practice, garnishment and judgments, and mechanics' liens, having authored numerous publications and articles including "A Synopsis of Florida Mechanics Lien Law"; "Garnishment and Judgments in Excess of Insurance Coverage in Florida"; "Civil Practice After Trial"; and "Judicial Rule Making in Florida", and

WHEREAS, Henry Trawick is an active and contributing member of the Sarasota County Bar Association, the Florida Bar Association, and the American Bar Association, and

WHEREAS, Henry Trawick has served as Chairman of the Florida Uniform Probate Code Study Committee; Chairman of the Civil Procedure Rule Subcommittee, and Chairman of the Florida Court Rules Committee of the Florida Bar, and

WHEREAS, Henry Trawick, has given generously of his time, talents, and expertise to members of the Florida Senate in both drafting legislation and reviewing proposed legislation, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That the Senate commends Henry P. Trawick, Jr., for his contributions to the Florida Senate and on his accomplishments in the practice of law and his service to the legal profession and the people of this state and hereby accords this expression in recognition and appreciation of the invaluable services he has provided.

BE IT FURTHER RESOLVED that a copy of this resolution, with the seal of the Senate affixed, be presented to Henry P. Trawick, Jr., as a tangible token of the sentiments expressed herein.

—was introduced out of order and read the first time by title. On motion by Senator Dunn, SR 1329 was read the second time in full and unanimously adopted.

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

**MOTIONS RELATING TO COMMITTEE REFERENCE**

On motion by Senator Jenne, the rules were waived and the Committees on Education, Judiciary-Civil and Natural Resources and Conservation were granted permission to meet upon adjournment until 6:30 p.m. this day.

On motion by Senator Jenne, by two-thirds vote CS for CS for SB 465 was placed on the special order calendar to be considered at 10:15 a.m., May 22.

On motion by Senator Beard, by two-thirds vote Senate Bills 177 and 759 were withdrawn from the committees of reference and indefinitely postponed.

On motions by Senator Jenne, by two-thirds vote CS for SB's 101 and 288 and CS for SB 1235 were withdrawn from the Committee on Finance, Taxation and Claims.

On motions by Senator Jenne, by two-thirds vote CS for SB 1101 was withdrawn from the Committee on Judiciary-Civil.

#### Committee Meeting Change

On motion by Senator Jenne, the rules were waived and the Committee on Rules and Calendar was granted permission to meet from 12:30 until 1:30 p.m. in lieu of 1:00 to 2:00 p.m., May 22.

On motion by Senator Jenne, the rules were waived and the Committee on Rules and Calendar was granted permission to consider SM 738 and CS for SB 1245 at the meeting on May 22.

#### ENROLLING REPORTS

Senate Bills 581, 630, 803, 1129, 1200, 1268, 1278 and CS for SB 203 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on May 20, 1986.

SCR 1314 has been enrolled, signed by the required Constitutional Officers and filed with the Secretary of State on May 20, 1986.

*Joe Brown, Secretary*

#### CORRECTION AND APPROVAL OF JOURNAL

The Journal of May 20 was corrected and approved.

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

Page 303, column 1, strike lines 23 through 26 and insert:

**SB 667**—A bill to be entitled An act relating to education; amending s. 230.23, F.S.; authorizing school boards to provide awards and incentives; providing an effective date.

Page 304, column 1, line 23, strike "1023" and insert: 1024

Page 308, column 1, strike lines 27 and 28, from bottom, and insert: On motions by Senator Grizzle—

**CS for HB 408**—A bill to be entitled An act relating to bingo; amending s. 849.093, F.S.; prohibiting persons under 18 from being involved in the conduct of bingo games; authorizing organizations conducting bingo to refuse entry to certain persons; providing a penalty; providing an effective date.

—a companion measure, was substituted for SB 778 and by two-thirds vote read the second time by title. On motion by Senator Grizzle, by two-thirds vote CS for HB 408 was read the third time

Page 308, column 2, strike lines 17 and 18 and insert: On motions by Senator Grant—

**HB 1207**—A bill to be entitled An act relating to poultry; amending s. 583.181, F.S.; changing authorized procedures for the disposal of dead poultry and hatchery residue; providing an effective date.

—a companion measure, was substituted for SB 1224 and by two-thirds vote read the second time by title. On motion by Senator Grant, by two-thirds vote HB 1207 was read the third time by

#### CO-INTRODUCERS

Senator Gordon—CS for SB 109; Senator Myers—CS for SB 522; Senator Crenshaw—SB 795; Senator Mann—SB 1074

#### RECESS

On motion by Senator Jenne, the Senate recessed at 5:10 p.m. to reconvene at 9:30 a.m., Thursday, May 22.