

1989

## Session Law 89-254

Florida Senate & House of Representatives

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**S 1501 GENERAL BILL/2ND ENG by Appropriations (Similar 1ST ENG/H 1751, Compare 1ST ENG/H 1750, 2ND ENG/S 1500)**

**Appropriations Implementing Bill; implements fiscal year 1989-1990 General Appropriations Act; provides legislative intent; provides retroactive effective date & expiration date, etc. Effective Date: 07/01/89 except as otherwise provided.**

05/05/89 SENATE Filed; Introduced, referred to Appropriations -SJ 258  
05/10/89 SENATE Withdrawn from Appropriations -SJ 296  
05/11/89 SENATE Placed on Special Order Calendar -SJ 296 & -SJ 310; Passed as amended; YEAS 39 NAYS 0 -SJ 352; Immediately certified -SJ 352  
  
05/15/89 HOUSE In Messages  
05/16/89 HOUSE Received, placed on Calendar -HJ 492; Read second time; Amendments adopted; Read third time; Passed as amended; YEAS 85 NAYS 28 -HJ 496; Immediately certified -HJ 496  
  
05/16/89 SENATE In Messages; Refused to concur, requests House recede/appoint Conference Comm.; Conference Committee appointed: Senator Margolis, Chairman; At Large: Margolis & Scott; Alternate: Deratany; Salaries: Margolis, Chairman; Grizzle; Sub. A: Kirkpatrick, Chairman; Beard, W.D. Childers, Gardner, Jennings, McPherson; Alternate: Casas & Girardeau -SJ 386; Sub. B: Peterson, Chairman; Gordon, Johnson, Stuart, Walker; Alternate: Crenshaw; Sub. C: Myers, Chairman; Brown, Davis, Grant, Thomas; Alternate: Bankhead -SJ 377  
  
05/16/89 HOUSE Conference Committee appointed: Rep. Wetherell, Chairman; General Government: Mitchell, Saunders, Morse; Alternates: Rudd & Gordon; Government Administration & Personnel: Clark, Bloom, Juri; Alternates: Ireland & Clements; Transportation: Figg, Mackey, M. Diaz-Balart; Alternates: Peeples & Silver; Education: B. Johnson, Liberti, Hawkins; Alternates: Kelly & Friedman; Health & Rehabilitative Services: Abrams, Brown, Sanderson; Alternates: Frankel & King; Criminal Justice: Canady, Burke, Rojas; Alternates: Langton & Jamerson; Lippman: ex officio -HJ 310; In Messages  
  
05/17/89 HOUSE Refused to recede -HJ 511  
05/17/89 SENATE In Messages  
06/02/89 SENATE Conference Committee Report received -SJ 1210; Conference Committee Report adopted; Passed as amended by Conference Committee Report; YEAS 39 NAYS 0 -SJ 1212  
  
06/03/89 HOUSE In Messages; Conference Committee Report received -HJ 1671; Conference Committee Report adopted -HJ 1674; Passed as amended by Conference Committee Report; YEAS 97 NAYS 17 -HJ 1674  
  
06/03/89 Ordered engrossed, then enrolled -SJ 1406  
06/15/89 Signed by Officers and presented to Governor  
07/01/89 Became Law without Governor's Signature; Chapter No. 89-254; See also: SB 1500 (Ch. 89-253)

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**NOTES:** Above bill history from Division of Legislative Information's *FINAL LEGISLATIVE BILL INFORMATION, 1989 SESSIONS*. Staff Analyses for bills amended beyond final committee action may not be in accordance with the enacted law. Journal page numbers (HJ & SJ) refer to daily Journals and may not be the same as final bound Journals.

REVISED: \_\_\_\_\_

BILL NO. 1501

DATE: May 4, 1989

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SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

| <u>ANALYST</u>   | <u>STAFF DIRECTOR</u> | <u>REFERENCE</u> | <u>ACTION</u> |
|------------------|-----------------------|------------------|---------------|
| 1. <u>Revell</u> | <u>Smith</u>          | 1. <u>AP</u>     | <u>FAV</u>    |
| 2. _____         | _____                 | 2. _____         | _____         |
| 3. _____         | _____                 | 3. _____         | _____         |
| 4. _____         | _____                 | 4. _____         | _____         |

SUBJECT:

Implementing & Administering  
the General Appropriations Bill

BILL NO. AND SPONSOR:

By the Committee on  
Appropriations

I. SUMMARY:

A. Present Situation:

In the past, substantive language has been included in proviso or in separate sections of the General Appropriations Act to clarify how funds contained in the act are to be expended. However, court rulings such as Brown vs Firestone, 382 So. 2d 654 (Fla. 1980), and Graham vs Firestone, Circuit Court of the Second Judicial Circuit #82-1703, Leon County Florida, 1982, proviso language, found in the annual General Appropriations Acts has been ruled to be unconstitutional and void.

B. Effect of Proposed Changes:

This legislation would provide the necessary statutory authority to implement and execute the Appropriations Act in lieu of the apparent unconstitutional method utilized in the past.

This legislation would do the following:

- Section 1. Provide legislative intent stating that the implementing and administering provisions of this act apply to the General Appropriations Act for fiscal year 1989-90.
- Section 2. Provide authorization for the courts to expend funds for guardian ad litem services for children whose parents are party to a dissolution of marriage action.
- Section 3. Provide that each state attorney and public defender shall, not later than October 1, 1989, submit a report to the legislative appropriations committees showing the amount of state funds expended during fiscal year 1988-89 for the items enumerated in section 27.34 or section 27.54, Florida Statutes. The Comptroller shall prescribe the report format.
- Section 4. Prohibits the Department of Professional Regulation from expending funds from any specific appropriation, from any trust fund, or from any other source, for the lease or acquisition of any space for office or any other use in Innovation Park Tallahassee.
- Section 5. Extends the authorization to transfer funds within the Department of State from Division of Corporations to the Division of Licensing Trust Fund to June 30, 1990.

Section 6. Provides for sunset review of trust funds within the Executive Office of the Governor, the Judicial Branch and Justice Administrative Commission, the Legislative Branch, the Commission on Ethics, and the Commissioners for the Promotion of Uniformity of Legislation.

Section 7. Provides the authorization for the Board of Trustees of Lake-Sumter Community College to receive a gift of property.

Section 8. Authorizes the Board of Regents to construct student housing facilities at the University of Florida, Florida State University, Florida A&M, and the University of Central Florida.

Section 9. Changes the date certain funds appropriated to Palm Beach Junior College will revert.

Section 10. Provides an effective date.

II. ECONOMIC IMPACT AND FISCAL NOTE:

A. Public:

Section 8. Authorizes the sale of up to \$26,700,000 in bonds backed by student dormitory fees.

B. Government:

Section 2. Authorizes the expenditures of funds by the courts for guardian ad litem services for children whose parents are party to a dissolution of marriage action.

Section 5. Extends the authorization to transfer funds within the Department of State from Division of Corporations to the Division of Licensing Trust Fund to June 30, 1990.

Section 7. Provides the authorization for the Board of Trustees of Lake-Sumter Community College to receive a gift of property.

Section 9. Changes the date certain funds appropriated to Palm Beach Junior College will revert.

III. COMMENTS:

None.

IV. AMENDMENTS:

None.