



Journal of the Senate

Number 40

Friday, June 2, 1978

The Senate was called to order by Senator Trask at 8:30 a.m. for the purpose of conducting the order of business of introduction and reference of resolutions, memorials, bills and joint resolutions pursuant to Rule 4.3.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed HB 4 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representatives Gallagher and Lockward—

HB 4—A bill to be entitled An act for the relief of Metropolitan Dade County Transit Authority; providing an appropriation to compensate the county for its loss of revenue sustained by overpayment of motor vehicle license taxes on county buses; providing an effective date.

—was read the first time by title and referred to the Committees on Transportation; Finance, Taxation and Claims; and Appropriations.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 542 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative J. Lewis and others—

HB 542—A bill to be entitled An act relating to obscenity; creating s. 205.055, Florida Statutes, imposing as a condition upon the levy of local occupational license taxes the requirement that an applicant for such a license for certain businesses dealing in adult material make certain disclosures; providing legislative intent; providing definitions; creating a Division of Adult Entertainment within the Department of Business Regulation; providing that certain legal remedies shall not be deemed impaired by the operation of this act; providing for the power and authority of the division; providing for the powers and duties of division employees; providing for the deposit of revenues collected pursuant to this act; requiring adult bookstores and adult motion picture dealers to be licensed and to pay a fee; providing for license investigations; providing for the qualifications of licensees; providing for the issuance of licenses, terms and renewals; providing a quota limitation on licenses; providing for the revocation and suspension of licenses and attendant procedures; prohibiting persons from engaging in the adult entertainment business without a license; providing penalties; providing for searches; providing an effective date.

—was read the first time by title and referred to the Committee on Commerce.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed HB 2169 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Judiciary and Representative Rish and others—

HB 2169—A bill to be entitled An act relating to the Savings Association Act; amending s. 665.395, Florida Statutes, providing clarification that the section refers to savings and loan associations and changing the maximum interest rate to 16 percent per annum simple interest; providing an effective date.

—was read the first time by title and referred to the Committee on Commerce.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 2202 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Community Affairs and Representative Boyd and others—

CS for HB 2202—A bill to be entitled An act relating to the City of Hallandale, Broward County; authorizing the city to establish within its boundaries a recreation district or districts; providing for the government and powers of such districts, including the power to issue bonds and levy taxes for the payment thereof after a referendum approving such bonds, and the power to issue revenue bonds; establishing a method for challenging the charter of any such district or any part thereof or amendment thereto; limiting the time for any such challenge to be brought, and making other provisions in connection with the foregoing; providing an effective date.

—was read the first time by title and referred to the Committee on Rules and Calendar.

The Senate recessed at 8:32 a.m.

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

Mr. President	Gordon	Myers	Thomas, Pat
Barron	Gorman	Peterson	Tobiasen
Castor	Graham	Poston	Trask
Chamberlin	Hair	Renick	Vogt
Childers, Don	Henderson	Sayler	Ware
Childers, W. D.	Holloway	Scarborough	Williamson
Dunn	Johnston	Scott	Wilson
Firestone	Lewis	Skinner	Winn
Gallen	MacKay	Spicola	Zinkil
Glisson	McClain	Thomas, Jon	

Excused: Periodically, Senators Barron, MacKay and McClain, to work on a conference committee report; and periodically, conferees on HB 2044—Senators Lewis, Gordon, W. D. Childers, Peterson, Plante, Spicola, Trask, Hair.

Prayer by Senator Zinkil:

Dear Lord, as we meet on this the final day of this session, we give thee thanks for the blessings thou has bestowed upon us; for the leadership that thou has granted us and further, Lord, we ask for your guidance as we meet in deliberation on these final items. May you guide us into doing right for the people of the state and in thy name. Amen.

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Friday, June 2, 1978:

CS for HB 720	HB 364	HB 1156	SB 1095
HB 2207	SB 1348	HB 6	HB 2074
SB 410	HB 1294	HB 742	
HB 1831	CS for SB 286	HB 1245	

Respectfully submitted,
W. D. Childers, Chairman

The Committee on Finance, Taxation and Claims recommends the following pass: SB 230 with Amendment to House Amendment 2 and House Amendment 1.

MESSAGES FROM THE GOVERNOR

The Governor advised that he had filed in the office of the Secretary of State CS for SB 678 which he had approved May 31, 1978; and Senate Bills 878, 312, 699, 1347 and 1071 which he had approved June 1.

The Governor advised that he had transmitted to the office of the Secretary of State SB 1070 which will become law without his signature.

VETOED BILL 1978 REGULAR SESSION

STATE OF FLORIDA

OFFICE OF GOVERNOR REUBIN O'D. ASKEW

Honorable Lew Brantley
President of the Senate

June 1, 1978

Dear President Brantley:

By the authority vested in me as Governor of Florida under provisions of Article III, Section 8, of the Constitution of the State of Florida, I hereby withhold my approval of and transmit to you with my objections Senate Bill 1073 enacted by the Fifth Legislature of Florida under the Florida Constitution, 1968 Revision, during the Regular Session of 1978, and entitled:

"An act relating to alcoholic beverages; amending s. 562.18, Florida Statutes; permitting the operation of bonded warehouses by certain vendors after approval of the United States as to the payment of federal excise taxes; requiring vendor to purchase the alcoholic beverage from a distributor responsible for state tax; providing an effective date."

Senate Bill 1073 attempts to exempt any vendor from the limitation contained in Section 562.18 of the Florida Statutes, which prohibits the possession of alcoholic beverages in this State upon which a federal excise tax is required, unless such federal excise tax has actually been paid on that beverage.

The purpose of the prohibition against possession of federally untaxed beverages, in this case by a retailer in its warehouse, is to avoid the objectionably close conjunction which is created between the manufacturer and the retailer of alcoholic beverages. Florida has long recognized the evil of this relationship through its Tied House Evil laws, found in the Beverage Laws of this State.

Senate Bill 1073 would, of course, eliminate that requirement for a vendor who could obtain permission to keep such beverages in an untaxed state from the United States Government. It should be noted that only Jax Liquors, Inc. of Jacksonville, maintains a bonded warehouse containing alcoholic beverages upon which no federal excise taxes have been paid.

The danger presented in this type of special act is that it exempts such untaxed beverages from state regulation, and thus weakens the entire regulatory framework relating to the

beverage area. Due to the considerable amount of taxes which could be foregone by the vendor until the beverages were actually withdrawn from the warehouse, the act provides an economic benefit to only those retailers large enough to operate a federally bonded warehouse.

The changes of this proposed legislation would be to significantly jeopardize the ability of independent retail vendors from competing on an equal basis with heavily capitalized retail chain stores. The cost advantage to those few vendors with the capital to finance the creation of a federally approved warehouse would be so discriminatory as to threaten the existence of the local owned, neighborhood package store. The prospect of this legislation would guarantee to the major chain stores a monopoly that has historically been disapproved by both federal and state law.

For the above reasons, I am withholding my approval of Senate Bill 1073, Regular Session of the Legislature, commencing on April 4, 1978, and do hereby veto the same.

Sincerely,
Reubin Askew
Governor

SB 1073 (1978 Regular Session), together with the Governor's objections thereto, was referred to the Committee on Rules and Calendar.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Lew Brantley, President

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

SB 955	SB 1345	CS for SB 1294
SB 786	SB 303	SB 1074
CS for SB 925	CS for SB 1089	CS for SB 470
SB 1272	SB 912	
SB 609	SB 1351	

Allen Morris, Clerk

The bills contained in the above message were ordered enrolled.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments to House Amendments and passed SB 628, as amended.

Allen Morris, Clerk

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has receded from House Amendments 2 & 3 and passed SB 1251.

Allen Morris, Clerk

The bills contained in the foregoing messages were ordered engrossed and then enrolled.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed with 2 amendments—

By Senator Jon Thomas—

SB 588—A bill to be entitled An act relating to the state attorney; amending s. 27.25(1), Florida Statutes, authorizing the state attorney to employ any municipality or county police officer or sheriff's deputy on a full-time basis as an investigator for the state attorney's office; provides that the salaries of

such municipal or county police officers or sheriff's deputies shall be paid by the city, county or sheriff; amending s. 27.255, Florida Statutes, providing such special investigators with powers provided full-time state attorney investigators; requiring such investigators to meet certain standards, providing them with certain rights, protections and immunities, and requiring them to post a bond; amending s. 27.34(1), Florida Statutes, authorizing counties and municipalities to provide such investigators to the state attorney; requiring state attorneys to submit a report on the number of such special investigators so employed; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 4, line 31, insert new Section 5 and renumber subsequent sections:

There is hereby appropriated the sum of \$54,517 from the General Revenue Fund. These funds shall be used in Dade and Orange Counties for matching local LEAA grants for Pre Trial Intervention Programs.

Amendment 2—On page 1, line 22 in title, insert following the “;”: providing an appropriation;

On motions by Senator Jon Thomas, the Senate concurred in the House Amendments.

SB 588 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—30

Mr. President	Graham	Poston	Trask
Castor	Hair	Renick	Vogt
Chamberlin	Henderson	Scarborough	Ware
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Lewis	Spicola	Winn
Firestone	McClain	Thomas, Jon	Zinkil
Glisson	Myers	Thomas, Pat	
Gorman	Peterson	Tobiassen	

Nays—None

The bill was ordered engrossed and then enrolled.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed with 3 amendments—

By Senator Vogt—

SB 1185—A bill to be entitled An act relating to the tax exemption for totally and permanently disabled persons; amending ss. 196.012(10), 196.101(2), (3), (5), Florida Statutes; providing additional requirements with respect to persons defined as being totally and permanently disabled for purposes of such exemption; amending the form of the Physician's Certification of Total and Permanent Disability accordingly; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 1, line 23, and on page 2, line 14, strike “or Social Security Administration”

Amendment 2—On page 2, lines 7 & 8, strike all of lines 7 and 8 and insert: disabled person, as defined in subsection 196.012(10), who must use a wheelchair for mobility or who is so disabled and legally

Amendment 3—On page 3, line 12, after the word “disability” insert: requiring use of a wheelchair for mobility

On motions by Senator Vogt, the Senate concurred in the House Amendments.

SB 1185 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—32

Mr. President	Graham	Peterson	Tobiassen
Barron	Hair	Poston	Trask
Castor	Henderson	Renick	Vogt
Childers, W. D.	Holloway	Scarborough	Ware
Dunn	Lewis	Skinner	Williamson
Firestone	MacKay	Spicola	Wilson
Glisson	McClain	Thomas, Jon	Winn
Gorman	Myers	Thomas, Pat	Zinkil

Nays—None

Vote after roll call:

Yea—Chamberlin

The bill was ordered engrossed and then enrolled.

On motion by Senator Scarborough, by two-thirds vote HB 2109 was placed at the end of the special order calendar.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has receded from House Amendment 1 to Senate amendment 1A to House amendment 1; further amended Senate amendment 1A to House amendment 1; and has reconsidered the vote by which concurred in Senate amendment 2-A to House amendment 2, amended and concurred in same; has passed the bill as further amended and requests the Senate to concur.

Allen Morris, Clerk

By Senator Gallen and others—

SB 860—A bill to be entitled An act relating to administrative procedures; amending s. 120.52(1)(b), Florida Statutes; providing an exception from the definition of agency for entities created under the provisions of chapter 361, Part II, Florida Statutes; amending s. 120.54(2)(a), (7), (11)(b), Florida Statutes; deleting certain requirements from the economic impact statement of a rule; requiring that the citation for law implemented be to the Florida Statutes or the Laws of Florida; providing the time for filing certain rules; amending s. 120.565, Florida Statutes; providing that a declaratory statement set out the agency's opinion as to applicability of a statute, rule, or order to the petitioner only; amending s. 120.68(3), Florida Statutes, providing that a petition to an agency for a stay is not a prerequisite to a petition for a supersedeas; amending s. 120.71, Florida Statutes; providing an exemption from s. 112-3143, Florida Statutes, to permit an agency head or member thereof to be disqualified from serving in an agency proceeding; providing an effective date.

(All prior amendments attached to Original Bill.)

House Amendment 2 to Senate Amendment 1A to House Amendment 1—On page 1, lines 1-16, strike all of lines 1-16 and insert:

Section 1. Paragraph (b) of subsection (1) and subsections (2) and (13) of section 120.52, Florida Statutes, are amended, and paragraph (d) is added to subsection (14) of said section to read:

120.52 Definitions.—As used in this act:

(1) “Agency” means:

(b) Each other state officer and each state department, departmental unit described in s. 20.04, commission, regional planning agency, board, district, and authority, including but not limited to, those described in chapters 160, 163, 298, 373, 380 and 582, *except any legal entity or agency created in whole or in part pursuant to chapter 361, part II.*

(2) “Agency action” means the whole or part of a rule or order, or the equivalent, or the denial of a petition to adopt a rule or issue an order. The term also includes any *denial of a request made under s. 120.54(5).*

(13) "Recommended order" means the official recommendation of a hearing officer assigned by the division to an agency or of any other duly authorized presiding officer other than an agency head or member thereof, for the final disposition of a proceeding under s. 120.57.

House Amendment 2 to Senate Amendment 2A to House Amendment 2—On page 1, line 9, after "Florida Statutes," insert:

amending subsection (13) of s. 120.54, Florida Statutes, expanding the definition of recommended order;

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

SB 860 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—28

Mr. President	Graham	Myers	Tobiassen
Castor	Hair	Poston	Vogt
Childers, W. D.	Henderson	Renick	Ware
Dunn	Johnston	Scarborough	Williamson
Firestone	Lewis	Spicola	Wilson
Glisson	MacKay	Thomas, Jon	Winn
Gorman	McClain	Thomas, Pat	Zinkil

Nays—None

Votes after roll call:

Yea—Chamberlin, Peterson, Trask

The bill was ordered engrossed and then enrolled.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate Amendments 1 and 2 and requests the Senate to recede.

Allen Morris, Clerk

By Representative Fulford—

HB 1393—A bill to be entitled An act relating to environmental control; amending ss. 253.126 and 403.061(16), Florida Statutes; providing that the Department of Environmental Regulation may allow certain state agencies to perform all activities regulated by chapters 253 and 403, Florida Statutes, upon certification that such agencies will meet all requirements for environmental control and protection; providing for investigation and enforcement; providing that, in certain related hearings before the Division of Administrative Hearings of the Department of Administration, the Department of Environmental Regulation may intervene as a party and may issue a final order adopting, rejecting, or modifying the division's recommended order; providing an effective date.

On motions by Senator Vogt, the Senate receded from Amendments 1 and 2.

On motion by Senator Vogt, the Senate reconsidered the vote by which HB 1393 passed June 1.

Senator Vogt moved the following amendments which were adopted by two-thirds vote:

Amendment 3—On page 2, strike all of lines 15 and 16 and insert: *chapter, the Department of Environmental Regulation may authorize, by rule, the Department of Transportation to perform any activity*

Amendment 4—On page 3, strike all of lines 27 and 28 and insert: *chapter, the department may authorize, by rule, the Department of Transportation to perform any activity requiring a permit from the Department of Environmental Regulation*

Amendment 5—On page 2, line 26, and on page 4, line 7, strike: *"department's written acceptance"* and insert: *author-*

ization shall be by rule of the department, shall be limited to the maintenance, repair, or replacement of existing structures, and

Senator Vogt moved the following amendment which was adopted:

Amendment 6—On page 1 in title, strike all of lines 5 through 8 and insert: Environmental Regulation may authorize the Department of Transportation to perform certain activities regulated by chapters 253 and 403, Florida Statutes, upon certification that the Department of Transportation

HB 1393 as amended was read by title, passed and certified to the House. The vote on passage was:

Yeas—33

Mr. President	Hair	Saylor	Vogt
Castor	Henderson	Scarborough	Ware
Chamberlin	Johnston	Scott	Williamson
Childers, Don	MacKay	Skinner	Wilson
Childers, W. D.	McClain	Spicola	Winn
Dunn	Myers	Thomas, Jon	Zinkil
Firestone	Peterson	Thomas, Pat	
Gorman	Poston	Tobiassen	
Graham	Renick	Trask	

Nays—None

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments 1 and 2 and passed CS for HB 11, as amended, and has again refused to concur in Senate Amendment 3 and requests the Senate to recede.

Allen Morris, Clerk

By the Committee on Judiciary and Representative Davis and others—

CS for HB 11—A bill to be entitled An act relating to the dissolution of marriage; amending s. 61.08, Florida Statutes, specifying certain factors which the court must consider in determining a proper award of alimony; providing an effective date.

On motion by Senator Wilson, the Senate receded from Amendment 3.

CS for HB 11 as amended passed and was certified to the House. The vote on passage was:

Yeas—29

Mr. President	Graham	Renick	Ware
Castor	Hair	Saylor	Williamson
Chamberlin	Henderson	Spicola	Wilson
Childers, W. D.	Johnston	Thomas, Jon	Winn
Dunn	MacKay	Thomas, Pat	Zinkil
Firestone	McClain	Tobiassen	
Glisson	Myers	Trask	
Gorman	Poston	Vogt	

Nays—None

SPECIAL ORDER

Consideration of CS for HB 720 was deferred.

HB 2207—A bill to be entitled An act relating to the Florida Evidence Code; amending s. 90.103, Florida Statutes, relating to the scope and applicability of the Evidence Code; amending s. 90.108, Florida Statutes, relating to introduction of related writings or recorded statements; amending ss. 90.202(11) and (12) and 90.206, Florida Statutes, relating to judicial notice; adding subsection (4) to s. 90.301, Florida Statutes, limiting applicability of provisions relating to presumption; amending s. 90.403, Florida Statutes, relating to exclusion of evidence on grounds of prejudice or confusion; amending s. 90.405(1), Florida Statutes, relating to methods of proving character; amending s. 90.410, Florida Statutes, relating to inadmissibility of evidence of statements made in connection with certain pleas or offers; amending s. 90.501, Florida Statutes, relating

to recognition of certain privileges; amending s. 90.504(3)(b), Florida Statutes, relating to husband-wife privilege; creating s. 90.5055, Florida Statutes, providing for accountant-client privilege; amending s. 90.505, Florida Statutes, relating to the definition of clergyman; amending s. 90.507, Florida Statutes, relating to waiver of privilege by voluntary disclosure; amending ss. 90.608(1)(d) and (2), 90.609, and 90.610, Florida Statutes, relating to who may impeach, character of witness as impeachment, and conviction of certain crimes as impeachment; amending s. 90.614, Florida Statutes, relating to prior statements of witnesses; creating s. 90.706, Florida Statutes, relating to the authoritativeness of literature for use in cross-examination; amending ss. 90.801(2)(a) and 90.803(5), (9), (17), (18)(e), and (22), Florida Statutes, relating to hearsay and hearsay exceptions; repealing s. 90.201(2), Florida Statutes, relating to judicial notice of ordinances and municipal and county charters; amending section 8 of ch. 76-237, Laws of Florida, as amended by ch. 77-77, Laws of Florida, relating to the effective date of the Evidence Code; providing an effective date.

—was read the second time by title. On motion by Senator Dunn, by two-thirds vote HB 2207 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32

Mr. President	Graham	Renick	Tobiassen
Castor	Hair	Saylor	Trask
Childers, Don	Henderson	Scarborough	Vogt
Childers, W. D.	Johnston	Scott	Ware
Dunn	MacKay	Skinner	Williamson
Firestone	McClain	Spicola	Wilson
Gordon	Peterson	Thomas, Jon	Winn
Gorman	Poston	Thomas, Pat	Zinkil

Nays—1

Chamberlin

Vote after roll call:

Yea—Glisson

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Lew Brantley, President

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

SB 410—A bill to be entitled An act relating to horse shows, sales, and exhibitions; amending s. 535.12, Florida Statutes; providing a penalty for showing or allowing to be shown certain horses; requiring a person convicted of such acts to be temporarily barred from certain related activities; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 1, line 31, strike all of line 31 and insert: Section 2. Section 535.15, F.S., is created to read:

535.15 Review commission.—

(1) There is created within the Department of Agriculture and Consumer Services a special review commission to further carry out the enforcement of this chapter.

(2) The review commission shall be appointed by the Commissioner of Agriculture and Consumer Services and shall consist of two members appointed from the department; two members who are active representatives of a horse show, sale, or exhibition; and one member licensed as a veterinarian in Florida. Each member of the commission shall serve for a term of four years and shall not be eligible to succeed themselves.

(3) The commission is empowered to conduct hearings in accordance with the provisions of Chapter 120 on any allegation of violations of sections 535.10 or 535.11.

(4) The commission shall meet only upon the call of the Commissioner of Agriculture and Consumer Services after the

filing of a written complaint with the department by any person alleging violations of sections 535.10 or 535.11.

(5) If, in the opinion of a majority of the commission, a person has violated the provisions of sections 535.10 or 535.11, the commission may issue an order of suspension against said person from participation in any horse sale, show, or exhibition for a period of up to six months.

(6) The commission also may forward all information and evidence gathered on said violations to the appropriate state's attorney office.

(7) The department shall adopt rules to implement the provisions of this section.

Section 3. This act shall take effect October 1, 1978.

Amendment 2—On page 1 in title, line 8, strike all of line 8 and insert: activities; creating s. 535.15, F.S., creating a special review commission appointed by the Commissioner of Agriculture and Consumer Services to investigate alleged violations of ss. 535.10 and 535.11 Florida Statutes; providing duties of the commission; providing for appointment; providing for promulgation of rules by the department; providing an effective date.

On motions by Senator Trask, the Senate concurred in the House Amendments.

SB 410 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—29

Mr. President	Hair	Scarborough	Ware
Childers, Don	Henderson	Skinner	Williamson
Childers, W. D.	MacKay	Spicola	Wilson
Firestone	Myers	Thomas, Jon	Winn
Glisson	Peterson	Thomas, Pat	Zinkil
Gordon	Poston	Tobiassen	
Gorman	Renick	Trask	
Graham	Saylor	Vogt	

Nays—None

The bill was ordered engrossed and then enrolled.

SPECIAL ORDER, continued

Consideration of HJR 1831 was deferred.

HB 364—A bill to be entitled An act relating to guardianship; amending s. 744.331(5)(c), Florida Statutes, providing that any county required to pay fees to any committee or attorney with respect to the adjudication of an alleged incompetent under the guardianship law shall have a right of a creditor's claim against the guardianship property with respect to such fees; amending s. 744.351(1), Florida Statutes, providing for the waiver of a guardian's bond; adding subsection (5) to s. 744.387, Florida Statutes, directing the court to enter an order approving the reimbursement to such a county out of the assets or income of the guardian's estate; providing an effective date.

—was read the second time by title. On motion by Senator Trask, by two-thirds vote HB 364 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

Mr. President	Graham	Renick	Trask
Castor	Hair	Saylor	Ware
Chamberlin	Henderson	Scarborough	Williamson
Childers, Don	Johnston	Scott	Wilson
Childers, W. D.	MacKay	Skinner	Winn
Dunn	McClain	Spicola	Zinkil
Firestone	Myers	Thomas, Jon	
Glisson	Peterson	Thomas, Pat	
Gordon	Poston	Tobiassen	

Nays—None

SB 1348—A bill to be entitled An act relating to firearms; amending s. 790.001(5), Florida Statutes; limiting application

of exclusions from the definition of "explosive" for purposes of chapter 790, Florida Statutes; providing an effective date.

—was read the second time by title. On motion by Senator Dunn, by two-thirds vote SB 1348 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scott	Williamson
Childers, W. D.	Johnston	Skinner	Wilson
Dunn	MacKay	Spicola	Winn
Firestone	McClain	Thomas, Jon	Zinkil
Glisson	Myers	Thomas, Pat	
Gordon	Peterson	Tobiassen	

Nays—None

On motion by Senator Pat Thomas, the Senate reverted to—

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 1294 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representatives Tucker and Morgan—

HB 1294—A bill to be entitled An act relating to creation of the Florida Research and Development Commission; providing for the creation of research and development authorities for the economic benefit of the citizens of the state; providing purpose; providing definitions; creating the commission and providing for membership thereof; providing jurisdiction; providing for organization and meetings; authorizing employment of certain personnel; providing powers; providing an effective date.

—was read the first time by title and placed on the special order calendar by the Committee on Rules and Calendar.

SPECIAL ORDER, continued

On motion by Senator Pat Thomas, by two-thirds vote HB 1294 was read the second time by title.

Senator Skinner moved the following amendment which failed:

Amendment 1—On page 2, lines 27-31, and on page 3, lines 1-7, strike all of said lines and insert:

(1) Two members shall be the permanent designees of the following persons:

(a) The Chairman of the Leon County Board of County Commissioners.

(b) The Mayor of the City of Tallahassee.

(2) The third member shall be the President of the

On motion by Senator Pat Thomas, by two-thirds vote HB 1294 was read the third time by title and failed to pass. The vote was:

Yeas—15

Mr. President	Firestone	Johnston	Thomas, Pat
Barron	Glisson	Poston	Tobiassen
Childers, Don	Graham	Scott	Trask
Childers, W. D.	Hair	Thomas, Jon	

Nays—19

Castor	Lewis	Sayler	Williamson
Chamberlin	MacKay	Scarborough	Wilson
Dunn	McClain	Skinner	Winn
Gordon	Myers	Spicola	Zinkil
Holloway	Peterson	Ware	

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed as amended CS for HB 360 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Finance & Taxation and Representative T. Moore—

CS for HB 360—A bill to be entitled An act relating to assessments; amending s. 193.501(1), (3), (4), and (6), Florida Statutes, and adding subsection (7) thereto; providing that land qualified as environmentally endangered and designated as such by a county shall be eligible for preferential ad valorem tax assessment based upon the use of the land in the manner presently provided for land used for outdoor recreational or park purposes; providing that such lands shall be subject to certain conservation restrictions; providing that such lands be assessed as certain other lands whose use is restricted; restricting the owner's use of such lands; providing for the payment of a deferred tax liability upon the reconveyance of the development right or release of the covenant; deleting provisions relating to the payment of the tax liability; defining "qualified as environmentally endangered," "conservation restriction," "deferred tax liability," and "outdoor recreational or park purposes"; providing for separate reporting of property assessed as environmentally endangered land or as outdoor recreational or park land; repealing s. 194.011(3)(e), Florida Statutes, relating to objections to assessment; creating s. 193.622, Florida Statutes; defining "solar energy system"; providing for a reduction in the assessed value of property on which a solar energy system is installed; providing procedures for claiming the right of such assessment; providing an effective date.

—was read the first time by title and referred to the Committee on Finance, Taxation and Claims.

SPECIAL ORDER, continued

By the Committee on Finance, Taxation and Claims and Senator Chamberlin—

CS for SB 286—A bill to be entitled An act relating to assessments; amending s. 193.501(1), (3), (4), (6), Florida Statutes, and adding subsection (7) to said section; providing that land qualified as environmentally endangered and designated as such by a county shall be eligible for preferential ad valorem tax assessment based upon the use of the land in the manner presently provided for land used for outdoor recreational or park purposes; providing that such lands be subject to certain conservation restrictions; providing that such lands be assessed as certain other lands whose use is restricted; restricting the owner's use of such lands; providing for the payment of a deferred tax liability upon the reconveyance of the development right or release of the covenant; deleting provisions relating to the payment of the tax liability; defining "qualified as environmentally endangered," "conservation restriction," and "deferred tax liability"; providing for separate reporting of property assessed as environmentally endangered land or as outdoor recreational or park land; repealing s. 194.011(3)(e), Florida Statutes, relating to objections to assessment; providing an effective date.

—was read the first time by title and SB 286 was laid on the table.

On motion by Senator Chamberlin, by two-thirds vote CS for SB 286 was read the second time by title.

Senators Ware, Jon Thomas and Chamberlin offered the following amendment which was moved by Senator Ware and adopted:

Amendment 1—On page 6, lines 13-15, strike all of said lines and insert: Section 3. Section 193.622, Florida Statutes, is created to read:

193.622 Assessment of property on which a solar energy system has been installed.—

(1) "Solar energy system" means state certified equipment and requisite hardware which provides and is used for the collection, transfer, storage and use of incident solar energy

for water heating, space heating, cooling, or other applications which would require the use of a conventional source of energy, such as petroleum products, natural gas, manufactured gas, or electricity.

(2) The assessed value, for purposes of ad valorem taxation, of real property on which a solar energy system is installed after the effective date of this act shall be reduced by the amount by which the assessed value of the property with the solar energy system installed exceeds the value at which the property would be assessed had a conventional system of comparable capacity been installed.

(3) Any taxpayer claiming the right to assessment of property pursuant to this section shall so state in a return filed with the property appraiser as provided by law giving a brief description of the system. The property appraiser may require the taxpayer to produce such additional evidence as may be necessary to establish the taxpayer's right to have property assessed pursuant to the provisions of this section.

(4) For the purposes of assessment roll preparation and record keeping, it is the legislative intent that any assessment for tax purposes which is less than the just value of the property shall be considered a classified use assessment and reported accordingly.

Section 4. Sections 1 and 2 of this act shall take effect January 2, 1979. Section 3 of this act shall take effect January 2, 1979, provided the revision of the State Constitution proposed by the Constitution Revision Commission, authorizing this reduction in the assessed value of property on which a solar energy system is installed, is approved by a majority of the electors voting on such revision at the General Election to be held in November, 1978.

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

Amendment 2—On page 1, line 27, after the semi-colon (;) insert: creating s. 193.622, Florida Statutes; defining "solar energy system"; providing for a reduction in the assessed value of property on which a solar energy system is installed; providing procedures for claiming the right of such assessment;

Pending further consideration of CS for SB 286 as amended, on motion by Senator Chamberlin, by two-thirds vote CS for HB 360 was withdrawn from the Committee on Finance, Taxation and Claims. On motions by Senator Chamberlin—

CS for HB 360—A bill to be entitled An act relating to assessments; amending s. 193.501(1), (3), (4), and (6), Florida Statutes, and adding subsection (7) thereto; providing that land qualified as environmentally endangered and designated as such by a county shall be eligible for preferential ad valorem tax assessment based upon the use of the land in the manner presently provided for land used for outdoor recreational or park purposes; providing that such lands shall be subject to certain conservation restrictions; providing that such lands be assessed as certain other lands whose use is restricted; restricting the owner's use of such lands; providing for the payment of a deferred tax liability upon the reconveyance of the development right or release of the covenant; deleting provisions relating to the payment of the tax liability; defining "qualified as environmentally endangered," "conservation restriction," "deferred tax liability," and "outdoor recreational or park purposes"; providing for separate reporting of property assessed as environmentally endangered land or as outdoor recreational or park land; repealing s. 194.011(3)(e), Florida Statutes, relating to objections to assessment; creating s. 193.622, Florida Statutes; defining "solar energy system"; providing for a reduction in the assessed value of property on which a solar energy system is installed; providing procedures for claiming the right of such assessment; providing an effective date.

—a companion measure, was substituted for CS for SB 286 and by two-thirds vote read the second time by title. On motion by Senator Chamberlin, by two-thirds vote CS for HB 360 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Barron	Gorman	Peterson	Thomas, Pat
Castor	Graham	Poston	Tobiassen
Chamberlin	Hair	Renick	Trask
Childers, Don	Henderson	Sayler	Vogt
Childers, W. D.	Holloway	Scarborough	Ware
Dunn	Johnston	Scott	Williamson
Gallen	MacKay	Skinner	Wilson
Glisson	McClain	Spicola	Winn
Gordon	Myers	Thomas, Jon	Zinkil

Nays—None

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 1156 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Patchett—

HB 1156—A bill to be entitled An act relating to state lands; amending chapter 712, Florida Statutes, providing that the sovereignty status of state-owned lands shall not be affected by the Marketable Record Title Act; amending section 95.031, Florida Statutes, exempting causes of action of the unauthorized use of sovereignty lands from the statutes of limitations; amending s. 253.111, Florida Statutes, providing that state lands may be sold to a county upon determination of the board of county commissioners by resolution that such land will be devoted to a public purpose, rather than a public outdoor recreational purpose; providing an effective date.

—was read the first time by title and placed on the special order calendar by the Committee on Rules and Calendar.

SPECIAL ORDER, continued

On motion by Senator Dunn, by two-thirds vote HB 1156 was read the second time by title.

Senators Scott and Gallen offered the following amendment which was moved by Senator Gallen and failed:

Amendment 1—On page 4, lines 22-31, on page 5, lines 1-9 strike all of said lines and renumber

The vote was:

Yeas—16

Barron	Plante	Scott	Trask
Childers, W. D.	Renick	Skinner	Ware
Gallen	Sayler	Thomas, Jon	Williamson
Peterson	Scarborough	Thomas, Pat	Wilson

Nays—17

Castor	Gordon	McClain	Vogt
Chamberlin	Graham	Myers	Winn
Childers, Don	Holloway	Poston	
Dunn	Johnston	Spicola	
Glisson	MacKay	Tobiassen	

Senator Scott moved the following amendment which failed:

Amendment 2—On page 5 of the bill as amended, between lines 9 and 10, insert: Section 4. This act shall not apply to Broward County or to lands located within Senate District 31.

Renumber subsequent section.

Senator Dunn moved that the rules be waived and HB 1156 be read the third time by title. The motion failed.

RECONSIDERATION

On motion by Senator Peterson, the Senate reconsidered the vote by which—

HB 1294—A bill to be entitled An act relating to creation of the Florida Research and Development Commission; providing for the creation of research and development authorities for the economic benefit of the citizens of the state; providing purpose; providing definitions; creating the commission and providing for membership thereof; providing jurisdiction; providing for organization and meetings; authorizing employment of certain personnel; providing powers; providing an effective date.

—failed to pass this day.

HB 1294 passed and was certified to the House. The vote on passage was:

Yeas—22

Mr. President	Glisson	Poston	Tobiassen
Barron	Graham	Renick	Vogt
Castor	Johnston	Scott	Wilson
Childers, W. D.	McClain	Spicola	Zinkil
Dunn	Peterson	Thomas, Jon	
Gallen	Plante	Thomas, Pat	

Nays—7

Chamberlin	Holloway	Myers	Williamson
Gordon	MacKay	Skinner	

Votes after roll call:

Yea—Hair, Firestone

HB 6—A bill to be entitled An act relating to insurance; creating s. 627.7285, Florida Statutes, to provide that the experience of certain persons associated with operating a vehicle or train as a public conveyance shall not be a factor in setting their motor vehicle liability insurance rates; providing an effective date.

—was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—21

Barron	Henderson	Scarborough	Wilson
Castor	Lewis	Skinner	Winn
Childers, W. D.	McClain	Thomas, Jon	Zinkil
Firestone	Poston	Tobiassen	
Gordon	Renick	Vogt	
Gorman	Sayler	Williamson	

Nays—7

Chamberlin	Graham	MacKay	Ware
Childers, Don	Johnston	Spicola	

Votes after roll call:

Yea—Hair, Peterson, Pat Thomas
Yea to Nay—Wilson

HB 742—A bill to be entitled An act relating to aquatic plant control; creating the "Center for Aquatic Plant Research and Control" within the Institute of Food and Agricultural Sciences of the University of Florida; providing responsibilities of the center; providing for annual reports to the Legislature; providing appropriations; providing an effective date.

—was read the second time by title. On motion by Senator Trask, by two-thirds vote HB 742 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—29

Mr. President	Glisson	Henderson	MacKay
Childers, Don	Gordon	Holloway	Peterson
Childers, W. D.	Gorman	Johnston	Poston
Firestone	Graham	Lewis	Renick

Sayler	Thomas, Pat	Ware	Winn
Scarborough	Tobiassen	Williamson	Zinkil
Skinner	Trask	Wilson	
Thomas, Jon	Vogt		

Nays—1

Chamberlin

Vote after roll call:

Yea—Hair

On motion by Senator W. D. Childers, the rules were waived and by two-thirds vote HB 1245 was withdrawn from the Committee on Appropriations.

HB 1245 was placed on the special order calendar by the Committee on Rules and Calendar.

HB 1245—A bill to be entitled An act relating to the State-Federal Relations Trust Fund; adding subsection (5) to s. 215-195, Florida Statutes, providing for the composition of the fund as of June 30 of each year; providing for disposition of excess moneys deposited in the trust fund; providing an effective date.

—was read the second time by title. On motion by Senator Zinkil, by two-thirds vote HB 1245 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

Mr. President	Graham	Poston	Tobiassen
Castor	Henderson	Renick	Vogt
Childers, Don	Holloway	Sayler	Ware
Childers, W. D.	Johnston	Scarborough	Williamson
Dunn	MacKay	Scott	Winn
Firestone	McClain	Skinner	Zinkil
Gallen	Myers	Spicola	
Glisson	Peterson	Thomas, Jon	
Gorman	Plante	Thomas, Pat	

Nays—None

Vote after roll call:

Yea—Hair

On motions by Senator Vogt, consideration of SB 1095 and HB 2074 was deferred.

HB 2109—A bill to be entitled An act relating to the Beverage Law; creating section 562.132, Florida Statutes, declaring certain entertainers to be independent contractors; providing an effective date.

—was read the second time by title. On motion by Senator Scarborough, by two-thirds vote HB 2109 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—26

Mr. President	Gorman	Plante	Tobiassen
Chamberlin	Graham	Poston	Vogt
Childers, Don	Henderson	Scarborough	Ware
Childers, W. D.	Holloway	Scott	Winn
Firestone	Lewis	Skinner	Zinkil
Gallen	Myers	Thomas, Jon	
Glisson	Peterson	Thomas, Pat	

Nays—4

Castor	Dunn	MacKay	McClain
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Votes after roll call:

Yea—Hair, Spicola
Yea to Nay—Chamberlin

On motion by Senator Johnston, by two-thirds vote, SB 1163 was placed on the special order calendar.

SB 1163 was taken up and on motion by Senator Johnston, the rules were waived and by two-thirds vote HB 1554 was withdrawn from the Committee on Natural Resources and Conservation. On motion by Senator Johnston—

HB 1554—A bill to be entitled An act relating to individual sewage disposal facilities; amending s. 381.272(2), (3) and (6), Florida Statutes, providing legislative intent; and adding subsections (9) and (10) to said section providing procedures for the installation of organic waste composting toilets or toilet systems; authorizing the Department of Health and Rehabilitative Services to adopt rules; providing that one measurement used to determine whether or not a private well and individual sewage disposal should be allowed in certain developments shall be based upon the mean of a described line rather than a single minimum dimension under certain circumstances; providing an effective date.

—a companion measure, was substituted for SB 1163 and read the second time by title. On motion by Senator Johnston, by two-thirds vote HB 1554 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—28

Mr. President	Graham	Plante	Thomas, Jon
Castor	Henderson	Poston	Thomas, Pat
Childers, Don	Holloway	Renick	Tobiassen
Childers, W. D.	Johnston	Saylor	Ware
Dunn	McClain	Scarborough	Williamson
Firestone	Myers	Skinner	Winn
Gallen	Peterson	Spicola	Zinkil

Nays—1

MacKay

Votes after roll call:

Yeas—Glisson, Hair

SB 1163 was laid on the table.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives requests the return of HB 936 and the Conference Committee Report.

Allen Morris, Clerk

On motion by Senator W. D. Childers, HB 936 with the Conference Committee Report was returned to the House as requested.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Firestone, the rules were waived and by two-thirds vote CS for HB 849 was withdrawn from the Committees on Judiciary-Civil, and Rules and Calendar.

On motion by Senator W. D. Childers, by two-thirds vote CS for HB 2202 was withdrawn from the Committee on Rules and Calendar and placed on the local calendar.

On motions by Senator W. D. Childers, by two-thirds vote SB 1358, House Bills 1451, 1884, 927, 1440, CS for HB 1883, CS for HB 1877 and CS for HB 1886 were withdrawn from the Committee on Rules and Calendar and placed on the calendar.

SPECIAL ORDER, continued

On motion by Senator Plante, the Senate reverted to—

CS for HB 720—A bill to be entitled An act relating to proposed constitutional amendments; requiring the Department of State to prepare and distribute a pamphlet containing proposals adopted by the Constitution Revision Commission and the Legislature; specifying the content of the pamphlet; providing an appropriation; providing an effective date.

—which was read the second time by title.

Senator Plante moved the following amendments which were adopted:

Amendment 1—On page 1, line 12, strike everything after the enacting clause and insert: Section 1. On or before September 15, 1978, the Division of Elections shall prepare and cause to be printed a pamphlet containing every proposed constitutional amendment to be included on the ballot at the general election to be held on November 7, 1978, including amendments proposed by the initiative petition, legislative act, or proposals of the Constitution Revision Commission. The Division of Elections shall deliver the pamphlet to the supervisors of elections of each county and the supervisors of elections shall cause to be delivered at least two (2) weeks but no sooner than three (3) weeks before the general election a copy of the pamphlet to every household in which there is one or more registered voters. The cost of printing, processing and mailing shall be paid by the state.

Section 2. The pamphlet shall contain the following information:

(a) In the first part, a side-by-side-comparison of the text of the 1968 constitution, as subsequently amended, and the text of the proposed new constitution as proposed for adoption by the Constitution Revision Commission together with the text of the ballot summary of each proposal.

(b) In the second part all constitutional amendments proposed by initiative petition together with the text of the ballot summary of each proposal.

(c) In the third part all constitutional amendments proposed by legislative act together with the text of the ballot summary of each proposal.

(d) The pamphlet shall contain no analysis of the proposed constitutional amendments nor shall it contain the name of any candidate running for office during the 1978 election.

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

Amendment 2—On page 1 in title, strike lines 3 through 8, and insert: amendments; requiring the Division of Elections to prepare and distribute a pamphlet containing proposals adopted by the Constitution Revision Commission and the Legislature and initiative petitions specifying the content of the pamphlet; providing an appropriation; providing an effective date.

On motion by Senator Plante, by two-thirds vote CS for HB 720 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

Barron	Graham	Poston	Vogt
Castor	Henderson	Renick	Ware
Chamberlin	Holloway	Saylor	Williamson
Childers, Don	Johnston	Scarborough	Wilson
Childers, W. D.	Lewis	Scott	Winn
Dunn	MacKay	Skinner	Zinkil
Firestone	McClain	Thomas, Jon	
Glisson	Peterson	Thomas, Pat	
Gorman	Plante	Tobiassen	

Nays—None

Votes after roll call:

Yeas—Hair, Myers

By direction of the President the following Conference Committee Report was read:

CONFERENCE COMMITTEE REPORT ON CS FOR SB 549

*The Honorable Lew Brantley
President, Florida Senate*

*The Honorable Donald L. Tucker
Speaker, Florida House of Representatives*

Sirs:

Your conference committee on the disagreeing votes of the two Houses on CS/SB 549, same being:

A bill to be entitled An act relating to personnel of the school system; amending s. 231.17, Florida Statutes; author-

izing the Commissioner of Education to issue a certificate covering the appropriate subject or field to an applicant meeting certain specified requirements; specifying qualifications of applicants for provisional or regular certification; providing that whenever new rules are adopted by the state board in regard to certification, such rules shall not become effective to the exclusion of prior rules for a specified period; amending s. 231.24, Florida Statutes; providing for the extension of certain certificates; amending s. 231.361(1), Florida Statutes; providing that vocational teachers and other teachers who qualify for certificates on the basis of non-academic preparation are entitled to all the contractual rights and privileges granted to other instructional personnel holding equivalent certificates; amending s. 233.068(3), Florida Statutes; providing for certification and payment of vocational instructors with job-related vocational skills; amending s. 233.0681(1), Florida Statutes; providing for certification and payment of occupational specialists; amending s. 231.28, Florida Statutes; authorizing the Commissioner of Education to suspend a teaching certificate in certain cases; requiring the Professional Practices Council to conduct a hearing in the revocation, suspension, or denial of a teaching certificate; amending s. 231.30, Florida Statutes; deleting the requirement that a specified amount of each certification fee collected be kept in the Professional Practices Advisory Council Trust Fund; amending s. 231.57(1), Florida Statutes; decreasing the membership of the Professional Practices Council; amending s. 231.608, Florida Statutes; requiring each teacher education center to submit an annual report to the Commissioner of Education; amending s. 236.081(3), Florida Statutes; providing for the direct support of educational training programs; amending s. 236.081, Florida Statutes; requiring district master plans for inservice educational training; repealing s. 231.16, Florida Statutes, relating to the types, classes, and ranks of certificates to be issued; repealing s. 231.20, Florida Statutes, relating to the issuance of a graduate certificate; repealing s. 231.604, Florida Statutes, which creates and prescribes the duties of the State Council for Teacher Education Centers; providing effective dates.

having met, and after full and free conference, do recommend to their respective Houses as follows:

1. That the House recede from the House Amendments to Committee Substitute for Senate Bill 549.
2. That the House and Senate adopt the Conference Committee Amendments to Committee Substitute for Senate Bill 549 attached hereto and by reference made a part of this report.
3. That the House and Senate pass Committee Substitute for Senate Bill 549, as passed by the Senate, and as amended by said Conference Committee Amendments.

The following statement is submitted in explanation of the effect of the action agreed upon and recommended in this report:

1. Requires the Commissioner to report on the implementation of certain policies by Florida teacher training institutions;
2. Provides for approved teacher education programs to require certain admission criteria;
3. Authorizes the Department of Education to issue a certificate covering the appropriate subject or field to an applicant meeting certain specified requirements; specifies qualifications of applicants for certification; provides for the adoption of rules by the state board in regard to certification; provides for a report by the Commissioner to the Legislature by February 1, 1979, regarding certification;
4. Provides for extension of regular certificates; requires training or experience claimed for extension of certificates to be either college course credit or inservice training in certain fields;
5. Provides that vocational teachers and other teachers who qualify for certificates on the basis of nonacademic preparation are entitled to all the contractual rights and privileges granted to other instructional personnel holding equivalent certificates; provides for certification

and payment of vocational instructors with job-related vocational skills; provides for certification and payment of occupational specialists;

6. Deletes the requirement that a specified amount of each certification fee collected be kept in the Professional Practices Council Trust Fund; changes the membership of the Professional Practices Council;
7. Provides for the direct support of educational training programs; requires district master plans for inservice educational training;
8. Includes definitions of supervisor and professional administrative assistant under the category of administrative personnel; modifies the definition of principal; provides for a public school administrator-instructor ratio study;
9. Defines full-time equivalent administrative and instructional personnel for community college funding purposes; provides procedures with respect to part-time personnel; provides for a community college administrator-instructor ratio study;
10. Provides for the establishment and maintenance of a school library media services program; provides that the superintendent shall recommend plans for a school library media services program; and
11. Repeals current provisions of law relating to: the types, classes, and ranks of certificates to be issued; the issuance of a graduate certificate; and establishment and maintenance of libraries by school boards.

*Curtis Peterson
K. H. MacKay, Jr.
Tom Tobiassen*

*James L. Redman
Elaine Bloom
Clark Maxwell, Jr.*

Managers on the part of the Senate

Managers on the part of the House of Representatives

Conference Committee Amendment 1—On page 2, line 30, strike everything after the enacting clause and insert: Section 1. Because the Legislature finds that policies proposed by Florida teacher training institutions to place student teachers in the classroom as early in their undergraduate program as practicable, to provide comprehensive counseling services to students, and to implement more stringent retention policies in teacher preparation programs are desirable, the Commissioner shall, at least 30 days prior to the 1980 session of the Legislature, transmit to the members of the State Board of Education, the President of the Senate, the Speaker of the House of Representatives, and the Chairmen of the Senate and House Education Committees, a report evaluating the extent to which Florida teacher training institutions with approved programs are implementing the aforementioned policies.

Section 2. Section 231.135, Florida Statutes, is created to read:

231.135 Approved teacher education programs.—Each teacher education program of an institution of higher learning within the state which has been approved by the Department of Education, as provided for by rules of the State Board of Education, shall require, as a prerequisite for admission into the teacher education program, that a student receive a passing score, to be established by state board rule, on a nationally normed standardized college entrance examination.

Section 3. Section 231.17, Florida Statutes, is amended to read:

231.17 Certificates granted on application to those meeting prescribed requirements.—

(1) The Department of Education shall issue a certificate covering the appropriate subject or field of the proper type to any person possessing the qualifications for such a certificate as prescribed herein, and by rules and regulations of the state board, who pays the required fee, makes application in writing on the form prescribed by the department, submits satisfactory evidence that he possesses said qualifications and meets the other requirements of law. Each applicant for certification shall meet the following requirements: To be eligible for a certificate to serve in an instructional capacity, the applicant:

(a) ~~Shall~~ File a written statement under oath that he subscribes to and will uphold the principles incorporated in

the ~~constitutions~~ Constitution of the United States and of the State of Florida;

(b) ~~Shall~~ Be at least 18 years of age or ~~shall~~ have received a bachelor's 4 year degree from an accredited institution of higher learning and ~~shall not have attained the age of 70 years;~~

(c) ~~Shall~~ Meet such academic and professional requirements based on credentials certified to by standard teacher-training institutions of higher learning, including any institutions of higher learning in this state which are accredited by an accrediting association which is a member of the Council on Postsecondary Accreditation, as may be prescribed by the state board;

(d) ~~Shall be free from malignant, communicable, or mental diseases and shall~~ Be competent and capable of performing the duties, functions, and responsibilities of a teacher; and

(e) ~~Shall~~ Be of good moral character.

(2) Beginning July 1, 1980, each certificate issued shall be valid for a period not to exceed 5 years and each applicant for initial certification shall demonstrate, on a comprehensive written examination and through such other procedures as may be specified by the state board, mastery of those minimum essential generic and specialization competencies and other criteria as shall be adopted into rules by the state board, including, but not limited, to the following:

(a) The ability to write in a logical and understandable style with appropriate grammar and sentence structure;

(b) The ability to comprehend and interpret a message after listening;

(c) The ability to read, comprehend and interpret orally and in writing, professional and other written material;

(d) The ability to comprehend and work with fundamental mathematical concepts; and

(e) The ability to comprehend patterns of physical, social, and academic development in students, and to counsel students concerning their needs in these areas.

(3) Beginning July 1, 1981, no individual shall be issued a regular certificate until he has completed one school year of satisfactory teaching pursuant to law and such other criteria as the state board shall require by rule, or a year long internship approved by the state board.

(4) ~~(2)~~ The state board shall have authority to prescribe rules ~~regulations~~ under which certificates may be issued to noncitizens who may be needed to teach or who may be assigned to teach in the state on an exchange basis; provided, that the filing of a written oath to uphold the principles of the ~~constitutions~~ Constitution of the United States and of the State of Florida referred to above shall not apply to individuals assigned to teach on an exchange basis.

(5) ~~(3)~~ No certificate shall be issued to a citizen of a nation controlled by forces which are antagonistic to democratic forms of government, except to an individual classified as a refugee from another country or as a resident alien from Cuba, who has been legally admitted to the United States through the immigration and naturalization service.

(4) The maximum age of 70 years as provided in subsection (1), shall not apply to certificates limited to substitute or part-time teaching.

(6) ~~(5)~~(a) The Department of Education is authorized to deny an applicant a certificate if it possesses evidence satisfactory to it that the applicant has committed an act or acts or that a situation exists for which the department would be authorized to revoke a teaching certificate.

(b) The decision of the Department of Education is subject to review by the State Board of Education upon the filing of a written request from the applicant within 20 days from receipt of the notice of denial.

(7) New rules adopted by the state board in regard to certification at any time shall not become effective to the exclusion of prior rules for a period of 1 year; provided, however, that the Commissioner shall submit a report for review by the Legislature by February 1, 1979, which shall include proposed state board rules pertaining to the demonstration of competency prior to regular certification and for the pur-

pose of certificate extension. The proposed rules shall provide for year-long internships as a prerequisite for regular certification. The report shall, further, include an analysis of the costs of such internships and the state and district procedures for administering such internships.

Section 4. Section 231.24, Florida Statutes, is amended to read:

231.24 Extension of certificates.—Effective July 1, 1979, all certificates ~~except temporary and provisional certificates~~ issued under the provisions of the Florida Statutes, shall be extendible for successive periods not to exceed 5 years under ~~rules regulation~~ of the state board prescribing such additional training, or experience, and competencies or both, as may be deemed necessary for said extension; provided, that any training or experience claimed shall be either college course credit or inservice training, provided that at least one-half of any college course credit or inservice training claimed by instructional personnel shall be in the field or fields in which said individual is assigned or certified or will seek assignment or certification and further provided that any remaining college course credit or inservice training shall be in either administration, guidance, exceptional education, or basic skills education. ~~the applicant for the extension of the certificate has not reached his seventieth birthday, and provided, However, that~~ when any person holding a valid Florida teacher's certificate is called into or volunteers for actual wartime service or required peacetime military training, his certificate shall be extended for a period of time equal to the time he spends in military service, providing such person makes proper application and presents substantiating evidence to the Department of Education regarding such military service.

Section 5. Subsection (1) of section 231.361, Florida Statutes is amended to read:

231.361 Vocational teachers; status.—

(1) Vocational teachers and other teachers who qualify for certificates on the basis of nonacademic preparation shall be entitled to all the contractual rights and privileges now granted to other instructional personnel holding equivalent certificates of ~~corresponding rank~~.

Section 6. Subsection (3) of section 233.068, Florida Statutes, is amended to read:

233.068 Job-related vocational instruction.—

(3) ~~Provisional~~ Certification shall be granted instructors for such courses upon a showing by the district board or community college that suitable instructors with the usual academic background are not available. Before such ~~provisional~~ certification is granted, account shall be taken of the ability of the proposed instructor to relate to and communicate with the persons to whom the instruction is to be given. No instructor shall be paid less than any other member of the instructional personnel who has equivalent qualifications in accordance with certification rules adopted by the State Board of Education and who is providing similar services. ~~the salary for a Rank III instructor, and~~ Salary supplements shall be allowed upon a showing that such supplements are necessary to obtain suitable instructional personnel.

Section 7. Subsection (1) of section 233.0681, Florida Statutes, is amended to read:

233.0681 Occupational specialists; training, etc.—

(1) Occupational specialists may be used in place of counselors. Such persons shall be chosen on the basis of maturity, experience, and the ability to relate to young people. Further, such persons may be used, under supervision by a certified counselor, to handle various specialized assignments, either individually or as part of a counseling team. Such specialized assignments may include the identification and intensive counseling of potential or actual dropouts and their parents, as well as the counseling of students, teachers, and administrators concerning available job and career opportunities. ~~Provisional~~ Certification shall be granted to occupational specialists in accordance with ~~rules regulations~~ adopted by the State Board of Education. No full-time occupational specialists shall be paid less than any other member of the instructional personnel who has equivalent qualifications in accordance with certification rules adopted by the State Board of Education and who is providing similar services. ~~the salary for a Rank III instructor, and~~ Salary supplements shall be allowed upon a showing that such supplements are necessary in order to obtain suitable personnel.

Section 8. Section 231.30, Florida Statutes, is amended to read:

231.30 Fees; disposition.—

(1) Each applicant shall pay the following fees:

- (a) For a certificate, a fee of \$12 except as provided herein;
- (b) For a reissued temporary certificate, a part-time certificate, or a substitute certificate, a fee of \$10;
- (c) For extension of a regular certificate, \$5; and
- (d) For a duplicate certificate or a name change, \$2.

The fee shall be retained whether the certificate is granted or not, except that incomplete applications including fees and overpayments may be returned. An applicant for a duplicate certificate shall present evidence establishing his identity as the holder of the original certificate.

(2) The proceeds from the collection of certification fees shall be remitted by the Department of Education to the State Treasurer and shall be kept by him in the following manner:

~~(a) Seven dollars of each fee of \$12 shall be kept in a separate fund to be known as the "Professional Practices Advisory Council Trust Fund" and disbursed for the payment of expenses incurred in the operation of the Professional Practices Council of the Department of Education; upon vouchers approved by the chairman of the council. The annual budget shall be approved by the State Board of Education.~~

~~(b) All remaining revenue from fees collected shall be kept in a separate fund to be known as the "Educational Certification and Service Trust Fund" and disbursed for the payment of expenses incurred in the printing of forms and bulletins and the issuing of certificates, upon vouchers approved by the department.~~

Section 9. Subsection (1) of section 231.57, Florida Statutes, is amended to read:

231.57 Professional Practices Council.—

(1)(a) A Professional Practices Council is created consisting of 19 members appointed by the State Board of Education pursuant to s. 20.15(10). A member, in order to be qualified for appointment:

- 1. Must be certified to teach in the state ~~or a member of the faculty of an institution of higher learning.~~
- 2. Must be a citizen of the United States.
- 3. Must be a resident of the state.
- 4. Must have practiced his profession in Florida for at least 5 years immediately preceding his appointment.

(b) The council shall be composed of:

- 1. ~~Seven~~ Six elementary school classroom teachers; at least one of whom must be a middle school teacher;
- 2. ~~Seven~~ Six secondary school classroom teachers;
- 3. One elementary school principal;
- 4. ~~One~~ middle or junior high school principal;
- 5. ~~4~~ One secondary school principal;
- 6. ~~5~~ One supervisor; and
- 7. ~~6~~ One superintendent. †
- 7. ~~One representative of the State Department of Education;~~
- 8. ~~One representative of the public community colleges; and~~
- 9. ~~One representative of the State University System.~~

Section 10. Subsection (3) of section 236.081, Florida Statutes, is amended to read:

236.081 Funds for current operation of schools.—The annual allocation from the Florida Education Finance Program to each district for current operation of schools shall be determined as follows:

(3) INSERVICE EDUCATIONAL PERSONNEL TRAINING EXPENDITURE.—Of the amount computed in subsections (1) and (3), \$5 per full-time equivalent student shall be expended for educational training programs as determined by the district school board as provided in s. 236.0811. If a district has an approved teacher education center, at least \$3 of the \$5 shall be expended as provided in ss. 231.600-231.610. *Funds as provided herein may be expended only for the direct support of inservice training activities as prescribed below:*

(a) Salaries and benefits of:

1. Personnel directly administering the approved inservice training program.

2. School board employees while such personnel are conducting an approved inservice training program.

3. Substitutes for personnel released to participate in an approved inservice training program or an inservice council activity.

(b) Other direct operating expenses, excluding capital outlay, required for administering the approved inservice training program, including, but not limited to, the following:

1. Inservice training materials for approved inservice training activities.

2. Data processing for approved inservice training activities.

3. Telephone for the approved inservice training program.

4. Office supplies for the personnel administering the approved inservice training program.

5. Duplicating and printing for approved inservice training activities.

6. Fees, travel and per diem expenses for consultants used in conducting approved inservice training activities.

7. Travel and per diem expenses for school district personnel attending approved inservice conferences, workshops, or visitations to schools.

8. Rental of facilities not owned by the school board for use in conducting an approved inservice training program.

Section 11. Section 236.0811, Florida Statutes, is amended to read:

236.0811 Educational training.—

(1) Each school board shall develop and maintain an educational training program. Funds appropriated to school districts for the purposes of this section shall be used exclusively for educational training programs meeting criteria established by the Department of Education. When a district has an approved teacher education center, the inservice programs shall be conducted in accordance with the provisions of the Teacher Education Center Act of 1973 (ss. 231.600-231.610), as amended.

(2) Pursuant to rules of the State Board of Education, each district shall develop and submit to the commissioner for approval of a 5-year master plan for inservice educational training. The plan shall be based on an assessment of the district's inservice educational training needs conducted by a committee which shall include parents, classroom teachers, and other educational personnel. The plan shall be updated annually by April 1 and shall include inservice activities for all district employees, from all fund sources.

Section 12. Subsection (10) of section 228.041, Florida Statutes, is amended to read:

228.041 Specific definitions.—Specific definitions shall be as follows and wherever such defined words or terms are used in the Florida School Code they shall be used as follows:

(10) ADMINISTRATIVE PERSONNEL.—Administrative personnel comprises the superintendent, supervisors, principals, and those persons who may be employed as professional administrative assistants to the superintendent or to the principal, but does not include secretarial, clerical, or other office assistants. A principal is the head of any school or school center having more than one teacher. He may be a teaching principal, who devotes half or more of his time to actual classroom teaching, or a supervising principal, who devotes less than half of his time to actual classroom teaching and has charge of one or more schools.

(a) *Supervisor.*—A supervisor is a non-school-based employee, qualified in accordance with s. 231.15, who is assigned responsibility for working directly with teachers and other personnel in improvement of the instructional program.

(b) *Principal.*—A principal is an employee, qualified in accordance with s. 231.15, who is assigned responsibility for administrative direction and instructional supervision at an individual school. For purposes of classification he may be either:

1. A building principal who is designated as the administrative head of a school; or

2. An assistant principal who is assigned limited administrative and supervisory duties within a school.

(c) *Professional administrative assistant.*—A professional administrative assistant is an employee assigned responsibility as an administrative or supervisory head of a support activity, noninstructional activity, or district level function.

Section 13. Section 230.7595, Florida Statutes, is created to read:

230.7595 Commissioner to study ratios of administrative and instructional personnel.—

(1) For purposes of this section, full-time equivalent administrative personnel means those executive, administrative, and managerial personnel with assignments related to management or administrative functions and those managerial personnel who have supervisory responsibility for other noninstructional personnel.

(a) Personnel who perform executive, administrative, or managerial duties on a part-time basis shall be reported as full-time equivalent administrative personnel in the manner prescribed by the State Board of Education rules.

(b) Departmental or program chairmen or managerial personnel who teach shall be considered administrative personnel for the amount of time they are engaged in executive, administrative, or managerial duties.

(c) Noninstructional professional personnel shall be considered administrative personnel.

(2) For purposes of this section, full-time equivalent instructional personnel means those instructional personnel conducting organized instructional activities for 15 hours or more per week.

(a) Instructional personnel who perform administrative, executive, or managerial duties shall be considered instructional personnel for the amount of time they are conducting organized instructional activities.

(b) Departmental or program chairmen or managerial personnel who teach shall be considered instructional personnel for the amount of time they are conducting organized instructional activities.

(c) Part-time instructional personnel shall be converted to full-time equivalents by using the total instructional hours taught by part-time personnel divided by 15.

(d) Other full-time equivalent instructional personnel shall include, but not be limited to, counselors, guidance personnel, librarians, media specialists, curriculum specialists, and any other instructional personnel as defined by state board rules.

(3) The Commissioner of Education shall make a study of the administrator-instructional ratio as defined herein and shall provide a report including the ratio for each community college to the 1979 Legislature with recommendations.

Section 14. Subsection (7) of section 236.081, Florida Statutes, is amended to read:

236.081 Funds for current operation of schools.—The annual allocation from the Florida Education Finance Program to each district for current operation of schools shall be determined as follows:

(7) **ADMINISTRATOR-INSTRUCTIONAL RATIO REDUCTION IN PERSONNEL.**—The Commissioner of Education shall make a study of the administrator-instructional ratio as defined by law and shall provide a report including the ratio for each school district to the 1979 Legislature with recom-

mendations. If a reduction in personnel becomes necessary to bring operating costs and expense within the amounts appropriated and available, it is hereby mandated that in no event shall the administrator-teacher ratio in any school district during the school year 1975-76 be greater than the administrator-teacher ratio in effect in that school district during the year 1974-1975.

Section 15. Paragraph (d) of subsection (7) of section 230.23, Florida Statutes, is amended to read:

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

(7) **COURSES OF STUDY AND OTHER INSTRUCTIONAL AIDS.**—Provide adequate instructional aids for all children as follows and in accordance with the requirements of chapter 233.

(d) *School library media services libraries; establishment and maintenance.*—Establish and maintain school library media centers or school libraries open to the public and, in addition thereto, such traveling or circulating libraries as may be needed for the proper operation of the district school system. Establish and maintain a program of school library media services for all public school students which shall be designed to insure effective use of available resources and to avoid unnecessary duplication and shall include, but not be limited to, basic skills development, instructional design, media collection development, media program management, media production, staff development, and consultation and information services.

Section 16. Paragraph (d) of subsection (9) of section 230.33, Florida Statutes, is amended to read:

230.33 Duties and responsibilities of superintendent.—The superintendent shall exercise all powers and perform all duties listed below and elsewhere in the law; provided, that in so doing he shall advise and counsel with the school board. The recommendations, nominations, proposals and reports required by law and regulation to be made to the school board by the superintendent shall be either recorded in the minutes or shall be made in writing, noted in the minutes and filed in the public records of the board. It shall be presumed that, in the absence of the record required in this paragraph, the recommendations, nominations and proposals required of the superintendent were not contrary to the action taken by the school board in such matters.

(9) **COURSES OF STUDY AND OTHER INSTRUCTIONAL AIDS.**—Recommend such plans for improving, providing, distributing, accounting for, and caring for textbooks and other instructional aids as will result in general improvement of the district school system, as prescribed in chapter 233 and including the following:

(d) *School library media services libraries; establishment and maintenance.*—Recommend plans for establishing and maintaining school library media centers libraries, or school library media centers libraries open to the public, and, in addition thereto, such circulating or traveling libraries as are needed for the proper operation of the district school system. Recommend plans for the establishment and maintenance of a program of school library media services for all public school students. The school library media services program shall be designed to insure effective use of available resources and to avoid unnecessary duplication and shall include, but not be limited to, basic skills development, instructional design, media collection development, media program management, media production, staff development, and consultation and information services.

Section 17. Sections 231.16, 231.20, and 233.29, Florida Statutes, are hereby repealed.

Section 18. This act shall take effect July 1, 1978, except the provisions for elimination of ranks which shall take effect July 1, 1979.

Conference Committee Amendment 2—On page 1 in title, lines 2 through 31 and on page 2, lines 1 through 26, strike the title in its entirety and insert: An act relating to education; requiring the Commissioner to report on the implementation of certain policies by Florida teacher training institutions; creating s. 231.135, Florida Statutes; providing for approved teacher education programs to require certain admission cri-

teria; amending s. 231.17, Florida Statutes; authorizing the Department of Education to issue a certificate covering the appropriate subject or field to an applicant meeting certain specified requirements; specifying qualifications of applicants for certification; providing for the adoption of rules by the state board in regard to certification; requiring a report by the Commissioner to the Legislature; amending s. 231.24, Florida Statutes, providing for extension of certificates; requiring training or experience claimed for extension of certificates to be either college course credit or inservice training in certain fields; amending s. 231.361(1), Florida Statutes; providing that vocational teachers and other teachers who qualify for certificates on the basis of nonacademic preparation are entitled to all the contractual rights and privileges granted to other instructional personnel holding equivalent certificates; amending s. 233.068(3), Florida Statutes; providing for certification and payment of vocational instructors with job-related vocational skills; amending s. 233.0681(1), Florida Statutes; providing for certification and payment of occupational specialists; amending s. 231.30, Florida Statutes, deleting the requirement that a specified amount of each certification fee collected be kept in the Professional Practices Advisory Council Trust Fund; amending s. 231.57(1), Florida Statutes; changing the membership of the Professional Practices Council; amending s. 236.081(3), Florida Statutes; providing for the direct support of educational training programs; amending s. 236.0811, Florida Statutes; requiring district master plans for inservice educational training; amending s. 228.041(10), Florida Statutes, to include definitions of supervisor and professional administrative assistant under the category of administrative personnel; modifying the definition of principal; creating s. 230.7595, Florida Statutes, to define full-time equivalent administrative and instructional personnel for community college funding purposes; providing procedures with respect to part-time personnel; providing for a community college administrator-instructor ratio study; amending s. 236.081(7), Florida Statutes, to provide for a public school administrator-teacher ratio study; amending s. 230.23(7)(d), Florida Statutes, providing for the establishment and maintenance of a school library media services program; amending s. 230.33(9)(d), Florida Statutes, providing that the superintendent shall recommend plans for a school library media services program; repealing s. 231.16, Florida Statutes, relating to the types, classes, and ranks of certificates to be issued; repealing s. 231.20, Florida Statutes, relating to the issuance of a graduate certificate; repealing s. 233.29, Florida Statutes, relating to establishment and maintenance of libraries by school boards; providing effective dates.

On motion by Senator Peterson, the Conference Committee report was adopted, and CS for SB 549 passed as recommended and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—22

Castor	Johnston	Poston	Vogt
Glisson	MacKay	Renick	Wilson
Gordon	McClain	Sayler	Winn
Gorman	Myers	Spicola	Zinkil
Hair	Peterson	Thomas, Pat	
Henderson	Plante	Trask	

Nays—8

Chamberlin	Dunn	Graham	Skinner
Childers, W. D.	Firestone	Holloway	Tobiassen

Votes after roll call:

Yea—Lewis, Williamson
Yea to Nay—Glisson, Poston
Nay to Yea—Holloway

EXECUTIVE BUSINESS

The Honorable Lew Brantley
President, The Florida Senate
The Capitol
May 30, 1978

Dear Mr. President:

The following executive appointments were referred to the Senate Committee on Executive Business for action pursuant to Rule 12.7(a) of the Rules of The Florida Senate:

Office and Appointment

	<i>For Term Ending</i>
1. Division of Administrative Hearings, Director Appointee: Bentley, Chris H.	Pleasure of the Admin. Comm.
2. Crimes Compensation Commission, Member Appointee: Bevis, William H.	1/ 1/81
3. Commission on Ethics, Members Appointees: Brown, Paul R. Gregory, Thomas H. Gustafson, Joel K. McWilliams, Spurgeon W.	7/ 1/79 7/ 1/79 7/ 1/79 7/ 1/79
4. Tampa Port Authority, Member Appointee: Fogarty, Jerry E.	11/25/81
5. State Retirement Commission, Member Appointee: Chaney, Olivia A.	12/31/78

As required by Rule 12.7(a), the Committee caused to be conducted an inquiry into the qualifications, experience, and general suitability of the above-named appointees for appointment to the offices indicated. In aid of such inquiry the Committee held a public hearing at which members of the public were invited to attend and offer evidence concerning the qualifications, experience, and general suitability of each appointee.

After due consideration of the findings of such inquiry and the evidence adduced at the public hearings, the Committee—by a separate vote as to each appointee—respectfully advises and recommends:

- (1) That the executive appointment of the above-named appointees, to the office and for the term of office indicated, be *confirmed* by the Senate.
- (2) That Senate action on said appointments be taken prior to adjournment of the 1978 Regular Session.
- (3) That there is no necessity known to the Committee for the deliberations on said appointments to be held in executive session.

Respectfully submitted,

Vernon C. Holloway, Chairman
Don C. Childers, Vice Chairman
Jim Glisson
Henry B. Sayler
Sherrill (Pete) Skinner
Lori Wilson

Senator Holloway moved that the report be accepted and the Senate confirm the appointments identified in the foregoing report of the committee, to the offices and for the terms indicated, in accordance with the recommendations of the committee. The motion was adopted. The vote was:

Yeas—35

Mr. President	Gordon	McClain	Thomas, Jon
Barron	Gorman	Myers	Thomas, Pat
Castor	Graham	Peterson	Tobiassen
Childers, Don	Hair	Plante	Vogt
Childers, W. D.	Henderson	Poston	Williamson
Dunn	Holloway	Renick	Wilson
Firestone	Johnston	Scott	Winn
Gallen	Lewis	Skinner	Zinkil
Glisson	MacKay	Spicola	

Nays—None

Senator Gordon voted nay on the confirmation of William H. Bevis.

The Honorable Lew Brantley
President, The Florida Senate
The Capitol

May 30, 1978

Dear Mr. President:

The Senate Committee on Executive Business submits this final report on the matter of the suspension of William L. Brooks.

By Executive Order Number 75-8, filed with the Secretary of State on February 25, 1975, His Excellency Reubin O'D.

Askwed, as Governor, suspended William L. Brooks from the office of Tax Collector of Glades County, Florida.

The suspension order charged that William L. Brooks, while holding the aforesaid county office, committed various criminal violations of the laws of Florida, viz: forgery, a felony (831.01, F.S.), uttering a forged instrument, a felony (831.02, F.S.), and embezzlement by a county officer, a misdemeanor (812.10, F.S.). These crimes constitute grounds for suspension under Section 7 of Article IV, Florida Constitution, 1968 Revision.

Criminal prosecution of William L. Brooks was commenced in the Circuit Court of the Twentieth Judicial Circuit in Glades County and subsequently, he was found guilty of the crimes of uttering a forged instrument and embezzlement. On September 9, 1975, William L. Brooks was ordered and adjudged guilty and sentenced to serve five years in the state prison. A notice of Appeal was filed immediately in the District Court of Appeal, Second District, and on October 6, 1976, the judgment of the Circuit Court was affirmed per curiam by the District Court. On November 8, 1976, a Petition for Writ of Certiorari was filed in the Supreme Court of Florida, and on February 16, 1978, the Petition was discharged.

The Senate assumed jurisdiction of this matter on February 26, 1975, and this matter was referred to the Senate Select Committee on Executive Suspensions on February 26, 1975. Proceedings by the Select Committee were stayed, pursuant to Senate Rule 12.7(b), during the pendency of the criminal prosecution in the trial court, including the exhaustion of appellate remedies. In June of 1976, the Senate Committee on Executive Business assumed jurisdiction of this matter and continued the stay of proceedings pursuant to Senate Rule 12.7(b).

Based upon the investigation conducted by this Committee it is the finding of this Committee that William L. Brooks was convicted on September 9, 1975, of a felony under the laws of the state of Florida, that he has not been restored to civil rights, that on September 9, 1975, he became and is now disqualified to hold public office in Florida, that he has been "removed" by operation of the law from the office of Tax Collector of Glades County, and that he has not shown any cause why he should not be removed from office, effective September 9, 1975, the date of his conviction.

It is the recommendation of this Committee, therefore, that William L. Brooks be removed from the office of Tax Collector of Glades County, Florida, effective September 9, 1975.

Respectfully submitted,

Vernon C. Holloway, Chairman
 Don C. Childers, Vice Chairman
 Jim Glisson
 Henry B. Saylor
 Sherrill (Pete) Skinner
 Lori Wilson

On motion by Senator Holloway, the foregoing report on the Executive Order of Suspension of William L. Brooks from the office of Tax Collector of Glades County, Florida, was accepted and adopted and the Senate removed William L. Brooks from said office effective September 9, 1975. The vote was:

Yeas—35

Mr. President	Gordon	Myers	Thomas, Jon
Barron	Gorman	Peterson	Thomas, Pat
Castor	Graham	Plante	Tobiassen
Chamberlin	Hair	Poston	Trask
Childers, Don	Henderson	Renick	Vogt
Childers, W. D.	Johnston	Scarborough	Wilson
Dunn	Lewis	Scott	Winn
Firestone	MacKay	Skinner	Zinkil
Gallen	McClain	Spicola	

Nays—None

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Lew Brantley, President

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

By the Committee on Education and Senator MacKay and others—

CS for SB 571—A bill to be entitled An act relating to education; creating s. 232.246, Florida Statutes; establishing general requirements for high school graduation; creating s. 232.247, Florida Statutes; establishing special requirements for high school graduation for exceptional students; creating s. 232.248, Florida Statutes; providing for confidentiality of assessment instruments; repealing s. 232.245(3), Florida Statutes, relating to standards for progression from secondary schools; repealing s. 231.611, Florida Statutes, which requires statewide implementation of teacher education centers, authorizes the Department of Education to approve centers, and prescribes the procedure for such approval; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 1, line 21, strike everything after the enacting clause and insert: Section 1. Section 232.246, Florida Statutes, is created to read:

232.246 General requirements for high school graduation.—

(1) Beginning with the 1978-1979 school year, each district school board shall establish standards for graduation from its schools which shall include as a minimum:

(a) Mastery of the minimum performance standards in reading, writing, and mathematics for the 11th grade, established pursuant to ss. 229.565 and 229.57, determined in the manner prescribed by rules of the state board;

(b) Demonstrated ability to successfully apply basic skills to everyday life situations as measured by a functional literacy examination developed and administered pursuant to rules of the state board;

(c) Completion of a minimum number of academic credits, and all other applicable requirements prescribed by the district school board pursuant to s. 232.245.

(2) The state board shall make provisions in its rules required herein for appropriate modification of testing instruments and procedures for students with identified handicaps or disabilities in order to ensure that the results of the testing represent the student's achievement, rather than reflecting the student's impaired sensory, manual, speaking, or psychological process skills, except where such skills are the factors the test purports to measure.

(3) A student who meets all requirements prescribed in subsection (1) shall be awarded a standard diploma in a form prescribed by the state board; provided that a school board may, in lieu of the standard diploma, award differentiated diplomas to those exceeding the prescribed minimums. A student who completes the minimum number of credits and other requirements prescribed by subsection (1)(c), but is unable to meet the standards of subsection (1)(a) or (b), shall be awarded a certificate of completion in a form prescribed by the state board.

Section 2. Section 232.247, Florida Statutes, is created to read:

232.247 Special high school graduation requirements for certain exceptional students.—A student who has been properly classified, in accordance with rules established by the state board, as "educable mentally retarded," "trainable mentally retarded," "deaf," "specific learning disabled," or "emotionally handicapped" shall not be required to meet all requirements of s. 232.246 and shall, upon meeting all applicable requirements prescribed by the school board pursuant to s. 232.245, be awarded a special diploma in a form prescribed by the state board; provided, however, that such special graduation requirements prescribed by the school board shall include minimum graduation requirements as prescribed by the state board. Nothing provided in this section, however, shall be construed to limit or restrict the right of an exceptional student solely to a special diploma. Any such student shall, upon proper request, be afforded the opportunity to fully meet all requirements of s. 232.246 through the standard procedures established therein and thereby qualify for a standard diploma upon graduation.

Section 3. Section 232.248, Florida Statutes, is created to read:

232.248 Confidentiality of assessment instruments.—All examination and assessment instruments, including developmental materials and work papers directly related thereto, which are prepared, prescribed, or administered pursuant to ss. 229.57, 232.245, 232.246 and 232.247 shall be exempt from the provisions of s. 119.07 and from ss. 229.781 and 230.331. Provisions governing access, maintenance, and destruction of such instruments and related materials shall be prescribed by rules of the state board.

Section 4. Subsection (3) of section 232.245, Florida Statutes, is hereby repealed.

Section 5. This act shall take effect upon becoming a law.

Amendment 2—On page 1 in title, strike lines 2 through 17, and insert: An act relating to education; creating s. 232.246, Florida Statutes; establishing general requirements for high school graduation; creating s. 232.247, Florida Statutes; establishing special requirements for high school graduation for exceptional students; creating s. 232.248, Florida Statutes; providing for confidentiality of assessment instruments; repealing s. 232.245(3) Florida Statutes, relating to standards for progression from secondary schools; providing an effective date.

On motions by Senator Peterson, the Senate concurred in the House Amendments.

CS for SB 571 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—27

Mr. President	Gordon	Poston	Thomas, Jon
Castor	Graham	Renick	Tobiassen
Chamberlin	Henderson	Sayler	Trask
Childers, Don	Johnston	Scarborough	Williamson
Childers, W. D.	MacKay	Scott	Winn
Firestone	McClain	Skinner	Zinkil
Glisson	Peterson	Spicola	

Nays—None

Votes after roll call:

Yea—Hair, Vogt, Wilson

The bill was ordered engrossed and then enrolled.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has adopted HCR 2196 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Culbreath and others—

HCR 2196—A concurrent resolution commending the Florida-bred horse named Affirmed and its owners, on its victories in the running of the 104th Kentucky Derby and the Preakness Stakes in Maryland.

—was read the first time by title and referred to the Committee on Rules and Calendar.

On motion by Senator Henderson, by two-thirds vote HCR 2196 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Henderson, by two-thirds vote HCR 2196 was read the second time in full, adopted and certified to the House. The vote on adoption was:

Yeas—31

Mr. President	Chamberlin	Childers, W. D.	Glisson
Castor	Childers, Don	Firestone	Gordon

Gorman	Lewis	Skinner	Vogt
Graham	MacKay	Spicola	Ware
Henderson	Poston	Thomas, Jon	Williamson
Johnston	Renick	Thomas, Pat	Wilson
McClain	Scarborough	Tobiassen	Winn
Peterson	Scott	Trask	

Nays—None

Vote after roll call:

Yea—Hair

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has adopted HM 1263 and HM 1666 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Young—

HM 1263—A memorial to the Congress of the United States urging the passage of United States House Joint Resolution No. 431, offered by Mr. Ryan, Mr. Jeffords, and Mr. Ottinger, calling for the proclamation of May 3, 1978, as "Sun Day."

—was read the first time in full and referred to the Committee on Rules and Calendar.

On motion by Senator Henderson, by two-thirds vote HM 1263 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Henderson, by two-thirds vote HM 1263 was read the second time by title, adopted and certified to the House. The vote on adoption was:

Yeas—25

Mr. President	Gorman	Renick	Vogt
Castor	Graham	Scott	Ware
Childers, W. D.	Henderson	Spicola	Wilson
Dunn	MacKay	Thomas, Jon	Winn
Firestone	McClain	Thomas, Pat	
Glisson	Peterson	Tobiassen	
Gordon	Poston	Trask	

Nays—None

Vote after roll call:

Yea—Hair

By Representative Rish and others—

HM 1666—A memorial to the Congress of the United States making application to the Congress to call a convention for the sole purpose of proposing an amendment to the Constitution of the United States to require a balanced federal budget.

—was read the first time by title and referred to the Committee on Rules and Calendar.

On motion by Senator Barron, by two-thirds vote HM 1666 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Barron, by two-thirds vote HM 1666 was read the second time in full, adopted and certified to the House. The vote on adoption was:

Yeas—26

Mr. President	Gordon	Renick	Trask
Castor	Graham	Scarborough	Ware
Chamberlin	Henderson	Scott	Williamson
Childers, W. D.	McClain	Skinner	Wilson
Dunn	Peterson	Spicola	Winn
Firestone	Plante	Thomas, Jon	
Glisson	Poston	Tobiassen	

Nays—None

Votes after roll call:

Yea—Sayler
Nay—Hair, MacKay
Yea to Nay—Gordon

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has adopted HCR 1966 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Jones and others—

HCR 1966—A concurrent resolution in recognition of Rodney Ford as Boys' Clubs of America Boy of the Year in Florida.

—was read the first time by title and referred to the Committee on Rules and Calendar.

On motion by Senator Scarborough, by two-thirds vote HCR 1966 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Trask, by two-thirds vote HCR 1966 was read the second time in full, adopted and certified to the House. The vote on adoption was:

Yeas—27

Mr. President	Gordon	Sayler	Tobiassen
Castor	Graham	Scarborough	Trask
Chamberlin	McClain	Scott	Ware
Childers, W. D.	Peterson	Skinner	Williamson
Dunn	Plante	Spicola	Wilson
Firestone	Poston	Thomas, Jon	Winn
Glisson	Renick	Thomas, Pat	

Nays—None

Vote after roll call:

Yea—Hair

The Honorable Lew Brantley, President

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

By the Committee on Judiciary-Criminal and Senator W. D. Childers—

CS for SB 956—A bill to be entitled An act relating to unemployment compensation; amending s. 443.22(2), Florida Statutes, renumbering subsection (3) and adding a new subsection (3) to said section; increasing the penalty for false statements or representations, failure to make disclosures or contributions or payments; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 2, between lines 15 and 16 insert: Section 2. Paragraph (g) of subsection (3) of section 443.08, Florida Statutes, is amended to read:

443.08 Contributions.—

(3) CONTRIBUTION RATES BASED ON BENEFIT EXPERIENCE.—

(g)1. For the purposes of this subsection, two or more employers who are parties to a transfer of business or the subject of a merger, consolidation, or other form of reorganization, effecting a change in legal identity or form, shall be deemed to be a single employer and shall be considered as one employer with a continuous employment record if the division finds that the successor employer continues to carry on the employing enterprises of the predecessor employer or employers and that the successor employer has assumed liability for all contributions required of and due from the predecessor employer or employers.

2. Whether or not there is a transfer of employment record as contemplated in this paragraph, the ~~Each~~ predecessor shall

in the event he again employs persons be treated as an employer without previous employment record, or, if his coverage has been terminated as provided in s. 443.09, as a new employing unit.

3. The [division] may provide by regulation for partial transfer of experience rating where an employer has transferred at any time an identifiable and segregable portion of his payrolls and business to a successor employing unit. As a condition of such partial transfer of experience, the regulations shall require an application by the successor, agreement by predecessor, and such evidence as the division may prescribe of the experience and payrolls attributable to the transferred portion up to the date of transfer. The regulations shall provide that the successor employing unit, if not already an employer, shall become an employer as of the date of the transfer and that the experience of the transferred portion of the predecessor's account shall be removed from the experience-rating record of the predecessor and for each calendar year following the date of the transfer of the employment record on the books of the division, the division shall compute the rate of contribution payable by the successor on the basis of his experience, if any, combined with the experience of the portion of the record transferred. The regulation may also provide what rates shall be payable by the predecessor and successor employers for the period between the date of the transfer of the employment record of the transferred unit on the books of the division and the first day of the next calendar year.

(Renumber subsequent section.)

Amendment 2—On page 1 in title, line 8, after the semicolon insert: amending s. 443.08(3)(g), Florida Statutes, relating to employer contribution rates, providing a restriction with respect to determination thereof in certain cases;

On motions by Senator W. D. Childers, the Senate concurred in the House Amendments.

CS for SB 956 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—27

Mr. President	Graham	Poston	Thomas, Pat
Castor	Henderson	Renick	Tobiassen
Childers, Don	Holloway	Scarborough	Trask
Childers, W. D.	Johnston	Scott	Williamson
Dunn	Lewis	Skinner	Wilson
Firestone	McClain	Spicola	Winn
Glisson	Peterson	Thomas, Jon	

Nays—None

Vote after roll call:

Yea—Hair

The bill was ordered engrossed and then enrolled.

The Honorable Lew Brantley, President

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

By Senator Scarborough and others—

SB 775—A bill to be entitled An act relating to the municipal public service tax; amending s. 166.231(2), Florida Statutes; limiting the public service tax on fuel oil; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 1, line 15, after the period insert: However, for municipalities levying less than the maximum rate allowable in subsection (1), the maximum tax on fuel oil shall bear the same proportion to 4¢ which the tax rate levied under subsection (1) bears to the maximum rate allowable in subsection (1).

Amendment 2—On page 1, line 15, strike "3" and insert: 4

On motions by Senator Scarborough, the Senate concurred in the House Amendments.

SB 775 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—29

Mr. President	Henderson	Sayler	Vogt
Childers, Don	Holloway	Scarborough	Williamson
Childers, W. D.	Johnston	Scott	Wilson
Dunn	Lewis	Spicola	Winn
Firestone	McClain	Thomas, Jon	Zinkil
Gallen	Peterson	Thomas, Pat	
Glisson	Poston	Tobiassen	
Graham	Renick	Trask	

Nays—3

Castor Gordon Skinner

Votes after roll call:

Yea—Hair
Nay—Chamberlin

The bill was ordered engrossed and then enrolled.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 1619 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Melvin and others—

HB 1619—A bill to be entitled An act relating to ad valorem taxation; amending s. 196.199(8)(a), Florida Statutes; providing that, until January 1, 1979, no tax execution shall be issued and no lien created in any property of a taxpayer for the recovery of delinquent ad valorem property taxes assessed against certain leasehold property; providing an effective date.

—was read the first time by title and referred to the Committee on Finance, Taxation and Claims.

On motion by Senator Tobiassen, by two-thirds vote HB 1619 was withdrawn from the Committee on Finance, Taxation and Claims.

On motion by Senator W. D. Childers, by two-thirds vote CS for HB 849 was placed on the special order calendar.

On motions by Senator W. D. Childers, the rules were waived and by two-thirds vote HM 1254 was withdrawn from the Committee on Rules and Calendar and by two-thirds vote placed on the special order calendar.

The Honorable Lew Brantley, President

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

By Senator Gordon and others—

SB 552—A bill to be entitled An act relating to health; defining terms; requiring the Department of Health and Rehabilitative Services to establish certain pilot programs or contract with existing pilot programs; providing for the use of existing resources and of volunteers in such programs; providing for liability insurance for such volunteers; authorizing the department to accept funds; allowing the department to enter into contracts providing services for such programs; providing for funding support from entities entering into such contracts with the department; authorizing the department to require clients to help pay for the services provided by such programs; providing for fee schedules for such services; pro-

viding for the adoption of rules; requiring reports by the department; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 5, line 17, insert a new Section 3:

Section 3. Paragraph (c) is added to subsection (2) of section 409.266, Florida Statutes, to read:

409.266 Medical assistance for the needy.—

(2) The department is hereby authorized to:

(a) Enter into such agreements with fiscal agents, other state agencies, or any agency of the Federal Government and accept such duties in respect to social welfare or public aid as may be necessary or needed to implement the provisions of the Social Security Act pertaining to medical assistance.

(b) Contract with health maintenance organizations, certified pursuant to part II, chapter 641, for the provision of medical services to eligible persons.

(c) Contract for demonstration projects with county health departments to provide a comprehensive range of health care services on a prepaid per capita or prepaid aggregate fixed sum basis to persons determined to be eligible for medicaid services. A county health department may provide such prepaid services either directly or through arrangements with other providers. Prepaid health care services provided by the demonstration projects shall be exempt from the provisions of part II, chapter 641.

Section 4. The number of demonstration projects authorized by section 3 of this act shall not exceed three prior to July 1, 1980. A demonstration project shall be conducted through the Palm Beach County Health Department.

Section 5. On or before March 1, 1980, and every 2 years thereafter the department shall submit to the Legislature an evaluation of the results of the program authorized under section 3 of this act. Said evaluation shall include both programmatic and economic analyses of this program.

(Renumber subsequent sections.)

Amendment 2—On page 1, line 19 in title, after the semi-colon insert: adding s. 409.266(2)(c), Florida Statutes; providing for prepaid health services to be delivered as demonstration projects through county health departments; exempting such projects from the provisions of part II of chapter 641, Florida Statutes, relating to health maintenance organizations; limiting the number of demonstration projects prior to July 1, 1980; providing for a demonstration project in Palm Beach County; providing for evaluation and reporting of program results;

Amendment 4—On page 5, between lines 17 and 18, insert new sections 3 and 4:

Section 3. (1) The Department of Health and Rehabilitative Services shall function as a medical manpower clearinghouse to assist in the placement of health care providers in medically underserved communities and in acting as such a clearinghouse the department shall coordinate its efforts with the Community Hospital Education Council of the Board of Regents in such a manner as to avoid duplication of efforts. The department shall collect, store, classify, and distribute current information pertaining to the medical manpower needs of communities and the availability of medical manpower to serve in such communities. As part of its clearinghouse function, the department shall contract with an outside entity or entities to develop and operate programs to recruit individual health care providers for relocation in medically underserved communities.

(2) A grant program is hereby created through which communities or other entities meeting established criteria may receive funds for the purpose of identifying and assisting needed health care providers to relocate and establish practice in medically underserved communities. Grants shall be made by the Department of Health and Rehabilitative Services. The department shall adopt rules, on or before October 1, 1978,

which specify the criteria that communities or other entities must meet to be eligible to receive grants. The rules shall require that funds distributed pursuant to this section shall be matched in an equal amount by the recipient; however, the recipient's matching effort may be in the form of contributions in-kind, including commodities, facilities, and services. The department shall also adopt rules, on or before October 1, 1978, which specify permitted uses of grant moneys received under this section. Such rules shall specify that grant moneys received pursuant to this subsection shall not be used to purchase or construct a clinic or other treatment facilities; provided, however, that a recipient's in-kind matching effort may be in the form of provision of facilities for medical treatment.

(3) The Department of Health and Rehabilitative Services may adopt such rules as are required to carry out the functions assigned to it by this section.

Section 4. There is hereby appropriated from the General Revenue Fund to the Department of Health and Rehabilitative Services the sum of \$40,000.

(Renumber subsequent section.)

Amendment 5—On page 4, lines 12 through 16, strike "after programs." all language.

On motions by Senator Gordon, the Senate concurred in the House Amendments.

SB 552 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—33

Barron	Gordon	Poston	Trask
Castor	Gorman	Renick	Vogt
Chamberlin	Graham	Sayler	Williamson
Childers, Don	Holloway	Scarborough	Wilson
Childers, W. D.	Johnston	Skinner	Winn
Dunn	Lewis	Spicola	Zinkil
Firestone	McClain	Thomas, Jon	
Gallen	Peterson	Thomas, Pat	
Glisson	Plante	Tobiassen	

Nays—None

Vote after roll call:

Yea—Hair

The bill was ordered engrossed and then enrolled.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has adopted—

SM 738 SCR 1024 SCR 331 SCR 295

Allen Morris, Clerk

The Honorable Lew Brantley, President

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

SB 1250 SB 208 SB 1348
 SB 851 SB 670 SB 635

Allen Morris, Clerk

The bills contained in the above messages were ordered enrolled.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments to House Amendments and passed SB 845, as amended.

Allen Morris, Clerk

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed CS for SB 549 as amended by the Conference Committee Report.

Allen Morris, Clerk

The bills contained in the above messages were ordered engrossed and then enrolled.

The Honorable Lew Brantley, President

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

By Senator Glisson—

SB 681—A bill to be entitled An act relating to the Real Estate License Law; adding s. 475.01(14), Florida Statutes; providing that certain terms relating to the employment relationship include an independent contractor relationship under certain circumstances; amending s. 475.21, Florida Statutes; providing for renewal fees for the certificates of certain non-active salesmen and brokers; amending s. 475.23, Florida Statutes; requiring certain real estate schools to notify the real estate commission of any change of address; requiring real estate instructors to notify the real estate commission of any change of employer; amending s. 475.24, Florida Statutes; providing for annual registration fees for branch offices; amending s. 475.25(1)(c), (i), Florida Statutes; adding s. 475.25(1)(j), Florida Statutes; requiring registrants to take certain action when in doubt as to the person entitled to accounting and delivery of escrowed property or when conflicting demands are made for such property; providing that failure to account for or deliver certain property is grounds for suspension of registration; providing exceptions; providing that failure to inform the commission of a guilty plea, plea of nolo contendere, conviction, or finding of guilt of certain felonies is grounds for suspension of registration; amending s. 475.451(2), Florida Statutes; requiring an applicant for a permit to teach in a real estate school to pass an examination as a real estate instructor or be a registered broker; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 4, lines 8, 9, 10, insert: for a period not exceeding 10 2 years, or until compliance with a lawful order imposed in the final order of suspension, or both, upon a finding of facts showing that the registrant has:

Amendment 2—On page 3, line 4, after the period "." insert:

Section 3. Paragraph (k) is added to subsection (2) of section 478.021, Florida Statutes, to read:

478.021 Purpose and definitions.—

(2) When used in this chapter, unless the context otherwise requires:

(k) "Conviction" means any adjudication of guilt, a plea of guilty, a plea of nolo contendere, forfeiture of a bond when charged with a criminal offense prohibited by this chapter, or a finding of guilty for which adjudication has been withheld for offenses prohibited by this chapter.

Section 4. Subsection (8) of section 478.121, Florida Statutes, is amended to read:

478.121 Application for registration.—

(8) Every subdivider shall, unless otherwise waived, provide the division with a financial statements, audited by an independent statement, prepared by a certified public accountant registered in a state of the United States the state, not later than 5 months after the end of the registrant's fiscal year. The subdivider's statement shall be accompanied by the accountant's opinion of the statements statement. The requirement for filing financial statements that are audited may be waived by the division in writing where all promised improvements have been completed, the property is free and clear of any lien, mortgage or other encumbrance and the divi-

sion determines that purchasers will not be required to rely upon the financial condition of the subdivider for the fulfillment of contract obligations. The division shall establish by rule the criteria for waiver. Such waiver, when granted, is valid for a period of 1 year and may be extended by the division upon a showing by the registrant that the original qualifying conditions for such waiver still exist. Said extension must be applied for and granted at least 30 days prior to the end of such 1 year period or the registrant will be required to submit audited financial statements in accordance with the provision of this chapter. The division shall issue an order to show cause, which shall, upon request, provide for a hearing within 7 days upon the failure of any subdivider to comply with the provisions of this subsection.

Section 5. Subsections (1), (2), and (4) of section 478.131, Florida Statutes, are amended, present subsection (5) is renumbered as subsection (7) and new subsections (5) and (6) are added to said section to read:

(Substantial rewording of introductory paragraph and subsections (1) and (2) of s. 478.131, F. S. See s. 478.131(1), (2), F. S., for present text.)

478.131 Fees.—The division shall charge fees for each registration of subdivided lands as follows:

(1) A base fee of \$400 per subdivision registration plus a fee of \$2 for each lot, parcel, unit, or interest in the subdivision.

(2) Each registration shall be renewed annually not later than January 31 and shall be accompanied by the applicable fee. A delinquent renewal shall be assessed a penalty fee of \$10 per day and in addition is suspended by operation of law after the 10th day delinquent until the renewal fee and penalty is received by the division. In no event shall the penalty fee exceed \$300.

(a) Active registrants shall pay a base fee of \$300 per registration plus the following additional fee for each lot within a registered subdivision except those deeded to bona fide purchasers:

1. Fifty cents per lot for the first 100 lots.
2. Twenty-five cents per lot for lots 101-500.
3. Ten cents per lot for each lot in excess of 500.

(b) Registrants shall pay \$200 for each inactive registered subdivision.

(4) The division shall ~~may~~ charge subdividers who seek an exemption under this chapter an initial fee of ~~\$100~~ \$50. The application for exemption shall be accompanied by the initial fee, and when a field inspection or examination is to be made relative to ~~of~~ subdivided lands for which an exemption is sought, the subdivider shall also pay all actual verified expenses incurred in such inspection or examination.

(5) *The division may charge subdividers a fee of up to \$100 for filing a material change, alteration, or modification of the offering pursuant to this chapter.*

(6) *Each request for release of assurances established for improvements shall be accompanied by a \$50 fee; the subdivider shall also pay all actual verified expenses for onsite inspections or examinations.*

(7)~~(5)~~ The division may contract with any subdivider or others for reasonable charges for any extra or special service pertaining to any registration or application for registration.

Section 6. Section 478.221, Florida Statutes, is amended to read:

473.221 Exemptions.—

(1) Unless the method of disposition is adopted for the purpose of evasion of this chapter, the provisions of this chapter do not apply to:

(a) An offer or disposition of an interest in land by a purchaser of subdivided lands for his own account in a single or isolated transaction.

~~(b) An offer or disposition of an interest in land pursuant to court order.~~

~~(b)(e)~~ An offer or disposition of an interest in land by any government or government agency.

~~(c)(d)~~ An offer or disposition of an interest in land as cemetery lots or interest.

~~(d)(e)~~ An offer or disposition of securities or units of interest issued by a real estate investment trust regulated under any state or federal statute.

~~(e)(f)~~ A subdivision as to which the plan of disposition is to dispose to 45 ~~10~~ or fewer persons.

~~(f)(g)~~ An offer or disposition of securities currently registered with the Department of Banking and Finance.

~~(g)(h)~~ Offers or dispositions of any interest in oil, gas, or other minerals, or any royalty interest therein, if the offers or dispositions of such interests are regulated as securities by the United States or by the Department of Banking and Finance.

~~(h)(i)~~ Any offer or disposition constituting a single sale or offer to sell to a person when the sale and purchase price is \$50,000 or more.

~~(2)~~ *The provisions of this chapter shall not apply to:*

~~(i)(a)~~ The sale or lease of land to any person engaged in the business of construction of residential or commercial buildings or to any person who acquires such land for the purposes of resale or lease to a person engaged in any such business. This exemption shall not apply if the person who acquires land for the purposes stated herein sells such land to individuals as unimproved lots with no legal obligation on the part of the seller to construct a building on said lot within 2 years from the date of disposition, nor shall this exemption apply to persons otherwise regulated under this chapter.

~~(j)(b)~~ Offers or dispositions of an interest in land on which there is a residential, commercial, or industrial building or as to which there is a legal obligation on the part of the seller to construct such a building within 2 years from date of disposition;

~~(2)(c)~~ *The provisions of this chapter shall not apply to:*

(a) Offers or dispositions of lots contained in a recorded subdivision plat, provided all of the following conditions exist:

1. Each lot is situated on a paved and dedicated road or street constructed to the specifications of the board of county commissioners of the county, or the governing body of the municipality, which has *voluntarily* accepted such road or street for maintenance;

2. The subdivision has drainage structures and fill necessary to prevent flooding, which structures and fill have been approved by the board of county commissioners in the county or the governing body of the municipality;

3. Electric power is available at or near each lot;

4. Domestic water supply and sanitary sewage disposal are available at or near each lot, meeting the requirements of the applicable governmental authority; and

5. The subdivider is at all times prepared to convey title to the purchaser by general warranty deed unencumbered by any mortgages or other liens.

(b) *Offers or dispositions of lots contained in a subdivision plat that has been recorded or accepted for recordation by the board of county commissioners where:*

1. *Each lot is situated on a road dedicated or approved by the board of county commissioners;*

2. *All promised improvements are complete;*

3. *The promotional plan of sale is directed only to bona fide residents of Florida whose primary residence is or will be located in the county in which the lots are platted of record;*

4. *The subdivider is prepared to convey title by general warranty deed unencumbered by any mortgages or other liens when the method of sale is by cash or deed and first mortgage; and*

5. The purchaser has personally inspected the property to be purchased prior to the execution of an agreement or contract to purchase and has so certified in writing.

(3) The division director may also grant additional exemptions after the division has had demonstrated to its satisfaction that the subdivider has qualified for an order of exemption in those cases involving offers or dispositions of interests in subdivided lands where:

(a) The subdivider, at all times during the life of the contracts agreements to purchase, the subdivider has clear title to such subdivided lands, and can convey title to the purchaser by general warranty deed unencumbered by any mortgages or other liens, unless the subdivider is offering home-sites and has submitted evidence satisfactory to the division that the following conditions exist:

1. A building permit may be obtained for construction of a residence; and

2. Any encumbering instrument must contain subordination or release provisions meeting the requirements of the rules as promulgated under this chapter to enable the subdivider to convey clear title by means of a general warranty deed to the purchaser; and

3. The method of sale is by cash or deed and mortgage with all funds escrowed in a Florida bank or Florida trust company prior to closing. Said closing shall be within 120 days at which time the purchaser receives a general warranty deed to evidence the passing of title as defined by rule.

(b) The subdivider is at all times prepared to convey clear title to the purchaser and has completed all improvements promised, if any;

(c) The land is useful for the purpose for which it is offered; and

(d) The purchaser has personally inspected the property to be purchased prior to the execution of the agreement and has so certified in writing.

(e) Every lot is accessible by a street or road and provisions have been made for perpetual maintenance, acceptable to the division.

(4) A registrant or other person may obtain an exemption advisory opinion from the division stating whether or not, in the opinion of the division director, a particular method of sale or offer is exempt from the provisions of this chapter. Any opinion request shall ~~should~~ be accompanied by the required fee as provided by the division and a comprehensive statement of facts and applicable law under which the petitioner believes the method to be exempt. Such statement shall:

(a) Describe the advertising and promotional media and methods used or to be used in connection with the sale or lease or offers to sell or lease lots in the subdivision.

(b) ~~List the~~ Describe the areas and states or foreign countries in which newspapers and periodicals are distributed, in which broadcasts of radio or television stations are received, and ~~or~~ to which mailings or other promotional materials are directed.

(c) State whether any of the holders of an ownership interest in the land, or the developer or any principals in the holder or developer, are directly or indirectly involved in any other subdivision for which they have filed an application for registration with, or have requested an exemption order, determination, or advisory opinion from, the division. If so, the statement shall identify the subdivision by name, location, and division registration and advertising number or numbers. If any of the above-mentioned persons are involved in any other subdivision for which they plan to file an application for registration or for which they plan to request an exemption order, determination, or advisory opinion, the statement shall identify such subdivision by name and location and shall state the proposed number of lots in that subdivision.

(5) Whenever the director determines, on the basis of the facts presented and any other relevant information reasonably calculated to protect the public interest or prospective purchasers, that an exemption is indicated, a letter stating that no action may be taken by the division may be issued. Any letter so issued by the division director stating that action may not be taken shall not bind the division with regard to

future action relating to such matters. Any such letter issued by the division director shall not affect any right which any purchaser may have under this act.

(6) Additional exemptions may be granted by the division director if the subdivider has demonstrated to the satisfaction of the division that the offers or dispositions consist of home-site lots contained in a recorded subdivision plat, and all of the following conditions exist:

(a) All applicable permits have been obtained;

(b) Each lot is situated on a paved and dedicated road or street constructed to the specifications for public roads of the board of county commissioners of the county, or the governing body of the municipality, and either the board of county commissioners or governing body has voluntarily accepted such road or street for maintenance, or other provisions acceptable to the division have been made for perpetual maintenance;

(c) The subdivision has drainage structures and fill necessary to prevent flooding, which structures and fill have been approved by the board of county commissioners in the county or the governing body of the municipality;

(d) Electric power is available at or near each lot;

(e) Domestic water supply and sanitary sewage disposal are available at or near each lot, meeting the requirements of the applicable governmental authority;

(f) As an alternative to having completed the improvements required by this subsection, the subdivider shall post a surety bond, irrevocable letter of credit, or other form of assurances acceptable to the division, with the county or municipality pursuant to subdivision ordinances, acts or regulations of the county or municipality in an amount necessary to ensure 100 percent completion of the uncompleted improvements;

(g) The subdivider is at all times prepared to convey title to the purchaser by general warranty deed unencumbered by any mortgages or other liens;

(h) The method of sale is by cash or deed and first mortgage with all deposits escrowed, pursuant to an escrow agreement acceptable to the division, in a Florida bank or Florida trust company. All promised improvements shall be completed within 180 days of the date of the issuance of the exemption and prior to the closing of any sale. If completion of promised improvements does not take place within said 180 days, the purchaser shall have the right to terminate the purchase contract and receive a refund of all escrowed deposits and any accrued interest thereon.

(i) No closings occur until:

1. All promised improvements are 100 percent complete and the board of county commissioners or governing body of the municipality has so certified to the division in writing that the improvements were constructed according to specifications and standards that were in existence at the time the exemption was granted; and

2. The board of county commissioners has certified to the division in writing its acceptance to maintain the dedicated promised improvements. In the case of a dispute over the county commissioners' or governing body's voluntary acceptance to maintain the dedicated promised improvements the subdivider shall provide adequate assurances as established by the division that the promised improvements will be maintained until the dispute is resolved.

(Renumber subsequent sections)

Amendment 3—On page 1, line 2 in title, after the semicolon “;” insert: adding paragraph (k) to s. 478.021(2), Florida Statutes, defining “conviction”; amending s. 478.121(8), Florida Statutes; permitting only certified public accountants registered in the state to audit financial statements submitted to the division; permitting the division to waive filing of audited financial statements under certain conditions; amending s. 478.131(1), (2), (4), Florida Statutes, and adding subsections (5) and (6) to said section; increasing fees for registration of subdivided lands and for renewals; requiring and increasing exemption fees; providing fees for material changes in registration; providing fees for release of assurances; amending s. 478.221, Florida Statutes; repealing the exemption for court ordered sales; clarifying the exemption provisions; extending to offer-

ings of certain homesites an exemption from requirements for maintenance of clear title; requiring accessibility of offerings; providing for exemption from registration for certain homesite developers; requiring fee to accompany exemption advisory request; requiring listing of states or foreign countries in which promotional materials are directed in request for advisory opinion;

On motion by Senator Glisson, the Senate concurred in the House amendments.

SB 681 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—31

Mr. President	Gordon	Poston	Tobiassen
Castor	Graham	Renick	Trask
Childers, Don	Henderson	Sayler	Ware
Childers, W. D.	Johnston	Scarborough	Williamson
Dunn	Lewis	Scott	Wilson
Firestone	McClain	Skinner	Winn
Gallen	Peterson	Spicola	Zinkil
Glisson	Plante	Thomas, Jon	

Nays—None

Votes after roll call:

Yea—Chamberlin, Hair

The bill was ordered engrossed and then enrolled.

SPECIAL ORDER, continued

HM 1254—A memorial to the Congress of the United States, urging the use of all available peaceful means to seek freedom of Jews and Anatololy Shcharanski being held against their will in the Soviet Union.

—was read the second time in full. On motion by Senator Zinkil, HM 1254 was adopted and certified to the House. The vote on adoption was:

Yeas—37

Mr. President	Gordon	Poston	Trask
Barron	Gorman	Renick	Vogt
Castor	Graham	Sayler	Ware
Chamberlin	Henderson	Scarborough	Williamson
Childers, Don	Johnston	Scott	Wilson
Childers, W. D.	Lewis	Skinner	Winn
Dunn	McClain	Spicola	Zinkil
Firestone	Myers	Thomas, Jon	
Gallen	Peterson	Thomas, Pat	
Glisson	Plante	Tobiassen	

Nays—None

Vote after roll call:

Yea—Hair

The President declared the Senate in informal recess at 11:07 a.m.

The Senate was called to order by the President at 11:37 a.m. A quorum present—32:

Mr. President	Gorman	Poston	Tobiassen
Barron	Graham	Renick	Trask
Castor	Henderson	Sayler	Vogt
Childers, Don	Holloway	Scarborough	Ware
Childers, W. D.	Johnston	Scott	Williamson
Dunn	McClain	Skinner	Wilson
Gallen	Myers	Thomas, Jon	Winn
Glisson	Peterson	Thomas, Pat	Zinkil

On motion by Senator Wilson, the Senate reconsidered the vote by which HM 1666 was adopted this day.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed CS for CS for SB 119 as amended by the Conference Committee Report.

Allen Morris, Clerk

By direction of the President the following Conference Committee Report was read:

Conference Committee Report on CS for CS for SB 119

*The Honorable Lew Brantley
President of the Senate*

*The Honorable Donald L. Tucker
Speaker, House of Representatives*

Sirs:

Your conference committee on the disagreeing votes of the two houses on CS for CS SB 119, same being:

A bill to be entitled An act relating to juveniles; dividing into parts chapter 39, Florida Statutes; amending ss. 39.001-39.12, 39.14, 39.19, 39.33-39.333, 39.334(4), (5), 39.335, Florida Statutes; creating the Florida Juvenile Justice Act; changing nomenclature; clarifying ambiguities; providing automatic waiver in certain cases; providing authority to file information in certain cases; providing certain time limitations; creating ss. 39.031, 39.032, 39.071, 39.111, 39.112, 39.40-39.411, Florida Statutes; providing authority to fingerprint and photograph certain juveniles and to use such data for identification purposes; providing certain persons authority to inspect and use juvenile records; providing alternative powers of disposition; providing procedures for and immunity from incurring civil liability for medical, psychiatric, and psychological examination and treatment; providing rights to counsel, rights against self-incrimination, and fundamentally fair hearings; requiring parents or legal custodians to be subpoenaed to attend delinquency disposition hearings and permitting parental comment at such hearings; providing a community control program to include a penalty appropriate to offense and a rehabilitative program in lieu of probation and establishing community control advisory councils in each judicial circuit; renumbering and amending s. 959.115, Florida Statutes; providing alternative dispositions for juveniles prosecuted as adults; repealing s. 39.03 (b), (c), (4)-(7), Florida Statutes, relating to the intake officer's duties and criteria for placement of a child in detention or shelter care; repealing s. 39.11(1), (5), (6), Florida Statutes, relating to power of the court when a child is adjudicated a dependent child, and reenacting procedures for dependency cases in part III of chapter 39, Florida Statutes; amending ss. 959.13, 394.57, 394.60, Florida Statutes, relating to the transfer and treatment for mental health care of children; providing an effective date.

having met, and after full and free conference, do recommend to their respective Houses as follows:

1. That the House recede from the House Amendments to Committee Substitute for Committee Substitute for Senate Bill 119.
2. That the House and Senate adopt the Conference Committee Amendments to Committee Substitute for Committee Substitute for Senate Bill 119 attached hereto and by reference made a part of this report.
3. That the House and Senate pass Committee Substitute for Committee Substitute for Senate Bill 119, as passed by the Senate, and as amended by said Conference Committee Amendments.
4. That the House adopt the Senate provisions relating to ungovernability, escape and time periods for juvenile proceedings. That the Senate adopt the House provi-

sions relating to dependent children and the treatment of runaways. That the House and Senate compromise on the provisions in each bill relating to the filing of a direct information.

The following statement is submitted in explanation of the effect of the action agreed upon and recommended in this report:

Generally revises chapter 39, Florida Statutes, relating to juveniles by changing nomenclature and separating the chapter into parts relating to general provisions, delinquency cases, and dependency cases.

Edgar M. Dunn, Jr.
Harry A. Johnston, II
Guy Spicola

Samuel P. Bell, III
Elaine Gordon
William J. Risk

Managers on the part of the Senate

Managers on the part of the House of Representatives

Conference Committee Amendment 1—Strike everything after the enacting clause and insert: (Conference Committee Amendment 1 attached to the original bill)

On motion by Senator Dunn, the rules were waived and Conference Committee Amendment 1, because of the volume, was not printed in the Journal.

Conference Committee Amendment 2—A bill to be entitled An act relating to juveniles; generally revises chapter 39, Florida Statutes, and separates it into parts relating to general provisions; delinquency cases, and dependency cases; amending s. 39.01, Florida Statutes, changing definitions; amending ss. 39.02-39.10, 39.11(2)-(4) and (7)-(9), renumbering and amending s. 959.115 as s. 39.111, amending ss. 39.12 and 39.14, and creating ss. 39.031, 39.032, and 39.112, all Florida Statutes; repealing s. 39.11(1), (5) and (6), Florida Statutes, relating to delinquency cases; providing jurisdiction over traffic cases; authorizing the filing of information against certain children; providing for adult criminal judicial jurisdiction over certain children; revising custody, fingerprinting and photographing provisions; providing for judicial determinations of the placement of certain children in jail; providing certain responsibilities upon the intake officer on questions of detention; providing for notice of noncontested delinquency petitions; providing for certain mental evaluations of delinquent children; restricting the sterilization of children; providing rights against rules of procedure in adjudicatory hearings; providing for the consideration of specified criteria prior to transfer of a case to the criminal division; providing for certain availability of predispositional reports; providing dispositions of juvenile traffic cases; providing criteria to be considered prior to the sentencing of a child to an adult detention facility; providing a penalty for escape or attempted escape; creating ss. 39.40-39.412, Florida Statutes, relating to dependency; clarifying procedures for dependency cases; authorizing certain placement of runaways; clarifying the rights of children and their parents; restricting sterilization; providing certain exemption from liability; providing for the confidentiality of additional dependency cases; providing considerations for predispositional studies of dependent children; clarifying provisions severing parental rights; providing for certain mental evaluations of dependent children; amending s. 316.630(1) and (5), Florida Statutes, conforming juvenile traffic offense provisions to the act; amending ss. 959.13, 394.57, and 394.60, Florida Statutes, conforming certain provisions relating to mental evaluations of children to the act; amending s. 959.15(1), Florida Statutes, conforming provisions relating to the detention of escapees to the act; designating the Interstate Compact on Juveniles as Part IV of chapter 39, Florida Statutes; providing an effective date.

On motion by Senator Dunn, the Conference Committee Report was adopted, and CS for CS for SB 119 passed as recommended. The vote on passage was:

Yeas—34

Mr. President
Castor
Childers, Don

Childers, W. D.
Dunn
Firestone

Glisson
Gordon
Gorman

Graham
Hair
Henderson

Johnston
Lewis
McClain
Myers
Peterson
Plante

Poston
Renick
Saylor
Scarborough
Scott
Skinner

Spicola
Thomas, Pat
Tobiassen
Trask
Vogt
Ware

Williamson
Wilson
Winn
Zinkil

Nays—None

The bill was ordered engrossed and then enrolled.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 2044, CS for SB 296 and CS for SB 436 as amended by the Conference Committee Report.

Allen Morris, Clerk

(Conference Committee amendments attached to original bills.)

By direction of the President the following Conference Committee Report was read:

CONFERENCE COMMITTEE REPORT ON HB 2044, CS for SB 296 and CS for SB 436

*The Honorable Lew Brantley
President of the Senate*

*The Honorable Donald L. Tucker
Speaker, House of Representatives*

Dear Sirs:

Your Conference Committee on the disagreeing votes of the two Houses on the Senate amendments to House Bill 2044, same being:

A bill to be entitled An act relating to educational capital outlay; providing an appropriation from the Public Education Capital Outlay and Debt Service Trust Fund for public educational facilities for the 1978-1979 fiscal year; providing for allocations to the 67 school boards, the 28 boards of trustees of the community colleges, the Board of Regents, the Board of Trustees of the Florida School for the Deaf and the Blind, the Board of Trustees of the Palm Beach Community College for construction of community education facilities, the School Board of Marion County for construction of a cooperative-use facility high school, the State Board of Education for evaluation and design of branch campuses, the educational television and radio system, the Division of Blind Services of the Department of Education, and the Department of Offender Rehabilitation for construction of vocational laboratories at correctional institutions; providing an effective date.

having met, and after full and free conference, have agreed to recommend and do recommend to their respective Houses, as follows:

1. That the Senate recede from its Amendments 1 and 2.
2. That the Senate and the House of Representatives adopt the Conference Committee amendments attached hereto, and by reference made a part of this report.
3. That the Committee Substitute for Senate Bill 296 be further amended by the Senate and the House of Representatives adopting the amendments attached hereto, and by reference made a part of this report.
4. That the Committee Substitute for Senate Bill 436 be amended by the Senate and House of Representatives adopting the amendments attached hereto, and by reference made a part of this report.

Philip D. Lewis
W. D. Childers
Jack Gordon
Mattox Hair
Curtis Peterson
Kenneth A. Plante
Guy Spicola
Alan Trask

Edmond M. Fortune
William C. Andrews
Samuel Bell
Elaine Bloom
A. H. Craig
R. Earl Dixon
Clark Maxwell
Herbert F. Morgan

Managers on the part of the Senate

Managers on the part of the House of Representatives

*The Honorable Lew Brantley
President of the Senate*

*The Honorable Donald L. Tucker
Speaker, House of Representatives*

Dear Sirs:

Your Conference Committee on the disagreeing votes of the two Houses on the Senate amendments to House Bill 2044 have met and agreed to a series of recommendations which are contained in the formal Report of the Conference Committee.

Originally, HB 2044 was the House measure providing for the appropriation of Educational Fixed Capital Outlay. The Senate had previously addressed the issues raised in HB 2044 in the General Appropriation Bill, SB 1100. The Senate, therefore, chose to use HB 2044 as a vehicle for addressing several other issues related to educational funding.

Because House Bill 2044 and the Senate amendments thereto addressed a number of issues the substance of which are also addressed in other House and Senate bills, Senator John Ware requested that the Senate conferees be instructed to return three separate reports: one on capital outlay, one on educational alternatives and one on educational funding. Procedurally, the Conference Committee may issue only a single report upon the single bill (HB 2044) which has been assigned to it.

In an effort to comply with the Senator's request, within the bounds of the rules of either house, the accompanying report is proffered.

In explanation of the Report, this letter will set forth the issues upon which differences originally arose, categorized pursuant to Senator Ware's request, and will explain the methods of resolution proposed by your conferees.

CAPITAL OUTLAY

The conferees on the General Appropriations Bill, SB 1100, being the same conferees assigned to resolve the differences between the houses on HB 2044, agreed to incorporate the appropriations for Public Education Fixed Capital Outlay in the General Appropriations Bill.

Two areas of substantive law relating to capital outlay were addressed in the Senate amendments to HB 2044. The substance of these provisions were also contained in Committee Substitute for Senate Bill 436 and House Bill 1313.

Your conferees have agreed upon several issues embodied in CS/SB 436 and HB 1313 and offer two amendments which, if incorporated in CS for SB 436, will resolve the differences between the two houses.

House Bill 1313 amends s. 235.435(3), Florida Statutes, to clarify the intent of the 1977 Legislature that funds allocated to boards in fiscal years prior to 1977-78 may be spent in accordance with the priorities established by Chapter 77-458, Laws of Florida. The substance of HB 1313 may be found incorporated in Proposed Conference Committee Amendment #1 to CS/SB 436, attached hereto, at page 5, lines 6-8.

CS/SB 436, as it appears on the Senate Special Order Calendar, amends s. 235.195(2), Florida Statutes, to allow the state to fund up to two-thirds of the cost of cooperative-use facilities proposed by two or more educational boards (two school boards, or a school board and community college board, or a university and a school board, or some combination thereof) in lieu of the current twenty percent state share. Current law distinguishes between cooperative-use facilities funded by two or more educational boards (s. 235.195(2), F.S.) and those funded by an educational board and some other governmental entity (s. 235.211(2), F.S.) by authorizing only 20% state funding for facilities used by two educational boards, but up to 66.6% when the educational board cooperates with a city or county governmental agency. Your conferees agreed that the extent of state participation in such projects should be uniform, and that the maximum level of state participation should be 50%. Proposed Amendment #1 to CS/SB 436 accomplishes this policy at page 2, lines 15-23 and page 3 lines 20-24.

House Bill 2044, as adopted by the House, provided that the Department of General Services should conduct a survey of the Florida Public Broadcasting System, to recommend the most economical and efficient way to accomplish the Legislature's intent: "To provide the state with a complete and functional educational television network at a reasonable cost to the state."

Your conferees agreed that this statement of intent was sufficiently substantive and long standing to be incorporated in general law, rather than as transitory proviso language in the General Appropriations Act. Consequently, expression of these policies may be found in Proposed Amendment # 1 to CS/SB 436 at page 4, lines 5-19.

Further, your conferees agreed that public broadcasting stations and instructional television and radio facilities should be required to submit their requests for fixed capital outlay appropriations in the same form and manner as other state-supported agencies. Amendments to accomplish such a policy may be found in Proposed Amendment # 1 to CS/SB 436 at page 4, lines 20-27.

EDUCATIONAL ALTERNATIVES

Committee Substitute for Senate Bill 296 authorizes the establishment of educational alternative programs "... to meet the needs of students who are disruptive or unsuccessful in a normal school environment." CS/SB 296, as amended by the House, differs from HB 2044 in two respects:

First, the House amended CS/SB 296 to require that a child's parent or guardian be entitled to an administrative review of placement in an alternative program. The provision in the Senate's amendment to HB 2044 refers only to "parents." Your conferees recommend that no reference be made to guardians, since s. 228.041, Florida Statutes, defines "parent," for purposes of the Florida School Code, as including guardian.

Second, as amended by the House, CS/SB 296 places first priority on the placement of students whose behavior has a disruptive impact on the classroom. As amended by the Senate, HB 2044 places first priority on students who have been referred to a court or juvenile authority or who have been suspended more than once or expelled from school. Your conferees recommend that this language be eliminated, thus allowing priorities to be determined in accordance with local need.

Both HB 2044 and CS/SB 296 repeal the cost category for "socially maladjusted" students, and create a new cost category for "educational alternatives."

EDUCATIONAL FUNDING

Your conferees agreed that the best way to move toward adjusting the weighting system of the Florida Education Finance Program would be to move 25% of the difference between current weight values and the weights determined by the Department of Education's study of actual costs in each program category. Before establishing the weights, Department staff was instructed to recompute the actual cost factors including operating capital outlay, which was originally excluded from the computations. As a result of this recomputation, the proposed weights are very close to the original House position calculated at 20% of the difference between current and actual.

Several categorical programs should be repealed. These include: Educational Leadership Training Act programs, the Driver Education Program, Safe Schools programs, and Profoundly Handicapped.

The Proposed Amendment to HB 2044 increases the amount of the annual allocation which a school district may use for the purchase of instructional materials not included on the state adopted list from the current 25% to 50%. This policy is addressed at page 9, lines 6-12 in Proposed Amendment #1 to HB 2044.

Your conferees agreed that the computation for allocation of instructional materials funds should include those students enrolled in state university laboratory schools as unweighted FTE students for the respective districts in which the lab schools are located. This policy is addressed at page 9, lines 21-25 in Proposed Amendment #1 to HB 2044.

Both the House and Senate agreed that school districts should expend at least 80% of the funds generated by students in each FEF program on the aggregate total school costs of such programs in the following broad program categories: Grades 4 through 9, Grades 10 through 12, Special programs for exceptional students, on an aggregate program basis, Special vocational-technical programs, on an aggregate program basis, and Special adult general education programs on an aggregate program basis. The House position required that expenditures in the Kindergarten through Grade three program be at least 90% of the funds generated by such programs. Your conferees recommend the House position. This policy is addressed by Proposed Amendment #1 to HB 2044, at page 11, lines 22-31 and page 12, lines 1-26.

The House conferees concurred with the Senate position separating the vocational categories into job preparatory and adult supplemental and adjusting these vocational weights correspondingly. This policy was implemented in Amendment #1 to HB 2044 on page 4, lines 15 through 30. Additionally, the House conferees agreed to the Senate position on the vocational programs by areas of study in fiscal year 1979-80 with job preparatory and adult supplemental categories included. The policy implementation may be found in Amendment #1 to HB 2044 on page 5, lines 7 through 26.

Your conferees agreed to include maximum case loads for part-time programs with the provision that the districts may be granted exceptions pursuant to State Board of Education rules. Specific language adopted by the Conference Committee may be found in Amendment #1 to HB 2044 on page 3, lines 7-13.

Your conferees agreed that computation of the district cost differential should be based on a three year average of the Florida Price Level Index as has been provided in the Appropriations Act for the past several years. Section 236.081(2), F.S., is amended to conform to this policy at page 7, lines 15-27 in Proposed Amendment #1 to HB 2044.

The House provided that in any district or multi-district area where a small number of students participate part-time in a visually handicapped program the Department of Education may assign three unweighted FTE's to such a program for funding purposes with a total of 30 FTE's assigned for the program. Your conferees recommend that this policy be adopted through the language found in Proposed Amendment #1 to HB 2044 at page 7, lines 5-14.

Conference Committee Amendment 1 to HB 2044—Strike everything after the enacting clause and insert: Section 1. Paragraphs (c) and (d) of subsection (1), and subsections (2) and (5) of section 236.081, Florida Statutes, are amended to read:

236.081 Funds for current operation of schools.—The annual allocation for the Florida Education Finance Program to each district for current operation of schools shall be determined as follows:

(1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR CURRENT OPERATION.—The following procedure shall be followed in determining the annual allocation to each district for current operation:

(c) Determination of programs.—Cost factors based on desired relative cost differences between the following programs are hereby established. However, the application of cost factors in part-time programs for exceptional students shall be limited to a maximum of twelve twenty-fifths of a student membership in a given program during a week. The criteria for qualification for the special programs, including maximum case loads for part-time programs, shall be determined by regulations of the state board. However, the district may apply to the Department for an exemption to the maximums set above and the Department may grant such exemptions when district size or program dispersal would place an undue burden on the district. Cost factors for special programs for exceptional students shall be used to fund programs, approved by the department, as provided by law for exceptional students under the minimum age for enrollment in kindergarten.

	Cost	Factor
1. Basic programs.		
a. Kindergarten and grades 1, 2, and 3	1.234	1.234
b. Grades 4, 5, 6, 7, 8, and 9	1.00	1.00
c. Grades 10, 11, and 12	1.09	1.10
d. Educational alternatives	2.00	2.00
2. Special programs for exceptional students.—		
a. Educable mentally retarded	2.26	2.30
b. Trainable mentally retarded	2.91	3.00
c. Physically handicapped	3.40	3.50
d. Physical and occupational therapy part-time	6.47	6.00
e. Speech and hearing therapy part-time	9.19	10.00
f. Deaf	3.92	4.00
g. Visually handicapped part-time	10.48	10.00
h. Visually handicapped	3.54	3.50
i. Emotionally disturbed part-time	6.98	7.50
j. Emotionally disturbed	3.59	3.70
k. Socially maladjusted	2.30	2.30
k.l. Specific learning disability part-time	6.68	7.50
l.m. Specific learning disability	2.33	2.30
m.n. Gifted part-time	2.91	3.00
n.o. Hospital and homebound part-time	14.14	15.00
o. Profoundly handicapped	6.50	6.50
3. Special vocational-technical programs -job preparatory.—		
a. Vocational education I	3.76	4.26
b. Vocational education II	2.44	2.64
c. Vocational education III	2.03	2.18
d. Vocational education IV	1.61	1.60
e. Vocational education V	1.44	1.40
f. Vocational education VI	1.06	1.17
4. Special vocational-technical programs-adult supplemental.—		
a. Vocational education I	3.01	3.01
b. Vocational education II	1.95	1.95
c. Vocational education III	1.62	1.62
d. Vocational education IV	1.29	1.29
e. Vocational education V	1.15	1.15
f. Vocational education VI	0.85	0.85
The cost factors in 3. and 4. above are effective for fiscal year 1978-79.		
5. Special adult general education programs.—		
a. Adult basic education and adult high school	1.21	1.28
b. Community service	0.675	0.675
6. Special vocational-technical programs-job preparatory.—		
a. Agriculture	2.76	2.76
b. Office	1.95	1.95
c. Distributive	1.65	1.65
d. Diversified	1.67	1.67

e. Health 2.26
 f. Public Service 1.70
 g. Home Economics 2.10
 h. Technical, trade and industrial 2.64
 i. Exploratory 1.74
 7. Special vocational-technical-adult supplemental.—
 a. Agriculture 2.21
 b. Office 1.56
 c. Distributive 1.32
 d. Health 1.81
 e. Public Service 1.36
 f. Home Economics 1.68
 g. Technical, trade and industrial 2.11

The cost factors in 6. and 7. above are effective for fiscal year 1979-80.

(d) Allocation of full-time equivalents.—The department is authorized and directed to review all district programs in the areas of *educational alternatives*, exceptional student programs, special vocational-technical programs, and special adult general education programs. First priority in the assignment of full-time equivalent student membership shall be based on the request of the districts as submitted and approved by the department. Any unassigned full-time equivalent membership shall be allocated to those districts submitting supplemental requests, with priority to those districts with the lowest incidence of programs to students identified to be in need of such special programs.

1. The assigned weighted full-time equivalent student membership in special programs for exceptional students, *educational alternative programs*, part-time programs, special vocational-technical programs, and special adult general education programs, including adult basic education, and high school, and community service, in any school fiscal year shall not exceed the maximum prescribed in the current year's General Appropriations Act for such programs. The Department of Education is directed to review the method of projecting enrollment and determining incidence in all special programs for exceptional students, special vocational-technical programs, and special adult general education programs and to report, at least 60 days prior to each regular session of the Legislature, a 3-year projected enrollment of full-time equivalent students in these programs.

2. In administering the maximums, the department shall review each district's program and needs with each scheduled student membership survey and may reassign the authorized weighted membership within the maximums provided. In any district in which, after the final assignment, the actual full-time equivalent membership multiplied by the appropriate cost factors exceeds the assigned maximum, such excess full-time equivalent student membership shall be computed at a cost factor of 1.00. ~~Excess full-time equivalent membership in community service programs shall be computed at a cost factor of 0.0.~~

3. *With respect to special programs for the visually handicapped part-time (paragraph (c)(2.g.), upon request of a school board in any district or multi-district area in which there are five or more students receiving an appropriate program, the Department of Education may assign three unweighted full-time equivalent students for the special program until such time as more than three full-time equivalent students are generated. For the purposes of this subparagraph the maximum unweighted full-time equivalent students to be assigned for 1978-79 is 30.*

(2) DETERMINATION OF DISTRICT COST DIFFERENTIALS.—The commissioner shall annually compute for each district the current year's district cost differential. ~~The in computing the district cost differential shall be calculated by adding each district's price level index as published in, the commissioner shall obtain, from the most recent publication of the Florida Price Level Index, prepared by the Department of Administration, for the most recent 3 years and dividing the re-~~

~~sulting sum by 3. The result for each district shall be multiplied each district's price level index and multiply each index by 0.008 and to the resulting product shall be added add 0.200; the sum thus obtained shall be the cost differential for that district for that year. The district cost differentials to be used in calculating the Florida Education Finance Program in any year shall be computed as prescribed herein.~~

(5) CATEGORICAL PROGRAMS.—The Legislature hereby provides for the establishment of selected categorical programs to assist in the development and maintenance of activities giving indirect support to the programs previously funded. These categorical appropriations may be funded as general and transitional categorical programs. It is the intent of the Legislature that no transitional categorical program shall be funded for more than 4 fiscal years from the date of original authorization or from July 1, 1973, whichever is later. Such programs are as follows:

(a) General.—

1. Comprehensive school construction and debt service as provided by law.
2. Community schools as provided by law.
3. ~~Educational leadership training act programs as provided by law.~~
- 3.4. School lunch programs for the needy as provided by law.
- 4.5. Instructional material funds as provided by law.
6. ~~Vocational improvement fund as provided by law.~~
- 5.7. Student transportation as provided by law.
- 6.8. Student development services as provided by law.

(b) Transitional.—

1. Bilingual program as provided by law.
2. ~~Driver education as provided by law.~~
3. Safe schools program as provided by law.
- 2.4. Comprehensive health education as provided by law.
- 3.5. Exceptional child support services as provided by law.
6. ~~Profoundly handicapped as provided by law.~~

Section 2. Subsection (2) of section 233.34, Florida Statutes, is amended to read:

233.34 Use of instructional materials allocation; instructional and instructional-related materials, library, and reference books.—

(2) Each school district shall use the annual allocation for the purchase of instructional materials included on the state adopted list. However, up to 50 ~~25~~ percent of the annual allocation may be used for the purchase of instructional materials, including library and reference books, not included on the state-adopted list and for the repair and renovation of textbooks and library books.

Section 3. Section 236.122, Florida Statutes, is amended to read:

236.122 Allocation for instructional materials.—The department is authorized to allocate and distribute to each district an amount as prescribed annually by the Legislature for instructional materials for student membership in basic and special programs use in grades K-12, exceptional education programs and vocational education programs, which will provide for growth and maintenance needs. *For purposes of this section, unweighted full-time equivalent students enrolled in the laboratory schools in the state university system are to be included as school district students and reported as such to the Department. The annual allocation shall be determined as follows:*

(1) The growth allocation for each school district shall be calculated as follows:

(a) Subtract from that district's projected full-time equivalent membership of students in basic and special programs in grades K-12 used in determining the initial allocation of the appropriation for the Florida Education Finance Program, the

prior year's full-time equivalent membership of students in basic and special programs in grades K-12 for that district.

(b) Multiply any such increase in full-time equivalent student membership by the allocation for average cost of a set of instructional materials, including a proportional amount for freight or transportation charges, as determined by the department, as provided for in the General Appropriations Act.

(c) The amount thus determined shall be that district's initial allocation for growth for the school year. However, the department shall recompute and adjust the initial allocation based on actual full-time equivalent student membership data for that year.

The amount thus determined shall be that district's total allocation for growth for the school year.

(2) The maintenance of the instructional materials allocation for each school district shall be calculated by multiplying each district's prior year full-time equivalent membership of students in basic and special programs in grades K-12 by 20 percent of the allocation for maintenance average cost of a set of instructional materials as provided for in the General Appropriations Act as determined in subsection (1). The amount thus determined shall be that district's initial total allocation for maintenance for the school year. However, the department shall recompute and adjust the initial allocation based on such actual full-time equivalent student membership data for that year.

(3) In the event the funds appropriated are not sufficient for the purpose of implementing this section in full, the department shall prorate the funds available for instructional materials after first funding in full each district's growth allocation.

Section 4. Paragraph (c) of subsection (2) of section 229.565, Florida Statutes, is amended to read:

229.565 Educational evaluation procedures.—

(2) EDUCATION EVALUATION.—The Commissioner of Education shall periodically examine and evaluate procedures, records, and programs in each district to determine compliance with law and rules established by the state board. Such evaluations shall include, but not be limited to:

(c) The procedures for identification and placement of students in educational alternative programs for students who are disruptive or unsuccessful in a normal school environment and for diagnosis and placement of students in special programs for exceptional students, to determine that the district is following the criteria for placement established by rules of the state board and the procedures for placement established by that district school board.

Section 5. Paragraph (a) of subsection (3) of section 237.34, Florida Statutes, is amended to read:

(Substantial rewording of subsection. See s. 237.34(3)(a), F.S., for present text.)

237.34 Cost accounting and reporting.—

(3) PROGRAM EXPENDITURE REQUIREMENTS.—

(a) For each program and broad program category established in paragraph 236.081(1)(c), each district shall expend at least 80% of the funds generated by each of the programs listed herein on the aggregate total school costs for such programs; except that in kindergarten and grades 1, 2, and 3, 90% of the funds generated must be spent on the aggregate total school costs for such programs:

1. Kindergarten and grades 1, 2, and 3;
2. Grades 4, 5, 6, 7, 8, and 9;
3. Grades 10, 11, and 12;
4. Educational alternatives;
5. Special programs for exceptional students, on an aggregate program basis;
6. Special vocational-technical programs, on an aggregate program basis;

7. Special adult general education programs, on an aggregate program basis.

(b) Funds for inservice training established in subsection 236.081(4) and for categorical programs established in subsection 236.081(5) shall be expended for the costs of the identified programs in accordance with the rules of the state board.

(c) In the event a district fails to meet any of the expenditure requirements as set forth herein, the commissioner shall notify the superintendent of the district involved and shall require that the school board make provision for correcting the deficiency in the subsequent year's operating budget. The commissioner shall not approve the district budget until he has determined that the provisions have been made to correct the deficiency.

Section 6. Sections 229.542, 229.543, 229.545, and 232.255 and paragraph (n) of subsection (4) of section 230.23, Florida Statutes, are hereby repealed.

Section 7. This act shall take effect July 1, 1978.

Conference Committee Amendment 2 to HB 2044—Strike the title and insert: A bill to be entitled An act relating to educational funding; amending s. 236.081(1)(c) and (d), (2) and (5), Florida Statutes, changing the cost factors for educational programs under the Florida Education Finance Program; providing for maximum case loads for part-time programs with exceptions; adding a cost factor for educational alternative programs; adding a cost factor for profoundly handicapped programs; providing for vocational education cost factors to be divided into two general areas for fiscal year 1978-79; providing for a restructuring of the vocational education cost factors beginning in fiscal year 1979-80; providing for assignment of unweighted full-time equivalent students for special programs for the visually handicapped part-time under certain circumstances; revising the method for computing the district cost differential used in the Florida Education Finance Program; deleting certain categorical programs; amending s. 233.34(2), Florida Statutes, permitting up to 50 percent of the instructional materials allocation to be used for the purchase of instructional materials not on the state-adopted list; amending s. 236.122, Florida Statutes, providing for recomputation of the annual allocation to each district and laboratory schools for instructional materials based on actual student membership; amending s. 229.565(2)(c), Florida Statutes, relating to identification and placement of disruptive or unsuccessful students in educational alternative programs; amending s. 237.34(3)(a), Florida Statutes, requiring each school district to expend 90 percent of the funds generated by kindergarten and grades 1, 2, and 3 for such programs and to expend 80% of the funds generated by the other broad program categories for those programs; repealing ss. 229.542, 229.543, 229.545, 230.23(4)(n), and 232.255, Florida Statutes, relating to district programs for educational leadership training, establishment of programs for exceptional children, and safety of the school environment from vandalism and disruption; providing an effective date.

On motion by Senator Peterson the Conference Committee Report was adopted, and HB 2044 passed as recommended and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—37

Mr. President	Gorman	Peterson	Trask
Barron	Graham	Poston	Vogt
Castor	Hair	Renick	Ware
Chamberlin	Henderson	Scarborough	Williamson
Childers, Don	Holloway	Scott	Wilson
Childers, W. D.	Johnston	Skinner	Winn
Firestone	Lewis	Spicola	Zinkil
Gallen	MacKay	Thomas, Jon	
Glisson	McClain	Thomas, Pat	
Gordon	Myers	Tobiassen	

Nays—None

By the Committee on Appropriations and Senators Castor and Peterson—

CS for SB 296—A bill to be entitled An act relating to the establishment and funding of school district programs; creating s. 230.2315, Florida Statutes; providing for educational

alternative programs for students who are disruptive or unsuccessful in a normal school environment; providing legislative intent; providing definitions; amending ss. 230.081(1)(c), (d), (5), 229.565(2)(c), Florida Statutes; providing for annual funding of district school programs; providing for periodic evaluation of district student selection procedures for educational alternative programs; amending s. 237.34(3)(a), Florida Statutes, providing for program expenditure requirements; repealing ss. 229.542, 229.543, 229.545, 230.23(4)(n), 232.255, Florida Statutes, relating to district programs for educational leadership training, exceptional children, and safety of the school environment from vandalism and disruption; providing an effective date.

Conference Committee Amendment 1 to CS for SB 296—Strike everything after the enacting clause and insert: Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 230.2315, Florida Statutes, is created to read:

230.2315 Educational alternative programs.—

(1) **LEGISLATIVE INTENT.**—The Legislature finds and declares that the maintenance of a healthy learning environment is essential to the educational process and the general welfare of the school population. The Legislature further finds that traditional school programs which do not meet certain students' individual needs and interests may encourage these students to become disruptive or disinterested in school. Therefore, it is the intent of this act that educational alternative programs be established throughout the state which programs will assist students in preparing for their roles in the community; reduce the incidence of disruptive behavior and truancy in the public schools; reduce the number of students referred to special services or agencies; and, generally, offer alternatives to conventional education which will meet the needs and interests of those students now poorly served by the public school system. It is further the intent of the Legislature that such alternatives be positive rather than punitive and emphasize each student's abilities in order to ensure the full realization of the potential of such student.

(2) **DEFINITIONS.**—Educational alternative programs are programs designated to meet the needs of students who are disruptive or unsuccessful in a normal school environment. Such programs shall be in one or more of the following forms:

(a) Learning centers which specialize in subject areas such as occupational skills, communication, and the performing arts and which students may attend on either a full-time or part-time basis.

(b) Crisis intervention centers and in-school suspension programs which provide a temporary intervention program for students who experience difficulty in the normal classroom environment because of behavioral problems and for whom teachers are unable to provide an appropriate educational program.

(c) Any other alternative to suspension or expulsion approved by the district school board.

(3) **ADMINISTRATION.**—Each district school board may establish one or more educational alternative programs. The programs shall be coordinated with social service, law enforcement, prosecutorial, and juvenile justice agencies in the school district. These agencies are authorized to exchange information contained in student records, criminal justice records, and juvenile justice records. School districts and other agencies receiving such information shall use the information only for official purposes connected with the certification of students for admission to and for the administration of the educational alternative programs, and such agencies shall maintain the confidentiality of such information unless otherwise provided by law or regulation.

(4) **ELIGIBILITY OF STUDENTS.**—Pursuant to rules adopted by the State Board of Education, a student may be eligible for an educational alternative program if the student is disruptive, unsuccessful, or disinterested in the regular school environment as determined by grades, achievement test scores, referrals for suspension or other disciplinary action, and rate of absences.

(5) **REVIEW OF PLACEMENT.**—The parents or guardians of a student shall be entitled to an administrative review of any action by school district personnel relating to placement of the student in an alternative program, pursuant to the provisions of

chapter 120. The placement of any student in an educational alternative program shall be reevaluated by the district upon completion by the student of a court adjudicated detention or punishment.

Section 2. This act shall take effect July 1, 1978.

Conference Committee Amendment 2 to CS for SB 296—Strike the title and insert: A bill to be entitled An act relating to education; creating s. 230.2315, Florida Statutes; authorizing educational alternative programs; providing legislative intent; providing definitions; providing for administration of said programs; providing for eligibility of students and review of said students' placement; providing an effective date.

The Conference Committee Report was read and on motion by Senator Peterson, pursuant to the provisions of the Conference Committee Report on HB 2044, was adopted. CS for SB 296 passed as recommended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gorman	Peterson	Trask
Barron	Graham	Poston	Vogt
Castor	Hair	Renick	Ware
Chamberlin	Henderson	Saylor	Williamson
Childers, Don	Holloway	Scarborough	Wilson
Childers, W. D.	Johnston	Scott	Winn
Firestone	Lewis	Skinner	Zinkil
Gallen	MacKay	Spicola	
Glisson	McClain	Thomas, Jon	
Gordon	Myers	Tobiasen	

Nays—None

The bill was ordered engrossed and then enrolled.

By the Committee on Appropriations and Senator MacKay—

CS for SB 436—A bill to be entitled An act relating to cooperatively developed educational facilities; amending s. 235.195 (2), Florida Statutes; changing the limitation on the amount of state participation in each approved project; requiring that each project be specifically authorized in the General Appropriations Act; requiring that the participating boards commit funds for one-third of the project cost; providing that the cooperating boards shall provide a site for such facility; providing an effective date.

Conference Committee Amendment 1 to CS for SB 436—Strike everything after the enacting clause and insert: Section 1. Subsection (2) of section 235.195, Florida Statutes, is amended to read:

235.195 Cooperative development and use of facilities by two or more boards.—

(2) The commissioner shall cause the requested educational plant survey to be conducted within 90 days after receiving the joint resolution and substantiating data and shall evaluate the findings of the survey in terms of the benefits to be obtained, the programs to be offered, and the estimated cost of the proposed plant. The commissioner shall then present his evaluation of the request to the State Board of Education and, if his evaluation is in favor of the project, shall request the approval of the state board for the project. Upon approval of the project by the state board, the commissioner shall include each approved project in the annual comprehensive budget for educational facilities, including an estimated cost for completing each project not to exceed 50 percent of the cost of the project after the participating boards have made the necessary commitment to finance the remaining one-half. Public Education Capital Outlay and Debt Service Trust Funds may not be expended on any project unless specifically authorized by the Legislature in the General Appropriations Act allocate the funds from the trust fund necessary to construct the approved facility, not to exceed 20 percent of the total cost of the project; however, the participating boards shall, through cooperative efforts, provide the State Board of Education with the site for such facility.

Section 2. Paragraph (a) of subsection (2) of section 235.211, Florida Statutes, is amended to read:

235.211 Educational facilities design and construction techniques.—

(2) COMMUNITY EDUCATIONAL FACILITIES.—

(a) Each school district, community college, or state university may submit a request to the commissioner for funds from the trust fund to construct community educational facilities. Such request shall contain the following provisions:

1. A detailed statement of the facilities to be constructed. Such statement shall include an analysis of the relationship of educational and community use of the facility.

2. The estimated number of students and community residents who are to utilize the facility.

3. The estimated cost of the facility.

4. A resolution or other appropriate indication of intent to participate in the funding and utilization of the facility from a noneducational governmental agency, including community, public, and educational broadcasting stations. Such indication shall include a commitment by such governmental agency to provide at least one-half ~~one-third~~ of the cost of the facility. *Public Education Capital Outlay and Debt Service Trust Fund may not be expended on any project unless specifically authorized by the Legislature in the General Appropriations Act.*

Section 3. Section 235.40, Florida Statutes, is amended to read:

235.40 Radio and television facilities.—

(1) The school boards or boards of trustees may acquire, by purchase, permanent easement, or gift, suitable lands and other facilities, either within or without the boundaries of the district, for use in providing educational radio or television transmitting sites and may erect such buildings, antennas, transmission equipment, towers, or other structures as are necessary to accomplish the purposes of this section.

(2) *The Department of General Services shall conduct a study of the Florida Public Broadcasting System's existing facilities, make recommendations for new public and instructional television and radio stations with approximate costs, and make recommendations for repairs, renovation, replacement of equipment, and similar needs, for existing public and instructional television and radio stations. The Department of General Services shall submit a report to the Legislature on or before March 15, 1979. It is the intent of the Legislature to provide the state with a complete and functional public and instructional television and radio network at a reasonable cost to the state. This study shall recommend an orderly growth for Florida's existing public and instructional television and radio network and provide reasonable cost data for any additions or remodeling.*

(3) *Fixed capital outlay budget requests for public broadcasting stations and instructional television and radio facilities shall be submitted to the Department of Administration and the Commissioner of Education in the form prescribed by s. 216.043 and shall be submitted as specified in s. 216.023. The commissioner may include any recommendations for these purposes in the legislative budget request for fixed capital outlay.*

Section 4. Subsection (3) of section 235.435, Florida Statutes, is amended to read:

235.435 Funds for comprehensive educational plant construction and debt service.—The annual allocation from the Public Education Capital and Debt Service Trust Fund to each board, including the Board of Regents, for comprehensive construction and debt service shall be determined as follows:

(3) Funds accruing to a board from the provisions of this section shall be expended on needed projects as shown by a survey or surveys under rules of the state board. *Funds allocated to each board in fiscal years prior to 1977-1978 may be spent on projects as defined in this subsection. The priority of expenditure by boards shall be as follows:*

(a) Classrooms, special instructional facilities, and remodeling necessary to provide needed student stations at either a new or existing center, as determined by the board, based on student population projections and the educational plant survey; sites or additions to sites and site improvement, incident to new construction or to make a site addition usable; restoration and correction as required by s. 235.06 of deficiencies which produce an unsafe, unhealthy, or unsanitary environment for occupants of educational facilities, except that, based upon the need as determined by the commissioner in the formula

calculations, up to one-tenth of a board's annual allocation shall be expended on restoration and correction of such deficiencies. Pursuant to rules of the state board, the office shall determine what percentage of a board's total capital outlay need is generated by needed remodeling of existing facilities. The office is directed to develop a facility depreciation formula for adoption by the state board. In addition, a board may repay the principal on loans for capital projects as provided in section 237.161.

(b) Special instructional and auxiliary facilities needed to improve the program at an educational plant, but not necessary to increase the student stations; remodeling of existing buildings which would substantially improve the utility of the space; replacing, remodeling, or adding to the existing heating, cooling, lighting, and sanitary facilities at an educational plant. Any facilities described above shall qualify as first priority when constructed as a part of a new educational center or as an addition to an existing educational center, if more than one-half of the facility to be constructed is designated as first priority. When an existing educational plant is determined to be unsuitable pursuant to the survey conducted under s. 235.15, the board may, by resolution, designate the plant as an historic education facility and may use funds generated for renovation and repair pursuant to paragraph (a) to restore the facility for use by the board. The board shall agree to pay all renovation costs in excess of funds generated through the State Board of Education depreciation formula applied to that facility. The board shall further agree that the plant shall continue to house students.

(c) Energy projects, including studies of the energy efficiency of existing facilities and renovations designed to increase the energy efficiency of existing facilities.

(d) Library books and equipment.

(e) All other formula-generated projects.

(f) All nonformula-generated projects; however, any funds earmarked for a board for nonformula-generated items shall be deducted from that board's entitlement for formula-generated items calculated pursuant to this section.

(g) Debt service for district bonds serviced by voted ad valorem taxes.

Section 5. This act shall take effect July 1, 1978.

Conference Committee Amendment 2 to CS for SB 436—Strike the title and insert: A bill to be entitled An act relating to educational capital outlay; amending s. 235.195(2), Florida Statutes, relating to cooperative development and use of facilities by two or more boards; changing the limitation on the amount of state participation in each approved project; requiring that each project be specifically authorized in the General Appropriations Act; requiring that the participating boards commit funds for one-half of the project cost; providing that the cooperating boards shall provide a site for such facility; amending s. 235.211(2)(a), Florida Statutes; requiring non-educational governmental agencies to provide one-half of the cost of community educational facilities; amending s. 235.40, Florida Statutes; providing for a study of the Florida Public Broadcasting System by the Department of General Services; providing for budget documents for public broadcasting stations and instructional television and radio facilities; amending s. 235.435(3), Florida Statutes, to specify that funds allocated from the Public Education Capital Outlay and Debt Service Trust Fund to certain boards in fiscal years prior to 1977-1978 may be spent on needed projects as defined in said subsection; providing an effective date.

The Conference Committee Report was read and on motion by Senator Peterson, pursuant to the provisions of the Conference Committee Report on HB 2044, was adopted. CS for SB 436 passed as recommended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—37

Mr. President	Firestone	Hair	McClain
Barron	Gallen	Henderson	Myers
Castor	Glisson	Holloway	Peterson
Chamberlin	Gordon	Johnston	Renick
Childers, Don	Gorman	Lewis	Saylor
Childers, W. D.	Graham	MacKay	Scarborough

Scott	Thomas, Pat	Ware	Winn
Skinner	Tobiassen	Williamson	Zinkil
Spicola	Trask	Wilson	
Thomas, Jon	Vogt		

Nays—None

The bill was ordered engrossed and then enrolled.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has recalled from the Senate, reconsidered passage and vote by which Conference Committee Report was accepted, and accepted Conference Committee Report as an entirety, and passed HB 936 as amended by the Conference Committee Report.

By the Committee on Corrections, Probation & Parole—

HB 936—A bill to be entitled An act relating to parole; providing legislative intent; creating ss. 947.001 and 947.003, Florida Statutes; creating the "Parole Release Reform Act of 1978"; providing definitions; amending ss. 947.01(2), 947.02(2), 947.04, and 947.06, Florida Statutes, relating to the Parole and Probation Commission, to modify provisions with respect to the role of the Secretary of Offender Rehabilitation, the filling of vacancies, general organization, and procedure thereon; creating s. 947.095, Florida Statutes, providing for hearing examiner panels; amending s. 947.13(1)(a), Florida Statutes, and adding a paragraph to subsection (2) of said section, and amending s. 947.16(1) and (3), Florida Statutes, and adding a new subsection thereto, relating to powers and duties of the commission, to provide for initial hearings and for establishment of presumptive release dates; amending s. 947.135(4)(a), Florida Statutes, providing for the continuation of the mutual participation program; creating s. 947.165, Florida Statutes, providing for development and implementation of objective parole guidelines; repealing s. 947.17, Florida Statutes, relating to procedure of commission; creating ss. 947.172, 947.173, and 947.174, Florida Statutes, providing commission procedure for hearing and review of presumptive release dates and for establishment of effective release dates; amending ss. 947.175(1), 947.19, 947.20, and 947.23(1), Florida Statutes, modifying provisions relative to notice requirements, terms and conditions of parole, violation of parole, and revocation of parole, to conform to the act; providing an effective date.

Allen Morris, Clerk

By direction of the President the following Conference Committee Report was read:

CONFERENCE COMMITTEE REPORT ON HB 936

*The Honorable Lew Brantley
President of the Senate*

*The Honorable Donald L. Tucker
Speaker of the House of Representatives*

Sirs:

Your Conference Committee on the disagreeing votes of the two Houses on Senate amendments to House Bill 936, same being:

A bill to be entitled an act relating to parole; providing legislative intent; creating ss. 947.001 and 947.003, Florida Statutes; creating the "Parole Release Reform Act of 1978"; providing definitions; amending ss. 947.01(2), 947.02(2), 947.04, and 947.06, Florida Statutes, relating to the Parole and Probation Commission, to modify provisions with respect to the role of the Secretary of Offender Rehabilitation, the filling of vacancies, general organization, procedure thereon; creating s. 947.095, Florida Statutes, providing for hearing examiner panels; amending s. 947.13(1)(a), Florida Statutes, and adding a paragraph to subsection (2) of said section, and amending s. 947.16(1) and (3), Florida Statutes, and adding a new subsection thereto, relating to powers and duties of the commission, to provide for initial hearings and for establishment of presumptive release dates; amending s. 947.135(4)(a), Florida Statutes, providing for the continuation of the mutual participation program; creating s. 947.165, Florida Statutes, providing for development and implementation of objective parole guidelines; repealing s. 947.17, Florida

Statutes, relating to procedure of commission; creating ss. 947.172, 947.173, and 947.174, Florida Statutes, providing commission procedure for hearing and review of presumptive release dates and for establishment of effective release dates; amending ss. 947.175(1), 947.19, 947.20, and 947.23(1), Florida Statutes, modifying provisions relative to notice requirements, terms and conditions of parole, violation of parole, and revocation of parole, to conform to the act; providing an effective date.

having met, and after full and free conference, have agreed to recommend, and do recommend to their respective Houses as follows:

1. That the Senate recede from its amendments 1 and 2.
2. That the Senate and House of Representatives adopt the Conference Committee amendments attached hereto; and by reference made a part of this report.
3. That the Senate and the House of Representatives pass House Bill 936 as amended by said Conference Committee amendments.

*Pat Thomas, Chairman
W. D. Childers
James A. Scott*

*Don F. Hazelton, Chairman
Arnett E. Girardeau
Tom Woodruff*

(Managers on the part of the Senate) (Managers on the part of the House)

Conference Committee Amendment 1—Pages 2-13—strike everything after the enacting clause and insert: Section 1. Intent.—

(1) The present system lacks objective criteria for paroling and, thus, is subject to allegations of arbitrary and capricious release and, therefore, potential abuses. It is the intent of this act to establish an objective means for determining and establishing parole dates for inmates.

(2) Objective parole criteria will be designed to give primary weight to the seriousness of the offender's present criminal offense and his past criminal record. In considering the risk of recidivism, practice has shown that the best predictor is prior record.

(3) The functional reorganization of the commission shall begin on July 1, 1978. However, full implementation of objective parole guidelines shall be delayed until January 1, 1979, to provide sufficient time for integration of the full intent of this act.

(4) The chairman shall be the agency head. While the commission is responsible for making decisions on the granting and revoking of parole, the chairman shall establish, execute and be held accountable for all administrative policy decisions. The routine administrative decisions are the full responsibility of the chairman.

(5) Hearing examiners panels are assigned on the basis of caseload needs as determined by the chairman.

Section 2. Section 947.001, Florida Statutes, is created to read:

947.001 Short title.—This chapter shall be known and may be cited as the "Objective Parole Guidelines Act of 1978".

Section 3. Section 947.005, Florida Statutes, is created to read:

947.005 Definitions.—As used in this chapter, unless the context clearly indicates otherwise:

- (1) "Commission" means the Parole and Probation Commission.
- (2) "Department" means the Department of Offender Rehabilitation.
- (3) "Secretary" means the Secretary of Offender Rehabilitation.
- (4) "Hearing examiner panel" means a panel consisting of two hearing examiners.
- (5) "Presumptive parole release date" means the tentative parole release date as determined by objective parole guidelines.

(6) "Effective parole release date" means the actual parole release date as determined by the presumptive parole release date, satisfactory institutional conduct, and an acceptable parole plan.

Section 4. Subsection (2) of section 947.01, Florida Statutes, is amended to read:

947.01 Creation of Parole and Probation Commission; number and qualifications of its members—A Parole and Probation Commission is created to consist of eight citizens who are residents of the state. The members of the commission shall include:

(2) One member who shall be the Secretary of Offender Rehabilitation. The secretary shall participate in the policy-making decisions of the commission, including the development and review of objective parole guidelines, but ~~only~~ shall not participate in decisions on the granting and revocation of parole. The secretary shall be ineligible for appointment as chairman, shall receive no compensation for his services on the commission, and shall not be required to attend any minimum number of meetings.

Section 5. Subsection (2) of section 947.02, Florida Statutes, is amended to read:

947.02 Commission; appointment.—

(2) Whenever a vacancy occurs in the membership of the commission by reason of the expiration of a member's term, ~~the Governor and Cabinet may, in their discretion reappoint the incumbent member to the commission; the Parole and Probation Commission Qualifications Committee shall evaluate the incumbent member and shall recommend to the Governor and Cabinet one of the following:~~

(a) *That the incumbent member be reappointed without examination of new applicants;*

(b) *That the incumbent be considered with other eligible persons in accordance with the selection process; or*

(c) *That upon finding reasonable and sufficient cause the incumbent not be reappointed to the commission.*

Section 6. Section 947.04, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 947.04, Florida Statutes, for present text.)

947.04 Organization of commission; officers; offices.—

(1) Upon the effective date of this act, the members of the commission shall meet and select from their number a chairman who shall serve for a period of 2 years and until a successor is elected and qualified. The chairman shall not succeed himself. The chairman, as chief administrative officer of the commission, shall have the authority and responsibility to plan, direct, coordinate, and execute the powers, duties, and responsibilities assigned to the commission, including the dissemination of information relating to parole, except those of granting and revoking parole as provided for in this chapter. The chairman shall establish, execute, and be held accountable for all administrative policy decisions. However, parole grant and revocation decisions shall be made in accordance with the provisions of sections 947.172, 947.174, and 947.23, Florida Statutes. The commissioners shall be directly accountable to the chairman in the execution of their duties as commissioners and the chairman shall have authority to take necessary disciplinary action and to recommend to the Governor suspension of a commissioner who fails to perform the duties as provided for by statute.

(2) Notwithstanding the provisions of s. 20.05(7) the chairman shall appoint administrators with responsibility for the management of commission activities in the following functional areas:

- a) parole grant and work release
- b) parole revocation
- c) clemency
- d) administrative services.

(3) The commissioners shall select from their number a secretary who shall serve for a period of 1 year or until a successor is elected and qualified.

(4) The commission may establish and maintain offices in centrally and conveniently located places in Florida. Headquarters shall be located in Tallahassee for the transaction of business. The commission shall keep its official records and papers at the headquarters, which it shall furnish and equip.

(5) Acts and decisions of the chairman may be modified as provided in s. 947.06.

Section 7. Section 947.06, Florida Statutes, is amended to read:

947.06 Meeting; when commission may act.—The commission shall meet at the call of the chairman and from time to time as may otherwise be determined by the chairman. *The formulation and approval of the legislative budget request, the making of recommendations to the Governor and Cabinet in matters of executive clemency and modifications of acts and decisions of the chairman as provided in ss. 947.04(1) shall be by a majority vote of the commission. A majority of the commission shall constitute a quorum for the transaction of all business.* No prisoner shall be placed on parole except as provided in ss. 947.172 and 947.174 by a vote of a majority of the commission in a meeting to which the public shall have the right to be present. Persons not members or employees of the commission may participate in deliberations concerning the granting and revoking of paroles only upon the prior written approval of the chairman of the commission.

Section 8. Section 947.095, Florida Statutes, is created to read:

947.095 Hearing examiner panels; organization and authority.—Hearing examiner panels shall consist of two hearing examiners assigned on the basis of caseload needs as determined by the chairman.

(1) The hearing examiner panels shall have the authority to conduct hearings and make recommendations with respect to presumptive and effective parole release dates.

(2) Hearing examiner panels shall function in panels of two members each, and the concurrence of the two examiners shall be required for their recommendation as provided for in s. 947.172.

Section 9. Paragraph (a) of subsection (1) of section 947.13, Florida Statutes, is amended to read:

947.13 Powers and duties of commission.—

(1) The commission shall have the powers and perform the duties of:

(a) Determining what persons shall be placed on parole, subject to the provisions of s. 947.172 and s. 947.174.

Section 10. Paragraph (a) of subsection (4) of section 947.135, Florida Statutes, is amended to read:

947.135 *Mutual participation program* ~~Programmed parole-pilot program.~~

(4) ~~MUTUAL PARTICIPATION PILOT PROGRAM: DEVELOPMENT; CRITERIA; DEPARTMENT AND COMMISSION RULES.—~~

(a) The department and the commission shall jointly develop ~~a 2 year pilot program establishing~~ a mutual participation program which sets forth for each eligible offender the terms of his institutional confinement, a parole date, and terms of parole supervision and release, provided each offender meets the criteria set forth in this act and any additional criteria established by the department and the commission.

1. The department and the commission, as a portion of the mutual participation program, shall require that each eligible offender satisfactorily participate in a correctional work program pursuant to s. 945.06, and only through satisfactory completion of this phase of the program shall an offender become eligible to progress to a less restrictive program.

2. Additional criteria shall be established and required by the commission and the department for participation in the program, including, but not limited to, vocational counseling and work release programs; however, criteria for satisfactory participation in the program shall not include academic classroom instruction at the college level.

3. The commission shall establish a parole date for each eligible offender, based on the satisfactory completion of the pro-

gram. In no case shall such date fall after the date which would have been established under s. 947.172.

Section 11. Section 947.16, Florida Statutes, is amended to read:

947.16 Eligibility for parole; powers and duties of commission.—

(1) Every person who has been, or who may hereafter be, convicted of a felony or who has been convicted of one or more misdemeanors and whose sentence or cumulative sentences total 12 months or more, who is confined in execution of the judgment of the court, and whose record during confinement is good, shall, unless otherwise provided by law, be eligible for consideration by the commission for parole. An inmate who has been sentenced for an indeterminate term or a term of 5 years or less shall have an initial interview conducted by a member of the commission or its representative hearing examiner panel within 6 months after the initial date of confinement in execution of the judgment. An inmate who has been sentenced for a minimum term in excess of 5 years shall have an initial interview conducted by a member of the commission or its representative hearing examiner panel within 1 year after the initial date of confinement in execution of the judgment. An inmate convicted of a capital crime shall be interviewed at the discretion of the commission. As used in this subsection, the term "confined" shall be deemed to include presence in any appropriate treatment facility, public or private, by virtue of transfer from the Department of Offender Rehabilitation under any applicable law.

(2) An initial hearing may be postponed for a period not to exceed 60 days. Such postponement shall be for good cause, and the reasons therefor shall be noted in writing and included in the official record. However, in no case shall such postponement result in a hearing being conducted any time later than 1 year after the initial date the inmate is confined in execution of the judgment of the court. Notwithstanding the provisions of this subsection, an initial interview may be deferred for an inmate who is out to court or transferred to the Department of Health and Rehabilitative Services for psychological or psychiatric treatment or observation. If an inmate is returned to the department within 1 year of the date of confinement in execution of the judgment, the provisions of s. 947.16(1) shall apply. In all other cases an initial interview shall be conducted within 3 months of the date the inmate returned to the department.

(3)(2) Persons who have become eligible for parole and who may according to the objective parole guidelines in the discretion of the commission be granted parole shall be placed on parole in accordance with the provisions of this law.

(4)(3) Within 45 days after any interview for parole, the inmate shall be advised of the presumptive parole release date decision of the commission. Subsequent to the establishment of the presumptive parole release date, the commission may, at its discretion, review the official record or conduct additional interviews with the inmate initial interview, the inmate shall be interviewed for parole at periodic intervals not less often than annually. However, the presumptive parole release date shall not be changed except for reasons of institutional conduct or the acquisition of new information not available at the time of the initial interview.

Section 12. Section 947.165, Florida Statutes, is created to read:

947.165 Objective parole guidelines.—

(1) The commission shall develop and implement objective parole guidelines which shall be the criteria upon which parole decisions are made. Such guidelines shall be established by rule, and promulgated pursuant to chapter 120, before January 1, 1979. The objective parole guidelines shall be developed according to an acceptable research method and shall be based on the seriousness of offense and the likelihood of favorable parole outcome.

(2) The commission shall review the objective parole guidelines by July 1, 1979, and make any revisions considered necessary by virtue of experience. Thereafter, such review and necessary revision shall be conducted no less than on an annual basis. The commission shall be responsible for notifying the department of the statistical information necessary for program review and monitoring by the commission, and the department shall consider such request on a priority basis.

Section 13. Section 947.172, Florida Statutes, is created to read:

947.172 Establishment of presumptive parole release date.—

(1) The hearing examiner panel shall conduct an initial hearing in accordance with the provisions of s. 947.16(1). This hearing shall include introduction and explanation of the objective parole guidelines as it relates to presumptive and effective parole release dates and discussion relative to the inmate's institutional conduct record.

(2) Based on the objective parole guidelines and any other competent evidence relevant to aggravating and mitigating circumstances, the hearing examiner panel shall, within 10 days after the interview, recommend in writing a presumptive parole release date for the inmate. If the presumptive parole release date falls outside the objective parole guidelines, the hearing examiner panel shall include a statement in writing as to the reasons for the decision, specifying individual particularities, with the recommendation. Within 45 days from the date of the initial interview, the inmate shall be notified in writing of the decision as to the inmate's presumptive parole release date.

(3) A presumptive parole release date shall become binding on the commission when agreement on a presumptive parole release date is reached. Should the presumptive parole release date fall outside the objective parole guidelines, the reasons for this decision shall be stated in writing with individual particularities.

Section 14. Section 947.173, Florida Statutes, is created to read:

947.173 Review of the presumptive parole release date.—

(1) An inmate may request review of his presumptive parole release date by the commission if the inmate shows cause in writing, with individual particularities, within 60 days after the date of decision on the presumptive parole release date.

(2) The commission shall review the inmate's request for review and shall notify the inmate in writing of its decision within 60 days after the date of receipt by the commission.

(3) The commission may affirm or modify the authorized presumptive parole release date. However, in the event of a decision to modify the presumptive parole release date, in no case shall this modified date be after the date established under the procedures of s. 947.172. It is the intent of this legislation that, once set, presumptive parole release dates be modified only for good cause in exceptional circumstances.

Section 15. Section 947.174, Florida Statutes, is created to read:

947.174 Subsequent hearings; establishment of effective parole release dates.—

(1) For any inmate whose presumptive parole release date falls more than 2 years after the date of the initial hearing date, a hearing examiner panel shall schedule a hearing for review of the presumptive parole release date. Such hearing shall take place within 2 years after the initial hearing and every 2 years thereafter. Such hearings shall be limited to determining whether or not information has been gathered which might affect the presumptive parole release date.

(2) The Commission, for good cause, may at any time request that a hearing examiner panel conduct a subsequent hearing according to the procedures outlined in this section. Such request shall specify in writing the reasons for such review.

(3) The department shall, within a reasonable amount of time, make available and bring to the attention of the commission such information as is deemed important to the review of the presumptive parole release date, including but not limited to, current progress reports, psychological reports, and disciplinary reports.

(4) The department may recommend that an inmate be placed in a work release program prior to the last 18 months of his confinement before the presumptive parole release date. If the hearing examiner panel recommends placement in a work release program and the commission does not deny the recommendation within 30 days of the receipt of the hearing examiner panel's recommendation, the inmate may be placed in such a program, and the department shall advise the commission of the fact prior to such placement.

(5) For purposes of this section, the commission shall develop and make available to all inmates guidelines which shall:

(a) Define what shall constitute an unsatisfactory institutional record. In developing such guidelines, the commission shall consult with the department.

(b) Define what constitutes a satisfactory release plan.

(6) Provided that the inmate's institutional conduct has been satisfactory, the presumptive parole release date shall become the effective parole release date as follows:

(a) Sixty days prior to the presumptive parole release date a hearing examiner panel shall conduct a final interview with the inmate in order to establish an effective parole release date. If it is determined that the inmate's institutional conduct has been unsatisfactory, a statement to this effect shall be made in writing with particularity and forwarded to the commission. Within 14 days the commission shall determine whether or not to authorize the effective parole release date and the inmate shall be notified of the decision in writing within 30 days of the final interview.

(b) When an effective date of parole has been established, release on that date shall be conditioned upon the completion of a satisfactory plan for parole supervision. An effective date of parole may be delayed for up to 30 days without a hearing for development and approval of release plans.

Section 16. Subsection (1) of section 947.175, Florida Statutes, is amended to read:

947.175 Notice to local agencies.—

(1) The Parole and Probation Commission shall, at least 10 ⁷ days prior to the effective parole release date anticipated date of release on parole of an inmate, inform the appropriate local criminal justice agencies sheriff and State Attorney in the community in which the inmate is scheduled to be released.

Section 17. Section 947.19, Florida Statutes, is amended to read:

947.19 Terms of parole.—

(1) The commission upon authorizing an effective parole release date ~~commission, upon placing a person on parole,~~ shall specify in writing the terms and conditions of the his parole, a certified copy of which ~~thereof~~ shall be given to the parolee. The terms and conditions of parole shall be based on objective guidelines.

(2) A parolee may, within 30 days of receipt of the certified copy of the terms and conditions of parole, request that the commission modify the terms and conditions of parole, provided that the parolee specify in writing the reasons for requesting such modifications.

(3) The commission shall consider requests for review of the terms and conditions of parole, render a written decision to continue or to modify the terms and conditions of parole, specifying the reasons therefor, and inform the parolee of the decision in writing within 30 days of the date of receipt of request for review.

(4) During any period of requested review by the commission of terms and conditions of parole, the parolee shall be subject to the authorized terms and conditions of parole until such time according to the provisions of this section a decision is made to continue or modify the terms and conditions of parole.

Section 18. Section 947.20, Florida Statutes, is amended to read:

947.20 Rules of commission.—The commission shall adopt general rules on the terms and conditions of parole and what shall constitute the violation thereof, and may make such special rules to govern particular cases. Such rules, both general and special, may include, among other things, a requirement that the parolee shall not leave the state or any definite area in Florida without the consent of the commission, that he shall contribute to the support of his dependents to the best of his ability, that he shall make reparation or restitution for his crime, that he shall not associate with persons engaged in criminal activity ~~abandon~~ evil associates and ways; and that he shall carry out the instructions of his parole super-

visor and, in general, ~~so~~ comport himself in accordance with the terms and conditions of his parole ~~as supervisor shall determine.~~

Section 19. Subsection (1) of section 947.23, Florida Statutes, is amended to read:

947.23 Action of commission upon arrest of parolee.—

(1) As soon as practicable after the arrest of a person charged with violation of the terms and conditions of his parole, such parolee shall appear before the commission in person, and if he desires he may be represented by counsel, and a hearing shall be had at which the state and the parolee may introduce such evidence as they may deem necessary and pertinent to the charge of parole violation. The commission, a member thereof, or a duly authorized representative of the commission or member thereof shall have the authority to administer oaths and compel the attendance of witnesses at said hearing by the issuance of summons and subpoenas and to issue subpoenas duces tecum, under penalty of contempt under the commission's seal and signed by any member of the commission. The commission shall issue subpoenas on behalf of the parolee in connection with any matter which impinges in a material respect upon a finding of fact in a parole revocation case, provided the parolee furnishes to the commission the names and addresses of his proposed witnesses at least 7 days prior to the hearing date. Within a reasonable time thereafter, the commission shall make findings upon such charge of parole violation and shall enter an order determining whether said charges of parole violation have been sustained. The commission shall in and by said order revoke said parole and return said person to prison to serve the sentence theretofore imposed upon him, or reinstate the original order of parole, or shall enter such other order as it may deem proper; provided, however, that any decision to revoke parole shall be based on a violation of a term or condition specifically enumerated in the parole release order.

Section 20. Subsection (5) is added to section 945.25, Florida Statutes, to read:

945.25 Records.—

(5) Following the initial hearing provided for in s. 947.172 (1), the commission shall prepare and the department shall include in the official record a copy of the seriousness of offense and favorable parole outcome scores and shall include a listing of the specific factors and information used in establishing a presumptive parole release date for the inmate.

Section 21. On or before January 1, 1980, a presumptive parole release date, developed pursuant to s. 947.172, Florida Statutes, shall be established for each inmate in the custody of the Department of Offender Rehabilitation who will not be released from incarceration on or before January 1, 1980, by virtue of parole, accumulation of gain-time, or expiration of sentence. However, the presumptive parole release date need not be established on or before such date for:

(1) Those inmates sentenced to a minimum term of 5 years or less, who were confined in execution of the judgment of the court on or after August 1, 1979. Presumptive parole release dates for these inmates shall be established pursuant to s. 947.172, Florida Statutes.

(2) Those inmates sentenced to a minimum term in excess of 5 years, who were confined in execution of the judgment of the court on or after February 1, 1979. Presumptive parole release dates for these inmates shall be established pursuant to s. 947.172, Florida Statutes.

(3) The commission shall continue its current schedule of annual interviews until January 1, 1980 or until such time as the objective parole guidelines are implemented, whichever comes first.

Section 22. The provisions of this act shall be carried out within the existing resources of the Parole and Probation Commission.

Section 23. If any provision of this act or the application thereof to any person or circumstances is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared severable.

Section 24. Section 947.17, Florida Statutes, is hereby repealed.

Section 25. This act shall take effect July 1, 1978, except that the implementation of hearing examiner panels shall take place by January 1, 1980 or earlier as resources are provided to the commission.

Conference Committee Amendment 2—On page 1, line 1 through page 2, line 7, strike all of said lines and insert: A bill to be entitled An act relating to the Parole and Probation Commission; providing legislative intent; creating s. 947.001, Florida Statutes; creating the "Objective Parole Guidelines Act of 1978"; creating s. 947.005, Florida Statutes; providing definitions; amending s. 947.01; prescribing the functions of the Secretary of Offender Rehabilitation as a member of the Commission; amending s. 947.02, Florida Statutes; relating to the filling of vacancies on the commission; amending s. 947.04, Florida Statutes; providing for the selection of the chairman of the commission, prescribing his duties, providing for the functional organization of the commission; amending s. 947.06, Florida Statutes; providing that a decision to parole a prisoner be based on objective guidelines; creating s. 947.095, Florida Statutes; establishing hearing examiner panels and prescribing their duties; amending s. 947.13(1)(a), Florida Statutes; prescribing the powers and duties of the commission; amending s. 947.135(4)(a), Florida Statutes; prescribing criteria for establishing parole dates for inmates in the mutual participation program; amending s. 947.16, Florida Statutes; providing for hearings to determine presumptive parole release dates; creating s. 947.165, Florida Statutes; providing for the creation and periodic review of objective parole guidelines; creating s. 947.172, Florida Statutes; providing a procedure for the establishment of presumptive parole release dates; creating s. 947.173, Florida Statutes; providing a procedure for review of presumptive parole release dates; creating s. 947.174, Florida Statutes; providing for the periodic review of presumptive parole release dates; providing a procedure for the establishment of effective parole release dates; amending s. 947.175(1), Florida Statutes; providing for notice to certain agencies of release of an inmate; amending s. 947.19, Florida Statutes; providing for establishment and modification of the terms and conditions of parole; amending s. 947.20, Florida Statutes; providing for the adoption of rules relating to the terms and conditions of parole; amending s. 947.23(1), Florida Statutes; providing criteria for the revocation of parole; adding s. 945.25(5), Florida Statutes; providing for the maintenance of certain records; requiring presumptive parole release dates to be established for certain inmates by a certain date; requiring the act to be carried out within existing resources; providing severability; repealing s. 947.17, Florida Statutes; relating to the procedures of the Parole and Probation Commission with respect to parole; providing an effective date.

On motion by Senator Pat Thomas the Conference Committee Report was adopted, and HB 936 passed as recommended and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—38

Mr. President	Graham	Plante	Tobiassen
Barron	Hair	Poston	Trask
Castor	Henderson	Renick	Vogt
Chamberlin	Holloway	Sayler	Ware
Childers, Don	Johnston	Scarborough	Williamson
Childers, W. D.	Lewis	Scott	Wilson
Firestone	MacKay	Skinner	Winn
Glisson	McClain	Spicola	Zinkil
Gordon	Myers	Thomas, Jon	
Gorman	Peterson	Thomas, Pat	

Nays—None

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed HB 2206 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Craig—

HB 2206—A bill to be entitled An act relating to state roads; naming State Road 39 in Hillsborough County, from Plant City to State Road 60, in honor of Representative James L. Redman;

directing the Department of Transportation to erect appropriate markers; providing an effective date.

—was read the first time by title and referred to the Committee on Rules and Calendar.

On motion by Senator W. D. Childers, by two-thirds vote HB 2206 was withdrawn from the Committee on Rules and Calendar and by two-thirds vote placed on the special order calendar.

REPORT OF COMMITTEE

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for June 2, 1978:

HB 339 HB 358 HB 485

Respectfully submitted, W. D. Childers, Chairman

SPECIAL ORDER, continued

HB 339—A bill to be entitled An act relating to state financial assistance for community services; amending s. 409.503(4), Florida Statutes, redefining the term "program for community services" with respect to the "Florida Financial Assistance for Community Services Act of 1974"; amending s. 409.504(2), (3), and (4)(b), Florida Statutes, providing, with respect to the Community Service Trust Fund, that federally recognized Indian tribes may apply for financial assistance; changing the requirement for distribution of trust funds to equal quarterly payments in advance; directing the Department of Community Affairs to establish certain procedures with respect to certain committees appointed to consider applications under the fund; providing an effective date.

—was read the second time by title. On motion by Senator Zinkil, by two-thirds vote HB 339 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—27

Mr. President	Glisson	Peterson	Tobiassen
Castor	Gordon	Poston	Ware
Childers, Don	Hair	Renick	Williamson
Childers, W. D.	Henderson	Sayler	Wilson
Dunn	Johnston	Scott	Winn
Firestone	Lewis	Spicola	Zinkil
Gallen	MacKay	Thomas, Jon	

Nays—1

Myers

Votes after roll call:

Yeas—Graham, Trask
Nay to Yea—Myers

HB 358—A bill to be entitled An act relating to the Florida Marketing Laws; amending ss. 573.17(3)(b), 573.66(1), 573.817(1), 573.846(1) and 573.872(1), Florida Statutes, eliminating the authority of the Department of Agriculture and Consumer Services to issue marketing orders for the prevention, modification, or removal of trade barriers which obstruct the free flow of celery, sweet corn, foliage plants, watermelons, soybeans, or flue-cured tobacco to market; providing an effective date.

—was read the second time by title. On motion by Senator Peterson, by two-thirds vote HB 358 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Gorman	Poston	Tobiassen
Barron	Graham	Renick	Trask
Castor	Hair	Sayler	Vogt
Chamberlin	Holloway	Scarborough	Ware
Childers, W. D.	Lewis	Scott	Williamson
Dunn	MacKay	Skinner	Wilson
Firestone	McClain	Spicola	Winn
Gallen	Myers	Thomas, Jon	Zinkil
Glisson	Peterson	Thomas, Pat	

Nays—4

Childers, Don Gordon Henderson Johnston

HB 485—A bill to be entitled An act relating to public food service establishments; amending s. 509.241(2)(b), Florida Statutes; exempting eating places maintained by nonprofit civic organizations for the use of their members, and eating places operated on a temporary, short-term basis by schools, colleges, churches, and religious, fraternal, or nonprofit civic organizations, from licensing requirements; providing an effective date.

—was read the second time by title. On motion by Senator Gallen, by two-thirds vote HB 485 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Gorman	Peterson	Thomas, Pat
Castor	Graham	Poston	Tobiassen
Childers, Don	Hair	Renick	Trask
Childers, W. D.	Henderson	Sayler	Ware
Dunn	Holloway	Scarborough	Williamson
Firestone	Johnston	Scott	Wilson
Gallen	Lewis	Skinner	Winn
Glisson	MacKay	Spicola	Zinkil
Gordon	Myers	Thomas, Jon	

Nays—1

Chamberlin

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Lew Brantley, President

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

By the Committee on Transportation—

SB 953—A bill to be entitled An act relating to transportation; creating ss. 334.025-334.029, Florida Statutes, providing state technical and financial assistance to local communities for planning, development, and implementation of public transit systems and services; providing a short title, legislative intent, and definitions; providing duties and responsibilities of the Department of Transportation; requiring a statewide plan for transit systems; authorizing the department to receive federal aid; establishing minimum standards for performance and safety; authorizing the department to participate in studies and service development projects in concert with local governments and transit agencies; providing for the reimbursement of utility relocation costs in certain instances; providing for aid and funding for public transit programs through legislative appropriation and providing procedures therefor; providing for contracts between the department and receiving agencies; repealing s. 334.024, Florida Statutes, which provides a limitation on expenditures for nonhighway transportation facilities; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—strike all of lines 9 through 14 on page 8, after (b) and strike all of lines 1-6 on page 9 after (a) and insert: on page 8 and page 9 Unless otherwise authorized by the legislature, the department is prohibited from entering into any agreement or contract for any public transit project which would result in the ultimate expenditure or commitment of state funds in excess of \$5 million. Any funds in excess of \$5 million shall be appropriated from a revenue source other than the State Transportation Trust Fund, unless otherwise authorized by the legislature.

Amendment 2—On page 8, line 3, strike “concurrence of” and insert: “notice to”

On motion by Senator Myers, the Senate concurred in the House Amendments.

SB 953 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—31

Mr. President	Glisson	MacKay	Thomas, Jon
Barron	Gordon	Myers	Thomas, Pat
Castor	Graham	Peterson	Tobiassen
Chamberlin	Hair	Poston	Trask
Childers, W. D.	Henderson	Sayler	Wilson
Dunn	Holloway	Scarborough	Winn
Firestone	Johnston	Skinner	Zinkil
Gallen	Lewis	Spicola	

Nays—None

The bill was ordered engrossed and then enrolled.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has adopted with amendment—

By Senator Dunn—

SM 709—A memorial to the Congress of the United States urging Congress to direct the Veterans Administration to establish an out-patient medical facility in Volusia County and Leon County.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On Page 2, line 17, strike “Volusia County and Leon County” and after “in” insert: East Central Florida and West Florida

On motion by Senator Dunn, the Senate concurred in the House Amendment.

SM 709 as amended was adopted and the action of the Senate was certified to the House. The vote on passage was:

Yeas—34

Mr. President	Gordon	McClain	Thomas, Pat
Barron	Gorman	Myers	Tobiassen
Castor	Graham	Poston	Trask
Childers, Don	Hair	Renick	Vogt
Childers, W. D.	Henderson	Sayler	Wilson
Dunn	Holloway	Scarborough	Winn
Firestone	Johnston	Skinner	Zinkil
Gallen	Lewis	Spicola	
Glisson	MacKay	Thomas, Jon	

Nays—1

Chamberlin

The bill was ordered engrossed and then enrolled.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 1927 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representatives Craig and McDonald—

HB 1927—A bill to be entitled An act relating to the Department of Health and Rehabilitative Services; establishing a spe-

cial pilot program of interpretation services for the deaf within the department; providing legislative intent; providing an appropriation; providing an effective date.

—was read the first time by title. On motion by Senator Spicola, by two-thirds vote HB 1927 was placed on the special order calendar.

SPECIAL ORDER, continued

On motions by Senator Spicola, by two-thirds vote HB 1927 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—31

Mr. President	Gordon	Myers	Thomas, Pat
Castor	Graham	Plante	Tobiassen
Chamberlin	Hair	Poston	Trask
Childers, Don	Henderson	Renick	Vogt
Childers, W. D.	Holloway	Scarborough	Wilson
Firestone	Johnston	Skinner	Winn
Gallen	MacKay	Spicola	Zinkil
Glisson	McClain	Thomas, Jon	

Nays—None

On motion by Senator Spicola, by two-thirds vote—

HB 2206—A bill to be entitled An act relating to state roads; naming State Road 39 in Hillsborough County, from Plant City to State Road 60, in honor of Representative James L. Redman; directing the Department of Transportation to erect appropriate markers; providing an effective date.

On motions by Senator Spicola, by two-thirds vote HB 2206 was read the second time by title and by two-thirds vote read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Gorman	Plante	Tobiassen
Castor	Graham	Poston	Trask
Chamberlin	Hair	Renick	Vogt
Childers, Don	Henderson	Sayler	Ware
Childers, W. D.	Holloway	Scarborough	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

On motion by Senator Tobiassen, by two-thirds vote—

HB 1619—A bill to be entitled An act relating to ad valorem taxation; amending s. 196.1998(a), Florida Statutes; providing that, until January 1, 1979, no tax execution shall be issued and no lien created in any property of a taxpayer for the recovery of delinquent ad valorem property taxes assessed against certain leasehold property; 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 1, line 23, strike "August" and insert: January

On motion by Senator W. D. Childers, further consideration of HB 1619 as amended was deferred.

On motion by Senator W. D. Childers, the Senate recessed at 12:21 p.m. to reconvene at 2:15 p.m.

AFTERNOON SESSION

The Senate was called to order by the President at 2:15 p.m. A quorum present—40:

Mr. President	Gordon	Myers	Thomas, Jon
Barron	Gorman	Peterson	Thomas, Pat
Castor	Graham	Plante	Tobiassen
Chamberlin	Hair	Poston	Trask
Childers, Don	Henderson	Renick	Vogt
Childers, W. D.	Holloway	Sayler	Ware
Dunn	Johnston	Scarborough	Williamson
Firestone	Lewis	Scott	Wilson
Gallen	MacKay	Skinner	Winn
Glisson	McClain	Spicola	Zinkil

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Lew Brantley, President

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

By Senator Sayler—

SB 1357—A bill to be entitled An act relating to the Department of Commerce; amending ss. 288.03(21)-(23) and 288.34 (1)(k) and (l), Florida Statutes; providing for certain guidelines concerning per diem, travel, operational and promotional advancements and reimbursements; adding a subsection to s. 288.35, Florida Statutes, providing a definition; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 2, lines 2-5, strike "Promotional or gift items purchased from state funds shall only be awarded business prospects or potential business prospects of the state as defined in subsection (23)."

Amendment 2—On page 3, line 15, strike "travel"

Amendment 3—On page 3, strike all of lines 17 and 18 and insert: persons when meeting with a business prospect of the state, purchaser of Florida exports or foreign governmental dignitaries. Furthermore, when actually traveling with a business prospect or purchaser of Florida exports or foreign governmental dignitaries the actual cost of transportation is allowable

Amendment 4—On page 2, line 1, strike "or potential prospects as" and insert: , potential prospects, purchasers of Florida exports, potential purchasers of Florida exports and foreign governmental dignitaries.

On motions by Senator Sayler, the Senate concurred in the House Amendments.

SB 1357 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—33

Mr. President	Gordon	Myers	Thomas, Pat
Barron	Gorman	Poston	Tobiassen
Castor	Graham	Renick	Vogt
Childers, Don	Hair	Sayler	Wilson
Childers, W. D.	Henderson	Scarborough	Winn
Dunn	Johnston	Scott	Zinkil
Firestone	Lewis	Skinner	
Gallen	MacKay	Spicola	
Glisson	McClain	Thomas, Jon	

Nays—None

Vote after roll call:

Yea—Peterson

The bill was ordered engrossed and then enrolled.

The Honorable Lew Brantley, President

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

By the Committee on Judiciary-Civil and Senator Hair—

CS for SB 1142—A bill to be entitled An act relating to mechanics' liens; amending s. 713.02(5), Florida Statutes; exempting improvements of \$2500 or less from certain provisions of the mechanics' lien law; amending s. 713.135, Florida Statutes; providing that the authority issuing a building permit shall furnish the applicant a statement provided by the Division of Consumer Services relating to the applicability of the mechanics' lien law; providing a form to be signed; requiring the issuing authority to inform certain applicants of their responsibility to deliver such statement to the person whose property is subject to attachment; providing that no issuing authority shall be held civilly liable for the failure of the person whose property is subject to attachment to receive or to be delivered such statement; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 2, lines 8-21, strike all of said lines and insert: (a) *Print on the face of each application and permit in no less than 18 point capitalized bold-face type;*

"FAILURE TO COMPLY WITH THE MECHANICS' LIEN LAW CAN RESULT IN THE PROPERTY OWNER PAYING TWICE FOR BUILDING IMPROVEMENTS."

(b) *Provide the applicant with a printed statement stating that the right, title, and interest of the person who has contracted for the improvement may be subject to attachment under the mechanics' lien law. The Division of Consumer Services of the Department of Agriculture and Consumer Services shall furnish, for distribution, the statement described in this paragraph, and said statement shall be a summary of the mechanics' lien law. However, failure by the authorities to provide the summary shall not subject the issuing authority to liability.*

Amendment 2—On page 1 in title, line 11, strike "providing a form to be signed;" and insert: providing for notice on face of application and permit;

On motions by Senator Hair, the Senate concurred in the House Amendments.

CS for SB 1142 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—36

Mr. President	Gordon	McClain	Spicola
Barron	Gorman	Myers	Thomas, Jon
Castor	Graham	Peterson	Thomas, Pat
Chamberlin	Hair	Poston	Tobiassen
Childers, Don	Henderson	Renick	Trask
Childers, W. D.	Holloway	Sayler	Vogt
Dunn	Johnston	Scarborough	Wilson
Firestone	Lewis	Scott	Winn
Glisson	MacKay	Skinner	Zinkil

Nays—None

The bill was ordered engrossed and then enrolled.

The Honorable Lew Brantley, President

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

By Senator Castor—

SB 706—A bill to be entitled An act relating to Florida radiation protection; creating ss. 290.011, 290.021, 290.031, 290.041, 290.052, 290.061, 290.072, 290.081, 290.091, 290.101, 290.111, 290.

121, 290.131, 290.141, 290.151, 290.161, and 290.171, Florida Statutes; providing a short title; providing declaration of policy; providing definitions; designating a state radiation protection agency; authorizing the Department of Health and Rehabilitative Services to perform radiological environmental surveillance; providing powers and duties of the department; authorizing licensing of sources of ionizing radiation; providing rulemaking authority for the department; providing for inspections; authorizing training and educational programs; authorizing the department to require records of persons who possess or use sources of ionizing radiation; providing authority to respond to emergencies involving the release of radioactive materials; authorizing the department to impound certain materials in emergencies; authorizing the department to require posting of a bond by licensees; authorizing the department to require a perpetual care trust fund; authorizing the department to charge and collect fees; providing prohibited uses for sources of radiation; providing for injunctive relief against violators; providing penalties; providing severability; amending s. 290.32, Florida Statutes; providing for the appointment of a board member from Florida to the Southern Interstate Nuclear Board; repealing ss. 290.01, 290.02, 290.03, 290.04, 295.051, 290.06, 290.07, 290.071, 290.08, 290.09, 290.10, 290.11, 290.12, 290.13, 290.14, 290.15, 290.16, 290.17, 290.18, and 290.19, Florida Statutes, which relate to the Florida Nuclear Code and Southern Interstate Nuclear Compact Law; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 7, line 25, insert after the period (.): Nothing in this subsection shall require any facility required to submit plans and specifications to the department under s. 395.09 to submit additional plans and specifications.

Amendment 2—On page 8, line 14-19, strike all language and insert: (10) Require, on forms prescribed and furnished by the department, registration, periodic re-registration, or licensing of sources of ionizing radiation other than by-product, source, and special nuclear material.

Amendment 3—On page 10, line 17, strike "preempted" and insert: regulated

Amendment 5—On page 7, line 22, after the comma insert: excluding X-rays machines of less than 25,000 volts potential,

On motions by Senator Castor, the Senate concurred in the House Amendments.

SB 706 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiassen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	Lewis	Spicola	Zinkil
Gallen	MacKay	Thomas, Jon	
Glisson	McClain	Thomas, Pat	

Nays—None

The bill was ordered engrossed and then enrolled.

EXECUTIVE BUSINESS—Executive Orders of Suspension

Special Master D. Stephen Kahn, to whom were referred the Executive Order of Suspension and the Amended Executive Order of Suspension of Jack Taylor, Jr., submitted the following report:

IN THE FLORIDA SENATE
TALLAHASSEE, FLORIDA

IN RE: SUSPENSION OF

JACK TAYLOR, JR., Executive Order 78-22

SHERIFF OF FRANKLIN COUNTY 78-25

REPORT AND RECOMMENDATION OF SPECIAL
MASTER

BACKGROUND

Jack Taylor, Jr., duly elected and commissioned Sheriff of Franklin County, Florida, was suspended by the Governor's Executive Order #78-22 effective May 10, 1978. On May 22, 1978 the Governor filed a subsequent Executive Order #78-25 which Order enlarged the grounds upon which the earlier suspension was based. The subsequent and superceding Order upon which hearings were held alleged ten "violations of the law" which the Governor concluded and alleged all constituted the offenses of malfeasance, misfeasance, neglect of duty, commission of a felony or incompetence as such offenses are used in Article IV, § 7(a), Florida Constitution.

Pursuant to due notice to all parties, a pre-hearing conference and four days of evidentiary hearings were held.

Sworn testimony was taken from 41 witnesses and numerous exhibits introduced into evidence. Witnesses were examined and cross-examined in a thorough, meticulous, professional manner by Counsel for both parties. Objections to portions of the evidence were made by counsel for both parties. The Suspended Officer moved to dismiss the subsequent superceding Executive Order on the grounds that the Governor was without authority to issue that Order under the particular circumstances in this case.

FINDINGS OF FACT

AS TO CHARGE NO. 1 OF AMENDED
EXECUTIVE ORDER OF SUSPENSION NO. 78-25

1. That JACK TAYLOR, JR., used prisoners who were incarcerated in the Franklin County Jail for his own personal use.

I find from the testimony and evidence that the Suspended Officer did on occasion while Sheriff of Franklin County, Florida, use prisoners incarcerated in the Franklin County Jail who were on trustee status to work on his personal residence and his beach cottage. The work involved grass cutting and other routine maintenance activity.

The Suspended Officer attempted to justify his personal use of the prisoners by showing that he had paid them for their work, that no trustee was made to work against his/her will and that several of the trustees looked forward to this "informal work-release program" as a way of getting away from the dismal and confining surroundings of the Franklin County Jail.

A sheriff's use of trustee labor for personal reasons, in my view, falls far below a standard of permissible discretion and should not be engaged in; however, I find no Florida statutory prohibition which would have clearly prohibited this Sheriff from using trustees for the performance of personal services in the manner which he did.

Accordingly, in my view, Sheriff Taylor's admitted conduct does not constitute a "violation of the law" as alleged in Charge #1 of Executive Order 78-25.

AS TO CHARGE NO. 2

2. That JACK TAYLOR, JR., allowed prisoners from the Franklin County Jail to go unsupervised to their homes and/or other places while they were incarcerated in the Franklin County Jail.

I find from the testimony and evidence that the Suspended Officer did personally, while Sheriff of Franklin County, allow certain pre-trial and post-trial prisoners on trustee status to go home or to other places for the purpose of family or conjugal visits.

(a) Prisoner Henry Mack Bass was transported by a deputy on two or more occasions to and from his parents' home in Liberty County, Florida for overnight visits.

(b) Prisoner Paul Jewell was on at least three occasions, transported by a deputy to and from a motel in Apalachicola for the purpose of spending the night with members of his family.

(c) Prisoner Craig Branch was on one occasion transported by a deputy to his mother's home in East Point, Florida and was returned by a deputy to the Franklin County Jail.

The Suspended Official attempted to justify these releases on the basis that they were incentives for future good conduct (in spite of the respective defendants' serious criminal charges and less than sterling criminal records), and on the basis that the trustees were not in fact "unsupervised" because a deputy would deliver and pick them up before and after their visitation periods.

Although authorizing these types of releases may be below an acceptable standard of conduct for a sheriff of a small county and may in fact also violate several statutory and rule provisions as urged by the Governor, Charge #2 should be considered as a question of degree in light of all the circumstances surrounding these releases.

AS TO CHARGE NO. 3

3. That JACK TAYLOR, JR., has allowed prisoners to drive county vehicles throughout Franklin County without supervision and on one occasion a prisoner was arrested for driving while intoxicated in a county vehicle.

I find that certain trustees did in fact drive county vehicles, both within and without the county and that these trips were both on county and non-county business. Sheriff Taylor should be and can be held to the knowledge of these facts.

Sheriff Taylor's overall operation of the Franklin County Jail can be characterized as permissive. Certain violations by favored trustees were allowed to slide by or were met with moderate punishment. Because trustees were used extensively to operate the Franklin County Jail (to clean it, to maintain it, to cook the food for its prisoners and to service and wash some of the vehicles assigned to it) a certain largesse pervaded the atmosphere with regard to trustees' infractions of the rules.

Radio Dispatcher Abe Cromartie succinctly summed up this liberality when he was asked why trustees were not frisked before they were put into the upstairs cells at night as is required by Department of Offender Rehabilitation rule. He replied, "trustees are to be trusted, aren't they, that's why they are trustees."

It is a combination of this permissive atmosphere which was set and condoned by Sheriff Taylor coupled with his certain knowledge that trustees with useful skills which could be used in the operation of the jail were hard to come by, that set the stage for allowing some of these favored trustees "free reign" and privileges that trustees did not and do not ordinarily enjoy in larger county jails.

As to the second part of Charge #3, Henry Mack Bass while in trustee status was in fact arrested for driving a county vehicle while intoxicated. The ticket was removed from the normal chain of ticket processing used in Franklin County. In fact, the ticket ended up in the Sheriff's desk drawer. It is likely that Sheriff Taylor would have impeded the prosecution of this ticket had he had the full opportunity to do so; however, Sheriff Taylor is not charged in the Executive Order with obstructing justice or any other offense related thereto.

As in Charges #1 and #2, Sheriff Taylor's conduct, when viewed in the light of hindsight and when compared with the procedures used by neighboring sheriffs, may fall below a standard adopted by his fellow sheriffs. However, I can not conclude that Sheriff Taylor's conduct, with respect to this charge, constitutes a direct "violation of the law" as alleged in Charge #3.

AS TO CHARGE NO. 4

4. That JACK TAYLOR, JR., purchased a weapon from a prisoner at the Franklin County Jail for the purpose of allowing said prisoner to pay a bond premium so he could be released on bail.

The evidence was that the Sheriff "purchased" a collection of guns from an inmate about a week after the inmate was locked

up in the Franklin County Jail. The inmate signed what can be termed a conditional bill of sale. The now former inmate testified that he understood that this arrangement was a pledge or pawn and that he could, within a reasonable time, present himself at the jail to redeem his gun collection for \$500.

The initial circumstances of the taking of the guns and the straw-man method that was used by Sheriff Taylor to broker this transaction (using Deputy Whitehurst as a middle-man) makes it a suspicious deal and certainly not one done at arms length. Additionally, for a Sheriff to enter this type of transaction with any of his prisoners is not a good practice no matter how destitute the inmate or great his need for freedom. However, in my view, the Governor has not shown sufficiently that such actions constituted a "violation of the law" as alleged.

AS TO CHARGE NO. 5

5. That JACK TAYLOR, JR., allowed a bail bondsman who is unlicensed in Franklin County to sign bail bonds for those who are arrested by deputies and has allowed invalid bail bonds to be posted for several years and personally collected bail money for the bondsman and has personally recommended to prisoners a particular bondsman.

The first portion of this charge concerns allowing a bail bondsman not licensed in Franklin County to sign bail bonds. Section 648.42, F.S., requires only that bailbondsmen who become a surety on an undertaking register with the Sheriff and Clerk of the county where they reside.

It further provides the bondsman may register with the Clerk of the Court in any county in which he desires to write bonds.

In this instance, the bail bondsman, W. W. Gainer resided in Bay County, Florida. He testified that he was registered with the Insurance Commissioner and with the Clerk of the Circuit Court in Bay County. Although I find that Mr. Gainer's testimony on several key points not worthy of belief, there is no reason to doubt that he is, as he says, registered with the Clerk of Bay County, Florida.

The Suspended Officer introduced into evidence an annually-printed list of qualified professional bail bondsmen sent out by the Department of Insurance which list was meant for use by public officials to check the status of bail bondsmen. The list of limited sureties contained the name of W. W. Gainer. I find that it was reasonable for Sheriff Taylor to rely on the list containing Mr. Gainer's name even though the Sheriff failed to recognize the legal distinction between the powers and duties of a professional bondsman as opposed to those of a limited surety agent into which latter category Mr. Gainer fit.

The next portion of this charge deals with allowing invalid bail bonds to be posted for several years. I find from the evidence that for a number of reasons, a substantial number of both the cash bonds and the surety bonds that Sheriff Taylor approved were in fact "invalid", thus constituting a technical "violation of the law" as alleged.

The Sheriff defended and attempted to mitigate his actions in approving these "invalid" bonds by showing that Franklin County did not have a local bondsman, that the Sheriff's Office "accommodated" both the prisoners and the bondsman by acting as intermediary in collecting and holding bond premiums and by signing the bondsman's name on the bonds. Much of this conduct constitutes a technical "violation of the law" as alleged, but I also find that neither the Sheriff nor anyone in the Sheriff's Office ever received any kickback or other benefits from this arrangement.

In my view, such actions constituted an undesirable and very loose practice and the situation was further aggravated by Sheriff Taylor's November 3, 1977 scramble to get power of attorney forms attached to the licensed surety bonds after he found out that his records were being examined by state officials.

On the last portion of this charge, there is no substantial evidence that Sheriff Taylor personally acted as a runner or forwarder for Mr. Gainer or any other bondsman.

Sheriff Taylor continues to demonstrate a rather cavalier attitude toward the "fine points" of the bail bond laws of this state. Rather than seeking to comply with these laws, he seemed satisfied and secure in the knowledge that in 9 1/2 years as

Sheriff that he "never lost a bond" or had a prisoner who was out on bond "fail to show."

Although not part of the record of this hearing, I can take notice of the fact that the most recent Auditor General's audit of Sheriff Taylor's books covered only through 1973. In that audit there was reference to areas that needed minor corrections in Taylor's handling of bonds and estreatures. Had the Auditor General been able to complete more recent audits, it is likely that these bond deficiencies would have been pointed out to Sheriff Taylor and that he would have been encouraged to take the same type of positive corrective action that he did take in 1973 when similar deficiencies were called to his attention.

AS TO CHARGE NO. 6

6. That JACK TAYLOR, JR., allowed confiscated alcoholic beverages to be transported from the Franklin County Jail to his cottage on St. George's Island.

In 1976, the Sheriff's Office had recovered several cases of whiskey from a breaking and entering at a local bar. The whiskey was initially being stored at the County Jail. After a period during which it was discovered that some of it was "going missing", the remainder was transported, upon the Sheriff's direct orders, to his cottage on St. George Island. Many of the bottles were produced by the Sheriff at the hearing. Their identity was proven through federal stamp tax numbers on each bottle being compared with the tax numbers on the original inventory made by the deputy who investigated the crime.

The Sheriff, who as the proper custodian of confiscated physical evidence until it is introduced at a criminal trial, defended the transfer to the cottage on the basis of better security at the cottage than at the jail.

Storage of this whiskey at the Sheriff's cottage permits all sorts of adverse inferences and for that reason, in my view, such storage is an extremely undesirable method of safeguarding evidence under any circumstances. However, in this case, the Sheriff was able to show that in fact he stored at least a substantial portion of the whiskey and did not convert it to his own use.

The Governor was unable to show that Sheriff Taylor's conduct in moving the whiskey to his cottage and storing it there constituted any "violation of the law" as alleged.

AS TO CHARGE NO. 7

7. That JACK TAYLOR, JR., allowed prisoners at the Franklin County Jail to consume alcoholic beverages and smoke marijuana while confined to the Franklin County Jail and failed to take corrective action when brought to his attention.

Testimony showed there was periodic use of intoxicating beverages and marijuana by the inmates of the Franklin County Jail.

I find from the evidence that Sheriff Taylor recognized this problem and occasionally took some steps toward correcting it. His corrective action, however, reflects his attitude toward the operation of his jail. It is my view, and I believe it to be a realistic one, that Sheriff Taylor tolerated a certain degree of alcohol consumption in and about his jail. It is my view that he saw no great danger in it so long as it was not carried to extremes. His defense attempted to deny that he put up with the use of any alcoholic beverages whatsoever, but such is not a realistic view of the evidence.

As a matter of fact, several deputies and other jail personnel testified that it was a waste of time to write up some of these infractions because of Sheriff Taylor's penchant for tolerance and selective enforcement of his own rule against the prohibited conduct.

On this Charge, the question for the Senate is whether the degree of toleration that Sheriff Taylor demonstrated warrants his removal for misfeasance, malfeasance or neglect of duty in office.

AS TO CHARGE NO. 8

3. That JACK TAYLOR, JR., permitted inmates of the Franklin County Jail to go fishing with citizens unsupervised and to use county vehicles to take these citizens fishing and said inmates consumed alcoholic beverages during the fishing trip.

I find that Sheriff Taylor did on occasion allow trustees to go fishing with private citizens on St. George Island. He testified this was part of his informal incentive program in return for special work these trustees had done for the benefit of the county [and for him]. The Sheriff testified that he considered that the trustees were "supervised" even though such supervision was provided not by his deputies, but by private citizens well known to him.

As a further demonstration of Sheriff Taylor's largesse, I find that Henry Mack Bass, a head trustee who brought some benefit to the county because of his mechanical abilities, was in fact the beneficiary of Sheriff Taylor's "two-beer rule".

AS TO CHARGE NO. 9

9. That JACK TAYLOR, JR., has on occasion consumed alcoholic beverages with an inmate of the Franklin County Jail.

Sworn testimony on this charge was conflicting on all material points. I find that the Governor failed to sustain the charge.

AS TO CHARGE NO. 10

10. That JACK TAYLOR, JR., has on occasion had sexual intercourse with a female prisoner of the Franklin County Jail.

The Governor presented no credible testimony whatsoever to support this charge. Accordingly, the charge was not sustained.

CONCLUSIONS OF LAW

The Governor has charged Sheriff Taylor with certain "violations of the law" which violations the Governor alleges constitute malfeasance, misfeasance, neglect of duty, commission of a felony or incompetence.

The Florida Supreme Court has provided the following definitions:

Malfeasance has reference to evil conduct or an illegal deed, the doing of that which one ought not to do, the performance of an act by an officer in his official capacity that is wholly illegal and wrongful, which he has no right to perform or which he has contracted not to do.

Misfeasance is the performance by an officer in his official capacity of a legal act in an improper or illegal manner.

Neglect of duty has reference to the neglect or failure on the part of a public officer to do and perform some duty or duties laid on him as such by virtue of his office or which is required of him by law. It is not material whether the neglect be willful, through malice, ignorance, or oversight. When such neglect is grave and the frequency of it is such as to endanger or threaten the public welfare it is gross . . .

The commission of a felony as ground for removal from office has reference to a felony as distinguished from a misdemeanor under our statute, and, as such, comprehends any crime punishable by death or imprisonment in the state prison.

Incompetency has reference to any physical, moral, or intellectual quality, the lack of which incapacitates one to perform the duties of his office. Incompetency may arise from gross ignorance of official duties or gross carelessness in the discharge of them. It may also arise from lack of judgment and discretion or from a serious physical or mental defect not present at the time of election.

I find, as set forth above, that some of Sheriff Jack Taylor, Jr.'s conduct can be said to have fallen below a standard of that which could be expected from him. Furthermore, it is true that there were "violations of the law" with regard to several

of the Charges; however, it is my view that his conduct, when viewed as a whole, was not sufficiently below the standard referred to nor sufficiently wrongful to warrant his removal from an office to which he had been elected by a majority of the electors of Franklin County, Florida.

I admit that I resolved many of the close questions of fact and law in favor of the Suspended Officer. It is my view that once the Governor has wielded his awesome power of suspension without notice or hearing, that the Governor takes upon himself the burden of establishing the allegations by substantial and creditable evidence.

The Governor urges the view that in order for the Senate to justify the removal of Sheriff Taylor, the Governor need not prove even one of the specific charges alleged so long as the conduct of the Suspended Officer is shown to constitute one of the constitutional offenses charged: malfeasance, misfeasance, neglect of duty, commission of a felony or incompetence.

Such is, in my view, not the case. The essence of due process (deprived to the Suspended Officer by our system at the pre-suspension stage) is that the Suspended Officer be given specific notice of his offensive conduct and a chance to defend or justify that conduct. To conclude otherwise would deprive a Suspended Officer of a reasonable opportunity to prepare and present a defense.

RECOMMENDATIONS

1. That the Senate consider this matter in open session.
2. That the Suspended Officer's Motion To Strike Amended Executive Order 78-25 be denied.
3. That the Florida Senate, pursuant to Article IV, §7(b), Florida Constitution, and §112.45, Florida Statutes, do forthwith REINSTATE Jack Taylor, Jr., to the office of Sheriff of Franklin County, Florida.

D. Stephen Kahn
Special Master on Executive
Suspensions June 2, 1978

Senator Dunn moved that consideration of the Executive Orders of Suspension directed to Jack Taylor, Jr., be deferred until all members of the Senate had an opportunity to review the testimony. The motion failed.

Senator Barron moved that the Report and Recommendations of the Special Master be accepted.

Senator Chamberlin moved as a substitute motion that Recommendations 1 and 2 of the Report of the Special Master be accepted and that Recommendation 3 be amended to read: That the Florida Senate, pursuant to Article IV, Section 7(b), Florida Constitution, and Section 112.45, Florida Statutes, do forthwith suspend Jack Taylor, Jr., from the office of Sheriff of Franklin County, Florida. The motion failed.

Senator Dunn moved as a substitute motion to the motion by Senator Barron that further consideration of the Executive Orders of Suspension be deferred. The motion failed.

The question recurred on the motion by Senator Barron that the Report and Recommendations of the Special Master be accepted and the motion was adopted.

Senator Barron moved that the Senate, pursuant to Article IV, Section 7(b), Florida Constitution, and Section 112.45, Florida Statutes, do forthwith reinstate Jack Taylor, Jr., to the office of Sheriff of Franklin County, Florida. The motion was adopted by the following vote:

Yeas—33

Mr. President	Hair	Poston	Trask
Barron	Henderson	Renick	Vogt
Childers, Don	Holloway	Scarborough	Ware
Childers, W. D.	Johnston	Scott	Williamson
Firestone	Lewis	Skinner	Wilson
Glisson	McClain	Spicola	Winn
Gordon	Myers	Thomas, Jon	
Gorman	Peterson	Thomas, Pat	
Graham	Plante	Tobiassen	

Nays—5

Castor	MacKay	Sayler	Zinkil
Chamberlin			

SPECIAL ORDER, continued

The Senate resumed consideration of—

HB 1619—A bill to be entitled "An act relating to ad valorem taxation; amending s. 196.199(8)(a), Florida Statutes; providing that, until January 1, 1979, no tax execution shall be issued and no lien created in any property of a taxpayer for the recovery of delinquent ad valorem property taxes assessed against certain leasehold property; providing an effective date.

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

On motion by Senator Tobiassen, by two-thirds vote HB 1619 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—24

Mr. President	Glisson	Peterson	Spicola
Barron	Hair	Plante	Thomas, Jon
Castor	Holloway	Poston	Thomas, Pat
Childers, W. D.	Lewis	Renick	Tobiassen
Dunn	McClain	Scarborough	Ware
Firestone	Myers	Skinner	Winn

Nays—7

Chamberlin	Johnston	Vogt	Zinkil
Childers, Don	MacKay	Wilson	

Votes after roll call:

Yea to Nay—Spicola, McClain, Castor, Lewis

The President declared the Senate in informal recess at 3:43 p.m.

The Senate was called to order by the President at 3:50 p.m. A quorum present—33:

Mr. President	Graham	Poston	Vogt
Barron	Hair	Renick	Ware
Chamberlin	Henderson	Sayler	Williamson
Childers, W. D.	Holloway	Scarborough	Wilson
Dunn	Lewis	Scott	Winn
Firestone	MacKay	Skinner	Zinkil
Glisson	McClain	Thomas, Jon	
Gordon	Peterson	Tobiassen	
Gorman	Plante	Trask	

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 1445 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Girardeau and others—

HB 1445—A bill to be entitled "An act relating to the City of Jacksonville; amending appendix 1 of chapter 67-1320, Laws of Florida, as amended by chapter 67-1547, and as subsequently amended or modified by other legislative acts or reapportionment orders; renumbering the districts of the council of the

City of Jacksonville; providing terms for certain school board members; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

On motions by Senator Scarborough, by two-thirds vote HB 1445 was withdrawn from the Committee on Rules and Calendar and by two-thirds vote placed on the local calendar.

LOCAL CALENDAR

On motion by Senator Scarborough, by two-thirds vote HB 1445 was read the second time by title.

Senator Scarborough moved the following amendments which were adopted:

Amendment 1—On page 1, line 18, strike "5" and insert "13"; and on page 1, line 19, strike "6" and insert "5"; and on page 1, line 20, strike "7" and insert "6"; and on page 1, line 21, strike "8" and insert "10"; and on page 1, line 22, strike "10" and insert "8"; and on page 1, line 23, strike "11" and insert "7"; and on page 1, line 24, strike "12" and insert "11"; and on page 1, line 25, strike "13" and insert "12"

Amendment 2—On page 2, line 2, strike "and in November 1980" and on page 2, line 3, strike "2" and insert "4"

On motion by Senator Scarborough, by two-thirds vote HB 1445 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Graham	Plante	Tobiassen
Castor	Hair	Poston	Trask
Chamberlin	Henderson	Renick	Vogt
Childers, Don	Holloway	Sayler	Ware
Childers, W. D.	Johnston	Scarborough	Williamson
Dunn	Lewis	Scott	Wilson
Firestone	MacKay	Skinner	Winn
Gallen	McClain	Spicola	Zinkil
Glisson	Myers	Thomas, Jon	
Gorman	Peterson	Thomas, Pat	

Nays—1

Gordon

SB 1358—A bill to be entitled "An act relating to the City of Orlando, Orange County; amending various provisions of the Orlando Central City Neighborhood Development Board Act; amending sections 1, 2(1), 5, and 13(10), chapter 71-810, Laws of Florida; changing the name of the Orlando Central City Neighborhood Development Board to the Downtown Development Board; amending section 6, chapter 71-810, Laws of Florida; authorizing the Orlando City Council to allocate funds to the board; authorizing the board to amend its budget with the approval of the Orlando City Council; amending subsection (4) of section 8(4), chapter 71-810, Laws of Florida, authorizing the board to accept donations of money; providing an effective date.

—was read the second time by title. On motion by Senator Gorman, by two-thirds vote SB 1358 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Graham	Plante	Tobiassen
Castor	Hair	Poston	Trask
Chamberlin	Henderson	Renick	Vogt
Childers, Don	Holloway	Sayler	Ware
Childers, W. D.	Johnston	Scarborough	Williamson
Dunn	Lewis	Scott	Wilson
Firestone	MacKay	Skinner	Winn
Gallen	McClain	Spicola	Zinkil
Glisson	Myers	Thomas, Jon	
Gorman	Peterson	Thomas, Pat	

Nays—1

Gordon

HB 1451—A bill to be entitled An act relating to the Tampa Port Authority; providing for reimbursement to officers and employees for necessary and reasonable expenses for travel involving sales and promotion of the Port of Tampa; providing for source of funds for reimbursement; providing for a maximum; providing an effective date.

—was read the second time by title. On motion by Senator Castor, by two-thirds vote HB 1451 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Graham	Plante	Tobiassen
Castor	Hair	Poston	Trask
Chamberlin	Henderson	Renick	Vogt
Childers, Don	Holloway	Sayler	Ware
Childers, W. D.	Johnston	Scarborough	Williamson
Dunn	Lewis	Scott	Wilson
Firestone	MacKay	Skinner	Winn
Gallen	McClain	Spicola	Zinkil
Glisson	Myers	Thomas, Jon	
Gorman	Peterson	Thomas, Pat	

Nays—1

Gordon

HB 1721—A bill to be entitled An act relating to Madison County; amending section 2 of chapter 65-1869, Laws of Florida, to increase by \$1 million the aggregate sum of certificates of indebtedness, payable from a portion of racetrack funds accruing annually to Madison County, authorized to be issued by the board of public instruction to pay the costs of certain school projects; increasing the allowable interest rate; providing an effective date.

—was read the second time by title. On motion by Senator Pat Thomas, by two-thirds vote HB 1721 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Graham	Plante	Tobiassen
Castor	Hair	Poston	Trask
Chamberlin	Henderson	Renick	Vogt
Childers, Don	Holloway	Sayler	Ware
Childers, W. D.	Johnston	Scarborough	Williamson
Dunn	Lewis	Scott	Wilson
Firestone	MacKay	Skinner	Winn
Gallen	McClain	Spicola	
Glisson	Myers	Thomas, Jon	
Gorman	Peterson	Thomas, Pat	

Nays—2

Gordon Zinkil

Consideration of CS for HB 1883 was deferred.

CS for HB 1877—A bill to be entitled An act relating to the Jacksonville Electric Authority; moving chapter 67-1569, Laws of Florida, as amended, (the charter of the Jacksonville Electric Authority) into the charter of the City of Jacksonville; amending chapter 67-1320, Laws of Florida, as amended, creating Article 30 containing the Jacksonville Electric Authority; providing for the payment of certain funds to certain taxing units; repealing chapter 67-1569, Laws of Florida, as amended; providing an effective date.

—was read the second time by title. On motion by Senator Scarborough, by two-thirds vote CS for HB 1877 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Graham	Poston	Trask
Castor	Henderson	Renick	Vogt
Chamberlin	Holloway	Sayler	Ware
Childers, Don	Johnston	Scarborough	Williamson
Childers, W. D.	Lewis	Scott	Wilson
Dunn	MacKay	Skinner	Winn
Firestone	McClain	Spicola	Zinkil
Gallen	Myers	Thomas, Jon	
Glisson	Peterson	Thomas, Pat	
Gorman	Plante	Tobiassen	

Nays—2

Gordon Hair

HB 1884—A bill to be entitled An act relating to the City of Jacksonville; providing for certain sick leave benefits for the employees of the City of Jacksonville; providing for retroactive compensation pursuant to s. 215.425, Florida Statutes; allowing certain benefits for employees of the former county government of Duval County; providing an effective date.

—was read the second time by title.

Senator Scarborough moved the following amendment which was adopted:

Amendment 1—On page 2, strike all of lines 3 and 4 and insert: Section 2. This act shall take effect on October 1, 1979.

On motion by Senator Scarborough, by two-thirds vote HB 1884 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Graham	Plante	Tobiassen
Castor	Hair	Poston	Trask
Chamberlin	Henderson	Renick	Vogt
Childers, Don	Holloway	Sayler	Ware
Childers, W. D.	Johnston	Scarborough	Williamson
Dunn	Lewis	Scott	Wilson
Firestone	MacKay	Skinner	Winn
Gallen	McClain	Spicola	Zinkil
Glisson	Myers	Thomas, Jon	
Gorman	Peterson	Thomas, Pat	

Nays—1

Gordon

CS for HB 2018—A bill to be entitled An act relating to Gilchrist County; amending section 1, chapter 65-1221, Laws of Florida, as amended; providing for distribution of racetrack revenues; providing an effective date.

—was read the second time by title. On motion by Senator Skinner, by two-thirds vote CS for HB 2018 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Graham	Plante	Tobiassen
Castor	Hair	Poston	Trask
Chamberlin	Henderson	Renick	Vogt
Childers, Don	Holloway	Sayler	Ware
Childers, W. D.	Johnston	Scarborough	Williamson
Dunn	Lewis	Scott	Wilson
Firestone	MacKay	Skinner	Winn
Gallen	McClain	Spicola	
Glisson	Myers	Thomas, Jon	
Gorman	Peterson	Thomas, Pat	

Nays—2

Gordon Zinkil

HB 2138—A bill to be entitled An act relating to Hardee County; authorizing and providing for the acquisition of land

and the erection and equipping of a school building or buildings by the School District of Hardee County, Florida; providing for the issuance of revenue bonds not exceeding \$2,700,000 to finance such acquisition and construction; authorizing the School Board of the District to fix the amount, denominations, interest, maturities, and the details of such bonds and to sell the same under certain conditions; providing for the payment of said bonds from, and an irrevocable pledge for that purpose, a portion of the taxes on pari-mutuel wagering levied pursuant to chapters 550 and 551, Florida Statutes, allocated to Hardee County; providing for the payment of such funds to the School Board for that purpose; providing an effective date.

—was read the second time by title. On motion by Senator Gallen, by two-thirds vote HB 2138 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Graham	Plante	Tobiassen
Castor	Hair	Poston	Trask
Chamberlin	Henderson	Renick	Vogt
Childers, Don	Holloway	Sayler	Ware
Childers, W. D.	Johnston	Scarborough	Williamson
Dunn	Lewis	Scott	Wilson
Firestone	MacKay	Skinner	Winn
Gallen	McClain	Spicola	
Glisson	Myers	Thomas, Jon	
Gorman	Peterson	Thomas, Pat	

Nays—2

Gordon	Zinkil
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HB 2156—A bill to be entitled An act relating to Lake County, Florida; providing for the acquisition, construction, erection, enlargement and improvement of school buildings, and the furnishing and equipping of school buildings of the School Board of Lake County, Florida; providing for the acquisition of supplies, equipment and materials of all types to be used in public education by the School Board of Lake County, Florida, including vehicles, buses and maintenance equipment of all types; authorizing the issuance of certificates of indebtedness payable from the portion of racetrack funds and jai alai fronton funds accruing annually to Lake County, and allocated to such Board, to pay the cost of such projects; authorizing the issuance of refunding certificates of indebtedness to refund certificates of indebtedness payable from such racetrack and jai alai fronton funds; providing an effective date.

—was read the second time by title. On motion by Senator Glisson, by two-thirds vote HB 2156 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Graham	Plante	Tobiassen
Castor	Hair	Poston	Trask
Chamberlin	Henderson	Renick	Vogt
Childers, Don	Holloway	Sayler	Ware
Childers, W. D.	Johnston	Scarborough	Williamson
Dunn	Lewis	Scott	Wilson
Firestone	MacKay	Skinner	Winn
Gallen	McClain	Spicola	
Glisson	Myers	Thomas, Jon	
Gorman	Peterson	Thomas, Pat	

Nays—2

Gordon	Zinkil
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HB 927—A bill to be entitled An act relating to the City of Cape Coral, Lee County; prohibiting commercial fishing and collecting of certain marine life in man-made canals in the City of Cape Coral; providing a penalty; providing for a referendum; providing an effective date.

—was read the second time by title.

Senator Barron moved the following amendments which were adopted:

Amendment 1—On page 1, line 15, after the word “Coral” insert: between the hours of 11 p.m. and 6 a.m.

Amendment 2—On page 1 in title, line 5, after the word “Coral” insert: at certain times

On motion by Senator Henderson, by two-thirds vote HB 927 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Graham	Plante	Tobiassen
Castor	Hair	Poston	Trask
Chamberlin	Henderson	Renick	Vogt
Childers, Don	Holloway	Sayler	Ware
Childers, W. D.	Johnston	Scarborough	Williamson
Dunn	Lewis	Scott	Wilson
Firestone	MacKay	Skinner	Winn
Gallen	McClain	Spicola	Zinkil
Glisson	Myers	Thomas, Jon	
Gorman	Peterson	Thomas, Pat	

Nays—1

Gordon

HB 2197—A bill to be entitled An act relating to Franklin County; providing for the acquisition, construction, erection, enlargement, and improvement of school buildings, and the furnishing and equipping of school buildings of the school board of Franklin County; authorizing the issuance of certificates of indebtedness payable from the portion of racetrack funds and jai alai fronton funds accruing annually to Franklin County, and allocated to such board, to pay the cost of such projects; authorizing the issuance of refunding certificates of indebtedness to refund certificates of indebtedness payable from such racetrack and jai alai fronton funds; providing an effective date.

—was read the second time by title. On motion by Senator Pat Thomas, by two-thirds vote HB 2197 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Graham	Plante	Tobiassen
Castor	Hair	Poston	Trask
Chamberlin	Henderson	Renick	Vogt
Childers, Don	Holloway	Sayler	Ware
Childers, W. D.	Johnston	Scarborough	Williamson
Dunn	Lewis	Scott	Wilson
Firestone	MacKay	Skinner	Winn
Gallen	McClain	Spicola	
Glisson	Myers	Thomas, Jon	
Gorman	Peterson	Thomas, Pat	

Nays—2

Gordon	Zinkil
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HB 1440—A bill to be entitled An act relating to the Jacksonville Port Authority; amending sections 5 and 15(a) and (b) of chapter 63-1447, Laws of Florida, as amended; providing for appointment of airport guards or police with full police powers; providing certain conditions; assigning liability; providing for qualifications and rights of said guards or police; providing an increase in the maximum amount of funds expendable prior to public bidding; providing an effective date.

—was read the second time by title.

Senator Scarborough moved the following amendments which were adopted:

Amendment 1—On page 1, line 22, after the word “powers” insert: *to be exercised only on port authority property or when necessary to make an arrest, said airport guards or police may make a fresh pursuit of a person from within said property*

Amendment 2—On page 1, line 31, and on page 2, lines 1-22, strike all of said lines inclusive

Amendment 3—On page 1 in title, lines 7-9, strike "assigning liability; providing for qualifications and rights of said guards or police;"

On motion by Senator Scarborough, by two-thirds vote HB 144) as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Graham	Plante	Tobiassen
Castor	Hair	Poston	Trask
Chamberlin	Henderson	Renick	Vogt
Childers, Don	Holloway	Sayler	Ware
Childers, W. D.	Johnston	Scarborough	Williamson
Dunn	Lewis	Scott	Wilson
Firestone	MacKay	Skinner	Winn
Gallen	McClain	Spicola	Zinkil
Glisson	Myers	Thomas, Jon	
Gorman	Peterson	Thomas, Pat	

Nays—1

Gordon

CS for HB 2202—A bill to be entitled An act relating to the City of Hallandale, Broward County; authorizing the city to establish within its boundaries a recreation district or districts; providing for the government and powers of such districts, including the power to issue bonds and levy taxes for the payment thereof after a referendum approving such bonds, and the power to issue revenue bonds; establishing a method for challenging the charter of any such district or any part thereof or amendment thereto; limiting the time for any such challenge to be brought, and making other provisions in connection with the foregoing; providing an effective date.

On motions by Senator Zinkil, by two-thirds vote CS for HB 2202 was read the second time by title, and by two-thirds vote read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Graham	Plante	Tobiassen
Castor	Hair	Poston	Trask
Chamberlin	Henderson	Renick	Vogt
Childers, Don	Holloway	Sayler	Ware
Childers, W. D.	Johnston	Scarborough	Williamson
Dunn	Lewis	Scott	Wilson
Firestone	MacKay	Skinner	Winn
Gallen	McClain	Spicola	Zinkil
Glisson	Myers	Thomas, Jon	
Gorman	Peterson	Thomas, Pat	

Nays—1

Gordon

On motion by Senator Sayler, by two-thirds vote SB 1001 was placed on the local calendar.

SB 1001—A bill to be entitled An act relating to Pinellas County; creating the Pinellas Social Services Council; providing for membership and terms of office; providing for filling of vacancies; providing for removal of members; providing duties and functions of the council; providing for staff services; allocating funds for the budget of the council; providing for annual budgeting; providing for handling and disbursement of funds; requiring certain members to provide bond; providing for dissolution of the council; providing for automatic repeal; providing an effective date.

—was read the second time by title. On motion by Senator Sayler, by two-thirds vote SB 1001 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Graham	Plante	Tobiassen
Castor	Hair	Poston	Trask
Chamberlin	Henderson	Renick	Vogt
Childers, Don	Holloway	Sayler	Ware
Childers, W. D.	Johnston	Scarborough	Williamson
Dunn	Lewis	Scott	Wilson
Firestone	MacKay	Skinner	Winn
Gallen	McClain	Spicola	Zinkil
Glisson	Myers	Thomas, Jon	
Gorman	Peterson	Thomas, Pat	

Nays—1

Gordon

The Senate reverted to—

CS for HB 1883—A bill to be entitled An act relating to the Jacksonville Electric Authority, City of Jacksonville, Duval County providing for the acquisition, construction, erection, building, extending, leasing, enlargement, improvement, furnishing, equipping, owning and operating electric generating plants, transmission lines, interconnections and substations for the generation, transmission, and exchanging of electric power and energy by and for the Jacksonville Electric Authority, City of Jacksonville, Duval County, Florida, as a separate bulk power supply utility or system; providing for joint ownership and participation; providing for fuel supply and fuel transportation facilities; providing for the payment of certain funds to certain taxing units; authorizing the issuance of revenue bonds by the Authority to pay the cost thereof payable from revenues derived from the operation of the system and other funds legally available for such purpose; providing an effective date.

—which was read the second time by title.

Senators MacKay and Glisson offered the following amendment which was moved by Senator MacKay and failed:

Amendment 1—On page 7, line 22, insert: As to location of generating facilities in Clay County, this act shall only become effective upon approval by a majority of the electors in Clay County at a referendum held pursuant to law.

The vote was:

Yeas—16

Chamberlin	Gorman	MacKay	Tobiassen
Childers, Don	Graham	Poston	Vogt
Dunn	Holloway	Renick	Wilson
Glisson	Johnston	Skinner	Zinkil

Nays—20

Mr. President	Hair	Plante	Thomas, Jon
Castor	Henderson	Sayler	Thomas, Pat
Childers, W. D.	Lewis	Scarborough	Trask
Firestone	McClain	Scott	Ware
Gallen	Peterson	Spicola	Winn

On motion by Senator Scarborough, by two-thirds vote CS for HB 1883 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—23

Mr. President	Holloway	Renick	Thomas, Pat
Childers, W. D.	Lewis	Sayler	Trask
Gallen	Myers	Scarborough	Ware
Gorman	Peterson	Scott	Williamson
Graham	Plante	Spicola	Winn
Hair	Poston	Thomas, Jon	

Nays—16

Castor	Firestone	Johnston	Tobiassen
Chamberlin	Glisson	MacKay	Vogt
Childers, Don	Gordon	McClain	Wilson
Dunn	Henderson	Skinner	Zinkil

Senator Scarborough presiding

The Senate reverted to—

CS for HB 1886—A bill to be entitled An act relating to St. Petersburg Junior College, Pinellas County, Florida; providing for up to an annual one-half mill tax levy in Pinellas County, Florida; providing for a referendum election; providing that the proceeds of said tax levy shall not reduce state funding for St. Petersburg Junior College; providing an effective date.

—which was read the second time by title.

Senator Peterson moved that consideration of CS for HB 1886 be deferred. The motion failed.

On motion by Senator Ware, by two-thirds vote CS for HB 1886 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—31

Castor	Graham	Plante	Thomas, Pat
Chamberlin	Hair	Poston	Tobiassen
Childers, W. D	Henderson	Renick	Trask
Dunn	Holloway	Sayler	Vogt
Firestone	Johnston	Scarborough	Ware
Gallen	MacKay	Scott	Williamson
Glisson	McClain	Skinner	Winn
Gorman	Myers	Thomas, Jon	

Nays—2

Peterson Zinkil

Vote after roll call:

Yea—Spicola

The President presiding

On motion by Senator Hair, by two-thirds vote the message from the House of Representatives containing SB 262 with 14 House amendments was withdrawn from the Committee on Judiciary-Civil.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Lew Brantley, President

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

By Senator Gallen—

SB 262—A bill to be entitled An act relating to service charges and fees of county officers; repealing s. 28.2401(2), (3), Florida Statutes, as amended, relating to imposition of service charges in probate matters in excess of those set by law in certain circumstances; repealing ss. 30.232 and 125.0166, Florida Statutes, as created by chapter 77-234, Laws of Florida, relating to the imposition of discretionary surfees for service of summons, subpoenas, and executions; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 1, lines 16-18, strike all of said lines and renumber subsequent sections

Amendment 2—On page 1 in title, lines 3 through 7, strike “repealing s. 28.2401(2), (3), Florida Statutes, as amended, relating to imposition of service charges in probate matters in excess of those set by law in certain circumstances;”

Amendment 3—On page 1 in title, line 11, after the word “executions,” insert: amending s. 30.231 relating to sheriffs’ fees for service of summons, subpoenas and executions;

Amendment 5—On page 2, between lines 12 and 13, insert: Section 1. Section 48.205, Florida Statutes, is created to read:

48.205 Service of process at place of worship.—

(1) Service or execution on the premises of any church, temple, or synagogue, during hours regularly or publicly established or posted for public worship services, of any subpoena, writ, process, warrant, order, or judgment, is void, except that a summons, order, or judgment addressed or directed to the church, temple, or synagogue, or its corporate entity, may be served at any time.

(2) If any summons, order, or judgment addressed or directed to a church, temple, or synagogue, or its corporate entity, is served during hours regularly or publicly established or posted for public worship services, the person making such service shall endorse on his return thereof that he first attempted, without success, to serve to same during nonworship hours, else such service shall be void.

Section 2. Section 48.20, Florida Statutes, is hereby repealed. and renumber subsequent section

Amendment 6—On page 1 in title, line 11 after the “;” insert: creating s. 48.205, Florida Statutes, prohibiting service or execution of any subpoena, writ, process, warrant, order, or judgment on the premises of any church, temple, or synagogue during public worship hours; providing requirements of summonses, orders, or judgments at such locations under certain circumstances; repealing s. 48.20, Florida Statutes, relating to service of process on Sunday;

Amendment 7—On page 2, line 13, insert new section 4 and renumber subsequent sub-sections: Section 4. Subsection (2) of Section 30.231, Florida Statutes, is amended to read:

(2) All fees collected under paragraphs (a), (b), (c) and (d) of subsection (1) shall be nonrefundable, and no additional fees shall be required for alias and pluries documents when service was not effected on the original document. All fees under this section shall be considered earned when the request, attempt or completed service has been made.

Amendment 8—On page 2, line 13, add new Section 4 and renumber subsequent section: Section 4. Section 48.031, Florida Statutes, is amended to read:

48.031 Service of process generally.—Service of original process is made by delivering a copy of it to the person to be served with a copy of the complaint, petition, or other initial pleading or paper or by leaving the copies at his usual place of abode with some person of the family who is 15 years of age or older and who resides at the usual place of abode of the person to be served, and informing the person of their contents. Substitute service may also be made by serving the person’s spouse provided that the spouse is not a party to the proceeding in which service is sought. Minors who are or have been married shall be served as provided in this section.

Amendment 9—On page 2, line 13, add new Section 4 and renumber subsequent section: Section 4. Subparagraph (5) of Section 222.06, Florida Statutes, is amended to read:

(5) Notice of the time and place of appraisal shall be given to the said creditor, his attorney or agent at least 24 hours before the making of the same. The appraisers shall be entitled to the same fees as are allowed to jurors, a reasonable fee for their services, and the same shall be allowed as costs upon the process in the hands of the officer, but no costs shall be required of the debtor for the proceedings to appraise and exempt any property claimed by him to be exempt; provided that any property owned by him, over and above the amount allowed by law as exempt, shall be liable to sale under such process, and for the costs of this proceeding. The officer levying such writ may demand of the creditor sufficient deposit of costs to pay the expenses of appraisal, as aforesaid, not exceeding the sum of \$12, before he shall be required to appoint appraisers.

Amendment 10—On page 1, line 30, strike “person or respondent” and insert: writ

Amendment 11—On page 2, line 13, insert new Section 4 and renumber: Section 4. Subsections (2) and (3) of Section 30.17, Florida Statutes, are amended to read:

(2) Said docket shall be laid before the court at each term, and be subject to the inspection of all parties interested.

(3) His failure to keep said docket, to lay it before the court or to allow inspection of the same, shall be considered a contempt of court, and subject him to a fine not exceeding \$100, at the discretion of the court.

Amendment 12—On page 2, line 13, add new Section 4 and renumber subsequent section: Section 4. Section 48.091, Florida Statutes, is amended by adding a new subparagraph (3) thereto to read as follows:

(3) Any corporation failing to comply with paragraphs (1) and (2) of this section may be served by serving the Secretary of State.

Amendment 14—On page 1 in title, line 11, after "executions;" insert: amending s. 30.231(2), Florida Statutes, relating to certain discretionary surfees; amending s. 48.031, Florida Statutes, relating to service of process; amending s. 222.06(5), Florida Statutes, relating to certain appraisers' fees; amending s. 30.17(2) and (3), Florida Statutes, relating to execution dockets; adding a subsection to s. 48.091, Florida Statutes, relating to registration agents and registration offices of corporations;

Senator Hair moved the following amendment to House Amendment 14 which was adopted:

Amendment 14A—On page 1, line 1, strike lines 1-9 and insert: amending s. 30.231(2), Florida Statutes, relating to certain discretionary surfees;

Amendment 15—On page 1, strike all of lines 16-18 and insert: Section 1. Subsections (20) through (30) of section 28.24, Florida Statutes, are renumbered as subsections (22) through (32), respectively, new subsections (20) and (21) are added to said section, and present subsections (10), (12), (16), (20), and (25) are amended to read:

28.24 Service charges by Clerk of the Circuit Court.—The clerk of the circuit court shall make the following charges for services rendered by his office in recording documents and instruments and in performing the duties enumerated:

Charges

- (1) For making microfilm copies of any public records:
 - (a) 16 mm 100' microfilm roll or lesscost and handling charges up to 25.00
 - (b) 35 mm 100' microfilm roll or lesscost and handling charges up to 35.00
 - (c) Micro fiche, per fiche2.00
- (12) For writing any paper other than herein specifically mentioned, same as for copying, including signing and sealing4.00
- (16) For recording, indexing, and filing any instrument not more than 14 inches by 8½ inches, including required notice to property appraiser where applicable:
 - (a) First page or fraction thereof4.00
 - (b) Each additional page or fraction thereof3.00
 - (c) For indexing instruments recorded in the official records which contain more than four names entries, per additional name entry50
- (20) For preparing exemplified certificates, including signing and sealing4.00
- (21) For preparing authenticated certificates, including signing and sealing4.00
- (22)-(25) For preparing affidavit of domicile4.00

(27)-(25) For receiving and disbursing domestic support payments, per payment item, unless otherwise provided by county ordinance or by special or general law2.00

(renumber remaining sections accordingly)

Amendment 16—On page 1 in title, strike all of line 3 and insert: clerks of the circuit court and county officers; amending s. 28.24(10), (12), (16), (20), and (25), Florida Statutes, and adding new subsections, modifying provisions relating to charges for services rendered in recording documents and instruments and in performing certain other duties;

On motions by Senator Hair, the Senate concurred in House Amendment 14 as amended and House Amendments 1, 2, 3, 15 and 16, and House Amendment 14 as amended, and requested the House to concur in the Senate amendment.

On motions by Senator Hair, the Senate refused to concur in House Amendments 5, 6, 7, 8, 9, 10, 11 and 12 and requested the House to recede.

SB 262 as amended passed and the action of the Senate was certified to the House. The vote on passage was:

Yeas—35

Mr. President	Graham	Plante	Thomas, Pat
Castor	Hair	Poston	Tobiassen
Childers, Don	Henderson	Renick	Trask
Childers, W. D.	Holloway	Saylor	Vogt
Dunn	Johnston	Scarborough	Ware
Firestone	MacKay	Scott	Williamson
Gallen	McClain	Skinner	Winn
Glisson	Myers	Spicola	Zinkil
Gorman	Peterson	Thomas, Jon	

Nays—1

Chamberlin

Senator Poston moved that the rules be waived and SB 1356 be placed on the special order calendar. The motion failed.

The Honorable Lew Brantley, President

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

By the Committee on Transportation and Senator Poston—

SB 220—A bill to be entitled An act relating to drivers' licenses; amending s. 322.01(13), (14), Florida Statutes, and adding subsections (16) and (17) to said section; defining certain terms; amending s. 322.02(2), Florida Statutes; changing qualifications of the director of the Division of Drivers' Licenses of the Department of Highway Safety and Motor Vehicles; amending s. 322.03(1), (2), Florida Statutes; providing for surrender of out-of-state drivers' licenses to the Department of Highway Safety and Motor Vehicles; providing circumstances under which a chauffeur's license is required; amending ss. 322.031 and 322.04(2), Florida Statutes; requiring drivers' licenses for certain nonresidents; amending s. 322.05(2), (3), Florida Statutes; providing requirements for issuance of a chauffeur's license; providing circumstances under which a driver's license may not be issued; amending s. 322.051(1), Florida Statutes; providing for the issuance of an identification card to any person 12 years of age or older; requiring certain information to appear on identification cards; amending s. 322.08, Florida Statutes; providing requirements for applications; amending s. 322.09(1)(b), (2), (3), Florida Statutes; requiring certain documents to be certified; eliminating provision for application for multiple drivers' licenses; imputing negligence of a minor to the person who signed that minor's application; amending s. 322.10, Florida Statutes; providing for release from liability of the person who signed a minor's application under certain circumstances; amending s. 322.12(2), Florida Statutes; eliminating time requirement for examination; amending s. 322.121(1), (2), Florida Statutes; deleting notice requirement for reexamination; deleting obsolete language; amending s. 322.13, Florida Statutes; providing for appointment and duties of driver's license examiners; amending s. 322.14, Florida Statutes; providing for certain information to appear on licenses; amending s. 322.142(1), (2), (5), Florida Statutes; providing for issuance of photographic licenses; providing for use of the film negative

or print file of the Department of Highway Safety and Motor Vehicles; amending s. 322.16(2), Florida Statutes; clarifying provisions relating to restricted licenses; amending s. 322.18(2) (a), (c), (6), Florida Statutes; providing for expiration date of licenses; providing for issuance of license or temporary permit if a licensee does not receive a certificate of eligibility; adding s. 322.20(3), Florida Statutes; prohibiting unauthorized alteration of records; amending s. 322.212(1), (3), Florida Statutes; deleting references to county court judges and agents of Department of Highway Safety and Motor Vehicles in provision relating to unauthorized use or possession of license; amending s. 322.22(1), Florida Statutes; prescribing circumstances for cancellation of licenses; amending s. 322.221(2)(c), Florida Statutes; clarifying language; amending s. 322.25(7), Florida Statutes; providing for temporary reinstatement of driving privilege of persons convicted of certain offenses; amending s. 322.27(1) (b), Florida Statutes; increasing amount of property damage necessary for suspension of a license without preliminary hearing; amending s. 322.282(2), Florida Statutes; providing for issuance of temporary driving permits for employment or business purposes to persons convicted of certain offenses; renumbering s. 322.32(7), Florida Statutes, and adding a new subsection (7) to said section; prohibiting one person from applying for, obtaining, or causing to be issued to himself, two or more drivers' licenses in different names, and providing a penalty therefor; amending s. 322.41, Florida Statutes; prohibiting the issuance of drivers' licenses by local governments; repealing s. 322.051(2), Florida Statutes, relating to the content of identification cards; repealing s. 322.211, Florida Statutes, relating to the appointment of subagents for the issuance and sale of licenses; repealing s. 322.27(3), Florida Statutes, relating to the value of certain points assigned for traffic infractions; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 18, line 27, strike "\$100" and insert: \$500

Amendment 2—On page 12, lines 5-19, strike all of said lines and insert: Section 13. Section 322.13, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 322.13, F.S., for present text.)

322.13 Driver's license examiners.—

(1) The department shall designate persons to serve as driver's license examiners who, upon accepting such designation, shall conduct examinations hereunder, perform other assigned duties, and make factual reports of findings and recommendations to the department as it may require. In the course of his duties an examiner is authorized to administer oaths or have persons affirm as to the truth of statements filed before him. (2) The department shall further designate persons to serve as driver's license examiners to enforce all driver's license laws and suspension, revocation, cancellation orders, and laws relating to the registration of motor vehicles entered in compliance with the provisions of this chapter and chapters 320, 324, and 488. Upon designation, certain examiners shall be empowered to issue uniform traffic citations to persons found in violation of such chapters. Any person who fails or refuses to surrender his driver's license, registration certificate, and license plate upon lawful demand of an examiner is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. Persons designated as examiners by the department shall not be considered for membership in the state's high risk retirement program.

Amendment 3—On page 2 in title, lines 10-12, strike all of said lines and insert: deleting obsolete language amending s. 322.13, Florida Statutes, requiring the Department of Highway Safety and Motor Vehicles to designate persons as driver's license examiners; providing their duties; empowering the examiners to issue traffic citations for certain offenses; prohibiting the failure or refusal of a person to surrender his driver's license, registration, or license plate to an examiner of the department; providing a penalty; excluding such examiners from the state's high risk retirement system; amending

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

SB 220 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—30

Mr. President	Graham	Plante	Tobiassen
Castor	Hair	Poston	Trask
Chamberlin	Johnston	Renick	Ware
Childers, Don	Lewis	Sayler	Wilson
Childers, W. D.	MacKay	Scott	Winn
Firestone	McClain	Skinner	Zinkil
Gallen	Myers	Spicola	
Glisson	Peterson	Thomas, Pat	

Nays—None

Vote after roll call:

Yea—Gorman

The bill was ordered engrossed and then enrolled.

On motion by Senator W.D. Childers, the Senate recessed at 4:32 p.m.

The Senate was called to order by the President at 5:03 p.m. A quorum present—26:

Mr. President	Glisson	McClain	Tobiassen
Barron	Gorman	Plante	Trask
Chamberlin	Graham	Poston	Vogt
Childers, Don	Hair	Renick	Winn
Childers, W. D.	Holloway	Scarborough	Zinkil
Dunn	Johnston	Spicola	
Firestone	Lewis	Thomas, Jon	

On motion by Senator W.D. Childers, the Senate recessed at 5:04 p.m.

The Senate was called to order by the President at 6:13 p.m. A quorum present—30:

Mr. President	Graham	Poston	Vogt
Castor	Hair	Renick	Ware
Childers, Don	Henderson	Sayler	Williamson
Childers, W. D.	Holloway	Scarborough	Wilson
Dunn	Johnston	Spicola	Winn
Glisson	Lewis	Thomas, Jon	Zinkil
Gordon	MacKay	Thomas, Pat	
Gorman	Peterson	Tobiassen	

On motion by Senator Scarborough, the Senate reconsidered the vote by which—

HB 1445—A bill to be entitled An act relating to the City of Jacksonville; amending appendix 1 of chapter 67-1320, Laws of Florida, as amended by chapter 67-1547, and as subsequently amended or modified by other legislative acts or reapportionment orders; renumbering the districts of the council of the City of Jacksonville; providing terms for certain school board members; providing an effective date.

—as amended passed this day.

On motion by Senator Scarborough, the Senate reconsidered the vote by which HB 1445 was read the third time.

On motions by Senator Scarborough, the Senate reconsidered the vote by which Amendments 1 and 2 were adopted.

By permission, Amendments 1 and 2 were withdrawn.

On motion by Senator Scarborough, by two-thirds vote HB 1445 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—31

Mr. President	Gorman	Plante	Tobiassen
Castor	Graham	Poston	Trask
Chamberlin	Hair	Renick	Vogt
Chidlers, Don	Henderson	Sayler	Ware
Chidlers, W. D.	Holloway	Scarborough	Wilson
Durn	McClain	Skinner	Winn
Firestone	Myers	Spicola	Zinkil
Glisson	Peterson	Thomas, Pat	

Nays—None

By direction of the President the following Conference Committee Report was read:

CONFERENCE COMMITTEE REPORT ON SB 1100

The Honorable Lew Brantley
President of the Senate

The Honorable Donald L. Tucker
Speaker, House of Representatives

Dear Sirs:

Your Conference Committee on the disagreeing votes of the two Houses on the House amendments to Senate Bill 1100 same being:

An act making appropriations; providing moneys for the annual period beginning July 1, 1978 and ending June 30, 1979 to pay salaries, other expenses, capital outlay-buildings and improvements, and for other specified purposes of the various agencies of state government; suspending sections 27.34(2), 27.54(3), 215.32(2)(c), 216.262, 216.292, 216.301, 216.351, 228.195(4), 230.765, 230.767(4), 235.435, 257.22, and 402.17(3), Florida Statutes; Repealing Item 3B of Section 3, Chapter 77-465, Laws of Florida; providing an effective date.

having met, and after full and free conference, have agreed to recommend and do recommend to their respective Houses, as follows:

1. That the House recede from its amendments 1 and 2.
2. That the Senate and the House of Representatives adopt the Conference Committee amendments attached hereto, and by reference made a part of this report.

Philip D. Lewis
W. D. Childers
Jack D. Gordon
Maxtox Hair
Curtis Peterson
Kenneth A. Plante
Guy Spicola
Alan Trask

Edmond M. Fortune
William C. Andrews
Samuel P. Bell, III
Elaine Bloom
A. H. Craig
R. Earl Dixon
Clark Maxwell, Jr.
Herbert F. Morgan

Managers on the part of the Senate
Managers on the part of the House of Representatives

Conference Committee Amendment 1—On page 1, strike everything after the enacting clause and insert: Section 1. The moneys in the following items are appropriated from the named funds for the 1978-79 fiscal year to the state agency indicated, as the amounts to be used to pay the salaries and other expenditures of the named agencies, and are in lieu of all moneys appropriated for these purposes in other sections of the Florida Statutes, except that if additional moneys are needed to meet the requirements of a continuing appropriation of a trust fund and additional moneys are available in the named trust fund, the Department of Administration is authorized to approve the expenditure of additional, available moneys in such trust fund in such amount(s) as may be necessary to meet such deficiency.

**ADMINISTERED FUNDS—
DEPARTMENT OF ADMINISTRATION**

Item	Positions \$	Amount \$
1 Special Categories Governor Elect—Operating Fund From General Revenue Fund		75,000

Item	Positions \$	Amount \$
2 Special Categories Governor Elect—Inauguration Expense Fund From General Revenue Fund		75,000
3 Special Categories Southern Interstate Nuclear Board From General Revenue Fund		14,000
4 Special Categories Commission on Interstate Cooperation From General Revenue Fund		106,010
5 Special Categories National Committee on Uniform Traffic Codes and Laws From General Revenue Fund		1,000
6 Special Categories Unemployment Compensation Benefits—State Employees From General Revenue Fund		500,000
7 Special Categories Assessment Administrative Review Commission From General Revenue Fund		5,000
7A Special Categories Printing of Proposed Constitutional Amendments From General Revenue Fund		750,000
The amount appropriated in Item 7A is contingent upon HB 720 or similar legislation becoming law.		
8 Special Categories Deficiency From Working Capital Fund		400,000
9 Special Categories Emergency From Working Capital Fund		500,000
9A Special Categories Reimbursement to Holmes County From General Revenue Fund		24,878
10 Special Categories Florida Land and Water Adjudicatory Commission—Administrative Appeals From General Revenue Fund		5,000
11 Not Used		
12 Not Used		
12A Special Categories Resource Management System Studies—Consultant Services From General Revenue Fund		125,600
	From Trust Funds	41,400
13 Special Categories Law Enforcement Incentive Funds From General Revenue Fund		1,234,000
	From Trust Funds Provided, that no funds provided in Item 13 shall be used to	151,000

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
provide educational incentive awards to any state law enforcement officer whose position requires a minimum of a four year degree or higher or allows the substitution of experience therefor.			Funds appropriated in Item 16A are contingent upon HB 706 or similar legislation becoming law.		
14 Special Categories Health Insurance Premium Increases			ADMINISTRATION, DEPARTMENT OF		
From General Revenue Fund		768,159	Provided that in order for the state agencies to reimburse health and medical care practitioners, in the same amount for identical services by identical provider types, the Department of Administration shall develop a uniform fee schedule for each provider class receiving state reimbursements.		
From Trust Funds			Office of the Secretary		
15 Special Categories Retirement Contribution Increase State Agencies			17 Salaries and Benefits	79	
From General Revenue Fund		1,473,784	From General Revenue Fund		876,431
From Trust Funds			From Administrative Trust Fund		498,362
Funds appropriated in Item 15 are contingent upon HB 1140 or similar legislation becoming law.			From Grants and Donations Trust Fund		472,826
16 Special Categories— Salary Increases Career Service System—Merit Increases			18 Other Personal Services		
From General Revenue Fund		35,206,056	From General Revenue Fund		1,200
From Trust Funds			From Administrative Trust Fund		10,800
Career Service System—Adjustment for Competitive Pay			From Grants and Donations Trust Fund		206,000
From General Revenue Fund		630,000	19 Expenses		
From Trust Funds			From General Revenue Fund		77,130
Board of Regents Pay Plan			From Administrative Trust Fund		124,838
From General Revenue Fund		3,523,917	From Grants and Donations Trust Fund		469,813
From Trust Funds			20 Grants and Aids Energy Grants		
Board of Regents Collective Bargaining Faculty Unit			From Grants and Donations Trust Fund		1,083,267
From General Revenue Fund		5,217,582	21 Operating Capital Outlay		
From Trust Funds			From General Revenue Fund		373
School for the Deaf and Blind Pay Plan			From Administrative Trust Fund		4,023
From General Revenue Fund		29,502	From Grants and Donations Trust Fund		1,563
From Trust Funds			21A Lump Sum		
School for the Deaf and Blind Collective Bargaining Instructional Unit			Matching Funds Program for energy conservation in schools, hospitals and local governments	5	
From General Revenue Fund		109,248	From General Revenue Fund		186,869
From Trust Funds			Provided, however, funds appropriated in Item 21A are contingent upon federal legislation becoming law to authorize this program and federal matching funds being received.		
Exempt Positions			22 Special Categories Coastal Plains Regional Commission		
From General Revenue Fund		201,878			
From Trust Funds					
Cabinet Members					
From General Revenue Fund		9,240			
Judges and Justices					
From General Revenue Fund		547,372			
State Attorney's and Public Defender's					
From General Revenue Fund		42,055			
16A Special Categories Minimum Retirement Benefits					
From General Revenue Fund		1,252,600			

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
23 Data Processing Services		55,000	33 Grants and Aids Regional Planning Councils		360,942
From General Revenue Fund			From Block Grant Matching Trust Fund		
From General Revenue Fund		5,000	From General Revenue Fund		500,000
From Grants and Donations Trust Fund		10,000	Provided, that the funds in Item 33 shall be used for grants to regional planning councils established pursuant to Florida Statutes. Provided, further, the amount in Item 33 shall be divided equally among the regional planning councils.		
Advocacy Commission for the Developmentally Disabled			34 Grants and Aids Law Enforcement Assistance Act		
24 Salaries and Benefits	3	52,761	From Governor's Council on Criminal Justice Trust Fund		14,112,016
From Grants and Donations Trust Fund			35 Operating Capital Outlay		
25 Other Personal Services			From General Revenue Fund		2,500
From Grants and Donations Trust Fund		15,000	From Governor's Council on Criminal Justice Trust Fund		2,700
23 Expenses			From Governor's Highway Safety Commission Trust Fund		2,955
From Grants and Donations Trust Fund		28,625	From State-Federal Relations Trust Fund		1,656
27 Operating Capital Outlay			36 Data Processing Services		
From Grants and Donations Trust Fund		1,000	From General Revenue Fund		18,412
State Planning, Division of			From Governor's Council on Criminal Justice Trust Fund		4,500
23 Salaries and Benefits	166	1,300,748	From Governor's Highway Safety Commission Trust Fund		2,000
From General Revenue Fund			From State-Federal Relations Trust Fund		1,700
From Governor's Council on Criminal Justice Trust Fund		926,230	37 Salaries and Benefits	70	1,396,035
From Governor's Highway Safety Commission Trust Fund		311,438	From General Revenue Fund		
From State Planning Trust Fund		147,621	38 Other Personal Services		22,225
From State-Federal Relations Trust Fund		71,428	From General Revenue Fund		
29 Other Personal Services			39 Expenses		166,894
From General Revenue Fund		13,231	From General Revenue Fund		
From Governor's Council on Criminal Justice Trust Fund		119,090	40 Operating Capital Outlay		9,018
From Governor's Highway Safety Commission Trust Fund		176,000	From General Revenue Fund		
30 Expenses			41 Special Categories Municipal and County Population Estimates		
From General Revenue Fund		242,308	From General Revenue Fund		100,625
From Governor's Council on Criminal Justice Trust Fund		207,893	42 Special Categories Cost-of-Living Price Survey		
From Governor's Highway Safety Commission Trust Fund		81,690	From General Revenue Fund		172,590
From State Planning Trust Fund		35,842			
From State-Federal Relations Trust Fund		19,831			
31 Grants and Aids Highway Safety Grants					
From Governor's Highway Safety Commission Trust Fund		2,773,903			
32 Grants and Aids LEAA Local Buy-in					

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
43 Data Processing Services From General Revenue Fund		2,000	56 Pensions and Benefits Confederate Pensions From General Revenue Fund		19,000
Personnel, Division of			State Officers and Employees (Non-Contributory) From General Revenue Fund		1,700,000
44 Salaries and Benefits From Grants and Donations Trust Fund	158	102,178	Teacher's Special Pensions From General Revenue Fund		100,000
From State Personnel System Trust Fund		2,317,962	Disability Benefits to Justices and Judges From General Revenue Fund		73,000
45 Other Personal Services From State Personnel System Trust Fund		123,075	Special Pensions and Relief Acts From General Revenue Fund		19,000
46 Expenses From Grants and Donations Trust Fund		16,540	Florida National Guard From General Revenue Fund		230,000
From State Personnel System Trust Fund		511,569	Members Benefits From Florida Retirement System Trust Fund		171,500,000
47 Grants and Aids Intergovernmental Personnel Grants From Grants and Donations Trust Fund		345,856	Survivors Benefits From TRS Survivor Benefit Trust Fund		3,100,000
48 Operating Capital Outlay From State Personnel System Trust Fund		10,839	Minimum Benefits Adjustment From General Revenue Fund		1,100,000
48A Special Categories Administrative Management Training Project From General Revenue Fund		100,000	Administrative Hearings, Division of		
49 Data Processing Services From General Revenue Fund		400,000	57 Salaries and Benefits From General Revenue Fund	20	447,840
From State Personnel System Trust Fund		644,317	58 Other Personal Services From General Revenue Fund		4,000
Provided, funds appropriated from the State Personnel System Trust Fund are based on a personnel assessment of \$39 per position.			59 Expenses From General Revenue Fund		103,553
Retirement, Division of			60 Operating Capital Outlay From General Revenue Fund		1,600
50 Salaries and Benefits From Operating Trust Fund	181	2,456,518	AGRICULTURE AND CONSUMER SERVICES, DEPARTMENT OF, AND COMMISSIONER OF AGRICULTURE		
51 Other Personal Services From Operating Trust Fund		126,339	Office of the Commissioner and Division of Administration		
52 Expenses From Operating Trust Fund		1,129,893	61 Salaries and Benefits From General Revenue Fund	185	1,152,209
53 Operating Capital Outlay From Operating Trust Fund		20,543	From Administrative Trust Fund		1,350,197
54 Special Categories Elected State Officers - Retirement Credit Matching From General Revenue Fund		150,000	62 Other Personal Services From General Revenue Fund		6,013
55 Data Processing Services From Operating Trust Fund		558,552	From Administrative Trust Fund		14,162
			63 Expenses From General Revenue Fund		337,426
			From Administrative Trust Fund		407,425
			From Harness Horse Racing Promotion Trust Fund		10,000

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
			76 Expenses		
			From General In-		
			spection Trust		
64		7,775	Fund		871,781
Operating Capital Out-			77 Operating Capital Out-		
lay			lay		
From General Reve-			From General In-		
nue Fund	13,137		spection Trust		
From Administra-			Fund		109,680
tive Trust Fund		15,301	78 Data Processing Serv-		
65 Special Categories			ices		
Soil Survey and			From General In-		
Watershed Planning			spection Trust		
From General Reve-			Fund		120,595
nue Fund	389,058				
66 Special Categories			Chemistry, Division of		
Promotional Awards			79 Salaries and Benefits	108	
From General Reve-			From General Reve-		
nue Fund	100,000		nue Fund		507,345
From Administra-			From General In-		
tive Trust Fund		100,000	spection Trust		
From Harness Horse			Fund		1,001,802
Racing Promotion			80 Other Personal Serv-		
Trust Fund		150,000	ices		
From Quarter Horse			From General Reve-		
Racing Promotion			nue Fund		2,974
Trust Fund		60,000	From General In-		
67 Data Processing Serv-			spection Trust		
ices			Fund		5,836
From General Reve-			81 Expenses		
nue Fund	112,952		From General Reve-		
From Administra-			nue Fund		150,022
tive Trust Fund		139,261	From General In-		
			spection Trust		
Inspection, Division of			Fund		294,581
68 Salaries and Benefits	379		82 Operating Capital Out-		
From General Reve-			lay		
nue Fund		2,478,638	From General Reve-		
From General In-			nue Fund		87,386
spection Trust			From General In-		
Fund		1,913,371	spection Trust		
69 Other Personal Serv-			Fund		33,004
ices			83 Data Processing Serv-		
From General Reve-			ices		
nue Fund		2,807	From General Reve-		
From General In-			nue Fund		14,410
spection Trust			From General In-		
Fund		2,538	spection Trust		
70 Expenses			Fund		28,280
From General Reve-			Dairy Industry, Division of		
nue Fund		522,885	84 Salaries and Benefits	49	
From General In-			From General Reve-		
spection Trust			nue Fund		774,691
Fund		410,653	85 Other Personal Serv-		
71 Operating Capital Out-			ices		
lay			From General Reve-		
From General Reve-			nue Fund		2,600
nue Fund	60		86 Expenses		
From General In-			From General Reve-		
spection Trust			nue Fund		207,053
Fund		46,892	87 Operating Capital Out-		
72 Special Categories			lay		
Contingent - U.S.D.A.			From General Reve-		
Grading Service	7		nue Fund		6,615
From General In-			Marketing, Division of		
spection Trust			88 Salaries and Benefits	166	
Fund		54,698	From General Reve-		
73 Data Processing Serv-			nue Fund		207,294
ices			From Citrus Inspec-		
From General Reve-			tion Trust Fund		408,160
nue Fund	85,851		From General In-		
From General In-			spection Trust		
spection Trust			Fund		1,503,265
Fund		75,822	89 Other Personal Serv-		
Standards, Division of			ices		
74 Salaries and Benefits	149		From General Reve-		
From General In-			nue Fund		10,130
spection Trust			From Citrus Inspec-		
Fund		1,869,885	tion Trust Fund		61,527
75 Other Personal Serv-			From General In-		
ices			spection Trust		
From General In-			Fund		18,258
spection Trust					
Fund		18,152			

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
90 Expenses			100 Expenses		
From General Revenue Fund		243,279	From General Revenue Fund		831,870
From Citrus Inspection Trust Fund ..		138,467	From General Inspection Trust Fund		217,909
From General Inspection Trust Fund		710,231	101 Operating Capital Outlay		
91 Operating Capital Outlay			From General Revenue Fund		34,385
From General Revenue Fund		3,199	102 Special Categories		
From Citrus Inspection Trust Fund ..		5,963	Payment of Indemnities		
From General Inspection Trust Fund		16,759	From General Revenue Fund		2,000,000
92 Data Processing Services			103 Data Processing Services		
From General Inspection Trust Fund		1,583	From General Revenue Fund		17,235
Fruit and Vegetable Inspection, Division of			Plant Industry, Division of		
93 Salaries and Benefits	582		104 Salaries and Benefits	241	
From Citrus Inspection Trust Fund		5,927,827	From General Revenue Fund		2,856,889
From General Inspection Trust Fund		1,209,570	From Nursery Inspection Trust Fund		505,998
Provided, however, notwithstanding Section 216.262, Florida Statutes, none of the positions in Item 93 may be transferred to another budget entity within the Department.			105 Other Personal Services		
94 Other Personal Services			From General Revenue Fund		7,755
From Citrus Inspection Trust Fund ..		18,000	From Nursery Inspection Trust Fund		100,000
From General Inspection Trust Fund		76,897	106 Expenses		
95 Expenses			From General Revenue Fund		711,062
From Citrus Inspection Trust Fund ..		711,416	From Lethal Yellowing Revolving Trust Fund		150,000
From General Inspection Trust Fund		285,001	From Nursery Inspection Trust Fund		465,356
96 Operating Capital Outlay			107 Operating Capital Outlay		
From Citrus Inspection Trust Fund ..		10,910	From General Revenue Fund		120,281
From General Inspection Trust Fund		1,509	108 Special Categories		
96A Special Categories			Apiarian Indemnities		
Automated Testing Equipment			From General Revenue Fund		24,000
From Citrus Inspection Trust Fund ..		430,000	109 Special Categories		
97 Data Processing Services			Blackfly Control Program		
From Citrus Inspection Trust Fund		115,115	From General Revenue Fund		2,518,754
Animal Industry, Division of			109A Data Processing Services		
98 Salaries and Benefits	380		From General Revenue Fund		3,600
From General Revenue Fund		3,660,579	Consumer Services, Division of		
From General Inspection Trust Fund		1,452,582	110 Salaries and Benefits	24	
99 Other Personal Services			From General Revenue Fund		329,497
From General Revenue Fund		74,750	111 Other Personal Services		
			From General Revenue Fund		2,392
			112 Expenses		
			From General Revenue Fund		141,969
			113 Operating Capital Outlay		
			From General Revenue Fund		2,017
			114 Special Categories		
			Consumer Information Data System		
			From General Revenue Fund		28,000

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
From Grants and Donations Trust Fund		22,285	Provided, however, transferring of the food service inspection function to the Department of Health and Rehabilitative Services is contingent upon SB 109 or similar legislation becoming law. Provided, further, that the total number of positions shall not exceed 127.		
144 Expenses			158 Other Personal Services		
From General Revenue Fund		173,408	From Hotel and Restaurant Trust Fund		42,316
From Grants and Donations Trust Fund		58,960	159 Expenses		
145 Operating Capital Outlay			From Hotel and Restaurant Trust Fund		366,805
From General Revenue Fund		7,402	160 Operating Capital Outlay		
From Grants and Donations Trust Fund		3,154	From Hotel and Restaurant Trust Fund		53,202
146 Data Processing Services			161 Special Categories Industry Education		
From General Revenue Fund		17,174	From Hotel and Restaurant Trust Fund		70,000
BUSINESS REGULATION, DEPARTMENT OF			162 Special Categories Service Charge to General Revenue		
Office of Executive Director			From Hotel and Restaurant Trust Fund		106,030
147 Salaries and Benefits	43		163 Data Processing Services		
From General Revenue Fund		173,950	From Hotel and Restaurant Trust Fund		200,658
From Administrative Trust Fund		452,510	Florida Land Sales and Condominiums, Division of		
148 Other Personal Services			164 Salaries and Benefits	60	
From General Revenue Fund		20,195	From Florida Land Sales Trust Fund		754,476
149 Expenses			165 Other Personal Services		
From General Revenue Fund		158,027	From Florida Land Sales Trust Fund		2,500
150 Operating Capital Outlay			166 Expenses		
From General Revenue Fund		9,802	From Florida Land Sales Trust Fund		260,084
151 Data Processing Services			167 Operating Capital Outlay		
From General Revenue Fund		28,965	From Florida Land Sales Trust Fund		18,017
Provided, however, no monies in Items 147-176 shall be used for litigation of Chapter 75-46, Laws of Florida.			Alcoholic Beverages and Tobacco, Division of		
Pari-Mutuel Wagering, Division of			168 Salaries and Benefits	247	
152 Salaries and Benefits	64		From General Revenue Fund		3,456,831
From Operating Trust Fund		832,470	169 Other Personal Services		
153 Other Personal Services			From General Revenue Fund		4,354
From Operating Trust Fund		921,272	170 Expenses		
154 Expenses			From General Revenue Fund		1,112,598
From Operating Trust Fund		241,641	171 Operating Capital Outlay		
155 Operating Capital Outlay			From General Revenue Fund		280,975
From Operating Trust Fund		81,846	172 Data Processing Services		
156 Special Categories Service Charge to General Revenue			From General Revenue Fund		43,624
From Additional Harness and Dog Track Tax Trust Fund		577,304	General Regulation, Division of		
From Operating Trust Fund		1,167,200	173 Salaries and Benefits	16	
Hotels and Restaurants, Division of			From General Revenue Fund		132,432
157 Salaries and Benefits	126		From Certified Shorthand Trust Fund		18,345
From Hotel and Restaurant Trust Fund		1,639,971			

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
			From Yacht and Ship Brokers Trust Fund		34,857
174			Other Personal Services		
			From Yacht and Ship Brokers Trust Fund		1,000
175			Expenses		
		45,890	From General Revenue Fund		
			From Certified Shorthand Trust Fund		7,912
			From Yacht and Ship Brokers Trust Fund		10,982
176			Operating Capital Outlay		
		800	From General Revenue Fund		
			From Certified Shorthand Trust Fund		269
			From Yacht and Ship Brokers Trust Fund		800
CITRUS, DEPARTMENT OF					
177	230		Salaries and Benefits		
			From Citrus Advertising Trust Fund		3,773,446
178			Other Personal Services		
			From Citrus Advertising Trust Fund		149,000
179			Expenses		
		32,745,229	From Citrus Advertising Trust Fund		
180			Operating Capital Outlay		
			From Citrus Advertising Trust Fund		162,548
181			Special Categories		
			Advertising Rebates		
			From Citrus Advertising Trust Fund		950,660
182			Data Processing Services		
			From Citrus Advertising Trust Fund		21,480
COMMERCE, DEPARTMENT OF					
Offices of the Secretary and Administrative Services					
183	224		Salaries and Benefits		
		235,166	From General Revenue Fund		
			From Administrative Trust Fund		2,061,752
			From Revolving Trust Fund		390,813
			From Workmen's Compensation Special Disability Trust Fund		155,724
184			Other Personal Services		
			From Administrative Trust Fund		15,975
			From Revolving Trust Fund		42,200
			From Workmen's Compensation Special Disability Trust Fund		1,210
185			Expenses		
		27,936	From General Revenue Fund		
			From Administrative Trust Fund		485,257
			From Revolving Trust Fund		453,546
			From Special Employment Security Trust Fund		44,074
			From Workmen's Compensation Special Disability Trust Fund		605,635
186			Operating Capital Outlay		
			From General Revenue Fund		2,485
			From Administrative Trust Fund		21,773
			From Revolving Trust Fund		19,263
			From Workmen's Compensation Special Disability Trust Fund		3,823
187			Special Categories		
			Reimbursement of Employers		
			From Workmen's Compensation Special Disability Trust Fund		6,500,000
188			Debt Service		
			From Revolving Trust Fund		66,335
189			Data Processing Services		
			From General Revenue Fund		41,781
			From Administrative Trust Fund		366,313
Public Employees Relations Commission					
190	48		Salaries and Benefits		
			From General Revenue Fund		692,981
191			Other Personal Services		
			From General Revenue Fund		127,407
192			Expenses		
			From General Revenue Fund		224,086
			From Public Employees Relations Commission Trust Fund		30,000
193			Operating Capital Outlay		
			From General Revenue Fund		12,589
Tourism, Division of					
194	106		Salaries and Benefits		
			From General Revenue Fund		1,163,120
195			Other Personal Services		
			From General Revenue Fund		74,148
196			Expenses		
			From General Revenue Fund		500,678
197			Not Used		
197A			Grants and Aids		
			Promotion of Sporting Events		
			From General Revenue Fund		50,000
			The funds appropriated in Item 197A are provided to match, on a 50% state - 50% local basis, a feasibility study for an international youth center for sports and culture to		

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
198			207		
be located in Duval County under the auspices of the City of Jacksonville.			similar Legislation becoming law.		
Operating Capital Outlay			Special Categories		
From General Revenue Fund		7,373	Paid Advertising		
199			From General Revenue Fund		364,697
Special Categories Promotion			208		
From General Revenue Fund		344,075	Special Categories Promotion		
200			From General Revenue Fund		312,300
Special Categories Paid Advertising			Provided that the Governor's travel may be paid from promotion funds appropriated in Item 208 when traveling on economic development business.		
From General Revenue Fund		1,661,280	209		
From Grants and Donations Trust Fund			Special Categories Industry Service Training Program		
201			From General Revenue Fund		300,000
Special Categories Advertising Pamphlets and Materials			Provided, however, \$100,000 of the amount appropriated in Item 209 shall be allocated to the Florida Council on Economic Education, Inc. for the public schools to cooperate with the Florida Public and private education systems and other corporations, organizations, and individuals in order to promote, organize and conduct activities which will develop and enhance economic education in the state of Florida. Provided, further, that said corporations, organizations, and individuals match all funds provided by the state. Provided, further, that such programs shall comply with those programs in the existing economic education policy.		
From General Revenue Fund		192,500	Labor, Division of		
202			210		
Special Categories Production and Display of Films and Exhibits			Salaries and Benefits	421	
From General Revenue Fund		80,000	From General Revenue Fund		662,308
Economic Development, Division of			From Workmen's Compensation Administration Trust Fund		5,154,503
203	96		211		
Salaries and Benefits			Other Personal Services		
From General Revenue Fund		1,233,754	From General Revenue Fund		2,000
From Grants and Donations Trust Fund			From Grants and Donations Trust Fund		86,000
204			From Workmen's Compensation Administration Trust Fund		351,000
Other Personal Services			212		
From General Revenue Fund		265,103	Expenses		
From Grants and Donations Trust Fund			From General Revenue Fund		163,171
205			From Grants and Donations Trust Fund		16,730
Expenses			From Workmen's Compensation Administration Trust Fund		1,820,740
From General Revenue Fund		725,146			
From Grants and Donations Trust Fund					
206					
Operating Capital Outlay					
From General Revenue Fund		14,029			
From Grants and Donations Trust Fund					
206A					
Lump Sum					
For the Central South American and Caribbean Trade Development Commission	11				
From General Revenue Fund		464,012			
Provided, however, the positions and amount appropriated in Item 206A above are contingent upon HB 1991 or					

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
213 Operating Capital Outlay			Unemployment Com- pensation Benefits		
From General Reve- nue Fund		4,391	From Unemploy- ment Compensa- tion Benefit Trust Fund		240,000,000
From Workmen's Compensation Ad- ministration Trust Fund		26,902	224 Financial Assistance Payments		
214 Special Categories Reimbursement to Trustees			Work Incentive Pay- ments		
From Self Insur- ance Assessment Trust Fund		55,000	From WIN Benefits Trust Fund		400,000
215 Financial Assistance Payments			225 Financial Assistance Payments		
Supplemental Work- men's Compensation Benefits			Contract Services		
From Workmen's Compensation Ad- ministration Trust Fund		2,000,000	From WIN Benefits Trust Fund		50,000
216 Data Processing Serv- ices			226 Financial Assistance Payments		
From General Reve- nue Fund		6,490	Public Service Employ- ment Payments		
From Grants and Donations Trust Fund		6,250	From Grants and Donations Trust Fund		3,522,299
From Workmen's Compensation Ad- ministration Trust Fund		308,019	227 Data Processing Serv- ices		
Employment Security, Division of			From Employment Se- curity Administra- tion Trust Fund		3,244,287
217 Salaries and Benefits	2,816		CALDWELL		
From General Reve- nue Fund		210,040	DATA CENTER		
From Crew Chief Registration Trust Fund		67,531	228 Salaries and Benefits	166	
From Employment Security Adminis- tration Trust Fund		32,160,444	From Working Cap- ital Trust Fund		1,849,713
218 Other Personal Serv- ices			229 Other Personal Serv- ices		
From Employment Security Adminis- tration Trust Fund		2,348,475	From Working Cap- ital Trust Fund		9,839
219 Expenses			230 Expenses		
From General Reve- nue Fund		49,642	From Working Cap- ital Trust Fund		1,607,936
From Crew Chief Registration Trust Fund		14,407	231 Operating Capital Out- lay		
From Employment Security Adminis- tration Trust Fund		5,984,335	From Working Cap- ital Trust Fund		6,920
220 Operating Capital Out- lay			INDUSTRIAL RELATIONS COMMISSION		
From General Reve- nue Fund		1,137	232 Salaries and Benefits	34	
From Employment Security Adminis- tration Trust Fund		366,855	From Industrial Re- lations Commis- sion Trust Fund		606,252
221 Special Categories Contract Payments			233 Other Personal Serv- ices		
From Employment Security Adminis- tration Trust Fund		776,710	From Industrial Re- lations Commis- sion Trust Fund		13,050
222 Special Categories Public Service Employ- ment Payments			234 Expenses		
From WIN Benefits Trust Fund		1,000,000	From Industrial Re- lations Commis- sion Trust Fund		178,565
223 Financial Assistance Payments			235 Operating Capital Out- lay		
			From Industrial Re- lations Commis- sion Trust Fund		5,740
			BOARD OF REVIEW—UN- EMPLOYMENT COMPEN- SATION APPEALS		
			236 Salaries and Benefits	30	
			From Employment Security Adminis- tration Trust Fund		411,232
			237 Other Personal Serv- ices		
			From Employment Security Adminis- tration Trust Fund		33,100
			238 Expenses		
			From Employment Security Adminis- tration Trust Fund		62,162

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
239 Operating Capital Outlay			From U.S. Contributions Trust Fund		1,000
From Employment Security Administration Trust Fund		3,835	251 Expenses		
COMMISSIONERS FOR THE PROMOTION OF UNIFORMITY OF LEGISLATION IN THE UNITED STATES			From General Revenue Fund		74,905
240 Expenses			From Community Shelter Planning Trust Fund		30,045
From General Revenue Fund		16,620	From Disaster Planning Trust Fund		3,674
COMMUNITY AFFAIRS, DEPARTMENT OF Office of The Secretary			From Personnel and Administration Trust Fund		58,989
241 Salaries and Benefits	34		From Radiological Equipment Facility Trust Fund		26,649
From General Revenue Fund		213,883	From U.S. Contributions Trust Fund		38,412
From Administrative Trust Fund		286,497	252 Grants and Aids		
242 Other Personal Services			Disaster Preparedness Planning and Administration		
From General Revenue Fund		729	From Disaster Relief U. S. Trust Fund		1,000,000
From Administrative Trust Fund		1,191	From Personnel and Administration Trust Fund		950,000
243 Expenses			253 Operating Capital Outlay		
From General Revenue Fund		34,095	From General Revenue Fund		6,957
From Administrative Trust Fund		53,468	From Community Shelter Planning Trust Fund		1,733
244 Operating Capital Outlay			From Personnel and Administration Trust Fund		6,957
From General Revenue Fund		1,121	From Radiological Equipment Facility Trust Fund		1,217
From Administrative Trust Fund		1,831	253A Special Categories		
245 Data Processing Services			For Payment to the Florida Wing of the Civil Air Patrol		
From Administrative Trust Fund		2,128	From General Revenue Fund		50,000
Commission on Human Relations			Veterans' Affairs, Division of		
246 Salaries and Benefits	37		254 Salaries and Benefits	79	
From General Revenue Fund		501,311	From General Revenue Fund		735,709
247 Expenses			From State Approval Agency Trust Fund		260,347
From General Revenue Fund		276,123	255 Expenses		
248 Operating Capital Outlay			From General Revenue Fund		48,390
From General Revenue Fund		23,489	From State Approval Agency Trust Fund		78,757
Disaster Preparedness, Division of			256 Operating Capital Outlay		
249 Salaries and Benefits	46		From General Revenue Fund		13,717
From General Revenue Fund		226,826	From State Approval Agency Trust Fund		1,619
From Community Shelter Planning Trust Fund		80,130	Technical Assistance, Division of		
From Disaster Planning Trust Fund		19,307	257 Salaries and Benefits	46	
From Personnel and Administration Trust Fund		207,517	From General Revenue Fund		316,016
From Radiological Equipment Facility Trust Fund		69,490	From Factory-Built Housing Trust Fund		36,934
250 Other Personal Services					
From General Revenue Fund		3,350			
From Personnel and Administration Trust Fund		3,350			

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
From Housing Assistance Trust Fund		28,279	for this purpose during 1977-78.		
From Revolving Rural Land Acquisition and Site Development Assistance Trust Fund		29,496	263 Operating Capital Outlay		
From Urban Planning Assistance Revolving Trust Fund		373,030	From General Revenue Fund		1,841
258 Other Personal Services			From Urban Planning Assistance Revolving Trust Fund		2,163
From General Revenue Fund	18,495		263A Lump Sum		
From Community Development Trust Fund		20,000	For Transfer to General Revenue Unallocated		
From Revolving Rural Land Acquisition and Site Development Assistance Trust Fund		4,500	From Revolving Rural Land Acquisition and Site Development Assistance Trust Fund		500,000
From Urban Planning Assistance Revolving Trust Fund		1,054	264 Data Processing Services		
259 Expenses			From General Revenue Fund		2,667
From General Revenue Fund		74,984	From Urban Planning Assistance Revolving Trust Fund		5,333
From Community Development Trust Fund		5,093	Office of Manpower Planning		
From Factory-Built Housing Trust Fund		6,269	265 Salaries and Benefits	124	
From Housing Assistance Trust Fund		6,128	From Florida State Prime Sponsor Trust Fund		1,609,100
From Revolving Rural Land Acquisition and Site Development Assistance Trust Fund		5,778	266 Other Personal Services		
From Urban Planning Assistance Revolving Trust Fund		58,123	From Florida State Prime Sponsor Trust Fund		1,301,331
260 Grants and Aids			267 Expenses		
Land Acquisition and Site Development			From Florida State Prime Sponsor Trust Fund		494,847
From Revolving Rural Land Acquisition and Site Development Assistance Trust Fund		1,000,000	267A Grants and Aids		
261 Grants and Aids			From Florida State Prime Sponsor Trust Fund		55,709,000
Local Government Planning and Management Assistance			268 Not Used		
From Urban Planning Assistance Revolving Trust Fund		446,961	269 Operating Capital Outlay		
262 Grants and Aids			From Florida State Prime Sponsor Trust Fund		9,296
Local Government Comprehensive Planning Act			270 Data Processing Services		
From General Revenue Fund		717,340	From Florida State Prime Sponsor Trust Fund		81,240
Provided, however, none of the funds appropriated in Item 262 may be allocated to any unit of local government that received a grant from the State			Community Services, Division of		
			271 Salaries and Benefits	21	
			From General Revenue Fund		126,612
			From Economic Opportunity Trust Fund		185,494
			272 Other Personal Services		
			From General Revenue Fund		750
			From Economic Opportunity Trust Fund		2,250
			From Migrant Labor Trust Fund		10,060
			273 Expenses		
			From General Revenue Fund		33,175
			From Economic Opportunity Trust Fund		75,452

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
274		36,025	290		
From Migrant Labor Trust Fund			Other Personal Services		
Grants and Aids			From General Revenue Fund		1,800
Governor's Council on Indian Affairs			From Law Enforcement Training Trust Fund		4,000
From General Revenue Fund		65,000	291		
275			Expenses		
Grants and Aids			From General Revenue Fund		94,265
For Transfer to the Community Services Trust Fund			From Grants and Donations Trust Fund		22,020
From General Revenue Fund		1,000,000	From Law Enforcement Training Trust Fund		28,690
276			292		
Not Used			Grants and Aids		
277			Special Education and Technical Training		
Grants and Aids			From Law Enforcement Training Trust Fund		702,058
Special Project Grants			Provided, however, funds appropriated in Item 292 shall not fund projects which will require future expenditures from General Revenue for continuing operations.		
From Economic Opportunity Trust Fund		750,000	293		
278			Operating Capital Outlay		
Grants and Aids			From General Revenue Fund		2,869
Commission on Spanish-Speaking Populace of Florida			294		
From General Revenue Fund		65,000	Data Processing Services		
279			From General Revenue Fund		30,389
Operating Capital Outlay					
From General Revenue Fund		1,551	Criminal Justice Information Systems, Division of		
From Economic Opportunity Trust Fund		2,266	295		
CRIMINAL LAW ENFORCEMENT, DEPARTMENT OF			Salaries and Benefits	189	
Office of the Executive Director and Division of Staff Services			From General Revenue Fund		1,563,340
280	157		From Operating Trust Fund		184,720
Salaries and Benefits			296		
From General Revenue Fund		2,594,068	Expenses		
281			From General Revenue Fund		330,403
Other Personal Services			From Operating Trust Fund		34,730
From General Revenue Fund		13,900	297		
282			Operating Capital Outlay		
Expenses			From General Revenue Fund		14,322
From General Revenue Fund		1,005,937	From Operating Trust Fund		545
283			298		
Operating Capital Outlay			Data Processing Services		
From General Revenue Fund		54,701	From General Revenue Fund		3,196,918
284			LAW ENFORCEMENT DATA CENTER		
Data Processing Services			299		
From General Revenue Fund		30,645	Salaries and Benefits	78	
Law Enforcement, Division of			From Working Capital Trust Fund		923,671
285	232		300		
Salaries and Benefits			Expenses		
From General Revenue Fund		4,043,531	From Working Capital Trust Fund		2,590,799
286			301		
Expenses			Operating Capital Outlay		
From General Revenue Fund		1,572,558	From Working Capital Trust Fund		3,427
287			EDUCATION, DEPARTMENT OF, AND COMMISSIONER OF EDUCATION		
Operating Capital Outlay			Provided, however, that funds appropriated from the General Trust Fund, in Items 302-304, 307, 314-318,		
From General Revenue Fund		406,495			
288					
Data Processing Services					
From General Revenue Fund		120,110			
Standards and Training, Division of					
289	26				
Salaries and Benefits					
From General Revenue Fund		307,097			
From Grants and Donations Trust Fund		24,351			
From Law Enforcement Training Trust Fund		31,635			

Items	Positions \$	Amount \$	Item	Positions \$	Amount \$
350-352, 363, 365, 368-370, 371B, 373-375, 377, and 378 may be transferred to the following trust funds for disbursement purposes:			From General Revenue Fund		85,540
—Facilities construction administration trust fund			From General Trust Fund		373,864
—Student loan trust fund			304 Expenses		
—Student financial aid trust fund			From General Revenue Fund		460,863
—Educational media and technology trust fund			From General Trust Fund		406,270
—Speech pathology and audiology trust fund			305 Grants and Aids		
—Educational certification and services trust fund			School District and Community College—		
—Professional practices council trust fund			Fixed Capital Outlay		
—Junior college conference trust fund			From school district and Junior College		
—Educational aids trust fund			District Capital		
—Food and nutrition services trust fund			Outlay and Debt		
—Grants and donations trust fund			Service Trust		
—Comprehensive employment training act trust fund			Fund		63,625,306
—State board of independent post-secondary vocational, technical, trade and business schools trust fund			Notwithstanding section 230.765, Florida Statutes, Community Instructional Services FTE students shall not be included when determining the number of CO & DS instructional units for community colleges for distribution of funds appropriated in Item 305.		
Provided, however, such transfers shall be made to categories of appropriation similar in purpose to the category of appropriation from which transferred.			The Commissioner of Education shall conduct enrollment estimating conferences, the first of which shall be prior to November 1, 1978, with the division of public schools, vocational education, community colleges and universities, the Department of Administration, House Appropriations Committee and Senate Appropriations Committee as participants. The commissioner shall report the results of the conferences to the House and Senate Appropriations Committees prior to December 1, 1978, and February 15, 1979.		
Funds provided in Items 302-447 for the purpose of equal educational opportunity for faculty and staff retraining and development grants awards shall be made to eligible applicants in accordance with the prescribed plan filed with the commissioner of education with preference given to minorities, regardless of sex, race, creed or national origin, and shall not be restricted to any particular minority segment.			306 Grants and Aids		
Commissioner of Education, and Office of Deputy Commissioner for Educational Management			Community Instructional Services		
302 Salaries and Benefits	104		From General Revenue Fund		4,089,576
From General Revenue Fund		1,048,282	Provided, however, the commissioner shall develop and administer procedures for the equitable distribution of these funds to the school districts and community colleges for the support of educational activities, courses, and programs based on significant community problems related to: The environment, health, safety, human relations, government, child rearing and consumer economics and home-making. The distribution of funds shall		
From General Trust Fund		1,019,446			
303 Other Personal Services					

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
consider the proposed request submitted by the educational agency. The need for courses, the population to be served, any existing or potential duplication of effort, the estimated cost of the courses and appropriate student fees. Priority shall be given to those community instructional services programs that include arrangements for the cooperative use of facilities and resources of other public or private institutions, agencies and organizations. The distribution of funds shall account for a basic allotment to each of the 28 coordinating councils for vocational education, adult general education and community instructional services regions, amounting to \$15,000. In addition to the basic allotment, each region's allocation shall be calculated on an amount which is equitably based on the most up-to-date census count of the adult citizens 18 years of age or older who reside in the respective coordinating council regions. Provided, however, no district shall receive less than the 1977-78 allocation from the 28 regions. The commissioner of education shall evaluate C.I.S. procedures in at least 7 of the 28 regions.			From General Revenue Fund -----		282,051
307 Operating Capital Outlay			From the funds appropriated in Item 307B the commissioner shall approve up to three research and development projects for the establishment of effective public school compensatory education programs. On or before February 1, 1979, the commissioner shall report to the Legislature on the results of the approved projects.		
From General Revenue Fund -----		12,611	307C Special Categories		
From General Trust Fund -----		1,780	Wilderness Education Camp Program --		
307A Special Categories			Transfer to HRS		
Education Self-insurance Study			From General Revenue Fund -----		705,000
From General Revenue Fund -----		100,000	Provided, however, the students receiving instruction from the funds appropriated in Item 307C shall not be included in the student membership count which is defined in Section 236.013, Florida Statutes, for that instruction.		
From the funds appropriated in 307A the Commissioner of Education is authorized to contract for a project to determine the feasibility of self-insurance programs for school district and community colleges. The commissioner shall report the results of the project to the Legislature on or before February 15, 1979.			307D Special Categories		
307B Special Categories			Florida Council on Economic Education		
Compensatory Education Research Projects			From General Revenue Fund -----		100,000
			The Appropriation in Item 307D is to be used exclusively by the Florida Council on Economic Education to support eight university centers which provide teachers the training and materials necessary to teach about the economic system of the United States.		
			308 Special Categories		
			Educational Resources Computing Project		
			From General Revenue Fund -----		940,000
			Provided, however, the funds appropriated herein shall be used for continuation of a central coordination project staff to plan for and implement equitable, effective and efficient distribution of administrative and instructional computing services pursuant to Section 229.555(2)(A), Florida Statutes. Educational computing consortium projects shall be supported by this project. These projects may address the sharing of resources with local government agencies where feasible. It is the intent of the Legislature that this Appropriation shall support the sec-		

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
ond year of a three-year project. Expenditures from this appropriation shall not require the approval of the Department of General Services.			erative projects involving more than one school district or community college are encouraged. The maximum allocation to any one school district or community college shall not exceed 25% of the appropriation.		
309 Debt Service			318 Operating Capital Outlay		
From Public Education Capital Outlay and Debt Service Trust Fund		4,510,262	From General Revenue Fund		4,059
Office of Deputy Commissioner for Administration			From General Trust Fund		52,419
310 Salaries and Benefits	115		319 Not Used		
From General Revenue Fund		1,611,004	319A Special Categories		
311 Other Personal Services			Public Broadcasting		
From General Revenue Fund		20,384	From General Revenue Fund		4,211,981
From Educational Aids Trust Fund		67,221	Provided, however, the allocation shall be as follows: \$307,524 for statewide governmental affairs and cultural affairs programming; \$3,930,586 for programming support grants for public television and radio stations. None of the funds appropriated in Item 319A are for the support of politithon. Radio stations to share the grants are WKGC-F.M., Panama City; WFSU-F.M., Tallahassee; WJCT-F.M., Jacksonville; WUSF-F.M., Tampa; WHRS-F.M., Boynton Beach; and WLRN-F.M., Miami.		
312 Expenses			The appropriation in Item 319A is contingent upon the Department of Education transferring to the Department of General Services, effective with the 1978-79 fiscal year, ownership, custody and control of existing state-owned communications equipment and facilities, including all rights, title, interest and equity therein, now located in the Capitol Technical Center; provided, however, that program responsibility for the use of this equipment shall remain with the Department of Education.		
From General Revenue Fund		453,307	320 Special Categories		
313 Operating Capital Outlay			Instructional Television-Program Acquisition		
From General Revenue Fund		14,872	From General Revenue Fund		285,782
314 Data Processing Services			321 Not Used		
From General Revenue Fund		516,610	321A Special Categories		
From General Trust Fund		659,756	Development of Teacher Competency Tests		
Office of Deputy Commissioner for Special Programs			From General Revenue Fund		90,000
Provided, that any available funds in the Professional Practices Council Trust Fund may be used to support activities of the Teacher Certification Program.					
315 Salaries and Benefits	118				
From General Revenue Fund		677,904			
From General Trust Fund		860,215			
316 Other Personal Services					
From General Revenue Fund		88,652			
From General Trust Fund		34,996			
317 Expenses					
From General Revenue Fund		422,798			
From General Trust Fund		471,105			
317A Grants and Aids					
Instructional Television - Equipment Grants					
From General Revenue Fund		200,000			
Provided, however, these funds shall be used to assist school districts and community colleges in purchasing operating capital outlay for instructional television and radio distribution systems. Grants shall be allocated on a matching basis, and coop-					

Item	Positions	Amount	Item	Positions	Amount
	\$	\$		\$	\$
322 Financial Assistance Payments Seminole Indian Scholarships From General Revenue Fund		4,800	From Projects, Contracts, and Grants Trust Fund		108,000
323 Financial Assistance Payments Exceptional Child Scholarships From General Revenue Fund		175,000	340 Data Processing Services From Projects, Contracts, and Grants Trust Fund		15,969
324 Financial Assistance Payments Children of Deceased and Disabled Veterans Scholarships From General Revenue Fund		50,000	Blind Services, Division of		
325 Financial Assistance Payments Florida Student Assistance Grants From General Revenue Fund		7,250,000	341 Salaries and Benefits From General Revenue Fund	322	1,162,451
			From Federal Rehabilitation Trust Fund		2,197,628
326 Financial Assistance payments Confederate Memorial Scholarships From Ex-Confederate Soldiers and Sailors Endowment Trust Fund		1,901,344	From Grants and Donations Trust Fund		41,771
			From U.S. Trust Fund		274,519
327 Financial Assistance Payments Florida Student Loans From Student Financial Aid Trust Fund		1,500	342 Other Personal Services From General Revenue Fund		29,886
			From Federal Rehabilitation Trust Fund		17,800
328 Not Used			From Grants and Donations Trust Fund		194,928
329 Debt Service From Florida Insured Student Loan Trust Fund		4,232,765	From U.S. Trust Fund		2,000
Projects, Contracts, and Grants			343 Expenses From General Revenue Fund		508,050
330 Salaries and Benefits From Projects, Contracts, and Grants Trust Fund	50	770,963	From Federal Rehabilitation Trust Fund		619,013
331 Other Personal Services From Projects, Contracts, and Grants Trust Fund		112,331	From Grants and Donations Trust Fund		49,109
332 Expenses From Projects, Contracts, and Grants Trust Fund		925,415	From U.S. Trust Fund		125,338
333 Not Used			344 Grants and Aids Community Rehabilitation Facilities From Workshop and Facilities Trust Fund		715,300
334 Not Used			345 Operating Capital Outlay From General Revenue Fund		16,039
335 Not Used			From Federal Rehabilitation Trust Fund		18,064
336 Not Used			From Grants and Donations Trust Fund		5,870
337 Not Used			From U.S. Trust Fund		1,604
337A Grants and Aids Projects, Contracts and Grants From Projects, Contracts, and Grants Trust Fund		1,254,521	346 Food Products From Federal Rehabilitation Trust Fund		33,128
338 Operating Capital Outlay From Projects, Contracts, and Grants Trust Fund		12,400	346A Lump Sum Vending Stands From General Revenue Fund		175,893
339 Financial Assistance Payments Teachers of the Handicapped Grants			Funds appropriated in Item 346A are for retirement funds for vending stand operators.		
			347 Not Used		
			348 Not Used		
			348A Special Categories Client Services - Vocational Rehabilitation From General Revenue Fund		827,840

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
From Federal Rehabilitation Trust Fund			funding shall include the 1978-79 state allocation for current operation exclusive of all categorical programs, post-secondary vocational fees and the calculated yield of 8 mills. Total funding available in 1977-78 shall include the 1977-78 allocation for current operation exclusive of all categorical programs, post-secondary fees and the calculated yield of the actual nonvoted millage levied in 1977-78. The calculations shall be before prior year adjustments and shall be on the same tax roll used in the other FEFP calculations. The following are the weighted FTE program caps: Exceptional student programs — 224,792 weighted FTE Vocational K-12 programs — 207,753 weighted FTE Educational alternatives — 24,000 weighted FTE No funds shall be allocated from this appropriation for adult vocational programs or adult basic and high school programs, except for the guaranteed increase in the above paragraph. However, those students enrolled in 1977-78 in socially maladjusted programs may be assigned in 1978-79 to educational alternatives programs as a continuation of their education program. Provided, however, that \$6,000,000 of the FEFP funds allocated to vocational education is provided for and shall be spent only for vocational equipment. These funds shall be allocated on a weighted vocational FTE basis. Provided, that in the event interest from the state school trust fund in the above appropriation exceeds the funds available from such fund, the shortage shall be made up from the principal of the state school trust fund. Provided further, that a new program of educational alternatives shall be created in basic programs. The Department of Education shall create a program cost factor		
343B Special Categories		1,875,217			
Client Services - Medical and Social Services					
From General Revenue Fund		57,832			
From Federal Aid Trust Fund		1,440,615			
343C Special Categories					
Vending Stands - Equipment and Supplies					
From Training and Operating Trust Fund		276,857			
From U.S. Trust Fund		695,468			
349 Data Processing Services					
From General Revenue Fund		22,753			
From Federal Rehabilitation Trust Fund		67,333			
From U.S. Trust Fund		8,500			
Public Schools, Division of					
350 Salaries and Benefits	250				
From General Revenue Fund		2,979,391			
From General Trust Fund		1,497,647			
351 Other Personal Services					
From General Revenue Fund		70,403			
From General Trust Fund		340,083			
352 Expenses					
From General Revenue Fund		646,600			
From General Trust Fund		1,315,640			
353 Not used					
353A Grants and Aids					
Florida Education Finance Program—					
Grades K through 12					
From General Revenue Fund		974,290,318			
From Interest State School Trust Fund		2,000,000			
From Principal State School Trust Fund		4,000,000			
From Federal Revenue Sharing Fund		70,200,000			
The base student allocation is \$899.27.					
The required local effort shall be 6.4 mills on the official final tax roll.					
In the allocation of the FEFP each district shall be guaranteed a minimum increase of 7.25% in total potential funding per unweighted FTE for 1978-79 over the total funding available per unweighted FTE in 1977-78, except that those districts with a value of a mill per WFTE 20% or more over the statewide average value of a mill per WFTE shall not receive such guarantee. Total potential					

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
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of 2.00 for educational alternatives. The expenditure of funds which are generated for this purpose shall be evaluated pursuant to section 229.565, Florida Statutes. Provided further, that the program of profoundly handicapped shall continue in special programs for exceptional students. The Department of Education shall create a program cost factor of 6.5 for profoundly handicapped. Weighted FTE's for exceptional students may be earned by residents of Sunland Centers and mental health institutions whose education is provided by public school programs. The expenditure of FEFP funds which are generated for this purpose shall be evaluated pursuant to section 229.565, Florida Statutes.

It is the intent of the Legislature that the administrator-teacher ratio for any school district for 1978-79 shall not exceed the 1977-78 administrator - teacher ratio. The Commissioner of Education shall determine these ratios and report them to the legislature.

353B Grants and Aids
Florida Education Finance Program—
Adult Programs
From General Revenue Fund

111,958,710

An amount of \$120 for each post - secondary vocational unweighted FTE shall be added to and made a part of the local required effort of each district. The base student allocation is \$899.27.

The following are the weighted FTE program caps:

Adult vocational programs — 92,003 weighted FTE
Adult basic and high school programs — 37,444 weighted FTE

No funds shall be allocated from this appropriation for programs in grades K-12. No more than 12,650 weighted FTE of the above weighted FTE's for adult vocational programs shall be utilized for adult sup-

plemental vocational programs.

The following definition shall apply to school district supplemental vocational programs:

Supplemental courses organized for the purpose of upgrading students who are currently or who have been previously employed in an occupational field or as a homemaker, but should not include courses which are organized as a unit of a preparatory program of studies.

Funds allocated for enrollments in supplemental programs shall be based on the following order of priority:

1. In-service programs for public service occupations.
2. Programs for currently employed or previously employed students in the field of study in which they are enrolled and need to upgrade their employment skills.
3. Programs offered at the request of an employer to develop a pool of qualified workers for new or expanded employment opportunities.
4. Programs for the occupation of homemaking including consumer education, parent-hood and family living education, child development and guidance, food and nutrition, housing and home management (including resource management), and clothing and textiles.

Prior to the initiation of any supplemental vocational course or program, a request shall be submitted to the Department of Education for approval. It is intended that consumer and homemaking courses shall not be discontinued, but that such programs be restricted until such time as this expansion can be accomplished

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
without adverse impact on the basic goals of the public school system. Individuals who do not meet the above requirements may enroll in an adult supplemental course on a space available basis, by paying a fee based on the direct instructional cost of the program. However, such individuals shall not earn FTE's for funding purposes. Funds for post-secondary job preparatory vocational programs shall be restricted to full-time equivalent students whose enrollment in such programs can be demonstrated to be directly related to securing employment.			al school food and nutrition program funds, such amount is included in the state funds appropriated in Item 353A for the FEFP and the first funds expended by each school district for the support of the school food and nutrition programs in 1977-78 are deemed to be state funds.		
354 Grants and Aids Student Transportation From General Revenue Fund		51,520,415	357A Grants and Aids Educational Improvement Grants From General Revenue Fund		501,860
Provided, further, that from the funds appropriated in Item 354, the Commissioner is authorized to allocate an amount not to exceed \$90,000 from general revenue based on a 75% state, 25% local match, to continue a pilot project to determine the most efficient method of planning school bus routes and schedules in Palm Beach County. Provided, however, any allocation for undistributed funds which are intended for the support of school bus transportation pilot projects pursuant to section 236.083, Florida Statutes, in fiscal years 1975-76, 1976-77 and 1977-78 shall be carried forward and made available for this purpose in 1978-79.			Provided, however, that from the funds appropriated in Item 357A, the Division of Public Schools shall award grants to selected school districts for the purpose of planning, developing and implementing programs of school-based management, as provided by section 229.555(1)(B), Florida Statutes. Priority in the awarding of such grants shall be given to those proposals which provide for maximum involvement of the school board, district and school administration, school faculty, and district and school advisory committees in both the planning and implementation process. Funds shall also be distributed by the Division of Public Schools in the form of grants ranging from \$500 to \$5,000 for the support of projects at the district or school level in the areas of: District and school advisory committee improvement, district and school level volunteer programs, and any other educational area which would be improved through a closer working relationship between school and community. All projects shall be developed and implemented with the assistance of district and school advisory committees. The division shall provide the Legislature with a progress report on the use of the grants by February 1, 1979.		
355 Grants and Aids Diagnostic and Resource Centers From General Revenue Fund		652,965			
356 Grants and Aids Community School Program From General Revenue Fund		1,896,000			
357 Grants and Aids School Lunch Program From General Revenue Fund		3,953,239			
		122,750,103	358 Grants and Aids State Compensatory Education Supplement From General Revenue Fund		26,500,000
To the extent that state funds are required to match feder-			Provided, however, it is legislative intent		

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
that school districts seek maximum additional funding for compensatory education programs from comprehensive employment and training act funds available for public service employment.			committees and shall be subject to approval by the division. Priority shall be given to those programs which provide for coordination with other agencies and organizations concerned with law education or with the criminal and juvenile justice systems of the state.		
359 Not Used			365 Operating Capital Outlay		
360 Grants and Aids Comprehensive Health Education Program From General Revenue Fund -----		1,016,709	From General Revenue Fund -----	3,370	
361 Grants and Aids Instructional Materials From General Revenue Fund -----		20,001,419	From General Trust Fund -----		6,428
The maintenance allocation per FTE student is \$12.60. The growth allocation per FTE student is \$51.23. From the amount appropriated in Item 361, \$35,000 shall be expended for instructional materials for use by partially sighted pupils as provided for in section 233.49, Florida Statutes.			366 Special Categories Instructional Materials Management From General Revenue Fund -----	150,571	
From the amount appropriated in Item 361, the commissioner is authorized to purchase upon the requisition of the districts not more than 12,000 copies of the Florida Handbook for distribution to the public schools on an equitable formula based on the number of students in the respective districts.			367 Special Categories Management Information Systems Council From General Revenue Fund -----	49,877	
362 Grants and Aids District Environmental Education Program From General Revenue Fund -----		285,315	368 Special Categories Student Assessment and Evaluation From General Revenue Fund -----	558,856	
363 Grants and Aids Federal Grants and Aids From General Trust Fund -----		159,393,564	From General Trust Fund -----		528,324
364 Grants and Aids Student development Services From General Revenue Fund -----		16,706,156	Provided, that the State Board of Education may, in 1978-79, upon the recommendation of the Commissioner of Education, enter into contracts for continuing administration of the State Assessment Program to be paid from the funds appropriated for state assessment by the Legislature in 1979-81. It is the intent that the state assessment program be continued. Appropriations made in Item 368 are for the purposes of providing for the development, administration and operation of the state assessment program plan as presented to the Legislature.		
364A Grants and Aids Law Education Programs From General Revenue Fund -----		150,000	369 Not Used		
Provided, however, that the funds appropriated in Item 364A shall be distributed as Grants by the Division of Public Schools to selected district school boards and individual schools for the establishment of Law Education Programs. Such programs shall be developed with the assistance of district and school advisory			369A Special Categories Teacher Education Advisory Council From General Trust Fund -----		7,100
			370 Special Categories School Volunteers Advisory Council From General Trust Fund -----		34,593
			371 Special Categories Visually Handicapped Resources From General Revenue Fund -----		152,805
			371A Special Categories Resource Materials for The Hearing Impaired From General Revenue Fund -----		68,966

Item.	Positions \$	Amount \$	Item	Positions \$	Amount \$
371B Special Categories State Science Fair From General Trust Fund			5,000		
372 Special Categories Public Schools—Common Software Applications From General Revenue Fund		595,000			
<p>Provided, however, that the funds appropriated in Item 372 shall be used to acquire proven software products, subsequent maintenance and implementation support for school districts from either private or public organizations. The common applications shall address district operational control, managerial control, planning and state reporting administrative activities and may address district operational control, managerial control, planning and state reporting administrative activities, and may address instructional computing uses as feasible. The common applications shall reside at the regional computing service centers as defined in the plan for equitable distribution of computing services for school districts and shall consider common applications sharing with community colleges, universities, and local governmental agencies where feasible. It is the intent of the Legislature that this appropriation shall support the second phase of a three-year project. Expenditures from this appropriation shall not require the approval of the Department of General Services.</p>					
<p>Vocational Education, Division of</p>					
373 Salaries and Benefits From General Revenue Fund	144	1,020,048			
From General Trust Fund			1,699,204		
374 Other Personal Services From General Trust Fund			95,690		
375 Expenses From General Revenue Fund		433,864			
From General Trust Fund			724,892		
376 Grants and Aids Federal Flow-Through Funds From Educational Aids Trust Fund					34,936,746

Provided, however, from the funds appropriated in Item 376, \$6,200,000 federal vocational funds shall be used to replace or update vocational educational program equipment.

The development of a plan for a uniform coordinated system of Vocational Education is declared to be a high priority of the Legislature. By March 1, 1979, the Commissioner of Education shall submit to the Legislature a total plan for such a system. The plan shall be developed in cooperation with the various public vocational education delivery systems, including school districts, community colleges, and universities. The plan shall provide for: common definitions; a uniform program structure; equitable procedures for charging fees for vocational educational programs, including those used for avocational purposes; comparable placement and follow-up information; and by September 1, 1978, a plan for the integration of the component parts of a separate vocational educational management information system into the public school and community college management information systems. There shall be a single point of contact in the office of the deputy commissioner of education who will direct the project and be available to provide progress reports when required. The Department of Administration shall withhold the fourth quarter release of the funds appropriated for Vocational Education in Items 353A, 353B and 382 and funds appropriated to the commissioner in Items 302-304 and Item 307 until such time that the plan is developed and submitted to the Legislature. Provided, however, the Commissioner shall develop and present to the Legislature by February 1, 1979, a detailed analysis of the

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
costs of individualized manpower training System (I.M.T.S.) programs. The analysis shall provide comparable data for programs offered through the public schools and the Community Colleges and shall identify on an FTE basis both the start-up and the operating costs for such programs. All student contact hours in I.M.T.S. programs in school districts and community colleges shall be reported to the Division of Vocational Education. From the \$3,500,000 appropriated in Item 344 of Chapter 76-285, Laws of Florida, earmarked to be spent only for vocational equipment replacement, the commissioner is authorized to report \$288,314 of this amount as repayment to the Federal Government for the USOE "off-set" against the 1977 Vocational Education Grant Part "B". Provided, however, \$150,000 of the funds in Item 376 shall be allocated to the Division of Community Colleges for follow-up and Evaluation Projects.			378A Special Categories Vocational Equity Coordination From Educational Aids Trust Fund	1	50,000
			Community Colleges, Division of		
			379 Salaries and Benefits From General Revenue Fund	35	678,291
			380 Other Personal Services From General Revenue Fund From Community College Conference Trust Fund From Educational Aids Trust Fund		20,709 2,500 42,500
			381 Expenses From General Revenue Fund From Educational Aids Trust Fund		239,684 32,500
			382 Grants and Aids Community Colleges Program Fund From General Revenue Fund		192,078,563
			The Appropriation in Item 382 shall be allocated according to the following assigned FTE enrollments:		
			Advanced and Professional 100,584		
			Occupational education (Technical, Skilled/Semi-Skilled, Apprenticeship and Supplemental) 57,062		
			Compensatory 5,299		
			Adult Basic and High School 9,874		
			of the above occupational Education FTE, no more than 5,255 shall be assigned for occupational supplemental programs.		
			Provided, however, that in the allocation of this appropriation a deduction for student fees of \$360 per FTE be applied to advanced and professional, occupational-technical and compensatory programs. A deduction of \$120 per FTE shall be applied to occupational-non-technical programs. Provided further, that no deduction for student fees shall be applied to adult elementary and secondary programs or to any FTE'S generated by high school students.		
376A Grants and Aids Economic Development Training Courses From Educational Aids Trust Fund		369,000	The allocation of funds appropriated in Item 382 shall be based on eight academic disciplines, seven occupational disciplines and compensatory and adult programs. The occupational disci-		
Funds appropriated in Item 376A are to be allocated on a weighted FTE basis for industry services training programs as provided in Section 230.66, Florida Statutes. The Appropriation represents the equivalent of 410 weighted FTE's (1 FTE = 900 clock hours). The Division of Vocational Education shall provide the Legislature with a cost/benefit analysis of each program funded by March 1, 1979.					
377 Operating Capital Outlay From General Trust Fund					
					9,062
378 Special Categories Vocational Management Information Systems From General Revenue Fund From General Trust Fund		73,125			234,000

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
<p>plines shall be further subdivided into technical and skilled/semi-skilled and supplemental. Provided, however, all federal funds are removed from the historical cost used in the allocation of the appropriation.</p>			<p>not include courses which are organized as a unit of a preparatory program of study.</p>		
<p>Provided, however, that the allocation to each college shall be the amount calculated under the current law, with the above fee proviso, adjusted by one-half the difference from the amount calculated under the provisos.</p>			<p>Enrollments in supplemental programs shall be assigned in the following order of priority:</p>		
<p>Provided, that the Division of Community Colleges shall have authority to distribute the above funds in 12 unequal installments as may be necessary to provide for the resolution of any cash flow problems in the community college system.</p>			<p>1. In-service programs for public service occupations.</p>		
<p>No funds shall be allocated from Item 382 for students in community instructional services programs.</p>			<p>2. Programs for currently employed or previously employed students in the field of study in which they are enrolled and need to upgrade their employment skill.</p>		
<p>Provided, however, community colleges with assigned FTE enrollments of 2,100 or less shall receive a minimum increase of 7.5% in state funds over 1977-78.</p>			<p>3. Programs offered at the request of an employer to develop a pool of qualified workers for new or expanded employment opportunities.</p>		
<p>The following definitions shall apply to occupational programs in community colleges:</p>			<p>4. Programs for the occupation of homemaking including consumer education, parenthood and family living education, child development and guidance, food and nutrition, housing and home management (including resource management), and clothing and textiles.</p>		
<p>1. Technical programs of study and related courses designed to prepare persons for employment at the technical level between that of the skilled and the professional.</p>			<p>Prior to the initiation of any supplemental vocational course or program, a request shall be submitted to the Department of Education for approval. It is intended that consumer and homemaking courses shall not be discontinued, but that such programs be restricted until such time as this expansion can be accomplished without adverse impact on the basic goals of the Community College System.</p>		
<p>2. Skilled/semi-skilled programs of study, apprenticeships and related courses designed to prepare students for employment at a semi-skilled or skilled level between that of the unskilled and the technician.</p>			<p>Individuals who do not meet the above requirements may enroll in an adult supplemental course on a space available basis by paying a fee based on the direct instructional cost of the program. However, such individuals shall not earn FTE's for funding purposes.</p>		
<p>3. Supplemental courses organized for the purpose of upgrading students who are currently, or who have been previously employed in an occupational field, or as a homemaker, but should</p>			<p>Funds for occupational-technical and skilled/semi-skilled programs shall be restricted to full-time equivalent students whose enrollments in such programs can be</p>		

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
demonstrated to be directly related to securing employment. No funds are provided for transportation of students in Item 382 as provided in section 230.767(2), Florida Statutes. Provided, however, funds provided in Item 382 may be used for the purpose of providing physical examinations for employees in community colleges. Provided, however, any community college which charges a tuition fee in excess of \$14 per credit hour, shall have such excess tuition charges deducted from their allocation of Item 382 on an assigned F.T.E. basis.			agencies where feasible. It is the intent of the legislature that this appropriation shall support the first year of a three-year project. Expenditures from this appropriation shall not require the approval of the Department of General Services.		
383 Not Used			386 Not Used		
384 Grants and Aids Florida School of the Arts			Florida School for the Deaf and the Blind		
From General Revenue Fund		29,879	387 Salaries and Benefits	490	
385 Operating Capital Outlay			From General Revenue Fund		4,681,987
From General Revenue Fund		7,319	From Grants and Donations Trust Fund		738,201
385A Special Categories Follow-Up Evaluation Project			388 Other Personal Services		
From Educational Aids Trust Fund		150,000	From General Revenue Fund		44,830
The funds in item 385A shall be expended on follow-up evaluation projects in occupational disciplines.			From Grants and Donations Trust Fund		59,505
385B Special Categories Community Colleges—Common Software Applications			389 Expenses		
From General Revenue Fund		250,000	From General Revenue Fund		824,269
Provided, however, that the funds appropriated in item 385B shall be used to acquire proven software products, subsequent maintenance and implementation support for community colleges from either private or public organizations. The common applications shall address college operational control, management control, planning and state reporting administrative activities and may address instructional computing uses as feasible. The common applications shall reside at computing facilities within the various educational computing consortia and shall consider common application sharing with school districts, universities and local governmental			From Grants and Donations Trust Fund		107,669
			390 Operating Capital Outlay		
			From General Revenue Fund		255,049
			From Grants and Donations Trust Fund		82,910
			391 Food Products		
			From General Revenue Fund		213,439
			From Grants and Donations Trust Fund		126,000
			392 Special Categories Talladega Deaf/Blind Program		
			From General Revenue Fund		76,500
			393 Special Categories Teacher Education		
			From General Revenue Fund		4,000
			Funds provided in Item 393 shall be used for the direct support of non-credit teacher education activities.		
			393A Special Categories Students Home on Weekends Program		
			From General Revenue Fund		208,000
			393B Special Categories Reclassification of Child Care Counselors		
			From General Revenue Fund		82,720
			From Grants and Donations Trust Fund		1,609
			Provided, however, the release of these funds is contingent upon reclassification of child care counselors by the Department of Administration.		

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
393C Special Categories					
Multi-Handicapped			2. Lower Level Undergraduate		
Deaf Program Plan	3		3. Masters Level Graduate		
From General Revenue Fund		65,000	4. Doctoral Level Graduate		
Provided, that the Florida School for the Deaf and the Blind and the bureau of education for exceptional students in the division of public schools shall cooperate in the development of a plan for the implementation of a residential program to serve multi-handicapped deaf students. The plan shall address at least the following areas: Demographic information, curriculum and evaluation, staffing, facilities and recommended operating costs of the multi-handicapped deaf program.			5. All Remaining Programs		
The commissioner shall deliver the report to the Legislature no later than March 1, 1979.			It is further the intent of the Legislature that adequate resources shall be provided to insure high quality in each program beginning with the first priority program and proceeding through each next highest priority program to the extent that resources are available. It is further the intent of the Legislature that the Board of Regents shall continue to allocate the resources appropriated to the State University System among the various Universities in such a manner as to fulfill the priorities established by the Legislature.		
Knot: Data Center			Persons engaged in continuing education activities, who are otherwise employed on a full-time basis by the State University System, may be compensated from funds generated from such activities at a level not to exceed twenty percent of their contracted salary rate. Such compensation may be in addition to that provided within the total approved salary rate for the State University System.		
394 Salaries and Benefits	56		Educational and General Activities		
From Working Capital Trust Fund		781,132	399 Salaries and Benefits	11,699	
395 Other Personal Services			From General Revenue Fund		147,747,770
From Working Capital Trust Fund		6,760	From Incidental Trust Fund		66,631,778
396 Expenses			400 Other Personal Services		
From Working Capital Trust Fund		358,411	From General Revenue Fund		16,744,474
397 Operating Capital Outlay			401 Expenses		
From Working Capital Trust Fund		20,063	From General Revenue Fund		43,098,813
398 Special Categories			402 Operating Capital Outlay		
Overtime			From General Revenue Fund		15,122,015
From Working Capital Trust Fund		10,000	403 Lump Sum		
Universities, Division of			Star Program		
For allocation by the Division of Universities to the following institutions for the educational and general activities: University of Florida, Florida State University, Florida A & M University, University of South Florida, Florida Atlantic University, University of West Florida, Florida Technological University, Florida International University, and the University of North Florida.			From General Revenue Fund		925,047
It is the intent of the Legislature that the order of priority for providing resources for programs in the State University system shall be as follows:			Funds provided in Item 401 include no more than \$.55 per 1,000 gallons for payment to the City of		
1. Upper Level Undergraduate					

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
<p>Gainesville for water provided to the University of Florida. From the funds provided in Item 400, up to \$43,856 may be used, upon HB 1216 or similar legislation becoming law, to establish a data bank on older Floridians. The Board of Regents shall allocate comparable resources for comparable responsibilities based on assigned FTE student enrollment and other specifically assigned tasks. Resources allocated to a University to serve assigned student enrollments shall not be withdrawn during the fiscal year due to actual enrollments falling below assigned enrollments. Upon approval of projects related to the funds appropriated in Item 403 for mission oriented research and public service, the Board of Regents may allocate to a Grants and Donations Trust Fund the amounts necessary to fund such projects. All allocations related to each project shall include the full amount approved for such project.</p> <p>The Board of Regents shall allocate: To the solar energy center at Cape Canaveral at least \$1,000,000 of the funds appropriated including salary and inflationary adjustments as appropriated by the Legislature, of the funds allocated to the Solar Energy Center, \$150,000 shall be allocated to the University of Florida for solar energy research; \$5,500 to the photographic archives at FSU; pursuant to Section 241.74, Florida Statutes, \$100,000 shall be allocated for planning and implementing the authorized school of optometry; and \$25,000 shall be allocated by the Board of Regents to the Mote Marine Laboratory for the Red Tide research program; \$165,000 for the purchase of law books at FSU law school and \$165,000 for the purchase of law books at UF law school</p>			<p>which shall be equally matched by each university; and \$275,000 shall be allocated as a supplemental allocation to the UF law school and FSU law school.</p> <p>It is legislative intent that the above law school appropriations are supplemental and shall not be used to replace funds normally generated.</p> <p>From the funds provided in Items 399-402, \$250,000 shall be allocated as a supplemental allocation to the UF law school to fund the tax curriculum and \$150,000 and one position shall be allocated to the FSU law school to fund the clinical and practice curriculum and undergraduate law courses. It is legislative intent that the above law school appropriations are supplemental and shall not be used to replace funds normally generated.</p> <p>The appropriation herein to the Board of Regents for the 1978-79 fiscal year includes the 1978 Summer Session.</p> <p>From funds provided to the laboratory schools in Items 399-402, the Board of Regents shall allocate to the four laboratory schools for instructional purposes the base student allocation per unweighted FTE student, plus the estimated statewide average from additional local effort as used by the legislature in calculating the Florida Education Finance Program for the 1978-79 school year. The Board of Regents, upon approval of the Commissioner of Education, shall allocate the remaining funds on the basis of competitive proposals to be used to support research and service projects which address the state's priority needs in instruction and other programs specifically related to the public school system of the state. All teacher programs in the universities shall be eligible to receive funds through this competitive process.</p>		

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
From the funds appropriated in Items 399-402, the Board of Regents shall allocate to the external degree program of the Florida International University no less than current year funding, plus salary and inflationary adjustments as appropriated by the Legislature.					
It is the intent that the remaining start-up funds for the North Miami Campus at FIU shall be reduced approximately 1/2 at the end of the 1978-79 fiscal year. Provided, further, the state university system shall not transfer funds from other universities to replace the start-up funds for the North Miami campus.					
Provided, however, \$50,000 appropriated in Items 399 through 402 shall be used to continue the program of the center for labor research and studies at Florida International University.					
The Board of Regents shall identify each regular faculty position classified in the 1978-79 operating budget as administrative and professional and as career service and indicate for each position the program area to which assigned and activities being performed. A report regarding the above shall be submitted to the Department of Administration and to the House and Senate Committees on Appropriations no later than November 1, 1978.					
From the funds included in Items 399-402, the Board of Regents shall allocate to the universities, as a minimum, all amounts appropriated for libraries and the university presidents shall include, as a minimum, all such amounts in the 1978-79 University Education and General Operating Budget. The appropriated amounts for libraries included in the allocation by the Board of Regents and in the operating budgets of the universities may not be expended for any other purposes. If, subsequently, events indi-			cate that 1978-79 revenues to the education and general budget will be less than that appropriated, the amount included in the appropriation for book acquisitions, periodicals, etc., may not be reduced unless and until such anticipated decreases exceed 5% of the total appropriated revenues; then a reduction may be made in the amount appropriated for books, etc., but only on a pro rata basis.		
			Included in Item 400, is \$800,000 for expenditures necessary to purchase, catalog and shelve library acquisitions. Such funds shall also be made available to law libraries. Such funds shall also be used to the maximum extent in the college work study program.		
			Institute of Food and Agricultural Sciences		
			404 Salaries and Benefits	2,085	
			From General Revenue Fund		29,712,541
			From Experiment Station Federal Grant Trust Fund		1,262,106
			From Extension Service Federal Grant Trust Fund		1,713,703
			405 Other Personal Services		
			From General Revenue Fund		1,409,904
			From Experiment Station Federal Grant Trust Fund		173,590
			From Extension Service Federal Grant Trust Fund		63,134
			From Extension Service Incidental Trust Fund		45,000
			406 Expenses		
			From General Revenue Fund		4,654,775
			From Experiment Station Federal Grant Trust Fund		418,662
			From Experiment Station Incidental Trust Fund		1,400,000
			From Extension Service Federal Grant Trust Fund		237,524
			From Extension Service Incidental Trust Fund		255,000
			407 Operating Capital Outlay		
			From General Revenue Fund		1,643,994
			From Experiment Station Federal Grant Trust Fund		187,886
			From Extension Service Federal Grant Trust Fund		32,089

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
From Extension Service Incidental Trust Fund		10,000	From Operation and Maintenance Trust Fund		225,348
Included in Items 404 through 407 is \$200,000 to establish a center for aquatic weed research as a functional element of the Institute of Food and Agricultural Sciences of the University of Florida. The center is hereby designated as the lead agency for the coordination and development of research projects related to noxious aquatic plant control and is directed to coordinate all such programs with other affected agencies and the Department of Natural Resources, as prescribed by Section 372.925, Florida Statutes.			415 Operating Capital Outlay		
From the funds and positions appropriated in Items 404 through 407 an additional \$200,000 and one faculty and four career service positions shall be added to the current expenditure and position level for Sand Hill decline research, and the resulting total amount and total positions shall be used for the above research.			From General Revenue Fund		234,911
Engineering Industrial Experiment Station			University of South Florida Medical Center		
408 Salaries and Benefits	317		416 Salaries and Benefits	517	
From General Revenue Fund		600,000	From General Revenue Fund		9,797,323
From EIES Trust Fund		4,253,340	417 Other Personal Services		
409 Other Personal Services			From General Revenue Fund		724,584
From General Revenue Fund		150,000	From Operation and Maintenance Trust Fund		40,500
From EIES Trust Fund		2,805,726	418 Expenses		
410 Expenses			From General Revenue Fund		2,055,447
From General Revenue Fund		470,000	From Medical Center - Professional Medical Liability Self Insurance Trust Fund		193,500
From EIES Trust Fund		3,030,539	From Operation and Maintenance Trust Fund		347,070
411 Operating Capital Outlay			419 Operating Capital Outlay		
From General Revenue Fund		65,000	From General Revenue Fund		441,745
From EIES Trust Fund		873,619	From Operation and Maintenance Trust Fund		91,430
University of Florida Veterinary Medicine			Contracts and Grants		
412 Salaries and Benefits	218		Appropriations made in Items 420-424 are for allocation by the Division of Universities to the following institutions for contract and grant activities: University of Florida, J. Hillis Miller Health Center, Institute of Food and Agricultural Sciences, Florida State University, Florida A & M University, University of South Florida, Florida Atlantic University, University of West Florida, Florida Technological University, Florida International University, and University of North Florida.		
From General Revenue Fund		3,143,507	420 Salaries and Benefits		
413 Other Personal Services			From Grants and Donations Trust Fund		
From General Revenue Fund		279,648	—Non-Sponsored		18,469,650
From Operation and Maintenance Trust Fund		49,652	From Grants and Donations Trust Fund		
414 Expenses			—Sponsored		20,825,695
From General Revenue Fund		860,280	From IFAS—Experiment Station Grants and Donations Trust Fund		6,997,181
			421 Other Personal Services		
			From Grants and Donations Trust Fund		
			—Non-Sponsored		10,015,320
			From IFAS—Experiment Station Grants and Donations Trust Fund		1,015,328

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
422 Expenses			427 Expenses		
From Grants and Donations Trust Fund			From Extension Incidental Trust Fund		2,339,799
—Non-Sponsored		12,228,212	From Solar Energy Center Testing Trust Fund		25,292
From IFAS—Experiment Station Grants and Donations Trust Fund		2,767,320	From SUS—Auxiliary Trust Fund		37,587,824
423 Grants and Aids			From SUS—Law Review Trust Fund		74,137
Educational Aid—Federal			From SUS—Mobile Home Unit Trust Fund		122,103
From Grants and Donations Trust Fund		426,170	From SUS—Revenue Certificate Trust Funds		6,485,155
—Non-Sponsored			From SUS—Working Capital Trust Funds		9,828,647
424 Operating Capital Outlay			428 Operating Capital Outlay		
From Grants and Donations Trust Fund			From Extension Incidental Trust Fund		108,545
—Non-Sponsored		3,788,195	From Solar Energy Center Testing Trust Fund		18,000
From IFAS—Experiment Station Grants and Donations Trust Fund		831,962	From SUS—Auxiliary Trust Fund		4,335,765
			From SUS—Revenue Certificate Trust Funds		1,121,164
			From SUS—Working Capital Trust Funds		242,685
			429 Debt Service		
			From SUS—Auxiliary Trust Fund		200,575
			From SUS—Revenue Certificate Trust Funds		3,138,666
			General Office		
			430 Salaries and Benefits	208	
			From General Revenue Fund		3,501,783
			From Facilities Construction Administration Trust Fund		181,844
			From Grants and Donations Trust Fund		120,734
			431 Other Personal Services		
			From General Revenue Fund		212,324
			From Facilities Construction Administration Trust Fund		10,000
			From Grants and Donations Trust Fund		23,255
			432 Expenses		
			From General Revenue Fund		960,774
			From Facilities Construction Administration Trust Fund		34,540
			From Grants and Donations Trust Fund		37,432
			433 Operating Capital Outlay		
			From General Revenue Fund		24,272
			From Grants and Donations Trust Fund		4,800
			434 Special Categories		
			Community Hospital Education Program	2	
Auxiliary Enterprises					
Appropriations made in Items 425-429 are for allocation by the division of universities to the following institutions for the auxiliary enterprises activities: University of Florida, Florida State University, Florida A & M University, University of South Florida, Florida Atlantic University, University of West Florida, Florida Technological University, Florida International University, and University of North Florida.					
425 Salaries and Benefits	3,054				
From Extension Incidental Trust Fund		2,991,680			
From Solar Energy Center Testing Trust Fund		19,781			
From SUS—Auxiliary Trust Fund		19,592,958			
From SUS—Mobile Home Unit Trust Fund		7,399			
From SUS—Revenue Certificate Trust Funds		3,193,620			
From SUS—Working Capital Trust Funds		8,145,629			
426 Other Personal Services					
From Extension Incidental Trust Fund		2,036,034			
From Solar Energy Center Testing Trust Fund		13,385			
From SUS—Auxiliary Trust Fund		3,847,251			
From SUS—Mobile Home Unit Trust Fund		2,241			
From SUS—Revenue Certificate Trust Funds		798,879			
From SUS—Working Capital Trust Funds		377,464			

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
From General Revenue Fund		3,306,805	From Liability Insurance Trust Fund		69,953
434A Special Categories Southern Regional Education Board Small Grants Program			441 Other Personal Services		
From General Revenue Fund		6,200	From General Revenue Fund	860,934	
435 Special Categories Distribution to Universities			From Incidental Trust Fund		57,373
From Grants and Donations Trust Fund		940,000	From Liability Insurance Trust Fund		30,035
From Racing Scholarship Trust Fund		625,000	442 Expenses		
From Student Financial Aid Trust Fund		500,000	From General Revenue Fund	3,684,943	
Provided, however, from funds provided in Items 430 - 432 the Board of Regents shall reinstitute and publish the fact book of the state university system and copies shall be made available to the members of the Florida Senate and the Florida House of Representatives no later than March 1, 1979.			From Incidental Trust Fund		806,760
436 Special Categories First Accredited Medical School			From Liability Insurance Trust Fund		902,064
From General Revenue Fund		5,836,000	443 Operating Capital Outlay		
437 Special Categories Regional Education			From General Revenue Fund	2,008,499	
From General Revenue Fund		1,015,700	From Incidental Trust Fund		127,499
438 Special Categories Southern Regional Council on Mental Health			From Liability Insurance Trust Fund		341
From General Revenue Fund		12,000	University of Florida Teaching Hospital and Allied Clinics		
438A Special Categories Casualty Insurance Premium			444 Salaries and Benefits	1,797	
From General Revenue Fund		2,127,581	From General Revenue Fund		3,018,130
From EIES Trust Fund		41,209	From Operation and Maintenance Trust Fund		16,936,449
From Grants and Donations Trust Fund		157,252	445 Other Personal Services		
From SUS—Auxiliary Trust Fund		334,904	From General Revenue Fund	575,278	
439 Special Categories Institute on Higher Education			From Operation and Maintenance Trust Fund		3,203,308
From General Revenue Fund		12,000	446 Expenses		
Provided, however, funds appropriated in Items 434 - 439, shall not be subject to the provisions of section 216.292(2), Florida Statutes.			From General Revenue Fund	2,353,059	
University of Florida Health Center - Educational and General			From Operation and Maintenance Trust Fund		13,085,473
440 Salaries and Benefits	1,093		447 Operating Capital Outlay		
From General Revenue Fund		18,180,728	From General Revenue Fund	662,415	
From Incidental Trust Fund		216,190	From Operation and Maintenance Trust Fund		3,696,893
			Provided, however, that the administrators of the Shands Teaching Hospital, in conjunction with the J. Hillis Miller Health Center, The University of Florida and the Board of Regents, study and develop a plan to become more self-sufficient and fiscally independent. The study should include the feasibility of non-profit corporate operation of the hospital. Such plan shall include, but not be restricted to, the budgeting of patient and other non-general revenue funds, the establishment of a non-revert-		

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
<p>ing capital construction trust fund, and a new method of requesting state funds. The feasibility study and planning shall be financed from appropriations for the fiscal year beginning July 1, 1978, and funds may be expended to purchase consulting services as needed.</p> <p>Providing further that the vice president for health affairs, through the president of the University of Florida and the board of regents, shall report to the Legislature, on or before January 1, 1979, setting forth findings and making recommendations for consideration at the next regular session of the Legislature.</p> <p>Provided, however, that all moneys appropriated herein to the Department of Education are conditional upon each school district board, each community college board of trustees and the Board of Regents, securing prior approval from the commissioner before purchasing or leasing any electronic data processing equipment or software costing in excess of \$6,000 in any 12-month period.</p> <p>Further providing, the Shands Teaching Hospital is hereby authorized to employ or contract as consultants, any employee of the state university system, provided no dual compensation is received by the employee.</p> <p>Providing further that the hyperbaric facility at The J. Hillis Miller Health Center is hereby designated The Jerome Johns Hyperbaric facility.</p> <p>The academic and faculty positions included in the division of universities represent man-years and are to be utilized by the board of regents to maximize the services rendered over all four academic quarters.</p> <p>From the funds appropriated herein to the Department of Education, school districts, the community colleges and the state universities, the Department of Education shall</p>			<p>give priority to improving information systems, with specific emphasis on common data definitions and data handling procedures which will provide analyses and reports utilizing data from school districts, community colleges or state universities. Provided, further, that such development shall be carried out through a centrally coordinated and supervised effort. Expenditures of funds provided for teacher education centers in Item 403A shall be approved by the commissioner of education for use in programs of education in the state university system and private colleges and universities to carry out inservice teacher education programs in school districts. No funds shall be released for any program until a written agreement is established and approved by the commissioner between school districts to be served and the institutions providing the services. On or before February 1, 1979, the commissioner shall report to the Legislature on all agreements and expenditures for inservice teacher education that have been approved.</p> <p>The commissioner of education shall develop and administer procedures for the coordinated delivery of all public school inservice educational training programs. The procedures shall provide for reallocation of existing resources within the department, permit the centralized monitoring and evaluation of such inservice programs and shall be developed in cooperation with the council on teacher education and other groups and individuals with related responsibilities. All district school board staff development activities, pursuant to section 230.23, F.S., for all individuals from all fund sources shall be included in each district's master plan for inservice education. The commissioner shall provide to the Legislature on or before February 1,</p>		

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
1979, a progress report on the implementation of this requirement.			imburse the auditor general for costs incurred related to the performance evaluation of the five districts.		
ENVIRONMENTAL REGULATION, DEPARTMENT OF			452A Grants and Aids		
448 Salaries and Benefits	677		Aid to Kissimmee River Council		
From General Revenue Fund		7,310,761	From General Revenue Fund		550,000
From Coastal Zone Management Trust Fund		120,534	Funds appropriated in Item 452A are to be allocated to the South Florida Water Management District for the express purpose of funding fiscal year 1979 operations of the coordinating council on the restoration of the Kissimmee River Valley and Taylor Creek-Nubbins Slough Basin in accordance with CS/HB 2014.		
From Grants and Donations Trust Fund		128,106	453 Not Used		
From Operating Trust Fund		2,657,250	454 Operating Capital Outlay		
From Water Resource Restoration and Preservation Trust Fund		128,106	From General Revenue Fund		455,249
449 Other Personal Services			From Grants and Donations Trust Fund		1,415
From General Revenue Fund		50,715	From Operating Trust Fund		3,999
From Operating Trust Fund		307,897	455 Not Used		
450 Expenses			456 Special Categories		
From General Revenue Fund		1,897,831	U.S. Geological Survey Co-Op Agreements		
From Coastal Zone Management Trust Fund		17,642	From General Revenue Fund		148,000
From Grants and Donations Trust Fund		54,822	From U.S. Cooperative Trust Fund		30,000
From Licensing and Permitting Trust Fund		12,600	457 Special Categories		
From Operating Trust Fund		478,138	Water Resource Management		
From Water Resource Restoration and Preservation Trust Fund		36,822	From General Revenue Fund		315,000
451 Grants and Aids			From Water Resource Restoration and Preservation Trust Fund		598,110
Aid to Water Management Districts - Fixed Capital Outlay			458 Special Categories		
From General Revenue Fund		4,098,500	Pollution Restoration Contracts		
Provided, the funds appropriated in Item 451 are to be allocated to the districts for construction and land acquisition as follows: St. Johns, \$500,000, South Florida, \$1,748,300 and southwest Florida, \$1,850,200.			From Pollution Recovery Trust Fund		26,870
452 Grants and Aids			458A Special Categories		
Aid to Water Management Districts—Operations			Demonstration Project - East Everglades		
From General Revenue Fund		1,607,500	From General Revenue Fund		59,000
Provided, the funds appropriated in Item 452 are to be allocated to the districts as follows: Northwest Florida, \$630,000, Suwannee River, \$571,500 and St. Johns, \$400,000. Provided, further, \$6,000 from Item 452 shall be used in conjunction with \$10,000 appropriated from Item 449, Chapter 77-465, Laws of Florida, to re-			459 Data Processing Services		
			From General Revenue Fund		425,355
			From Coastal Zone Management Trust Fund		4,800
			From Operating Trust Fund		10,390
			Provided, however, 8 positions and \$33,257 appropriated from General Revenue and \$133,032 appropriated from the coastal zone management trust fund for the Coastal Zone Management Ac-		

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
tivity in Items 448 thru 459 are contingent upon HB 2074 or similar legislation becoming law.			466L Other Personal Services		
Ethics, Commission on			From State Game Trust Fund		62,688
460 Lump Sum	8		466M Expenses		
From General Revenue Fund		252,537	From State Game Trust Fund		974,965
Game and Fresh Water Fish Commission, Florida			466N Operating Capital Outlay		
461 Not Used			From State Game Trust Fund		204,039
462 Not Used			466O Data Processing Services		
463 Not Used			From State Game Trust Fund		1,001
464 Not Used			Division of Wildlife		
465 Not Used			466P Salaries and Benefits	85	
466 Not Used			From General Revenue Fund		88,578
Division of Administrative Services			From State Game Trust Fund		1,042,783
466A Salaries and Benefits	117		466Q Other Personal Services		
From General Revenue Fund		229,119	From General Revenue Fund		1,480
From State Game Trust Fund		1,355,578	From State Game Trust Fund		112,840
466B Other Personal Services			466R Expenses		
From General Revenue Fund		500	From General Revenue Fund		27,295
From State Game Trust Fund		46,324	From State Game Trust Fund		778,320
466C Expenses			466S Operating Capital Outlay		
From General Revenue Fund		114,137	From General Revenue Fund		11,250
From State Game Trust Fund		1,156,574	From State Game Trust Fund		207,939
466D Operating Capital Outlay			466T Special Categories Management Area Lease Payments		
From General Revenue Fund		15,991	From State Game Trust Fund		300,000
From State Game Trust Fund		89,392	466U Data Processing Services		
466E Data Processing Services			From State Game Trust Fund		13,492
From State Game Trust Fund		29,639	GENERAL SERVICES, DEPARTMENT OF Office of the Executive Director and Division of Administration		
Division of Law Enforcement			467 Salaries and Benefits	68	
466F Salaries and Benefits	321		From General Revenue Fund		989,199
From General Revenue Fund		3,839,164	468 Other Personal Services		
From State Game Trust Fund		702,455	From General Revenue Fund		985
466G Other Personal Services			469 Expenses		
From General Revenue Fund		11,700	From General Revenue Fund		176,023
From State Game Trust Fund		500	470 Operating Capital Outlay		
466H Expenses			From General Revenue Fund		7,773
From General Revenue Fund		903,601	470A Lump Sum		
From State Game Trust Fund		770,224	Regional Office Centers	8	
466I Operating Capital Outlay			From General Revenue Fund		113,250
From General Revenue Fund		1,252,403	471 Data Processing Services		
From State Game Trust Fund		118,382	From General Revenue Fund		64,631
466J Data Processing Services			Purchasing, Division of		
From General Revenue Fund		8,007	472 Salaries and Benefits	40	
Division of Fisheries			From General Revenue Fund		611,246
466K Salaries and Benefits	162		473 Other Personal Services		
From Fish Improvement Trust Fund		651,800			
From State Game Trust Fund		1,395,115			

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
474 From General Revenue Fund ----- Expenses		512	From Capitol Center Parking Trust Fund -----		44,761
475 From General Revenue Fund ----- Operating Capital Outlay		300,318	491 From Supervision Trust Fund ----- Other Personal Services		3,210,200
476 From General Revenue Fund ----- Lump Sum		4,279	From Architects Incidental Trust Fund -----		23,760
6 Energy Conservation Program ----- From Grants and Donations Trust Fund -----	6		492 From Capitol Center Parking Trust Fund ----- Expenses		8,665
477 Data Processing Services ----- From General Revenue Fund -----		154,222	From Architects Incidental Trust Fund -----		171,795
Electronic Data Processing, Division of Administration and Technical Services		109,582	493 From Capitol Center Parking Trust Fund ----- Operating Capital Outlay		79,435
478 Salaries and Benefits ----- From General Revenue Fund -----	29		From Supervision Trust Fund -----		4,863,465
479 Other Personal Services ----- From General Revenue Fund -----		554,835	494 From Supervision Trust Fund ----- Lump Sum		
480 Expenses ----- From General Revenue Fund -----		1,000	494A From General Revenue Fund ----- Lump Sum		6,761,170
481 Operating Capital Outlay ----- From General Revenue Fund -----		74,256	Regional Office Centers -----	86	
482 Data Processing Services ----- From General Revenue Fund -----		6,310	From Supervision Trust Fund -----		1,734,612
27,524			Provided, however, the regional office centers shall be occupied by the following departments upon completion as follows:		
Administrative Management Information Center and Systems Development			Palm Beach - Banking & Finance, Commerce, Legal Affairs, Education, General Services, Health & Rehabilitative Services, Insurance, Law Enforcement, Offender Rehabilitation, Business Regulation, Community Affairs, Auditor General, Revenue, Public Service Commission, Parole and Probation; Dade—Banking and Finance, Business Regulation, Commerce, Law Enforcement, Legal Affairs, General Services, Health and Rehabilitative Services, Transportation, Insurance, Auditor General, Offender Rehabilitation, State, Education, Highway Safety and Motor Vehicles, Professional and Occupational Regulation; Escambia—Agriculture, Banking and Finance, Business Regulation, Commerce, Environmental Regula-		
483 Salaries and Benefits ----- From Working Capital Trust Fund -----	260				
484 Other Personal Services ----- From Working Capital Trust Fund -----		3,243,096			
485 Expenses ----- From Working Capital Trust Fund -----		7,500			
486 Operating Capital Outlay ----- From Working Capital Trust Fund -----		3,866,683			
25,003					
Justice Management Information Center					
487 Salaries and Benefits ----- From Working Capital Trust Fund -----	11				
488 Expenses ----- From Working Capital Trust Fund -----		142,180			
489 Operating Capital Outlay ----- From Working Capital Trust Fund -----		307,168			
541,023					
Building Construction and Property Management, Division of					
490 Salaries and Benefits ----- From Architects Incidental Trust Fund -----	390				
948,893					

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
tion, General Services, Health and Rehabilitative Services, Insurance, Law Enforcement, Offender Rehabilitation, Probation and Parole, Public Service Commission, Revenue, State, Education, Auditor General, Transportation; Broward—Business Regulation, Commerce, Education, General Services, Health and Rehabilitative Services, Insurance, Revenue, Auditor General, Transportation; Duval—Banking and Finance, Auditor General, Business Regulation, Commerce, Public Service Commission, Revenue, State, Insurance and Treasurer, Offender Rehabilitation, Probation and Parole, Education, Environmental Regulation, Professional and Occupational Regulation, Health & Rehabilitative Services; Hillsborough—Legal Affairs, Banking and Finance, State, Auditor General, Business Regulation, Commerce, Insurance and Treasurer, Health and Rehabilitative Services, Revenue, Probation and Parole, Transportation, Highway Safety, Professional and Occupational Regulation and Public Service Commission.			499A Lump Sum		
			Regional Office Centers	26	
			From General Revenue Fund		187,403
			It is the intent of the legislature that the division of security shall not be designated a state law enforcement agency. The sole purpose of the division is to implement section 287.35, Florida Statutes.		
			Motor Pool, Division of		
			500 Salaries and Benefits	43	
			From General Revenue Fund		375,611
			From Motor Vehicle Operating Trust Fund		276,112
			501 Other Personal Services		
			From General Revenue Fund		2,500
			From Bureau of Aircraft Trust Fund		7,500
			From Motor Vehicle Operating Trust Fund		14,796
			502 Expenses		
			From General Revenue Fund		169,684
			From Bureau of Aircraft Trust Fund		211,249
			From Motor Vehicle Operating Trust Fund		654,641
			503 Operating Capital Outlay		
			From General Revenue Fund		123,110
			From Motor Vehicle Operating Trust Fund		155,938
49E Debt Service			504 Data Processing Services		
From Supervision Trust Fund		1,730,000	From General Revenue Fund		22,260
49F Data Processing Services			From Motor Vehicle Operating Trust Fund		60,255
From Architects Incidental Trust Fund		13,859	Surplus Property, Division of		
From Capitol Center Parking Trust Fund		2,538	505 Salaries and Benefits	71	
From Supervision Trust Fund		20,977	From State Surplus Property Working Capital Trust Fund		51,477
The department shall provide the legislature with a report detailing the parking requirements necessary for the regional office centers, including any agreements entered into between the state and the units of local government.			From Surplus Property Revolving Trust Fund		649,772
Security, Division of			506 Other Personal Services		
497 Salaries and Benefits	79		From State Surplus Property Working Capital Trust Fund		868
From General Revenue Fund		775,171	From Surplus Property Revolving Trust Fund		500
497A Other Personal Services			507 Expenses		
From General Revenue Fund		12,049	From State Surplus Property Working Capital Trust Fund		36,899
498 Expenses			From Surplus Property Revolving Trust Fund		210,143
From General Revenue Fund		70,301	508 Operating Capital Outlay		
499 Not Used					

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
From State Surplus Property Working Capital Trust Fund		650	From Communica-tions Working Capital Trust Fund		902,324
From Surplus Property Revolving Trust Fund		25,250	518 Data Processing Services		
Bond Finance, Division of			From Communica-tions Working Capital Trust Fund		148,356
509 Salaries and Benefits	7		GOVERNOR, OFFICE OF THE General Office		
From Revenue Bond Fee Revolving Trust Fund		146,444	519 Salaries and Benefits	67	
510 Other Personal Services			From General Revenue Fund		1,134,833
From Revenue Bond Fee Revolving Trust Fund		292,000	From Grants and Donations Trust Fund		118,260
511 Expenses			520 Other Personal Services		
From Revenue Bond Fee Revolving Trust Fund		189,671	From General Revenue Fund		5,749
512 Operating Capital Outlay			From Grants and Donations Trust Fund		6,000
From Revenue Bond Fee Revolving Trust Fund		1,469	521 Expenses		
Communications, Division of			From General Revenue Fund		212,657
513 Salaries and Benefits	55		From Grants and Donations Trust Fund		33,013
From General Revenue Fund		617,374	522 Operating Capital Outlay		
From Communica-tions Survey Trust Fund		21,176	From General Revenue Fund		10,116
From Communica-tions Working Capital Trust Fund		284,414	From Grants and Donations Trust Fund		520
514 Other Personal Services			522A Special Categories		
From General Revenue Fund		20,000	National Governor's Conference		
From Communica-tions Survey Trust Fund		2,346	From General Revenue Fund		29,150
From Communica-tions Working Capital Trust Fund		3,118	523 Contingent-Discretionary		
515 Expenses			From General Revenue Fund		25,000
From General Revenue Fund		174,384	Provided, that funds appropriated in Item 523 may be used for moving expenses and rental of living quarters for the Governor during the period the mansion is being prepared for the Governor Elect.		
From Communica-tions Survey Trust Fund		8,897	Operation of the Governor's Mansion		
From Communica-tions Working Capital Trust Fund		10,247,913	524 Salaries and Benefits	9	
516 Grants and Aids Implementation of "911" Systems			From General Revenue Fund		91,927
From General Revenue Fund		308,900	525 Other Personal Services		
From Communica-tions Survey Trust Fund		312,100	From General Revenue Fund		900
517 Operating Capital Outlay			526 Expenses		
From General Revenue Fund		251,121	From General Revenue Fund		89,169
From Communica-tions Survey Trust Fund		1,229	527 Operating Capital Outlay		
From Communica-tions Working Capital Trust Fund		1,249	From General Revenue Fund		300
517A Lump Sum			Office of Prosecution Coordination and the Council for the Prosecution of Organized Crime		
Regional Office Centers	19		528 Salaries and Benefits	8	

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
			Health Center, Univer-		
			sity of Florida, in lieu		
			of FTE Positions es-		
529		164,625	tablished within the		
			Department of Health		
			and Rehabilitative		
			Services.		
			Provided, further, that		
			when the Department		
			of Health and Reha-		
			bitative Services es-		
			tablishes a contractual		
			relationship for serv-		
			ices with the J. Hillis		
			Miller Health Center -		
			University of Florida -		
			that the Department		
			of Health and Reha-		
			bitative Services may		
			waive the present 30-		
			day cancellation clause		
			existing within the		
			present rules of the		
			Department of Health		
			and Rehabilitative		
			Services.		
			Provided that no		
			funds, State or Fed-		
			eral, shall be distrib-		
			uted by the Depart-		
			ment of Health and		
			Rehabilitative Serv-		
			ices for the purpose of		
			funding tests of illicit		
			drugs to be used il-		
			legally.		
			Provided, further, that		
			the Governor's Man-		
			agement Advisory		
			Council shall be estab-		
			lished on a continu-		
			ing basis, with nine		
			(9) members, and with		
			terms expiring at the		
			end of one, two and		
			three years, not re-		
			newable for the period		
			of a year upon expira-		
			tion. Provided, further,		
			that the Chairman's		
			term be limited to one		
			(1) year with a new		
			Chairman named each		
			year.		
			Provided, further, that		
			productivity adjust-		
			ments contemplated in		
			Item 658 shall be		
			taken within the bud-		
			get entity prescribed.		
			However, the Depart-		
			ment may use discre-		
			tion in applying these		
			reductions between the		
			program components		
			within the budget en-		
			tity.		
			Provided, further, that		
			in order to ensure ap-		
			propriate placement		
			efforts and opportuni-		
			ties, any employee of		
			the Department of		
			Health and Rehabilita-		
			tive Services whose		
			position is abolished as		
			a result of the imple-		
			mentation of this act		
			shall be retained at		
			the same level of com-		
			ensation for ninety		

**HEALTH AND REHABILITATIVE SERVICES,
DEPARTMENT OF**

Appropriations made in Items 559-694, notwithstanding the provisions of Section 216-292, Florida Statutes, may be transferred upon the request of the Department to the State Comptroller to accounts established for each District or Institution within the respective budget entities for disbursement purposes upon release of said appropriations by the Department of Administration. Provided, however, such transfers may only be made to accounts similar in purpose to the category of appropriation from which transferred.

Provided, however, that appropriations to the Department of Health and Rehabilitative Services for client Information Systems contemplates that no client identifying information, such as the client's name, address, and social security number, shall be submitted to the Department by any mental health facility, alcoholism treatment resource, or drug abuse treatment resource, except with the written informed consent of the client. Provided, further, that no person shall be denied treatment because of refusal to provide such informed consent. This applies to fiscal year 1978-79.

Provided, however, that funds appropriated for mental health and retardation institutions salaries in Items 622 and 653, may be transferred to other personal services, Items 623 and 654, for the purposes of contracting for physician and/or other medical related services as required, with the J. Hillis Miller

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
(90) days after notification of such abolishment or until such employee secures other placement or employment, whichever should occur first. Employees whose positions are abolished or transferred to another location shall, when otherwise qualified, be given priority consideration for any new position created under Chapter 75-48, Laws of Florida, or for any other positions in state government. Provided, further, that the Department shall initiate a study to be presented to the 1979 Legislature, to determine the feasibility of contracting for food services for residential programs operated by the Department. If determined to be economically feasible and in the best interest of the clients served, the Department may have the authority to implement contracted food services upon approval of the Department of Administration.			535 Data Processing Services		
			From General Revenue Fund		3,460
			From Administrative Trust Fund ..		2,389
			Office of the Assistant Secretary for Administrative Services		
			Provided that the Secretary of the Department of Health and Rehabilitative Services shall submit to the Legislature no later than January 1, 1979, a report of the status of the development and implementation of the client information system. The report shall include details as to the type of data being collected by the system and the Department's application of such data to program evaluation and program budgeting. Provided, further, that the report shall also include total expenditures incurred by the Department on the development and implementation of the client information system as of the date of the report.		
Office of the Secretary			536 Salaries and Benefits	937	
531 Salaries and Benefits	37		From General Revenue Fund		7,178,289
From General Revenue Fund		647,553	From Administrative Trust Fund ..		1,995,247
From Administrative Trust Fund ..			From Working Capital Trust Fund ...		3,022,376
			537 Other Personal Services		
532 Other Personal Services			From General Revenue Fund		64,502
From General Revenue Fund		31,365	From Administrative Trust Fund ..		13,522
From Administrative Trust Fund ..			From Working Capital Trust Fund ...		17,751
			538 Expenses		
533 Expenses			From General Revenue Fund		2,426,949
From General Revenue Fund		186,336	From Administrative Trust Fund ..		1,246,370
From Administrative Trust Fund ..			From Working Capital Trust Fund ...		3,206,029
			539 Operating Capital Outlay		
534 Operating Capital Outlay			From General Revenue Fund		97,578
From General Revenue Fund		3,971	From Administrative Trust Fund ..		8,085
From Administrative Trust Fund ..			From Working Capital Trust Fund ...		21,361
			540 Special Categories		
534A Special Categories			State Institutional Claims		
Purchase of Legal Services			From General Revenue Fund		5,000
From General Revenue Fund		25,000	541 Special Categories		
Provided that funds appropriated in Item 534A shall be used to obtain legal counsel to represent the State of Florida's interest in the "Department of Health and Rehabilitative Services vs. Joseph A. Califano, Jr." case.			University Education and Training		
			From Federal Aid Trust Fund Title XX Non-Capped		921,944

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
542 Special Categories			From Federal Aid		
Contract Nursing			Trust Fund Title		
Home Audit Program			XX Non-Capped		48,208
From General Revenue Fund		90,000	From Federal Grants		
From Administrative Trust Fund		90,000	Trust Fund		141,441
543 Data Processing Services			From Federal Rehabilitation Trust Fund		233,352
From General Revenue Fund		1,255,142	From Grants and Donations Trust Fund		166,510
From Administrative Trust Fund		661,319	From Planning and Evaluation Trust Fund		100,989
Office of the Assistant Secretary for Programs			547 Grants and Aids Hill-Burton		
Provided, however, that from the funds appropriated in Items 544-551 the Department shall continue its use of Inmate Labor from the Department of Offender Rehabilitation for Data Processing Services pursuant to the requirements of Section 20.19 (13), Florida Statutes, until such time as the on-line client information system becomes fully operational.			From U. S. Grants Trust Fund		6,300,000
544 Salaries and Benefits	724		548 Operating Capital Outlay		
From General Revenue Fund		8,394,062	From General Revenue Fund		44,364
From Administrative Trust Fund		1,719,957	From Administrative Trust Fund		6,353
From Federal Aid Trust Fund Title XX Non-Capped		60,814	From Federal Aid Trust Fund Title XX Non-Capped		6,210
From Federal Grants Trust Fund		452,501	From Federal Grants Trust Fund		2,613
From Federal Rehabilitation Trust Fund		777,743	From Federal Rehabilitation Trust Fund		3,186
From Grants and Donations Trust Fund		170,557	From Planning and Evaluation Trust Fund		9,529
From Planning and Evaluation Trust Fund		675,039	549 Special Categories Medicaid Surveillance		
545 Other Personal Services			From General Revenue Fund		135,730
From General Revenue Fund		377,621	From Administrative Trust Fund		407,188
From Administrative Trust Fund		157,926	550 Special Categories Youth Services Diversion Project		
From Emergency Medical Services Trust Fund		11,060	From General Revenue Fund		11,379
From Federal Aid Trust Fund Title XX Non-Capped		170,835	From Grants and Donations Trust Fund		77,376
From Federal Grants Trust Fund		21,117	550A Special Categories Controlled Substance Therapeutic Research Program		
From Federal Rehabilitation Trust Fund		56,988	From General Revenue Fund		53,100
From Grants and Donations Trust Fund		825,205	Provided, however, that funds appropriated in Item 550A are contingent upon passage of CS/HB 1237 or similar legislation becoming law.		
From Planning and Evaluation Trust Fund		86,736	551 Data Processing Services		
546 Expenses			From General Revenue Fund		1,359,813
From General Revenue Fund		1,954,694	From Administrative Trust Fund		597,420
From Administrative Trust Fund		296,665	Office of The Assistant Secretary for Operations		
From Emergency Medical Services Trust Fund		23,295	Office of The Assistant Secretary		
			552 Salaries and Benefits	1,225	
			From General Revenue Fund		6,221,832
			From Administrative Trust Fund		4,148,354
			From Hearing Aids and Devices Trust Fund		31,723
			From Pest Control Trust Fund		129,887

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
553 From U. S. Trust Fund		5,770,061	reserved and revert to general revenue unallocated at the end of fiscal year 1978-79.		
Other Personal Services			559 Salaries and Benefits	863	
From General Revenue Fund		446,736	From General Revenue Fund		9,060,479
From Administrative Trust Fund		1,540,738	From Administrative Trust Fund		2,127,772
From Hearing Aids and Devices Trust Fund		2,835	From Operations and Maintenance Trust Fund		270,233
554 From Plans Review Trust Fund		165,900	560 Other Personal Services		
Expenses			From General Revenue Fund		66,266
From General Revenue Fund		2,087,588	From Administrative Trust Fund		30,749
From Administrative Trust Fund		1,066,324	561 Expenses		
From Hearing Aids and Devices Trust Fund		9,888	From General Revenue Fund		2,393,167
From Pest Control Trust Fund		17,309	From Administrative Trust Fund		658,730
From U. S. Trust Fund		5,435,064	From Operations and Maintenance Trust Fund		6,930
555 Grants and Aids Mosquito Control Program			562 Operating Capital		
From General Revenue Fund		2,800,000	Outlay		
556 Grants and Aids Spinal Cord Injury Program			From General Revenue Fund		70,647
From General Revenue Fund		200,000	From Administrative Trust Fund		4,564
557 Operating Capital			562A Special Categories		
Outlay			Purchased Client Services		
From General Revenue Fund		326,363	From General Revenue Fund		70,000
From Administrative Trust Fund		189,798	Provided, however, that funds appropriated in Item 562A shall be used for the purpose of developing a central information exchange in cooperation with local agencies in District X.		
From U. S. Trust Fund		37,007	Social and Economic Services		
557A Lump Sum			Provided, however, that appropriations to the department for the Cuban refugee program contemplates that the department shall claim and expend federal funds for categorical programs and child welfare programs. Provided, further, that federal funds available after funding the categorical programs and child welfare programs shall be utilized to continue the general assistance program for Cuban refugees not eligible for assistance under the categorical and child welfare programs.		
Lump Sum - Child Support Enforcement	129		Provided, however, that should LEAA funds in addition to those appropriated in this act become available, an amount up to \$140,000 may be used to fund the Crisis Home Finders and guidelines for counselors projects. Provided,		
From General Revenue Fund		235,001			
From Administrative Trust Fund		705,005			
558 Data Processing Services					
From General Revenue Fund		1,470,171			
From Administrative Trust Fund		486,471			
District Administration					
Provided, however, that appropriations in Item 646 contemplates that, except for third party payments, the department shall not assess any fees authorized under section 402.33, Florida Statutes for clients in pre-school developmental training programs. Provided, further, that to the extent that client fee collections and Title XVIII and XIX earnings exceed the amounts appropriated in the Operations and Maintenance Trust Fund in Items 622, 646, and 653, General Revenue Funds in those Items will be					

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
<p>further, that any general revenue funds required for these projects shall be identified from other general revenue funds appropriated in this act.</p> <p>Contingent upon the continued receipt of the appropriate federal medicaid waiver, funds within line Items 574 through 587 may be used as contract for service funds for health maintenance organizations or prepaid group health clinics or centers, public or private, for services provided to medicaid eligible clients, to the extent of \$4 million.</p>			571 Special Categories WIN Medical Expenses From General Revenue Fund _____		13,000
			From Services Trust Fund _____		117,000
			572 Special Categories CETA Personal Services From Administrative Trust Fund ..		1,895,231
			573 Special Categories CETA Expenses From Administrative Trust Fund ..		23,099
			574 Special Categories Physician Services From General Revenue Fund _____	12,116,803	
			From Medical Care Trust Fund _____		17,909,901
			From Special Grants Trust Fund _____		1,724,707
563 Salaries and Benefits	5,365		575 Special Categories Hospital Inpatient Services From General Revenue Fund _____	35,054,784	
From General Revenue Fund _____		25,838,392	From Medical Care Trust Fund _____		53,278,704
From Administrative Trust Fund ..		21,205,316	From Special Grants Trust Fund _____		6,126,051
From Federal Aid Trust Fund Title XX _____		8,901,632	576 Special Categories Nursing Home Care From General Revenue Fund _____	45,266,295	
From Special Grants Trust Fund _____		1,763,622	From Medical Care Trust Fund _____		60,983,710
564 Other Personal Services From General Revenue Fund _____		578,533	From Special Grants Trust Fund _____		1,590,330
From Administrative Trust Fund ..		472,601	Provided, however, that the maximum income eligible standard be established at \$515. Provided, further, that no client shall become ineligible for nursing home care as a result of the increase in social security benefits effective July 1, 1978.		
From Federal Aid Trust Fund Title XX _____		58,984	577 Special Categories Drugs (Prescribed Medicine) From General Revenue Fund _____	11,825,271	
565 Expenses From General Revenue Fund _____		4,345,374	From Medical Care Trust Fund _____		18,804,322
From Administrative Trust Fund ..		4,062,526	From Special Grants Trust Fund _____		2,636,260
From Federal Aid Trust Fund Title XX _____		1,902,345	578 Special Categories Hospital Outpatient Services From General Revenue Fund _____	4,802,338	
From Special Grants Trust Fund _____		351,198	From Medical Care Trust Fund _____		6,414,435
566 Operating Capital Outlay From General Revenue Fund _____		338,237	From Special Grants Trust Fund _____		159,608
From Administrative Trust Fund ..		111,283	579 Special Categories Other Lab and X-Ray Services From General Revenue Fund _____	527,967	
From Federal Aid Trust Fund Title XX _____		2,153	From Medical Care Trust Fund _____		845,909
567 Food Products From General Revenue Fund _____		40,372	From Special Grants Trust Fund _____		122,306
568 Not Used			580 Special Categories Family Planning From General Revenue Fund _____		114,637
569 Special Categories Medicaid Fiscal Contract From General Revenue Fund _____		1,082,369			
From Administrative Trust Fund ..		3,617,919			
From Special Grants Trust Fund _____		131,778			
570 Special Categories Medicaid Services Review From General Revenue Fund _____		112,500			
From Administrative Trust Fund ..		337,500			

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
			the Department of Administration and review by House and Senate Appropriations committees.		
		1,034,039	588B Special Categories Rural Health Clinic Services		
		17,478	From General Revenue Fund	309,988	
581 Special Categories Supplementary Medical Insurance		5,314,980	From Medical Care Trust Fund		403,408
From General Revenue Fund			589 Special Categories Child Day Care		
From Medical Care Trust Fund		6,942,887	From General Revenue Fund	2,527,763	
From Special Grants Trust Fund		1,053,587	From Federal Aid Trust Fund Title XX		15,166,579
582 Special Categories Hospital Insurance Benefits		1,473,424	From Services Trust Fund		2,527,763
From General Revenue Fund			From Special Grants Trust Fund		41,132
From Medical Care Trust Fund		2,178,917	Provided, however, general revenue moneys shall be expended in Item 589 only to the extent local funds and federal funds will be available on the basis of 12 1/2% state, 12 1/2% local, and 75% federal.		
From Special Grants Trust Fund		200,739	589A Special Categories Purchase of Residential Group Care		
583 Special Categories State Mental Health Hospital Program			From General Revenue Fund	506,000	
From Medical Care Trust Fund		5,866,595	590 Special Categories Local Services Programs		
584 Special Categories State Tuberculosis Hospital Program			From Federal Aid Trust Fund Title XX		1,125,000
From Medical Care Trust Fund		111,360	From Services Trust Fund		375,000
585 Special Categories Home Health Services			Provided, however, that of the funds appropriated in Item 590, \$612,560 shall be allocated to the districts for contract negotiation for legal services to Title XX eligible clients. No funds shall be allocated for central administration or technical assistance.		
From General Revenue Fund		648,563	591 Special Categories Transportation of Runaways		
From Medical Care Trust Fund		846,365	From General Revenue Fund	71,640	
From Special Grants Trust Fund		1,740	592 Special Categories Emergency Shelter Care for Children		
586 Special Categories Early and Periodic Screening of Children			From General Revenue Fund	99,201	
From General Revenue Fund		2,794,226	From Federal Aid Trust Fund Title XX		2,394,111
From Medical Care Trust Fund		3,726,404	From Special Grants Trust Fund		2,694
From Special Grants Trust Fund		97,937	593 Special Categories Foster Home Care for Children		
587 Special Categories Patient Transportation			From General Revenue Fund	11,477,260	
From General Revenue Fund		1,119,182	From Services Trust Fund		1,962,916
From Medical Care Trust Fund		1,541,802	From Special Grants Trust Fund		307,973
From Special Grants Trust Fund		75,132	Provided that funds		
588 Special Categories Intermediate Care Facilities - Mentally Retarded					
From Medical Care Trust Fund		6,614,568			
588A Special Categories Lump Sum - Contingency for Medicaid Services					
From Medical Care Trust Fund		4,607,684			
From Social Security Act Reimbursement Trust Fund		3,540,298			
Provided, however, that funds appropriated in Item 588A be released only after review of price, utilization, and caseload trends indicate the need for additional funds for the total medicaid program, subject to approval of					

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
appropriated in Item 593 can be used to subsidize the adoptive parents of foster care children adopted under the "subsidized adoption law."			From General Revenue Fund		824,112
594 Special Categories Psychiatric care for Children			603 Financial Assistance Payments Mandatory Supplementation		
From General Revenue Fund		123,873	From General Revenue Fund		24,727
From Federal Aid Trust Fund Title XX		339,219	604 Financial Assistance Payments Aid to Families With Dependent Children		
From Special Grants Trust Fund		61,200	From General Revenue Fund		63,780,771
595 Special Categories Housekeeper Services for Children			From Direct Assistance Trust Fund		93,701,165
From General Revenue Fund		207,810	From Special Grants Trust Fund		2,479,870
From Special Grants Trust Fund		19,890	605 Financial Assistance Payments Child Support Incentive Payments - Political Subdivisions		
596 Special Categories Homes for Unmarried Mothers			From Direct Assistance Trust Fund		946,970
From General Revenue Fund		125,000	Aging and Adult Services		
597 Special Categories WIN Day Care			606 Salaries and Benefits	573	
From General Revenue Fund		55,196	From General Revenue Fund		1,563,599
From Services Trust Fund		496,762	From Federal Aid Trust Fund Title XX		4,787,571
593 Special Categories Purchase of Adoption Services			From Licensure Fees Trust Fund		32,259
From General Revenue Fund		224,870	607 Other Personal Services		
Provided that \$86,900 appropriated in Item 598 shall be used to purchase adoption placement services for children with special needs, with or without subsidy at a rate not to exceed \$785 per placement.			From General Revenue Fund		50,408
593 Special Categories Services to Unmarried Mothers			608 Expenses		
From Services Trust Fund		23,100	From General Revenue Fund		245,208
600 Special Categories Medical Cost of Subsidized Adoptions			From Federal Aid Trust Fund Title XX		755,476
From General Revenue Fund		170,000	From Licensure Fees Trust Fund		6,618
Provided, however, funds appropriated in Item 600 shall be expended only for medical costs of children adopted under the subsidized adoption law and who have physical disabilities specifically identified prior to being adopted.			609 Grants and Aids Community Service Grants		
601 Financial Assistance Payments Foster Home Care Supplement			From General Revenue Fund		499,677
From General Revenue Fund		535,801	From Federal Grants Trust Fund		21,405,943
602 Financial Assistance Payments Room and Board With Personal Care Supplement			609A Grants and Aids Spouse Abuse Program		
			From Marriage License Fees Trust Fund		440,200
			Provided that funds appropriated in Item 609A shall be contingent upon passage of CS for SB 649 or similar legislation becoming law.		
			609B Grants and Aids Displaced Homemakers Program		
			From General Revenue Fund		300,000
			Provided, however, that funds appropriated in Item 609B shall be used to establish, or contract for the establishment of 4 multi-service programs located in Jacksonville, Tampa, Orlando and Miami for displaced homemakers as authorized by Chapter 76-271.		

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
610 Operating Capital Outlay			and Rehabilitative Services District or a total of \$1,237,500.		
From General Revenue Fund		3,551	Provided, further, unless otherwise expressed as the intent of the Legislature, the Department, in the Development of Methodologies for the allocation of funds appropriated in Items 613-621 should move towards the equitable distribution of funds only so long as there continues to be adequate appropriations from the Legislature to raise the disproportionately low districts to equity. If such funds are not forthcoming then the department shall not move to reduce the current level of funding in any districts.		
From Federal Aid Trust Fund Title XX		14,892			
From Licensure Fees Trust Fund		1,413			
611 Special Categories Local Service Programs					
From General Revenue Fund		379,038			
From Federal Aid Trust Fund Title XX		4,213,015			
From Operations and Maintenance Trust Fund		619,779			
612 Special Categories Temporary Emergency Shelter					
From General Revenue Fund		40,000			
From Federal Aid Trust Fund Title XX		120,000			
612A Special Categories Community Care for the Elderly—Home Placements			613 Grants and Aids Community Mental Health Services		
From General Revenue Fund		1,078,394	From General Revenue Fund		10,410,433
Provided that the sum of \$393,000, which represents the unexpended balance appropriated in 1977-78 for the home placement program, shall be certified forward and available for annualization of the current approved home placement program, subject to approval of the Department of Administration.			From Federal Aid Trust Fund Title XX		13,326,626
612B Special Categories Community Care for the Elderly—Demonstration Projects			614 Grants and Aids Community Mental Health Services/Adolescents and Children		
From General Revenue Fund		107,822	From General Revenue Fund		956,870
From Federal Aid Trust Fund Title XX		539,108	615 Grants and Aids Community Alcoholic Services		
From Operations and Maintenance Trust Fund		71,881	From General Revenue Fund		2,661,645
Mental Health Services			From Federal Aid Trust Fund Title XX		6,627,515
Provided, however, that funds appropriated in Item 613 and 615 be used to contract with Mental Health District Boards for services provided by Mental Health Centers and to contract for community alcoholic services. Administrative costs for District Mental Health Board Operations are included within the total state appropriation, but not to exceed \$112,500 per Health			From Grants and Donations Trust Fund		2,074,445
			616 Grants and Aids Purchased Client Services — Baker Act		
			From General Revenue Fund		13,886,457
			Provided, however, that funds appropriated in Item 616 includes up to \$1,707,408 for 75% start-up funding of crisis stabilization programs and short-term residential programs. Expended start-up funds are to be recovered in accordance with the administrative rules to be promulgated by the Department of Health and Rehabilitative Services.		
			617 Grants and Aids Purchased Client Services/Adolescents and Children		
			From General Revenue Fund		350,000

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
618 Grants and Aids Indigent Psychiatric Drug Program			623 Other Personal Serv- ices		
From General Reve- nuce Fund		792,511	From General Reve- nuce Fund		575,814
From Grants and Donations Trust Fund		474,900	From Grants and Donations Trust Fund		22,486
619 Grants and Aids Community Drug Abuse Services			624 Expenses		
From General Reve- nuce Fund		1,331,204	From General Reve- nuce Fund		11,764,156
From Drug Abuse Trust Fund		6,006,627	From Grants and Donations Trust Fund		42,720
620 Grants and Aids Purchased Client Serv- ices — Drug Abuse — Baumgartner Act			625 Operating Capital Out- lay		
From General Reve- nuce Fund		708,021	From General Reve- nuce Fund		497,044
From Federal Aid Trust Fund Title XX		70,122	626 Food Products		
621 Grants and Aids Community Residential Services			From General Reve- nuce Fund		3,753,181
From General Reve- nuce Fund		508,719	626A Lump Sum		
From Operations and Maintenance Trust Fund		466,281	Upgrade Staffing Standards at South Florida State Hospital	113	
621A Lump Sum Community Alcoholic Services			From General Reve- nuce Fund		989,577
From General Reve- nuce Fund		598,061	Youth Services		
Provided, however, that of the total ap- propriated in Item 621A, \$300,000 shall be used to contract for the development of a residential treat- ment program for al- coholics in Duval County, and \$298,061 to contract for the continuation of the residential treatment program for alcoholics in Hillsborough Coun- ty.			Provided, however, that funds appropri- ated in Items 627-632A for residential serv- ices shall not be used for children who have not been committed to the youth services pro- gram except for the 14 slots at Pinellas youth homes and 15 slots at wilderness camps.		
Mental Health-Institutions			627 Salaries and Benefits	1,622	
Provided, however, that the Department of Health and Rehabil- itative Services may, upon approval of the Department of Admin- istration, transfer two positions and appropri- ate funds, to the De- partment of Offender Rehabilitation, for the purpose of supervision of inmate labor at the Florida State Hos- pital Laundry.			From General Reve- nuce Fund		11,423,230
622 Salaries and Benefits	7,286		From Federal Aid Trust Fund Title XX		5,366,127
From General Reve- nuce Fund		65,237,786	From Grants and Donations Trust Fund		1,002,428
From Federal Aid Trust Fund Title XX		4,684,546	628 Other Personal Serv- ices		
From Grants and Donations Trust Fund		227,323	From General Reve- nuce Fund		16,260
From Operations and Maintenance Trust Fund		9,465,294	From Grants and Donations Trust Fund		176,425
			629 Expenses		
			From General Reve- nuce Fund		4,082,359
			From Federal Aid Trust Fund Title XX		948,723
			From Grants and Donations Trust Fund		175,078
			630 Operating Capital Out- lay		
			From General Reve- nuce Fund		219,372
			From Grants and Donations Trust Fund		10,296
			631 Food Products		
			From General Reve- nuce Fund		988,851
			From Grants and Donations Trust Fund		227,114
			631A Lump Sum		
			Intensive Learning Al-		

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
ternatives Classroom - District VI	6		From General Revenue Fund		6,480,947
632 Special Categories		87,403	From Federal Aid Trust Fund Title XX		3,370,015
Contracted Services			From Grants and Donations Trust Fund		634,448
From General Revenue Fund		2,299,099	634 Other Personal Services		
From Federal Aid Trust Fund Title XX		589,301	From General Revenue Fund		159,727
From Grants and Donations Trust Fund		2,162,894	From Grants and Donations Trust Fund		10,400
Provided, however, that should LEAA funds become available over and above the amount required to fund projects contemplated in this act and in the crisis home finders and guidelines for counselors projects, an amount up to \$300,000 may be used to contract for the operation of a wilderness camping program in District XI. Provided, further, that any General Revenue Funds required for this project shall be identified from other General Revenue Funds appropriated in this act.			635 Expenses		
632A Special Categories			From General Revenue Fund		2,006,847
Operation Involvement			From Grants and Donations Trust Fund		63,089
From General Revenue Fund		233,860	636 Operating Capital Outlay		
Youth Services-Institutions			From General Revenue Fund		186,529
There is hereby appropriated funds in Items 633-637 to purchase services from and to assume operation of the Jacksonville Youth Development Center; provided, however, the Department shall expend no more than \$125,000 to purchase services from the Jacksonville Youth Development Center for committed youth through September 30, 1978; provided, further that HRS shall use the remainder of this appropriation to hire the current employees of the Jacksonville Youth Development Center on October 1, 1978, and to operate the Center for Departmental Programs through June 30, 1979. Current employees shall either elect to continue to participate in the local retirement system or to become a member of the Florida Retirement System pursuant to Section 121.081, Florida Statutes.			From Grants and Donations Trust Fund		5,458
633 Salaries and Benefits	996		637 Food Products		
			From General Revenue Fund		630,425
			From Grants and Donations Trust Fund		157,826
			Retardation Services		
			638 Salaries and Benefits	347	
			From General Revenue Fund		2,168,246
			From Federal Aid Trust Fund Title XX		1,654,534
			From Grants and Donations Trust Fund		185,193
			639 Other Personal Services		
			From General Revenue Fund		13,246
			From Grants and Donations Trust Fund		511,113
			640 Expenses		
			From General Revenue Fund		562,453
			From Federal Aid Trust Fund Title XX		239,754
			From Grants and Donations Trust Fund		105,275
			641 Grants and Aids		
			Community Retardation Services		
			From General Revenue Fund		993,837
			From Grants and Donations Trust Fund		991,207
			642 Grants and Aids		
			Florida Special Olympics		
			From General Revenue Fund		82,300
			643 Operating Capital Outlay		
			From General Revenue Fund		27,505
			From Grants and Donations Trust Fund		18,693

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
644. Food Products From General Revenue Fund		21,491	Contracted Casework Services		
645. Lump Sum Start-Up Funds - Group Homes			From General Revenue Fund		223,636
From General Revenue Fund		80,000	From Federal Aid Trust Fund Title XX		64,364
646. Special Categories Purchased Client Services			Retardation - Institutions		
From General Revenue Fund		4,943,994	653 Salaries and Benefits	5,396	
From Federal Aid Trust Fund Title XX		1,527,717	From General Revenue Fund		39,669,856
From Operations and Maintenance Trust Fund		269,474	From Federal Aid Trust Fund Title XX		7,442,257
647. Special Categories Community Residential Services			From Grants and Donations Trust Fund		1,453,145
From General Revenue Fund		8,829,209	From Operations and Maintenance Trust Fund		5,068,478
648. Special Categories Purchased Client Services - Epilepsy Programs			654 Other Personal Services		
From General Revenue Fund		227,956	From General Revenue Fund		1,144,537
From Federal Aid Trust Fund Title XX		383,681	From Grants and Donations Trust Fund		120,463
649. Special Categories Purchased Client Services - Cerebral Palsy			655 Expenses		
From General Revenue Fund		411,981	From General Revenue Fund		8,437,702
650. Special Categories Developmental Training Services			From Grants and Donations Trust Fund		159,118
From General Revenue Fund		3,584,268	From Operations and Maintenance Trust Fund		104,504
From Federal Aid Trust Fund Title XX		4,798,226	656 Operating Capital Outlay		
From Operations and Maintenance Trust Fund		1,176,071	From General Revenue Fund		427,989
Provided, however, that a minimum of \$150,000 of the increased amount appropriated in Item 650 be allocated to HRS District VI.			From Grants and Donations Trust Fund		86,117
651. Special Categories Intermediate Care Facility/Mentally Retarded (Community)			From Operations and Maintenance Trust Fund		52,761
From General Revenue Fund		1,987,707	657 Food Products		
From Operations and Maintenance Trust Fund		2,586,993	From General Revenue Fund		2,192,736
Provided, however, that if the funds appropriated in Item 651 are not expended to the maximum extent as intended in the appropriation, that excess funds may be transferred to Item 641, after January 1, 1979, upon the approval by the Department of Administration.			From Grants and Donations Trust Fund		341,160
652. Special Categories			657A Lump Sum		
			Staffing of Secure Facility (SEFFNER)	43	
			From General Revenue Fund		281,537
			Health Services		
			658 Salaries and Benefits	582	
			From General Revenue Fund		1,953,115
			From Federal Grant in Aid Trust Fund		571,173
			From Grants and Donations Trust Fund		5,223,737
			659 Other Personal Services		
			From General Revenue Fund		9,065
			From Federal Grant in Aid Trust Fund		38,929
			From Grants and Donations Trust Fund		524,882
			660 Expenses		
			From General Revenue Fund		567,468
			From Federal Aid Trust Fund Title XX		616,466

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
			From General Revenue Fund		50,000
		1,381,197	From Federal Grant in Aid Trust Fund		
			From Grants and Donations Trust Fund		14,710,780
661			Not Used		
662			Not Used		
663			Grants and Aids		
			Emergency Medical Services		
		100,000	From General Revenue Fund		
			From Federal Grant in Aid Trust Fund		131,075
			Provided, however, that of the total General Revenue Funds appropriated in Item 663, \$50,000 shall be used to purchase advance life support system equipment for 1/3 of the ambulances in accordance with the 1978-79 highway safety plan and \$50,000 shall be used to establish a critical casualty center in District VII.		
664			Grants and Aids		
			Medical Examiner Services		
		1,404,000	From General Revenue Fund		
665			Grants and Aids		
			School Health Services		
		349,062	From General Revenue Fund		
666			Grants and Aids		
			Contribution to County Health Units		
		17,905,857	From General Revenue Fund		
			From County Health Unit Trust Fund		28,086,651
			From Federal Aid Trust Fund Title XX		6,371,485
			Provided, however, General Revenue appropriated in Item 666 may be transferred to the proper trust fund for disbursement.		
667			Operating Capital Outlay		
		8,348	From General Revenue Fund		
			From Grants and Donations Trust Fund		14,229
667A			Lump Sum		
			Surveillance Control Response for St. Louis Encephalitis	4	
		155,790	From General Revenue Fund		
668			Special Categories		
			Drugs, Vaccines and Other Biologicals		
		1,552,845	From General Revenue Fund		
			From Federal Grant in Aid Trust Fund		340,583
668A			Special Categories		
			Kidney Disease Program		
		400,000	From General Revenue Fund		
668B			Special Categories		
			Kidney Disease Prevention		
			From General Revenue Fund		2,021,290
			From Federal Rehabilitation Trust Fund		16,174,698
			Provided, however, that of the total funds		
			From General Revenue Fund		50,000
			Health-Tuberculosis Hospital	250	
669			Salaries and Benefits		1,712,241
			From General Revenue Fund		
			From Hospital Maintenance Trust		890,816
670			Other Personal Services		
			From General Revenue Fund		17,654
671			Expenses		
			From General Revenue Fund		907,777
			From Hospital Maintenance Trust		69,407
672			Operating Capital Outlay		
			From General Revenue Fund		48,835
673			Food Products		
			From General Revenue Fund		81,315
			From Hospital Maintenance Trust		309,817
			Vocational Rehabilitative Services		
674			Salaries and Benefits	848	
			From General Revenue Fund		2,133,602
			From Federal Rehabilitation Trust		8,534,410
675			Other Personal Services		
			From General Revenue Fund		10,099
			From Federal Rehabilitation Trust		40,396
676			Expenses		
			From General Revenue Fund		401,333
			From Federal Rehabilitation Trust		1,605,332
677			Grants and Aids		
			Community Facilities Grants		
			From Workshop and Facilities Trust		2,564,585
678			Operating Capital Outlay		
			From General Revenue Fund		12,299
			From Federal Rehabilitation Trust		49,194
679			Not Used		
680			Special Categories		
			Extended Employment For the Developmentally Disabled		
			From General Revenue Fund		280,000
681			Special Categories		
			Purchased Client Services		
			From General Revenue Fund		2,021,290
			From Federal Rehabilitation Trust		16,174,698
			Provided, however, that of the total funds		

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
appropriated in Item 681, \$48,500 shall be allocated for a pilot program in District VI for interpretation services for the deaf in an effort to increase and improve services.			From General Revenue Fund		45,000
682 Special Categories Spinal Cord Injury Program			687 Operating Capital Outlay		61,134
From General Revenue Fund		547,680	From General Revenue Fund		11,395,508
Children's Medical Services			From Donations Trust Fund		836,562
683 Salaries and Benefits	224		From U. S. Trust Fund		2,200,000
From General Revenue Fund		497,536	689 Special Categories Kidney Disease Program		
From Federal Aid Trust Fund Title XX		2,056,979	From General Revenue Fund		312,700
684 Other Personal Services			690 Special Categories Rheumatic Fever		
From General Revenue Fund		21,144	From General Revenue Fund		70,000
From Federal Aid Trust Fund Title XX		123,356	690A Special Categories Cystic Fibrosis		
685 Expenses			From General Revenue Fund		50,000
From General Revenue Fund		70,379	Service Delivery Management and Support Services		
From Federal Aid Trust Fund Title XX		428,007	691 Salaries and Benefits	1,749	
686 Grants and Aids Perinatal Program			From General Revenue Fund		17,109,373
From General Revenue Fund		5,275,312	From Administrative Trust Fund		2,608,107
Provided, however, that existing regional perinatal intensive care centers in Alachua, Dade, Duval, Escambia, Hillsborough, Orange, Palm Beach, and Pinellas Counties shall each receive a base allocation of \$555,296; the center in Broward shall also receive \$555,296, but in the event the Broward center does not enter into a contractual agreement with the department, said appropriation, for fiscal year 1978-79 only, shall be distributed among the designated regional perinatal intensive care centers and their affiliates, if any, according to the proportion of infants served in such centers of the total number of grant eligible infants receiving services statewide; the new center in Dade will receive \$277,648, but in the event the new Dade center does not enter into a contractual agreement with the department, said appropriation shall be distributed to the existing Dade center and its affiliates, if any.			From Federal Aid Trust Fund Title XX		3,318,027
686A Grants and Aids Sickle Cell Education and Screening			692 Other Personal Services		
			From General Revenue Fund		16,944
			From Administrative Trust Fund		225,975
			693 Expenses		
			From General Revenue Fund		3,276,587
			From Administrative Trust Fund		456,271
			From Federal Aid Trust Fund Title XX		211,789
			694 Operating Capital Outlay		
			From General Revenue Fund		184,339
			Crimes Compensation Commission		
			695 Salaries and Benefits	17	
			From Crimes Compensation Trust Fund		283,433
			696 Other Personal Services		
			From Crimes Compensation Trust Fund		121,437
			697 Expenses		
			From Crimes Compensation Trust Fund		204,543
			698 Operating Capital Outlay		
			From Crimes Compensation Trust Fund		26,115
			699 Special Categories Awards to Claimants		
			From Crimes Compensation Trust Fund		2,058,400
			Provided, however, no		

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
funds shall be expended from the Crimes Compensation Trust Fund for payment of claimant's attorney's fees for any services rendered prior to thirty days after the filing of such claim. Provided, further, that none of these funds shall be used for advertising.			From Grants and Donations Trust Fund		47,681
			From Reimbursement Trust Fund		410,314
HIGHWAY SAFETY AND MOTOR VEHICLES, DEPARTMENT OF Office of Executive Director and Division of Administrative Services			Funds appropriated from the General Revenue Fund are provided in Item 707 for ammunition for the auxiliary patrolmen. Funds are also provided for auxiliary patrolmen insurance.		
700 Salaries and Benefits	243		Operating Capital Outlay		
From General Revenue Fund		2,685,099	From General Revenue Fund		206,341
From Grants and Donations Trust Fund		15,640	From Reimbursement Trust Fund		19,452
701 Other Personal Services			709 Special Categories		
From General Revenue Fund		4,900	Upgrade Florida Highway Patrol communications equipment		
702 Expenses			From Grants and Donations Trust Fund		2,169,490
From General Revenue Fund		532,923	710 Special Categories		
From Grants and Donations Trust Fund		3,941	Operation of Motor Vehicles		
703 Operating Capital Outlay			From General Revenue Fund		3,161,000
From General Revenue Fund		71,155	From Grants and Donations Trust Fund		660,040
From Grants and Donations Trust Fund		5,419	From Reimbursement Trust Fund		560,280
703A Special Categories			Funds appropriated from the reimbursement trust fund have been provided in Item 710 for weight inspectors to pursue vehicles which bypass weight stations as contemplated in HB 2064 or similar legislation. It is legislative intent that trade-in vehicles normally traded during this year will be utilized to accomplish the above legislation.		
For Transfer to Highway Patrol Insurance Trust Fund			711 Special Categories		
From General Revenue Fund		60,000	Acquisition of motor vehicles		
703B Special Categories			From General Revenue Fund		1,736,334
Payment of Death and Dismemberment Claims			From Reimbursement Trust Fund		456,320
From Highway Patrol Insurance Trust Fund		60,000	712 Data Processing Services		
704 Data Processing Services			From General Revenue Fund		380,470
From General Revenue Fund		203,768	From Reimbursement Trust Fund		68,198
Florida Highway Patrol, Division of			Funds appropriated in Items 705-712 from the reimbursement trust fund are allocated as follows:		
705 Salaries and Benefits	1,753		Troop K (Turnpike)		\$2,850,743
From General Revenue Fund		21,674,860	Troop I (Weights)		\$2,019,142
From Grants and Donations Trust Fund		175,332	Also, it is the intent of the legislature that any adjustments approved to the reimbursement trust fund be allocated specifically to Troop K or Troop		
From Reimbursement Trust Fund		3,352,681			
706 Other Personal Services					
From General Revenue Fund		33,968			
From Grants and Donations Trust Fund		15,000			
From Reimbursement Trust Fund		2,640			
707 Expenses					
From General Revenue Fund		2,765,003			

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
I of the Florida Highway Patrol. Provided that 8 positions and \$180,837 are provided for Troop I from the Reimbursement Trust Fund contingent upon increased collections in overweight fines.			vehicle registration refunds as contemplated in SB 355 or similar legislation becoming law.		
Drivers Licenses, Division of			719 Other Personal Services		
713 Salaries and Benefits	976		From General Revenue Fund		87,849
From General Revenue Fund		3,754,477	720 Expenses		
From Accident Reports Trust Fund			From General Revenue Fund		1,388,131
From Grants and Donations Trust Fund		6,500,000	721 Operating Capital Outlay		
Provided, however, no funds may be used to pay a salary to any person receiving pay from the Florida Highway Patrol retirement system in the division of drivers licenses where such salary would be in excess of that paid for the employment of beginning non-experienced personnel unless such persons or person was employed by the division of drivers licenses on April 1, 1971.			From General Revenue Fund		80,395
Also, it is the intent of the legislature that one (1) position included in Item 713 is for financial responsibility work in Manatee County.		190,496	722 Special Categories		
			Purchase of License Plates		
			From General Revenue Fund		3,394,250
			Funds appropriated in Item 722 are to provide payments to the Department of Offender Rehabilitation for the manufacture of motor vehicle license plates and decals. Funds are to be allocated as follows:		
			Graphic Alpha-Numeric License Plates		
			3,000,000 @ \$.90		
			Each \$2,700,000		
			Birth Month Decals		
			3,100,000 @ \$.0425		
			Each \$ 131,750		
			Validation Decals		
			9,000,000 @ \$.0625		
			Each \$ 562,500		
714 Other Personal Services			723 Data Processing Services		
From General Revenue Fund		136,412	From General Revenue Fund		2,906,008
From accident reports trust fund			From Grants and Donations Trust Fund		245,035
From Grants and Donations Trust Fund		283,000	Kirkman Data Center		
			724 Salaries and Benefits	259	
			From Working Capital Trust Fund		2,755,072
			725 Expenses		
			From Working Capital Trust Fund		3,907,434
715 Expenses			726 Operating Capital Outlay		
From General Revenue Fund		3,646,124	From Working Capital Trust Fund		57,063
From Grants and Donations Trust Fund			726A Special Categories		
			Contractual Data Entry Services		
			From Working Capital Trust Fund		361,752
			Provided, that the funds and positions provided in Items 700-723 from Grants and Donations Trust Fund are provided for the duration of the federal grant.		
716 Operating Capital Outlay			INSURANCE, DEPARTMENT OF, AND TREASURER		
From General Revenue Fund		125,239	Office of the Treasurer and Division of Administration		
From Grants and Donations Trust Fund		146,452	727 Salaries and Benefits	110	
			From General Revenue Fund		275,392
			From Insurance Commissioner's		
717 Data Processing Services					
From General Revenue Fund		1,977,654			
From Grants and Donations Trust Fund		295,377			
Motor Vehicles, Division of					
718 Salaries and Benefits	442				
From General Revenue Fund		4,478,131			
Provided that 5 positions and \$43,800 in Item 718 are contingent upon the reinstatement of motor					

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
728 Regulatory Trust Fund		1,367,621	742 Regulatory Trust Fund		649,053
Other Personal Services			Expenses		
From Insurance Commissioner's Regulatory Trust Fund		2,000	From Insurance Commissioner's Regulatory Trust Fund		216,249
729 Expenses			743 Operating Capital Outlay		
From General Revenue Fund		50,270	From Insurance Commissioner's Regulatory Trust Fund		5,000
From Insurance Commissioner's Regulatory Trust Fund		1,297,039	744 Data Processing Services		
730 Operating Capital Outlay			From Insurance Commissioner's Regulatory Trust Fund		12,416
From General Revenue Fund		2,140			
From Insurance Commissioner's Regulatory Trust Fund		17,342	Insurance Consumer Services, Division of		
731 Data Processing Services			745 Salaries and Benefits	217	
From Insurance Commissioner's Regulatory Trust Fund		89,171	From Insurance Commissioner's Regulatory Trust Fund		2,845,442
Treasury, Division of			746 Other Personal Services		
732 Salaries and Benefits	39		From Insurance Commissioner's Regulatory Trust Fund		2,880
From General Revenue Fund		469,920	747 Expenses		
733 Expenses			From Agents and Solicitors County License Tax Trust Fund		22,200
From General Revenue Fund		109,317	From Insurance Commissioner's Regulatory Trust Fund		877,731
734 Operating Capital Outlay			748 Operating Capital Outlay		
From General Revenue Fund		7,000	From Insurance Commissioner's Regulatory Trust Fund		27,850
735 Data Processing Services			749 Data Processing Services		
From General Revenue Fund		79,353	From Insurance Commissioner's Regulatory Trust Fund		302,094
Insurance Company Regulation, Division of			State Fire Marshal, Division of		
736 Salaries and Benefits	112		750 Salaries and Benefits	83	
From Insurance Commissioner's Regulatory Trust Fund		1,945,019	From Insurance Commissioner's Regulatory Trust Fund		1,204,198
737 Other Personal Services			751 Other Personal Services		
From Insurance Commissioner's Regulatory Trust Fund		4,767	From Insurance Commissioner's Regulatory Trust Fund		10,069
738 Expenses			752 Expenses		
From Insurance Commissioner's Regulatory Trust Fund		671,063	From Fire College Publication Revolving Trust Fund		15,000
739 Operating Capital Outlay			From Insurance Commissioner's Regulatory Trust Fund		420,674
From Insurance Commissioner's Regulatory Trust Fund		10,037	753 Operating Capital Outlay		
740 Data Processing Services			From Insurance Commissioner's Regulatory Trust Fund		88,625
From Insurance Commissioner's Regulatory Trust Fund		58,895			
Rehabilitation and Liquidation, Division of					
741 Salaries and Benefits	43				
From Insurance Commissioner's					

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
Risk Management, Division of			From Municipal Revenue Sharing Trust Fund -----		
754 Salaries and Benefits	36		766 Expenses		19,500
From Casualty Insurance Trust Fund -----		472,023	From County Revenue Sharing Trust Fund -----		17,250
From Fire Insurance Trust Fund -----		68,430	From Municipal Revenue Sharing Trust Fund -----		17,250
755 Other Personal Services			767 Operating Capital Outlay		
From Casualty Insurance Trust Fund -----		13,430	From County Revenue Sharing Trust Fund -----		1,250
756 Expenses			From Municipal Revenue Sharing Trust Fund -----		1,250
From Casualty Insurance Trust Fund -----		1,136,592	Provided that the funds appropriated in Items 764 through 767 are contingent upon passage of SB 954 or similar legislation becoming law.		
From Fire Insurance Trust Fund -----		694,989	JUDICIAL BRANCH		
757 Operating Capital Outlay			Supreme Court		
From Casualty Insurance Trust Fund -----		4,824	768 Salaries and Benefits	87	
758 Data Processing Services			From General Revenue Fund -----		1,568,797
From Casualty Insurance Trust Fund -----		9,429	From Grants and Donations Trust Fund -----		48,624
From Fire Insurance Trust Fund -----		4,716	769 Other Personal Services		
Fraudulent Claims, Division of			From General Revenue Fund -----		22,850
759 Salaries and Benefits	33		From Grants and Donations Trust Fund -----		203,968
From Insurance Commissioner's Regulatory Trust Fund -----		557,651	770 Expenses		
760 Other Personal Services			From General Revenue Fund -----		314,306
From Insurance Commissioner's Regulatory Trust Fund -----		8,000	From Grants and Donations Trust Fund -----		189,162
761 Expenses			771 Operating Capital Outlay		
From Insurance Commissioner's Regulatory Trust Fund -----		227,634	From General Revenue Fund -----		38,277
762 Operating Capital Outlay			772 Special Categories Non-Lawyer Judges Program		
From Insurance Commissioner's Regulatory Trust Fund -----		11,335	From General Revenue Fund -----		40,000
763 Data Processing Services			773 Special Categories Compensation to Retired Judges		
From Insurance Commissioner's Regulatory Trust Fund -----		13,400	From General Revenue Fund -----		100,000
Provided, however, eight (8) positions and \$183,301 included in Items 759 thru 763 is contingent upon HB 1757 or similar legislation becoming law.			773A Special Categories Juror Procedures Study		
Intergovernmental Relations, Advisory Council on			From General Revenue Fund -----		150,000
764 Salaries and Benefits	5		The office of the state court administrator, in conjunction with committees appointed by the President of the Senate and Speaker of the House of Representatives, shall develop and conduct a pilot program in several counties within the state for the study and evaluation of various jury management and jury selection techniques.		
From County Revenue Sharing Trust Fund -----		54,626	The office of the state court administrator		
From Municipal Revenue Sharing Trust Fund -----		54,626			
765 Other Personal Services					
From County Revenue Sharing Trust Fund -----		19,500			

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
shall submit an evaluation of the pilot programs to the above designated committees by February 1, 1979, and the report shall delineate the level of juror utilization before and after the pilot program, the comparative differences, and cost savings in using the procedures outlined in the pilot program.			790 Operating Capital Outlay		
774 Data Processing Services			From General Revenue Fund		30,377
From General Revenue Fund		431,238	Circuit Courts and Other Related Matters		
District Courts of Appeal			791 Salaries and Benefits	750	
First District Court of Appeal			From General Revenue Fund		19,003,227
775 Salaries and Benefits	40		792 Expenses		
From General Revenue Fund		829,235	From General Revenue Fund		514,117
776 Other Personal Services			793 Special Categories Payment to Jurors and Witnesses		
From General Revenue Fund		2,000	From General Revenue Fund		7,225,575
777 Expenses			Provided, that funds from Item 793 shall not be transferred or made available for purposes other than the payment of jurors and witnesses.		
From General Revenue Fund		75,653	The clerks of the circuit courts shall keep records as to the number of jurors called and the number actually participating in trials of criminal proceeding.		
778 Operating Capital Outlay			794 Special Categories Meals and Lodging for Jurors		
From General Revenue Fund		9,484	From General Revenue Fund		115,000
Second District Court of Appeal			795 Special Categories Printing Reports		
779 Salaries and Benefits	41		From General Revenue Fund		120,346
From General Revenue Fund		845,868	796 Special Categories State Attorneys on Executive Assignment		
780 Other Personal Services			From General Revenue Fund		50,000
From General Revenue Fund		3,400	797 Special Categories Statewide Grand Jury—Expenses		
781 Expenses			From General Revenue Fund		300,000
From General Revenue Fund		70,730	798 Special Categories Judicial Nominating Commission—Expenses		
782 Operating Capital Outlay			From General Revenue Fund		15,000
From General Revenue Fund		28,188	799 Special Categories Compensation and Expenses of Court Reporters		
Third District Court of Appeal			From General Revenue Fund		552,500
783 Salaries and Benefits	47		Judicial Administrative Commission		
From General Revenue Fund		958,583	800 Salaries and Benefits	19	
784 Other Personal Services			From General Revenue Fund		269,325
From General Revenue Fund		26,224	801 Other Personal Services		
785 Expenses			From General Revenue Fund		2,200
From General Revenue Fund		134,978	802 Expenses		
786 Operating Capital Outlay			From General Revenue Fund		32,451
From General Revenue Fund		35,277	803 Operating Capital Outlay		
Fourth District Court of Appeal			From General Revenue Fund		6,624
787 Salaries and Benefits	43				
From General Revenue Fund		887,022			
788 Other Personal Services					
From General Revenue Fund		1,500			
789 Expenses					
From General Revenue Fund		118,478			

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$			
County Courts			<p>ices as provided in FY 73-74 to all units of county government for which cost of services are not prorated may be continued. Appropriation made in Items 807-826, notwithstanding the provisions of Section 216-292, Florida Statutes, may be transferred upon request of the State Attorney with approval of the Judicial Administrative Commission, to the State Comptroller, to accounts established for each State Attorney for disbursement purposes upon release of said appropriations by the Department of Administration. Provided, however, the prosecuting attorneys associations, in conjunction with the Clerks of the Circuit and County Courts with coordination from the State Courts Administrator's Office, shall implement a uniform system of caseload calculations to be included as part of the work data used to develop the 1979-80 Legislative Budget request for all state attorneys and public defenders. Provided, no positions shall be authorized for the state attorneys or public defenders beyond those listed in the Appropriations Bill except as may be approved by the House and Senate Appropriations Committees.</p>					
80a	382	10,278,883				807	80	1,424,353
80E		82,359				808	47	894,681
80c		25,000	809	41	694,638			
<p>Additional Compensation for County Judges From General Revenue Fund -----</p> <p>Provided, that a county court judge of a county of less than 40,000 population assigned to active judicial service in any of the courts created by Article V of the State Constitution, other than to a county court of a county having a population of less than 40,000 shall be paid as additional compensation for such service the difference between his normal salary and the salary then currently paid to a judge of the court to which he is assigned. The amount of such differential shall be computed on the basis of an eight hour day, or major fraction thereof, and certified by the chief judge to the Judicial Administrative Commission on a monthly basis.</p>			<p>First Judicial Circuit</p> <p>From General Revenue Fund -----</p> <p>Second Judicial Circuit</p> <p>From General Revenue Fund -----</p> <p>Third Judicial Circuit</p> <p>From General Revenue Fund -----</p> <p>Fourth Judicial Circuit</p> <p>From General Revenue Fund -----</p> <p>Fifth Judicial Circuit</p> <p>From General Revenue Fund -----</p> <p>Sixth Judicial Circuit</p> <p>From General Revenue Fund -----</p>					
State Attorneys			810	132	2,296,193			
<p>Funds received by State Attorneys, as enforcing authority under the provisions of Part II, Chapter 501, Florida Statutes, from voluntary payments from respondents entered pursuant to consent judgments, consent orders and other voluntary contributions or reimbursements shall be deposited in and credited to the General Revenue Fund of the State Treasury unless otherwise provided by law. Office space and related expenses for custodial services and utilities shall continue to be provided by the counties as prescribed by Section 27.34(2), Florida Statutes, any Operating Capital Outlay Items now provided by County to the State Attorneys shall continue to be provided. Notwithstanding Section 27.34(2), Florida Statutes, only centralized county serv-</p>			811	56	1,019,478			
			812	169	2,599,103			

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
Seventh Judicial Circuit					
813 Lump Sum	70				current authorized positions.
From General Revenue Fund		1,364,633	B.		A review of both recurring and non-recurring other personal services and operating capital outlay requirements.
Eighth Judicial Circuit			C.		A review of the annualized cost for all programs phased in during the previous fiscal year.
814 Lump Sum	51		D.		A review of the expense needs with regard to both price level increases and annualized costs of authorized programs.
From General Revenue Fund		917,207	E.		A review of anticipated workload increases and the verification of this data.
Ninth Judicial Circuit			F.		A review of the current activities to determine necessity to continue into the next fiscal year.
815 Lump Sum	101				The results of the above review shall be included in the Governor's input to the legislative data file by appropriation category (i.e. - Salaries; OPS; Expenses; OCO).
From General Revenue Fund		1,628,038			Public Defenders
Tenth Judicial Circuit					Office space and related expenses for custodial services and utilities shall continue to be provided by the counties as prescribed by section 27.54(3), Florida Statutes, any operating capital outlay items now provided by county to the public defenders shall continue to be provided. Notwithstanding section 27.54(3), Florida Statutes, only centralized county services as provided in FY 73-74 to all units of county government for which cost of services are not prorated may be continued.
816 Lump Sum	68				Appropriations made in Items 827-846, notwithstanding the provisions of section 216.-292, Florida Statutes, may be transferred upon request of the public defenders, with approval of the Judicial Administrative Commission, to the State Comptroller, to accounts established
From General Revenue Fund		1,143,604			
Eleventh Judicial Circuit					
817 Lump Sum	288				
From General Revenue Fund		4,904,606			
Twelfth Judicial Circuit					
818 Lump Sum	55				
From General Revenue Fund		902,063			
Thirteenth Judicial Circuit					
819 Lump Sum	111				
From General Revenue Fund		2,091,765			
Fourteenth Judicial Circuit					
820 Lump Sum	52				
From General Revenue Fund		1,018,150			
Fifteenth Judicial Circuit					
821 Lump Sum	87				
From General Revenue Fund		1,578,312			
Sixteenth Judicial Circuit					
822 Lump Sum	26				
From General Revenue Fund		458,156			
Seventeenth Judicial Circuit					
823 Lump Sum	155				
From General Revenue Fund		2,957,394			
Eighteenth Judicial Circuit					
824 Lump Sum	75				
From General Revenue Fund		1,338,344			
Nineteenth Judicial Circuit					
825 Lump Sum	36				
From General Revenue Fund		790,044			
Twentieth Judicial Circuit					
826 Lump Sum	56				
From General Revenue Fund		985,808			
Provided, that the Department of Administration shall provide the same review and verification of the state attorney budgets that they have historically provided for the legislative budget requests of the balance of state government. This shall include but not be limited to:					
A. A review and recommendation of the salary cost to continue					

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
for each public defender for disbursement purposes upon release of said appropriations by the Department of Administration. Provided, however, the public defenders association in conjunction with the clerks of the circuit and county courts with coordination from the State Courts Administrator's office, shall implement a uniform system of caseload calculations to be included as part of the workdata used to develop the 1979-80 legislative budget request for all state attorneys and public defenders. The number of positions appropriated to each judicial circuit is fixed and shall not be increased without prior approval of the House and Senate Appropriations Committees.			Eleventh Judicial Circuit		
First Judicial Circuit			837 Lump Sum	118	
827 Lump Sum	41		From General Revenue Fund		2,523,680
From General Revenue Fund		723,176	Twelfth Judicial Circuit		
Second Judicial Circuit			838 Lump Sum	33	
828 Lump Sum	35		From General Revenue Fund		614,860
From General Revenue Fund		690,725	Thirteenth Judicial Circuit		
Third Judicial Circuit			839 Lump Sum	52	
829 Lump Sum	17		From General Revenue Fund		957,122
From General Revenue Fund		335,160	Fourteenth Judicial Circuit		
Fourth Judicial Circuit			840 Lump Sum	18	
830 Lump Sum	64		From General Revenue Fund		415,643
From General Revenue Fund		1,125,455	Fifteenth Judicial Circuit		
Fifth Judicial Circuit			841 Lump Sum	52	
831 Lump Sum	24		From General Revenue Fund		922,574
From General Revenue Fund		469,187	Sixteenth Judicial Circuit		
Sixth Judicial Circuit			842 Lump Sum	22	
832 Lump Sum	65		From General Revenue Fund		366,966
From General Revenue Fund		1,034,351	Seventeenth Judicial Circuit		
From Grants and Donations Trust Fund		116,200	843 Lump Sum	68	
Seventh Judicial Circuit			From General Revenue Fund		1,229,635
833 Lump Sum	33		Eighteenth Judicial Circuit		
From General Revenue Fund		674,251	844 Lump Sum	30	
Eighth Judicial Circuit			From General Revenue Fund		585,942
834 Lump Sum	26		Nineteenth Judicial Circuit		
From General Revenue Fund		526,254	845 Lump Sum	18	
Ninth Judicial Circuit			From General Revenue Fund		375,793
835 Lump Sum	49		Twentieth Judicial Circuit		
From General Revenue Fund		859,971	846 Lump Sum	30	
Tenth Judicial Circuit			From General Revenue Fund		545,572
836 Lump Sum	47		Provided, that the Department of Administration shall provide the same review and verification of the public defender budgets that they have historically provided for the legislative budget requests of the balance of state government. This shall include but not be limited to:		
From General Revenue Fund		839,056	A. A review and recommendation of the salary cost to continue current authorized positions.		
			B. A review of both recurring and non-recurring other personal services and operating capital outlay requirements.		
			C. A review of the annualized cost for all programs phased in during the previous fiscal year.		
			D. A review of the expense needs with regard to both price level increases and annualized costs of		

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
authorized programs.			Senate		
E. A review of anticipated workload increases and the verification of this data.			856 Lump Sum		
F. A review of the current activities to determine necessity to continue into the next fiscal year.			From General Revenue Fund		7,341,198
The results of the above review shall be included in the Governor's input to the legislative data file by appropriation category (i.e.—Salaries; OPS; Expenses; OCO).			Joint Management		
			857 Lump Sum		
			From General Revenue Fund		4,084,563
			Statutory Committees		
			858 Lump Sum		
			From General Revenue Fund		11,556
			Auditing Committee		
			859 Lump Sum		
			From General Revenue Fund		8,000
			Administrative Procedures Committee		
			860 Lump Sum		
			From General Revenue Fund		359,247
Judicial Qualifications Commission			Auditor General		
847 Lump Sum	2		861 Lump Sum		
From General Revenue Fund		99,061	From General Revenue Fund		10,273,046
			From Federal Reimbursement Trust Fund		870,108
Judicial Council			Office of Public Counsel		
848 Salaries and Benefits	2		862 Lump Sum		
From General Revenue Fund		38,660	From General Revenue Fund		425,000
849 Not Used			MILITARY AFFAIRS, DEPARTMENT OF		
850 Expenses			General Activities		
From General Revenue Fund		4,810	863 Salaries and Benefits	77	
Provided, that the budget and positions provided in Items 768 through 850 from Grants and Donations Trust Funds are provided only for the duration of the federal grant and/or the balance of the federal funds available.			From General Revenue Fund		1,040,590
			From Armory Board Trust Fund		14,539
			864 Other Personal Services		
			From General Revenue Fund		15,827
LEGAL AFFAIRS, DEPARTMENT OF, AND ATTORNEY GENERAL			865 Expenses		
851 Salaries and Benefits	191		From General Revenue Fund		857,984
From General Revenue Fund		3,034,024	From Armory Board Trust Fund		8,180
From Grants and Donations Trust Fund		62,760	866 Operating Capital Outlay		
852 Other Personal Services			From General Revenue Fund		39,891
From General Revenue Fund		56,825	867 Data Processing Services		
From Grants and Donations Trust Fund		306,382	From General Revenue Fund		45,453
853 Expenses			Camp Blanding Management		
From General Revenue Fund		462,123	868 Salaries and Benefits	57	
From Grants and Donations Trust Fund		101,104	From Camp Blanding Management Trust Fund		629,559
854 Operating Capital Outlay			869 Other Personal Services		
From General Revenue Fund		30,020	From Camp Blanding Management Trust Fund		10,000
From Grants and Donations Trust Fund		3,677	870 Expenses		
			From Camp Blanding Management Trust Fund		157,725
LEGISLATIVE BRANCH			871 Operating Capital Outlay		
House of Representatives			From Camp Blanding Management Trust Fund		12,758
855 Lump Sum					
From General Revenue Fund		11,075,992			

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
NATURAL RESOURCES			Office of Executive Director and Division of Administrative Services		
872 Salaries and Benefits	121		From General Revenue Fund		2,053,274
From General Revenue Fund		1,262,180	From Marine Biological Research Trust Fund		60,341
From Grants and Donations Trust Fund		25,821	From Saltwater Products Promotion Trust Fund		26,679
From Motorboat Revolving Trust Fund		245,921	881 Other Personal Services		
From State Park Trust Fund		59,472	From General Revenue Fund		544,341
873 Other Personal Services			From Marine Biological Research Trust Fund		7,650
From General Revenue Fund		61,794	882 Expenses		
From Grants and Donations Trust Fund		2,600	From General Revenue Fund		692,439
From Motorboat Revolving Trust Fund		4,535	From Marine Biological Research Trust Fund		110,944
From State Park Trust Fund		4,000	From Saltwater Products Promotion Trust Fund		147,033
874 Expenses			883 Grants and Aids		
From General Revenue Fund		377,242	Beach Restoration and Erosion Control		
From Grants and Donations Trust Fund		21,579	From General Revenue Fund		8,735,714
From Motorboat Revolving Trust Fund		288,403	Provided, that General Revenue Funds appropriated in Item 883 shall be transferred to the Erosion Control Trust Fund for disbursement as Grants and Aids for beach restoration and erosion control projects.		
From State Park Trust Fund		33,893	884 Operating Capital Outlay		
875 Grants and Aids			From General Revenue Fund		263,991
Suwannee River Authority		21,250	From Marine Biological Research Trust Fund		7,196
876 Grants and Aids			885 Data Processing Services		
Boating Related Activities			From General Revenue Fund		8,321
From Motorboat Revolving Trust Fund		1,874,635	Resource Management, Division of		
877 Operating Capital Outlay			886 Salaries and Benefits	123	
From General Revenue Fund		15,607	From General Revenue Fund		1,471,881
From Motorboat Revolving Trust Fund		2,460	From Aquatic Plant Control Trust Fund		235,037
From State Park Trust Fund		950	From Land Reclamation Administration Trust Fund		84,328
878 Special Categories			887 Other Personal Services		
Gulf States Marine Fisheries		15,000	From General Revenue Fund		714,563
878A Special Categories			From Aquatic Plant Control Trust Fund		397,861
Recreational Channel Dredging		70,000	888 Expenses		
From General Revenue Fund		8,500	From General Revenue Fund		536,536
878B Special Categories			From Aquatic Plant Control Trust Fund		252,707
Tennessee-Tombigbee Waterway Authority		8,500	From Land Reclamation Administration Trust Fund		35,567
879 Data Processing Services			889 Grants and Aids		
From General Revenue Fund		89,589	Aquatic Plant Control Matching Grants		
From Motorboat Revolving Trust Fund		282,654	From Aquatic Plant		
Marine Resources, Division of					
880 Salaries and Benefits	159				

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
890		2,200,000	Law Enforcement, Division of		
Control Trust Fund			902 Salaries and Benefits	300	
Operating Capital Outlay			From General Revenue Fund		2,962,754
From General Revenue Fund		82,974	From Coastal Protection Trust Fund		263,038
From Aquatic Plant Control Trust Fund		10,600	From Motorboat Revolving Trust Fund		947,604
891		11,804	From Saltwater Products Promotion Trust Fund		150,994
Special Categories			903 Other Personal Services		
National Ocean Survey			From General Revenue Fund		18,280
From General Revenue Fund		172,750	From Coastal Protection Trust Fund		5,513
892		150,000	904 Expenses		
Special Categories			From General Revenue Fund		430,760
Topographic Mapping			From Coastal Protection Trust Fund		28,290
From General Revenue Fund		150,000	From Motorboat Revolving Trust Fund		199,573
892A		202,000	From Saltwater Products Promotion Trust Fund		10,000
Special Categories			905 Operating Capital Outlay		
Special Litigation			From General Revenue Fund		39,672
From General Revenue Fund		202,000	From Coastal Protection Trust Fund		3,094
893		61,800	From Motorboat Revolving Trust Fund		1,051
Data Processing Services			906 Special Categories		
From General Revenue Fund		61,800	Operation and Maintenance of Patrol Vehicles		
Recreation and Parks, Division of			From General Revenue Fund		478,841
894	708	7,868,336	From Coastal Protection Trust Fund		32,991
Salaries and Benefits			From Motorboat Revolving Trust Fund		340,066
From State Park Trust Fund		7,868,336	From Saltwater Products Promotion Trust Fund		15,000
895		705,061	907 Special Categories		
Other Personal Services			Acquisition and Replacement of Patrol Vehicles		
From State Park Trust Fund		705,061	From General Revenue Fund		1,292,140
896		3,408,666	From Coastal Protection Trust Fund		71,218
Expenses			From Motorboat Revolving Trust Fund		60,310
From State Park Trust Fund		3,408,666	908 Special Categories		
897		8,000,000	Payments for Restoration and Damage		
Grants and Aids			From Coastal Protection Trust Fund		50,000
Federal Land and Water Conservation Fund Grants					
From Land Acquisition Trust Fund		8,000,000			
898		1,300,000			
Grants and Aids					
Florida Recreation Development Assistance Grants					
From Land Acquisition Trust Fund		1,300,000			
Provided, however, \$500,000 of the amount appropriated in Item 898 shall be allocated to the Naval Aviation Museum in Pensacola, Florida; provided, further, \$150,000 appropriated in Item 898 shall be allocated to Dade County for a park for handicapped citizens.					
899		889,053			
Operating Capital Outlay					
From State Park Trust Fund		889,053			
900		17,504,489			
Debt Service					
From General Revenue Fund		17,504,489			
From Environmentally Endangered Lands Trust Fund		2,664,808			
From Land Acquisition Trust Fund		4,885,907			
901		27,707			
Data Processing Services					
From State Park Trust Fund		27,707			

OFFENDER REHABILITATION, DEPARTMENT OF Office of the Secretary and Office of Management and Budget

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
909	113		909		
Provided, that the Department of Administration shall develop its narrative major issues for the Department of Offender Rehabilitation such that each issue shall reflect the total funding requirements for that issue.			Provided that the office of Assistant Secretary for programs shall monitor the classification of individuals under community supervision and provide information delineating the number of individuals in each classification of supervision (maximum, medium and minimum) based on whether the individuals were placed on felony probation, misdemeanor probation or parole. The program office shall also provide information as to the length of stay in each category of supervision, the number of individuals with time over the designed length of stay in each category, with reason as to why individuals are spending longer time in that category of supervision. The community services program office shall also monitor and delineate the number of people whose probation has been terminated by the court. The number of people whose termination has been recommended by the Department. The number of people being denied termination of probation and the reasons for denial.		
Salaries and Benefits			Salaries and Benefits	83	
From General Revenue Fund		1,674,611	From General Revenue Fund		1,026,310
From Correctional Work Programs Trust Fund			From Correctional Work Programs Trust Fund		43,130
From Grants and Donations Trust Fund			From Grants and Donations Trust Fund		299,382
910			910		
Other Personal Services			Other Personal Services		
From General Revenue Fund		3,276	From General Revenue Fund		
From Grants and Donations Trust Fund			From Grants and Donations Trust Fund		
911			911		
Expenses			Expenses		
From General Revenue Fund		629,928	From General Revenue Fund		
From Correctional Work Programs Trust Fund			From Correctional Work Programs Trust Fund		17,664
From Grants and Donations Trust Fund			From Grants and Donations Trust Fund		70,913
912			912		
Operating Capital Outlay			Operating Capital Outlay		
From General Revenue Fund		10,220	From General Revenue Fund		
913			913		
Lump Sum			Lump Sum		
General Liability and Fire Insurance Premium Adjustment			General Liability and Fire Insurance Premium Adjustment		
From General Revenue Fund		225,215	From General Revenue Fund		
914			914		
Special Categories			Special Categories		
Return of Parole Violators			Return of Parole Violators		
From General Revenue Fund		112,516	From General Revenue Fund		
915			915		
Financial Assistance Payments			Financial Assistance Payments		
Discharge and Travel Pay			Discharge and Travel Pay		
From General Revenue Fund		402,837	From General Revenue Fund		
916			916		
Data Processing Services			Data Processing Services		
From General Revenue Fund		761,914	From General Revenue Fund		
From Correctional Work Programs Trust Fund			From Correctional Work Programs Trust Fund		
From Grants and Donations Trust Fund			From Grants and Donations Trust Fund		
Provided, that the Department shall review the Administrative Services Function (Budgeting; Accounting; Purchasing; and Personnel) in Region Two and make recommendations by December 31, 1978, as to the extent that consolidation of these activities is possible.			Provided, that the department shall conduct a study of the feasibility of creating an interstate compact for pre-trial intervention cases as more fully described in HB 1082-1978 Legislative Session.		
Office of the Assistant Secretary for Programs			917		
			Salaries and Benefits		
			From General Revenue Fund		
			From Correctional Work Programs Trust Fund		
			From Grants and Donations Trust Fund		
			918		
			Expenses		
			From General Revenue Fund		316,762

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
From Correctional Work Programs Trust Fund		17,540	thorized to sell prison industry cigarettes to the inmate population through the inmate canteen operation at a cost comparable to the cost of production of same.		
From Grants and Donations Trust Fund		85,044			
919 Operating Capital Outlay			926 Salaries and Benefits	6,170	
From General Revenue Fund		13,578	From General Revenue Fund		66,457,298
920 Special Categories Tuition Payments			From Correctional Work Programs Trust Fund		2,919,138
From General Revenue Fund		50,000	From Grants and Donations Trust Fund		820,820
Office of the Assistant Secretary for Operations			927 Other Personal Services		
Appropriations made in Items 921-939, notwithstanding the provisions of Section 216-292, Florida Statutes, may be transferred upon request of the Department to the State Comptroller, to accounts established for the Office of Assistant Secretary, each region and institution within the respective budget entities, for disbursement purposes, upon release of said appropriation by the Department of Administration. Provided, however, such transfers may only be made to accounts similar in purpose to the category of Appropriation from which transferred.			From General Revenue Fund		174,236
The Department shall implement a plan for the reception and classification of youthful offenders by its area corrections teams in county jails on the basis of criteria established in CS/CS/SB 165 or substantially similar legislation, if enacted into law.			928 Expenses		
			From General Revenue Fund		20,313,188
			From Correctional Work Programs Trust Fund		12,225,789
			From Grants and Donations Trust Fund		51,565
			929 Operating Capital Outlay		
			From General Revenue Fund		1,644,244
			From Correctional Work Programs Trust Fund		769,691
			From Grants and Donations Trust Fund		11,207
			Provided, however, funds for replacement of automobiles shall be primarily used to purchase vehicles from the industries program and where this is not possible the appropriate documentation shall be presented to the department of administration prior to the approval of the department of general services for purchasing new vehicles.		
Office of Assistant Secretary and Regional Administration			930 Food Products		
921 Salaries and Benefits	109		From General Revenue Fund		9,793,613
From General Revenue Fund		1,433,606	Community Services		
From Correctional Work Programs Trust Fund		76,220	931 Salaries and Benefits	1,101	
From Grants and Donations Trust Fund		261,511	From General Revenue Fund		12,164,181
922 Expenses			From Grants and Donations Trust Fund		592,503
From General Revenue Fund		543,123	932 Expenses		
From Correctional Work Programs Trust Fund		33,708	From General Revenue Fund		2,402,592
From Grants and Donations Trust Fund		80,081	From Grants and Donations Trust Fund		110,907
923 Operating Capital Outlay			933 Operating Capital Outlay		
From General Revenue Fund		16,453	From General Revenue Fund		101,706
924 Not Used			933A Lump Sum		
925 Not Used			Cost of Supervision Payments		
Major Institutions			From General Revenue Fund		360,000
The department is au-			934 Not Used		

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
Community Facilities and Road Prisons			947		
935	751		Operating Capital Outlay		
			From General Revenue Fund		10,169
		5,551,379	948	Data Processing Services	
			From General Revenue Fund		5,753
			<p>Provided, that the Parole and Probation Commission shall locate its field hearing examiner and investigation positions in each of the five regions established for the Department of Offender Rehabilitation in an effort to conserve travel and personnel resources. The personnel assigned to each region shall be determined by the workload requirements of that region.</p> <p>Provided, that the Chairman of the Parole and Probation Commission shall approve all expenditures of the Commission for both staff and other Commission Members. It shall be understood by all, that the Legislature considers the Chairman the Administrative Head of the Parole and Probation Commission and he/she shall be accountable to the Legislature for all expenditures made against appropriations to the Commission.</p> <p>Provided, that in order to insure appropriate placement efforts and opportunities, any employee of the Parole and Probation Commission whose position is abolished shall be retained at the same level of compensation for 90 days after notification of such abolishment or until such employee secures other placement or employment, whichever should first occur. Employees whose positions are abolished or transferred to another location shall, when otherwise qualified, be given priority consideration for any new position created under Chapter 75-49, Laws of Florida, or for any other positions vacant in State Government. Provided that the Chairman shall reorganize the staff of the Commission in the fol-</p>		
		12,319			
		699,899			
936		2,635,156			
		87,999			
937					
		2,211,728			
		29,000			
		379,116			
		1,016,894			
938					
		168,567			
		5,588			
		23,416			
939					
		1,417,341			
		150,308			
		592,956			
<p>Provided, that the budget and positions provided in Items 909 through 939 from Grants and Donations Trust Funds are provided only for the duration of the federal grant and/or the balance of the federal funds available.</p> <p>Provided, however, the probation and restitution centers shall be used strictly for felony parolees and probationers.</p>					
Correctional Work Programs					
940					
941					
942					
943					
Parole and Probation Commission, Florida					
944	129				
		1,946,840			
945					
		11,900			
946					
		480,092			

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
lowing functional areas within the funds appropriated on an annual basis:					
(1) Parole Grant and Work Release			Professions, Division of Accountancy, Board of		
(2) Parole Revocation			954 Salaries and Benefits	11	
(3) Executive Clemency			From Operating Trust Fund		133,193
(4) Administrative Services			955 Other Personal Services		
			From Operating Trust Fund		258,076
			956 Expenses		
			From Operating Trust Fund		220,754
			957 Operating Capital Outlay		
			From Operating Trust Fund		1,833
PROFESSIONAL AND OCCUPATIONAL REGULATION, DEPARTMENT OF			958 Special Categories DPOR Contractural Services		
Office of the Secretary and Division of General Services			From Operating Trust Fund		3,600
949 Salaries and Benefits	58	386,057	959 Data Processing Services		
From General Revenue Fund			From Operating Trust Fund		10,000
From Administrative Trust Fund		289,910	Architecture, Board of		
950 Other Personal Services			960 Salaries and Benefits	5	
From General Revenue Fund		16,132	From Operating Trust Fund		70,230
From Administrative Trust Fund		101,847	961 Other Personal Services		
951 Expenses			From Operating Trust Fund		65,564
From General Revenue Fund		244,268	962 Expenses		
From Administrative Trust Fund		154,339	From Operating Trust Fund		83,037
952 Operating Capital Outlay			963 Operating Capital Outlay		
From General Revenue Fund		1,877	From Operating Trust Fund		701
From Administrative Trust Fund		1,025	Chiropractic Examiners, Board of		
953 Data Processing Services			964 Other Personal Services		
From General Revenue Fund		195,109	From Operating Trust Fund		8,620
From Administrative Trust Fund		169,589	965 Expenses		
Provided, however, the Administrative Trust funds appropriated in Items 949 and 951 include 6 positions and \$63,994 in Item 949 and \$7,660 in Item 951 appropriated contingent upon the Barbers' Sanitary Commission retaining inspection functions as pursuant to Chapter 476, Florida Statutes.			From Operating Trust Fund		16,823
Provided that the office of the Secretary of the Department of Professional and Occupational Regulation shall submit to the Legislature, no later than November 1, 1978, a detailed plan for the funding of the entire Department out of trust fund monies. The plan shall also include recommendations on limiting the amount of money in the trust funds of the various boards.			966 Special Categories DPOR Contractural Services		
			From Operating Trust Fund		49,112
			967 Financial Assistance Payments Student Financial Assistance		
			From Operating Trust Fund		4,000
			Dentistry, Board of		
			968 Salaries and Benefits	8	
			From Operating Trust Fund		94,371
			969 Other Personal Services		
			From Operating Trust Fund		92,863
			970 Expenses		
			From Operating Trust Fund		169,813
			971 Operating Capital Outlay		
			From Operating Trust Fund		10,563
			Professional Engineers and Land Surveyors, Board of		
			972 Salaries and Benefits	10	
			From Operating Trust Fund		118,253

Item	Positions	Amount	Item	Positions	Amount
	\$	\$		\$	\$
973 Other Personal Services			992 Special Categories DPOR Contractual Services		
From Operating Trust Fund		59,022	From Operating Trust Fund		3,737
974 Expenses		140,981	993 Data Processing Services		
From Operating Trust Fund			From Operating Trust Fund		3,574
975 Operating Capital Outlay		1,340	Nursing, Board of		
From Operating Trust Fund			994 Salaries and Benefits	42	
976 Special Categories DPOR Contractual Services		9,197	From Operating Trust Fund		524,226
From Operating Trust Fund			995 Other Personal Services		
977 Data Processing Services		161	From Operating Trust Fund		208,435
From Operating Trust Fund			996 Expenses		
Foresters, Board of Registration for			From Operating Trust Fund		476,895
978 Expenses		5,220	997 Operating Capital Outlay		
From Operating Trust Fund			From Operating Trust Fund		3,610
979 Special Categories DPOR Contractual Services		2,767	998 Special Categories DPOR Contractual Services		
From Operating Trust Fund			From Operating Trust Fund		17,196
Funeral Directors and Embalmers, Board of			999 Data Processing Services		
980 Salaries and Benefits	6	68,722	From Operating Trust Fund		48,000
From Operating Trust Fund			Optometry, Board of		
981 Other Personal Services		29,020	1000 Salaries and Benefits	1	
From Operating Trust Fund			From Operating Trust Fund		12,459
982 Expenses		73,461	1001 Other Personal Services		
From Operating Trust Fund			From Operating Trust Fund		48,918
983 Operating Capital Outlay		624	1002 Expenses		
From Operating Trust Fund			From Operating Trust Fund		31,859
984 Special Categories DPOR Contractual Services		10,884	Osteopathic Medical Examiners, Board of		
From Operating Trust Fund			1003 Salaries and Benefits	2	
Landscape Architects, Board of			From Operating Trust Fund		18,514
985 Other Personal Services		9,440	1004 Other Personal Services		
From Operating Trust Fund			From Operating Trust Fund		37,000
986 Expenses		6,422	1005 Expenses		
From Operating Trust Fund			From Operating Trust Fund		30,164
987 Special Categories DPOR Contractual Services		8,465	1006 Operating Capital Outlay		
From Operating Trust Fund			From Operating Trust Fund		684
Medical Examiners, Board of			1007 Special Categories DPOR Contractual Services		
988 Salaries and Benefits	25	328,019	From Operating Trust Fund		5,390
From Operating Trust Fund			Pharmacy, Board of		
989 Other Personal Services		289,840	1008 Salaries and Benefits	13	
From Operating Trust Fund			From Operating Trust Fund		237,071
990 Expenses		141,671	1009 Other Personal Services		
From Operating Trust Fund			From Operating Trust Fund		42,048
991 Operating Capital Outlay		15,674	1010 Expenses		
From Operating Trust Fund			From Operating Trust Fund		95,328
			Podiatry Examiners, Board of		
			1011 Other Personal Services		

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
1012 From Operating Trust Fund Expenses		13,448	1029 Special Categories DPOR Contractual Services		
1013 From Operating Trust Fund Special Categories DPOR Contractual Services		14,210	From Operating Trust Fund		97,023
From Operating Trust Fund		18,556	Provided, however, that Item 1029 includes \$71,654 appropriated contingent upon the Barbers' Sanitary Commission retaining inspection functions as pursuant to chapter 476, Florida Statutes.		
Psychology, Board of Examiners of			1030 Data Processing Services		
1014 Other Personal Services			From Operating Trust Fund		965
From Operating Trust Fund		7,242	Construction Industry Licensing Board		
1015 Expenses		8,965	1031 Salaries and Benefits	37	
From Operating Trust Fund			From Operating Trust Fund		469,944
1016 Special Categories DPOR Contractual Services		15,768	1032 Other Personal Services		
From Operating Trust Fund			From Operating Trust Fund		289,096
Veterinary Medicine, Board of			1033 Expenses		
1017 Salaries and Benefits	1	17,477	From Operating Trust Fund		363,901
From Operating Trust Fund			1034 Operating Capital Outlay		
1018 Other Personal Services		8,664	From Operating Trust Fund		15,720
From Operating Trust Fund			1035 Special Categories DPOR Contractual Services		
1019 Expenses		18,449	From Operating Trust Fund		6,423
From Operating Trust Fund			1036 Data Processing Services		
1020 Special Categories DPOR Contractual Services		22,568	From Operating Trust Fund		32,673
From Operating Trust Fund			Cosmetology, Board of		
Nursing Home Administrators, Board of Examiners of			1037 Salaries and Benefits	28	
1021 Other Personal Services		3,500	From Operating Trust Fund		304,117
From Operating Trust Fund			1038 Other Personal Services		
1022 Expenses		21,746	From Operating Trust Fund		59,620
From Operating Trust Fund			1039 Expenses		
1023 Special Categories DPOR Contractual Services		33,182	From Operating Trust Fund		295,971
From Operating Trust Fund			1040 Operating Capital Outlay		
Pilot Commissioners, Board of			From Operating Trust Fund		666
1024 Other Personal Services		34,600	1041 Special Categories DPOR Contractual Services		
From Operating Trust Fund			From Operating Trust Fund		9,343
1025 Expenses		16,679	1042 Financial Assistance Payments Student Financial Assistance		
From Operating Trust Fund			From Operating Trust Fund		1,000
1026 Special Categories DPOR Contractual Services		14,314	1043 Data Processing Services		
From Operating Trust Fund			From Operating Trust Fund		8,944
OCCUPATIONS, DIVISION OF			Electrical Contractors' Licensing Board		
Barbers' Sanitary Commission			1044 Other Personal Services		
1027 Other Personal Services		9,900	From Operating Trust Fund		2,550
From Operating Trust Fund					
1028 Expenses		56,933			
From Operating Trust Fund					

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
1045 Expenses From Operating Trust Fund		18,113	1063 Expenses From Operating Trust Fund		3,336
1046 Special Categories DPOR Contractual Services From Operating Trust Fund		34,640	1064 Special Categories DPOR Contractual Services From Operating Trust Fund		5,335
Massage, Board of			Watchmakers' Commission		
1047 Other Personal Serv- ices From Operating Trust Fund		2,350	1065 Other Personal Serv- ices From Operating Trust Fund		800
1048 Expenses From Operating Trust Fund		15,767	1066 Expenses From Operating Trust Fund		6,380
1049 Special Categories DPOR Contractual Services From Operating Trust Fund		27,078	1067 Special Categories DPOR Contractual Services From Operating Trust Fund		21,308
Naturopathic Examiners, Board of			Public Service Commission		
1050 Other Personal Serv- ices From Operating Trust Fund		30	1068 Salaries and Benefits From Regulatory Trust Fund	403	6,210,406
1051 Expenses From Operating Trust Fund		563	1069 Other Personal Serv- ices From Regulatory Trust Fund		124,584
1052 Special Categories DPOR Contractual Services From Operating Trust Fund		514	1070 Expenses From Regulatory Trust Fund		1,519,816
Opticians, Board of Dispensing			1071 Operating Capital Outlay From Regulatory Trust Fund		243,787
1053 Other Personal Serv- ices From Operating Trust Fund		15,030	1072 Data Processing Serv- ices From Regulatory Trust Fund		150,645
1054 Expenses From Operating Trust Fund		14,994	REVENUE, DEPARTMENT OF		
1055 Special Categories DPOR Contractual Services From Operating Trust Fund		34,129	Office of The Executive Di- rector and Division of Ad- ministration		
Real Estate Commission			1073 Salaries and Benefits From General Reve- nue Fund	121	1,428,010
1056 Salaries and Benefits From Operating Trust Fund	151	1,756,599	From Administra- tive Trust Fund ..		94,005
1057 Other Personal Serv- ices From Operating Trust Fund		182,686	1074 Other Personal Serv- ices From Administra- tive Trust Fund ..		4,800
1058 Expenses From Operating Trust Fund		1,126,647	1075 Expenses From Administra- tive Trust Fund ..		235,370
1059 Operating Capital Outlay From Operating Trust Fund		2,853	1076 Not Used		
1060 Special Categories Continuing Education From Operating Trust Fund		19,000	1077 Operating Capital Out- lay From Administra- tive Trust Fund ..		27,845
1061 Data Processing Serv- ices From Operating Trust Fund		51,213	1078 Data Processing Serv- ices From General Reve- nue Fund		41,990
Sanitarians' Registration Board			From Administra- tive Trust Fund ..		548,784
1062 Other Personal Serv- ices From Operating Trust Fund		2,375	Ad Valorem Tax, Division of		
			1079 Salaries and Benefits From Intangible Tax Trust Fund	90	1,568,992
			1080 Other Personal Serv- ices From Intangible Tax Trust Fund		51,456
			1081 Expenses From Intangible Tax Trust Fund		350,150

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
1081A Grants and Aids Aerial Photography & Mapping From Intangible Tax Trust Fund		120,000	1097 Other Personal Serv- ices From General Reve- nue Fund		10,620
1082 Operating Capital Out- lay From Intangible Tax Trust Fund		960	From Administrative Trust Fund		5,573
1083 Data Processing Serv- ices From Intangible Tax Trust Fund		168,994	1098 Expenses From General Reve- nue Fund		124,023
Corporate, Estate, and In- tangible Tax, Division of			From Administrative Trust Fund		122,077
1084 Salaries and Benefits 268 From General Reve- nue Fund		1,251,042	1099 Operating Capital Outlay From General Reve- nue Fund		1,203
From Intangible Tax Trust Fund		1,806,460	From Administrative Trust Fund		2,191
1085 Other Personal Serv- ices From General Reve- nue Fund		44,078	1100 Data Processing Serv- ices From General Reve- nue Fund		275
From Intangible Tax Trust Fund		46,213	From Administrative Trust Fund		41,384
1086 Expenses From General Reve- nue Fund		333,146	STATE, DEPARTMENT OF, AND SECRETARY OF STATE Provided, however, from funds appropri- ated in Items 1101 through 1134, the De- partment of State may transfer funds not to exceed \$42,000 to provide office rental facilities for the Div- ision of Licensing and the Division of Cul- tural Affairs.		
From Intangible Tax Trust Fund		660,287	Office of the Secretary and Division of Administrative Services		
1087 Grants and Aids County Tax Forms From Intangible Tax Trust Fund		402,000	1101 Salaries and Benefits 88 From General Reve- nue Fund		1,133,233
1088 Operating Capital Outlay From General Reve- nue Fund		500	1102 Expenses From General Reve- nue Fund		307,911
From Intangible Tax Trust Fund		3,904	From Flag Trust Fund		5,000
1089 Data Processing Serv- ices From General Reve- nue Fund		59,148	1103 Operating Capital Out- lay From General Reve- nue Fund		15,632
From Intangible Tax Trust Fund		398,471	1104 Data Processing Serv- ices From General Reve- nue Fund		2,196
Sales and Use Tax, Division of			Elections, Division of		
1090 Salaries and Benefits 464 From General Reve- nue Fund		5,837,558	1105 Salaries and Benefits 44 From General Reve- nue Fund		426,995
1091 Other Personal Serv- ices From General Reve- nue Fund		84,225	From Publications Revolving Trust Fund		48,212
1092 Expenses From General Reve- nue Fund		1,655,926	1106 Other Personal Serv- ices From General Reve- nue Fund		10,530
1093 Operating Capital Outlay From General Reve- nue Fund		41,696	From Publications Revolving Trust Fund		4,515
1094 Special Categories National Association of Tax Administrators From General Reve- nue Fund		7,750	1107 Expenses From General Reve- nue Fund		180,403
1095 Data Processing Serv- ices From General Reve- nue Fund		538,614	From Operating Trust Fund		25,000
Miscellaneous Tax, Division of			From Publications Revolving Trust Fund		178,745
1096 Salaries and Benefits 74 From General Reve- nue Fund		518,010			
From Administrative Trust Fund		457,350			

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
1108 Not Used			1119 Expenses		
1109 Grants and Aids			From General Revenue Fund		210,053
Petition Signature Verification			1120 Operating Capital Outlay		
From General Revenue Fund		10,000	From General Revenue Fund		3,713
1110 Operating Capital Outlay			1121 Data Processing Services		
From General Revenue Fund		4,675	From General Revenue Fund		233,288
From Publications Revolving Trust Fund			1,003 Library Services, Division of		
1111 Special Categories			1122 Salaries and Benefits	60	
Election Investigations and Hearings			From General Revenue Fund		688,220
From General Revenue Fund		35,000	From Library Services Trust Fund ..		36,966
Archives, History, and Records Management, Division of			1123 Other Personal Services		
1112 Salaries and Benefits	89		From General Revenue Fund		13,852
From General Revenue Fund		968,346	From Library Services Trust Fund ..		5,150
From Microfilm Revolving Trust Fund		50,841	1124 Expenses		
From Operating Trust Fund		182,102	From General Revenue Fund		95,564
1113 Other Personal Services			From Library Services Trust Fund ..		146,000
From General Revenue Fund		26,408	1125 Grants and Aids		
From Microfilm Revolving Trust Fund		111,679	Library Grants		
From Operating Trust Fund		21,900	From General Revenue Fund		3,801,692
1114 Expenses			From Library Services Trust Fund ..		1,847,255
From General Revenue Fund		182,783	Notwithstanding the provisions of Section 257.22, Florida Statutes, the funds appropriated in Item 1125 from the General Revenue Fund shall be released quarterly pursuant to Section 216.192, Florida Statutes. Also, provided that \$1,500,000 of the \$3,801,692 shall be considered a special one-year improvement grant, to be expended under the provisions of Sections 257.13 - 257.19, 257.20-257.25, Florida Statutes.		
From Microfilm Revolving Trust Fund		216,925	1125A Grants and Aids		
From Operating Trust Fund		66,803	Construction Grants		
1114A Grants and Aids			From General Revenue Fund		400,000
Restoration of Rainey House			1126 Operating Capital Outlay		
From General Revenue Fund		10,000	From General Revenue Fund		46,902
1114B Grants and Aids			From Library Services Trust Fund ..		200,000
Restoration and Development of Historic Chatauqua Project			11,800 Licensing, Division of		
From General Revenue Fund		50,000	8,092 1127 Salaries and Benefits	42	
1115 Operating Capital Outlay			From General Revenue Fund		474,221
From General Revenue Fund		12,457	1128 Expenses		
From Microfilm Revolving Trust Fund			From General Revenue Fund		55,810
From Operating Trust Fund		8,092	From Private Investigative Agency Law Trust Fund ..		113,928
1116 Data Processing Services			1129 Operating Capital Outlay		
From General Revenue Fund		52,780	From General Revenue Fund		9,072
Corporations, Division of			1130 Not Used		
1117 Salaries and Benefits	96				
From General Revenue Fund		880,082			
1118 Other Personal Services					
From General Revenue Fund		35,000			

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
Cultural Affairs, Division of Office of the Division Director			From Incidental Trust Fund -----		89,327
1131 Salaries and Benefits	10		1148 Expenses		
From General Revenue Fund -----		95,171	From Incidental Trust Fund -----		601,129
From Fine Arts Council Trust Fund -----		51,986	1149 Operating Capital Out- lay		
1132 Expenses			From Incidental Trust Fund -----		52,751
From General Revenue Fund -----		29,300	From Investment Trust Fund -----		90,000
From Fine Arts Council Trust Fund		18,998	1149A Lump Sum		
1133 Grants and Aids			Tampa/Ringling		
Art Grants			From General Revenue Fund -----		50,000
From General Revenue Fund -----		400,000	Provided, however, moneys in Item 1149A are contingent upon a signed agreement be- tween the board of trustees of the John and Mable Ringling Museum of Art and the City of Tampa.		
From Fine Arts Council Trust Fund		600,000	Asolo State Theater of Florida		
Provided, however, that moneys appropriated in Item 1133 shall ex- pressly include a \$15,- 000 grant to fund the annual Cross and Sword presentation.			1150 Expenses		
1134 Operating Capital Out- lay			From General Revenue Fund -----		425,000
From General Revenue Fund -----		986	Stephen Foster Memorial, Board of Trustees of the		
Historic Pensacola Preserva- tion Board			1151 Salaries and Benefits	30	
1135 Salaries and Benefits	15		From General Revenue Fund -----		309,384
From General Revenue Fund -----		214,784	1152 Other Personal Serv- ices		
1136 Other Personal Serv- ices			From Operating Trust Fund -----		28,535
From Operating Trust Fund -----		20,549	1153 Expenses		
1137 Expenses			From Operating Trust Fund -----		256,132
From Operating Trust Fund -----		84,307	1154 Operating Capital Out- lay		
1138 Operating Capital Out- lay			From Operating Trust Fund -----		25,781
From Operating Trust Fund -----		2,500	1155 Financial Assistance Payments		
1139 Not Used			Payment of Scholar- ships		
Historic St. Augustine Pres- ervation Board			From Operating Trust Fund -----		2,000
1140 Salaries and Benefits	32		Historic Tallahassee Preser- vation Board		
From General Revenue Fund -----		222,225	1156 Salaries and Benefits	4	
From Operating Trust Fund -----		162,496	From General Revenue Fund -----		59,795
1141 Other Personal Serv- ices			1157 Other Personal Serv- ices		
From Operating Trust Fund -----		48,417	From Operating Trust Fund -----		5,875
1142 Expenses			1158 Expenses		
From Operating Trust Fund -----		148,715	From General Revenue Fund -----		14,055
1143 Operating Capital Out- lay			From Operating Trust Fund -----		14,710
From Operating Trust Fund -----		5,776	1159 Operating Capital Out- lay		
1144 Not Used			From General Revenue Fund -----		485
1145 Debt Service			From Operating Trust Fund -----		515
From Operating Trust Fund -----		11,400	1160 Not Used		
Ringling Museum of Art, Board of Trustees of the John and Mable			Historic Key West Preservation Board		
1146 Salaries and Benefits	88		1161 Salaries and Benefits	3	
From General Revenue Fund -----		620,852	From General Revenue Fund -----		37,298
From Incidental Trust Fund -----		380,377			
1147 Other Personal Serv- ices					

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
1162 Other Personal Services From Operating Trust Fund		16,328	place in other positions within a reasonable commuting distance until vacancies occur due to normal employee turnover, or until June 30, 1979 whichever shall occur first.		
1163 Expenses From General Revenue Fund		1,316			
From Operating Trust Fund		19,510			
1164 Operating Capital Outlay From Operating Trust Fund		162	Office of the Secretary and Division of Administration	605	
1165 Not Used			1176 Salaries and Benefits From Working Capital Trust Fund		8,802,137
Historic Tampa/Hillsborough County Preservation Board			1177 Other Personal Services From Working Capital Trust Fund		295,204
1166 Salaries and Benefits From General Revenue Fund	4	61,994	1178 Expenses From Working Capital Trust Fund		4,039,885
1167 Other Personal Services From Operating Trust Fund		7,060	1179 Operating Capital Outlay From Working Capital Trust Fund		54,889
1168 Expenses From Operating Trust Fund		14,024	1180 Special Categories Consultant Fees From Working Capital Trust Fund		681,600
1169 Operating Capital Outlay From Operating Trust Fund		595	1181 Special Categories Risk Management Insurance From Working Capital Trust Fund		1,749,652
1170 Not Used			1182 Special Categories Payments for Centralized Support Services From Working Capital Trust Fund		177,678
Historic Boca Raton Preservation Board			1183 Data Processing Services From Working Capital Trust Fund		3,176,175
1171 Salaries and Benefits From General Revenue Fund	1	12,505	843 Public Transportation Operations, Division of		
1172 Not Used			1184 Salaries and Benefits From Working Capital Trust Fund	82	1,543,567
1173 Expenses From Operating Trust Fund		5,150	1185 Other Personal Services From Working Capital Trust Fund		6,102
1174 Operating Capital Outlay From Operating Trust Fund			1186 Expenses From Public Transportation Trust Fund		4,176
1175 Not Used			From Working Capital Trust Fund		180,475
Historic Broward County Preservation Board of Trustees			1187 Grants and Aids Mass Transit Matching Grants From General Revenue Fund		10,100,000
1175A Lump Sum From General Revenue Fund		10,000	From Public Transportation Trust Fund		475,000
Historic Volusia County and Flagler County Preservation Board of Trustees			From Working Capital Trust Fund		7,239,150
1175.3 Lump Sum From General Revenue Fund		10,000	1188 Operating Capital Outlay From Working Capital Trust Fund		27,358
TRANSPORTATION, DEPARTMENT OF			1189 Special Categories Engineering Consultants From Public Transportation Trust Fund		470,000
Provided, that a list of the 411 positions to be deleted 7/1/78 due to phase out of secondary workload shall be submitted to the department of administration by 7/1/78 itemized by cost center and classification as well as an indication of the number filled and vacant.			From Working Capital Trust Fund		350,000
Provided, further that the department of Transportation is authorized to continue on the payroll incumbents whom the department has been unable to					

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
1190 Special Categories Public Transportation Structures Improve- ments From Working Cap- ital Trust Fund ...		400,000	1204 Operating Capital Out- lay From Working Cap- ital Trust Fund ...		768,283
1191 Special Categories Payments for Central- ized Support Services From Working Cap- ital Trust Fund ...		51,802	1205 Special Categories Overtime From Working Cap- ital Trust Fund ...		899,064
1192 Special Categories Public Transportation Fleet From Public Transpor- tation Trust Fund From Working Cap- ital Trust Fund ...		1,020,000	1206 Special Categories Right of Way O.P.S. Fees From Working Cap- ital Trust Fund ...		3,023,200
1193 Special Categories Purchase of Railroad Right of Way From Public Trans- portation Trust Fund ...		227,327	1207 Special Categories Consultant Fees From Working Cap- ital Trust Fund ...		18,980,038
From Working Cap- ital Trust Fund ...		56,832	1208 Not Used		
Provided, that six (6) positions and \$117,359 appropriated in Items 1184 and 1188 are con- tingent upon passage of legislation which transfers the inspec- tion of railroads from the Public Service Commission to the De- partment of Transpor- tation.			1209 Special Categories Payments for Central- ized Support Services From Working Cap- ital Trust Fund ...		25,349,580
Planning and Programming, Division of			1209A Special Categories Contract Services with DOR—Routine Mainte- nance From Working Cap- ital Trust Fund ...		4,256,000
1194 Salaries and Benefits From Working Cap- ital Trust Fund ...	260	4,127,060	1209B Special Categories Contract Services with DOR—Periodic Main- tenance From Working Cap- ital Trust Fund ...		243,473
1195 Other Personal Serv- ices From Working Cap- ital Trust Fund ...		44,280	Funds are provided in Item 1209A for the De- partment of Transpor- tation to contract with the Department of Of- fender Rehabilitation for 703 laborers at a cost of \$6,054.05 per laborer for fiscal year 1978-79. Such agree- ment as signed by both departments will indi- cate the number of la- borers and locations that conform to D.O.T., manpower needs and the availability of in- mates. The Department of Transportation will not be required to fund laborer positions not furnished or not stip- ulated in the signed agreement or subse- quent agreements. Funds are provided in Item 1209B for con- tractual services with the Department of Of- fender Rehabilitation for periodic mainte- nance projects. How- ever, both departments will do a cooperative study to determine what resources might be required to accom- plish these projects and shall submit a signed contract prior to the 1979-80 legisla- tive session, stipulat- ing all resources re- quired. If, however, during fiscal year 1978- 79 an agreement can be forthcoming, the		
1196 Expenses From Working Cap- ital Trust Fund ...		365,513			
1197 Grants and Aids Transportation Plan- ning Grants From Working Cap- ital Trust Fund ...		1,715,625			
1198 Operating Capital Out- lay From Working Cap- ital Trust Fund ...		62,690			
1199 Special Categories Engineering and Plan- ning Consultants From Working Cap- ital Trust Fund ...		490,000			
1200 Special Categories Payments for Central- ized Support Services From Working Cap- ital Trust Fund ...		141,593			
Road Operations, Division of					
1201 Salaries and Benefits From Working Cap- ital Trust Fund ...	8,139	97,216,733			
1202 Other Personal Serv- ices From Working Cap- ital Trust Fund ...		556,496			
1203 Expenses From Working Cap- ital Trust Fund ...		8,284,916			

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
Department of Offender Rehabilitation is authorized to expend from Item 1209B funds necessary to do periodic maintenance with the approval of all concerned parties. If at all possible any equipment, tools, etc. that can be furnished by the Department of Transportation will be made available to the Department of Offender Rehabilitation to carry out this intent. All such periodic maintenance projects as contemplated by Item 1209B shall be solely supervised by the Department of Offender Rehabilitation and the Department of Transportation shall provide construction supervision and inspection as currently required under a contractual basis.			From Working Capital Trust Fund		25,765,000
1210 Special Categories Transportation Materials and Equipment From Working Capital Trust Fund		3,912,315	1217 Special Categories Resurfacing Road Construction Contracts From Working Capital Trust Fund		57,070,000
1211 Special Categories Florida Highway Patrol Services From Working Capital Trust Fund		4,898,657	1218 Special Categories Traffic Operations Construction Contracts From Working Capital Trust Fund		1,000,000
Funds appropriated in Item 1211 are allocated as follows:			To encourage major economic development, portions of the above funds may be used at the discretion of the Secretary of Transportation upon adoption of criteria, to provide connections to the state highway system on existing state right-of-way.		
Troop K (Turnpike) .. \$2,882,058			1219 Special Categories Other Federal Aid Road Construction Contracts From Working Capital Trust Fund		88,815,000
Troop I (Weights) \$2,016,599			1220 Special Categories Other State 100% Road Construction Contracts From Working Capital Trust Fund		51,740,000
Also, it is the intent of the Legislature that any adjustments approved to this Appropriation be allocated specifically to Troop K or Troop I of the Florida Highway Patrol.			1220A Special Categories Engineering Consultants—Covenants to Complete From Working Capital Trust Fund		400,000
1212 Special Categories Road Advertising Payments From Working Capital Trust Fund		1,000,000	1221 Debt Service From Working Capital Trust Fund		7,691,354
1213 Special Categories Right of Way Land Acquisition From Working Capital Trust Fund		64,030,000	The funds necessary to fund HB 122 shall be provided from the funds allocated by the department to the original fourth district, not to exceed \$100,000. Funds shall not be reallocated between the other districts to accomplish the above allocation. Provided that funds appropriated for the Items 1187, 1197, and 1212 through 1220 are based on the amount estimated to be required for cash payments during the 1978-79 fiscal year, pursuant to section 334.21 (2), Florida Statutes. All other items appropriated herein for the Department of Transportation are intended to be based on the total contractual obligation estimated to be entered into during the 1978-79 fiscal year, pursuant to section 216.311, Florida Statutes. The Department of Administration is authorized to adjust Items 1207 and 1220A		
1214 Special Categories Interstate Road Construction Contracts From Working Capital Trust Fund		125,925,000			
1215 Special Categories Keys Bridges Construction Contracts From Working Capital Trust Fund		33,445,000			
1216 Special Categories Bridge Rehabilitation/Replacement Construction Contracts					

Item	Positions \$	Amount \$
if necessary to assure compliance with this provision.		
Centralized Mobile Equipment and Warehouse Operations		
1222 Salaries and Benefits	340	
From Working Capital Trust Fund		4,039,200
1223 Other Personal Services		
From Working Capital Trust Fund		1,000
1224 Expenses		
From Working Capital Trust Fund		8,160,632
1225 Operating Capital Outlay		
From Working Capital Trust Fund		6,729,175
1226 Special Categories Risk Management Insurance		
From Working Capital Trust Fund		162,969
1227 Special Categories Transportation Materials and Equipment		
From Working Capital Trust Fund		7,766,589
Burns Data Center		
1228 Salaries and Benefits	90	
From Working Capital Trust Fund		1,036,945
1229 Other Personal Services		
From Working Capital Trust Fund		7,000
1230 Expenses		
From Working Capital Trust Fund		2,134,455
1231 Operating Capital Outlay		
From Working Capital Trust Fund		1,757
1232 Special Categories Payments for Centralized Support Services		
From Working Capital Trust Fund		3,800
Total of Section 01	95,418	
From General Revenue Fund		2,921,299,218
From Trust Funds		2,957,291,261
From Working Capital Fund		900,000
From Federal Revenue Sharing Fund		70,200,000

Item	Positions \$	Amount \$
Should federal funds become available for state energy fixed capital outlay projects during the 1978-79 FY, the department of administration may approve the use of any available excess fixed capital outlay funds to affected agencies to provide any necessary match for the authorized capital outlay energy projects. Provided, further, that in the construction of projects authorized in this section, the department of general services shall specify three alternative products from three different suppliers wherever possible.		
ADMINISTRATION, DEPARTMENT OF		
1 Fixed Capital Outlay Lump Sum for Conversion to Solar Water Heating		
From General Revenue Fund		146,560
From Grants and Donations Trust Fund		363,000
Provided, the funds in Item 1 shall be transferred by the department to applicable agencies for use in making improvements for conservation of energy in existing facilities.		
AGRICULTURE AND CONSUMER SERVICES, DEPARTMENT OF, AND COMMISSIONER OF AGRICULTURE		
Marketing, Division of		
2 Fixed Capital Outlay Lump Sum - Market Improvements		
From Market Improvements Working Capital Trust Fund		252,500
Fruit and Vegetable Inspection, Division of		
3 Fixed Capital Outlay Renovation of Florida Citrus Building, Winter Haven		
From Citrus Inspection Trust Fund		86,300
Forestry, Division of		
4 Fixed Capital Outlay Vehicle Maintenance Shop, Perry		
From Incidental Trust Fund		60,600
5 Fixed Capital Outlay Renovation of District Shop, Gainesville		
From Incidental Trust Fund		24,200
6 Fixed Capital Outlay Air Tanker Base, Tallahassee		
From Incidental Trust Fund		40,000
7 Fixed Capital Outlay Five Caretaker Residences, Withlacoochee State Forest (3) and Blackwater River State Forest (2)		
From General Revenue Fund		157,500
8 Fixed Capital Outlay Two Ranger Residences, Pine Log State Forest and Blackwater River State Forest		
From General Revenue Fund		63,000

Section 2. The moneys in the following Items are appropriated from the named funds for 1978-79 fiscal year to the department of general services for fixed capital outlay for the following agencies. The sums provided herein are the maximum sums appropriated; however, where an appropriation is for a named project, and where it is found to be in excess of that needed to fully complete that project, the excess may be transferred, notwithstanding the provisions of Section 216.301(2), Florida Statutes, with the approval of the department of administration, to another project named herein in the same fund and within the same department where a deficiency is found to exist.

Provided, further, that the responsibility for maintaining the appropriate accounting records may be delegated by the department of general services to the named agencies herein for all capital outlay appropriations, including those certified forward by the department of administration on July 1, 1978.

For purposes of improved contract administration, the department of administration may authorize consolidation of two or more of the following items for an agency provided the original scope and purpose of each project is not significantly changed.

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
9 Fixed Capital Outlay Two Equipment Sheds, Withlacoochee State Forest From General Revenue Fund -----		32,800	From General Revenue Fund -----		118,200
9A Fixed Capital Outlay Pavilion, Coldwater Recreation Area, Blackwater River State Forest From Incidental Trust Fund -----		22,000	22 Fixed Capital Outlay Improvements to Byant Building From General Revenue Fund -----		24,400
10 Fixed Capital Outlay Equipment Shed, Blackwater River State Forest From General Revenue Fund -----		15,800	GENERAL SERVICES, DEPARTMENT OF Building Construction and Property Management, Division of		
11 Fixed Capital Outlay Restrooms, Bear Lake Recreation Area, Blackwater River State Forest From General Revenue Fund -----		17,300	23 Fixed Capital Outlay Facilities to Accommo- date the Handicapped From General Revenue Fund -----		100,000
12 Fixed Capital Outlay Blackwater River State Forest Wells and Water Systems From General Revenue Fund -----		38,600	24 Fixed Capital Outlay Improvements to Carl- ton Building From General Revenue Fund -----		67,300
13 Not Used			25 Fixed Capital Outlay Acquisition of Land, Capitol Center and En- virons of Governor's Mansion From General Revenue Fund -----		700,000
13A Fixed Capital Outlay Perimeter Fence for Headquarters, Braden- ton From General Revenue Fund -----		9,377	26 Fixed Capital Outlay Improvements to Graham Building, Miami From General Revenue Fund -----		130,000
13B Fixed Capital Outlay Boundary Fence, Tal- quin Forest From General Revenue Fund -----		23,000	27 Fixed Capital Outlay Comprehensive and Long Range Plan for the Capitol Center—Phase II From General Revenue Fund -----		255,000
COMMERCE, DEPARTMENT OF Division of Employment Security			28 Fixed Capital Outlay Solar Energy Utiliza- tion (ERDA) Pilot Project, Johns Build- ing From General Revenue Fund -----		47,800
14 Fixed Capital Outlay Parking Lot, Cocoa From Employment Security Administra- tion Trust Fund -----		53,300	From Grants and Donations Trust Fund -----		311,200
COMMUNITY AFFAIRS, DEPARTMENT OF Disaster Preparedness, Division of			29 Fixed Capital Outlay Demolition, Whitfield, Miles Johnson and Center Buildings From General Revenue Fund -----		106,600
15 Not Used			29A Fixed Capital Outlay Tallahassee—Donald L. Tucker Civic Center From General Revenue Fund -----		6,000,000
Game and Fresh Water Fish Commission, Florida			The monies provided in Item 29A shall be committed and under contract by 4/1/79. Provided, further, that this shall be the maxi- mum amount of addi- tional state funds for a complete and fully functional center.		
16 Fixed Capital Outlay Six Radio Antenna Support Structures From General Revenue Fund -----		149,200	30 Fixed Capital Outlay Energy Conservation, State Office Buildings From General Revenue Fund -----		35,000
17 Fixed Capital Outlay Regional Office Annex, Ocala From General Revenue Fund -----		109,200			
18 Not Used					
19 Fixed Capital Outlay Renovation of Regional Office, Lakeland From General Revenue Fund -----		15,000			
20 Not Used					
21 Fixed Capital Outlay Office Building, Okeech- obee					

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
30A Fixed Capital Outlay Senate Crosswalk to New Capitol From General Revenue Fund -----		150,000	37 Fixed Capital Outlay Human Services Center, Belle Glade From General Revenue Fund -----		946,400
HEALTH AND REHABILITATIVE SERVICES, DEPARTMENT OF			38 Fixed Capital Outlay Regional Juvenile Detention Centers From General Revenue Fund -----		1,272,200
Funds heretofore appropriated to the Department of Health and Rehabilitative Services for Fixed Capital Outlay that are in excess of the amounts necessary to complete the projects may be transferred to any Detention Center by the Department of Administration wherein it is determined a deficiency exists to complete the approved project.			Provided, the funds in Item 38 shall be allocated by the Department of Administration, subject to review by the House and Senate appropriations committees, to projects for new or expanded detention facilities as determined necessary for efficient and effective operation of the detention program.		
31 Fixed Capital Outlay Fixed Equipment-Health Laboratory, Tallahassee From General Revenue Fund -----		84,000	38A Fixed Capital Outlay Regional Detention Center—Volusia From General Revenue Fund -----		1,125,300
32 Fixed Capital Outlay Correction of Licensure and Certification Deficiencies, State Mental Hospitals From General Revenue Fund -----		2,350,000	38B Fixed Capital Outlay Regional Detention Center—Seminole Expansion From General Revenue Fund -----		345,000
32A Fixed Capital Outlay Renovation to Provide an Extended Care Facility/Florida State Hospital From General Revenue Fund -----		550,000	38C Fixed Capital Outlay Regional Detention Center—Pinellas From General Revenue Fund -----		125,000
33 Not Used			39 Fixed Capital Outlay Major Repairs and Improvements, State Mental Hospitals From General Revenue Fund -----		565,200
34 Fixed Capital Outlay Renovation of Facilities for the Retarded Defendant/Offender From General Revenue Fund -----		189,300	40 Fixed Capital Outlay Roof Replacement, Miami Sunland From General Revenue Fund -----		301,400
Provided, however, that funds appropriated in Item 34 be used for renovation and conversion of Seffner Detention Center in Hillsborough County for 30 juvenile retarded defendants/offenders.			41 Fixed Capital Outlay Repairs and Improvements, Group Treatment Centers From General Revenue Fund -----		421,300
35 Not Used			42 Fixed Capital Outlay Expand Cafeteria, Fort Myers Sunland From General Revenue Fund -----		80,700
36 Fixed Capital Outlay Conversion of Air Conditioning and Heating Systems, Gainesville Sunland From General Revenue Fund -----		500,300	43 Fixed Capital Outlay Repairs and Improvements, Detention Centers From General Revenue Fund -----		20,400
Provided, that any Federal funds received to supplement the appropriation in Item 36 are hereby appropriated to extend the scope of the project as approved by the Department of Administration.			44 Fixed Capital Outlay Repairs and Improvements of Retardation Centers, Jacksonville, and St. Petersburg From General Revenue Fund -----		119,700
			45 Fixed Capital Outlay Correction of Fire Safety Deficiencies, Okeechobee From General Revenue Fund -----		78,200

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
46 Fixed Capital Outlay Repairs and Renova- tions of Pearl Street Complex, Jacksonville From General Reve- nue Fund		378,200	56A Fixed Capital Outlay Second Source of Pri- mary Power, A. G. Holley State Hospital From General Reve- nue Fund		3,125
47 Not Used			57 Fixed Capital Outlay Water Treatment Sys- tem, Okeechobee From General Reve- nue Fund		388,000
48 Fixed Capital Outlay Renovation of Sewer System, Gainesville Sunland From General Reve- nue Fund		127,900	58 Fixed Capital Outlay Replacement of Roof— Laundry Building, W. T. Edwards From General Reve- nue Fund		18,500
49 Fixed Capital Outlay Renovation of Sewer System, Okeechobee From General Reve- nue Fund		187,100	59 Fixed Capital Outlay Replacement of Win- dows, A. G. Holley State Hospital From General Reve- nue Fund		295,900
49A Fixed Capital Outlay Acquisition of Duval House, Jacksonville From General Reve- nue Fund		312,045	60 Fixed Capital Outlay Gymnasium, Marianna Sunland From General Reve- nue Fund		418,530
49B Fixed Capital Outlay Safety Fence, South Florida State Hospital From General Reve- nue Fund		50,886	From Marianna Sun- land Fire Replace- ment Trust Fund		89,470
50 Fixed Capital Outlay Repairs and Renova- tions, Gainesville Sun- land From General Reve- nue Fund		105,000	60A Fixed Capital Outlay Santa Rosa Geriatric Treatment Facility From General Reve- nue Fund		115,000
51 Fixed Capital Outlay Replacement of Air Conditioning - Dental and Pharmacy, G. P. Wood Hospital From General Reve- nue Fund		50,000	60B Fixed Capital Outlay Recreation Park for the Handicapped—St. Joseph Peninsula Phase VI From General Reve- nue Fund		617,450
52 Fixed Capital Outlay Repair and Renova- tion of Gymnasium, Dozier School From General Reve- nue Fund		29,600	HIGHWAY SAFETY AND MOTOR VEHICLES, DEPARTMENT OF		
53 Fixed Capital Outlay Improvements for Col- location, Quincy - Mar- ianna - Jacksonville From General Reve- nue Fund		560,300	61 Fixed Capital Outlay Additional Facilities, Kirkman Building, Tal- lahassee From General Reve- nue Fund		286,000
53A Fixed Capital Outlay Study of Electrical Energy Systems, Flor- ida State Hospital From General Reve- nue Fund		36,000	61A Fixed Capital Outlay Driver License Mobile Offices From General Reve- nue Fund		66,410
54 Fixed Capital Outlay Repairs to Water Plant, South Florida State Hospital From General Reve- nue Fund		218,900	61B Fixed Capital Outlay Patrol, Driver Licenses and Motor Vehicle Of- fices, Bradenton From General Reve- nue Fund		451,260
54A Fixed Capital Outlay Planning—Public Health Laboratories, West Palm Beach and Central Florida From General Reve- nue Fund		60,500	61C Fixed Capital Outlay Patrol and Drivers Li- cense Office, Brooks- ville From General Reve- nue Fund		285,814
55 Fixed Capital Outlay Safety Fence, Gaines- ville Sunland From General Reve- nue Fund		61,100	61D Fixed Capital Outlay Florida Highway Pa- trol Station/Escambia From General Reve- nue Fund		300,000
56 Fixed Capital Outlay Renovation of Annex Building, Tallahassee Sunland From General Reve- nue Fund		69,400	JUDICIAL BRANCH Supreme Court		
			62 Fixed Capital Outlay Replacement of Air Handling Units, Su- preme Court Building		

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
From General Revenue Fund		108,800	From General Revenue Fund		421,492
DISTRICT COURTS OF APPEAL			71C Fixed Capital Outlay Site Development & Fire Deficiencies Marine Maintenance Shop, Tallahassee		
First District Court of Appeal			From General Revenue Fund		76,405
63 Fixed Capital Outlay First District Court Building, Tallahassee			OFFENDER REHABILITATION, DEPARTMENT OF		
From General Revenue Fund		900,000	72 Fixed Capital Outlay Correction of Fire Safety Deficiencies, Community Facilities		
Second District Court of Appeal			From General Revenue Fund		12,000
63A Fixed Capital Outlay Roof Repairs			73 Fixed Capital Outlay Supplemental-Previously Funded Projects		
From General Revenue Fund		12,800	From General Revenue Fund		1,382,000
Fourth District Court of Appeal			74 Fixed Capital Outlay Land Acquisition and Improvements, Zephyrhills Correctional Institution		
63B Fixed Capital Outlay Completion of New Wing			From General Revenue Fund		204,500
From General Revenue Fund		113,500	75 Fixed Capital Outlay Addition to Confinement Facilities, Glades Correctional Institution		
MILITARY AFFAIRS, DEPARTMENT OF			From General Revenue Fund		138,000
General Activities			76 Not Used		
64 Fixed Capital Outlay National Guard Armory, West Palm Beach			77 Not Used		
From General Revenue Fund		476,100	78 Not Used		
65 Fixed Capital Outlay Planning National Guard Armory, Camp Blanding			79 Fixed Capital Outlay Additions and Renovations, Security Facilities, Sumter Correctional Institution		
From General Revenue Fund		19,800	From General Revenue Fund		227,400
66 Fixed Capital Outlay Replacement of Air-Conditioning and Heating System, State Arsenal			80 Fixed Capital Outlay Renovation of Housing Facilities, Union Correctional Institution		
From General Revenue Fund		49,000	From General Revenue Fund		60,800
NATURAL RESOURCES, DEPARTMENT OF			81 Fixed Capital Outlay Miscellaneous Repairs and Renovations, Union Correctional Institution		
67 Not Used			From General Revenue Fund		304,350
Marine Resources, Division of			82 Fixed Capital Outlay Mobile Home Park, Hendry Correctional Institution		
68 Not Used			From General Revenue Fund		183,700
Recreation and Parks, Division of			83 Fixed Capital Outlay Miscellaneous Repairs and Improvements, Reception and Medical Center		
69 Not Used			From General Revenue Fund		126,400
Law Enforcement, Division of			84 Fixed Capital Outlay Major Repairs and Renovations, Apalachee Correctional Institution		
70 Fixed Capital Outlay Storage Building and Security Compound, District Ten			From General Revenue Fund		135,200
From General Revenue Fund		21,800	85 Fixed Capital Outlay Miscellaneous Repairs and Renovations, Avon Park Correctional Institution		
71 Fixed Capital Outlay Marine Patrol Boat Dock, District Six					
From General Revenue Fund		20,300			
71A Fixed Capital Outlay Marine Patrol Station, District Eight, Duval County					
From General Revenue Fund		187,439			
71B Fixed Capital Outlay Marine Maintenance Shop, Southeast Florida					

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
100G Fixed Capital Outlay Development of Pitts Slip Exhibit Area From General Revenue Fund ----- From Operating Trust Fund -----		11,750	\$57,500. Such paving to be in progress by June 30, 1979. 108 Fixed Capital Outlay Acquisition of Parking Lot, Jacksonville From Working Capital Trust Fund -----		30,500
Stephen Foster Memorial, Board of Trustees of the			109 Fixed Capital Outlay Planning Maintenance Yard, West Palm Beach From Working Capital Trust Fund -----		30,000
101 Fixed Capital Outlay Waterproofing and Renovation of Tower Exterior From General Revenue Fund -----		62,500	110 Fixed Capital Outlay Land Acquisition and Planning—Maintenance and Construction Offices, Leesburg From Working Capital Trust Fund -----		75,000
101A Fixed Capital Outlay Improvements to Entrance and Springs From General Revenue Fund -----		126,000	111 Fixed Capital Outlay Storage Building and Radio Repair Shop, Fort Myers From Working Capital Trust Fund -----		17,700
102 Not Used			112 Fixed Capital Outlay Maintenance and Construction Offices, Niceville From Working Capital Trust Fund -----		106,200
Historic Tallahassee Preservation Board			Total of Section 02 From General Revenue Fund ----- From Trust Funds	32,523,876	3,323,746
102A Fixed Capital Outlay Completion of Air Conditioning System, Brokaw-McDougall House From General Revenue Fund -----		16,726	Section 3. The moneys in the following items are appropriated from the named funds for the 1978-79 fiscal year to the State Agencies indicated, notwithstanding Section 216.182, Florida Statutes, as amounts for Fixed Capital Outlay.		
TRANSPORTATION, DEPARTMENT OF			AGRICULTURE AND CONSUMER SERVICES, DEPARTMENT OF, AND COMMISSIONER OF AGRICULTURE		
Office of the Secretary and Division of Administration			Forestry, Division of		
103 Fixed Capital Outlay Supplemental - Renovation of District Office, Bartow From Working Capital Trust Fund -----		50,800	1 Fixed Capital Outlay Security Fence at Sawmill, Withlacoochee From General Revenue Fund -----		2,900
103A Fixed Capital Outlay Architect Fees/Sixth District Building From Working Capital Trust Fund -----		100,000	1A Fixed Capital Outlay Improve Facilities at Tillis Hill Recreational Area From General Revenue Fund -----		3,500
104 Fixed Capital Outlay Acquisition of Parking Lot, Chipley From Working Capital Trust Fund -----		60,900	2 Fixed Capital Outlay Relocation of Tower, Flagler County From General Revenue Fund -----		7,500
Road Operations, Division of			2A Fixed Capital Outlay Development and Improvements of Recreational Facilities at Blackwater River State Forest From Incidental Trust Fund -----		200,000
105 Fixed Capital Outlay Sub-Maintenance Yard, Naples From Working Capital Trust Fund -----		200,000	EDUCATION, DEPT OF		
106 Fixed Capital Outlay Testing Facilities, Gainesville From Working Capital Trust Fund -----		34,000	Community Colleges, Division of		
107 Fixed Capital Outlay Crew Rooms and Gas House, Dade City From Working Capital Trust Fund -----		100,800	2B Fixed Capital Outlay Grants and Aids - Maintenance and Repair Program From General Revenue Fund -----		2,000,000
107A Fixed Capital Outlay Institutional Paving From Working Capital Trust Fund ----- Paving projects for the following agencies: Department of Health & Rehabilitative Services—\$550,000; Department of Offender Rehabilitation—\$500,000; Department of Agriculture—\$32,200; Department of State —		1,139,700			

Item	Positions \$	Amount \$	Item	Positions \$	Amount \$
The funds provided in Item 2B shall be prorated proportionally in accordance with the repairs and maintenance project list as submitted to the Legislature.			3C Fixed Capital Outlay Restoration of Dam— Silver Lake From General Revenue Fund		60,000
Universities, Division of Educational and General Activities			HEALTH AND REHABILITATIVE SERVICES, DEPARTMENT OF		
2C Fixed Capital Outlay Equipment-Academic Program Improvements From General Revenue Fund		4,680,772	4 Fixed Capital Outlay Renovation of Locking System, Okeechobee From General Revenue Fund		53,800
Included in Item 2C is \$4,680,772 to reduce scientific and technical equipment deficiencies in the state university system. The allocation of these funds to the universities shall be based on the results of a comprehensive survey by the Board of Regents to identify the highest priority needs in the various disciplines in the educational and general activities budget. Technological obsolescence or failure to initially equip shall be considered a first priority need in determining the allocation. Further, the appropriated amounts for these special equipment needs included in the allocation by the Board of Regents and the Presidents of the Universities shall not be expended for any other purpose.			5 Fixed Capital Outlay Warehouse Equipment, Orlando Sunland From General Revenue Fund		31,500
			6 Fixed Capital Outlay Replacement of Radiology Equipment, Orlando Sunland From General Revenue Fund		64,900
			6A Fixed Capital Outlay Equipment Replacement for Sunland Centers From General Revenue Fund		800,000
			6B Fixed Capital Outlay Equipment Replacement for Mental Hospitals From General Revenue Fund		2,000,000
			6C Fixed Capital Outlay Equipment Replacement for Youth Training schools From General Revenue Fund		400,000
			Provided, however, that funds appropriated in Items 6A, 6B and 6C shall be released subject to approval by the Department of Administration, of a plan developed by the Department of Health and Rehabilitative Services to upgrade the equipment of the state institutions in order to comply with licensure and certification requirements. Primary consideration should be given to furnishing the residential living units to more normalized living conditions.		
Institute of Food and Agricultural Sciences			7 Fixed Capital Outlay New Laundry Equipment, Orlando Sunland From General Revenue Fund		326,620
2D Fixed Capital Outlay Aquatic Weed Research Building From General Revenue Fund		300,000	7A Fixed Capital Outlay Recreation Parks for the Handicapped - Dade/Duval From General Revenue Fund		287,500
Provided, that if Federal funds become available the funds appropriated in Item 2D shall not be released.			7B Fixed Capital Outlay Window Replacement Equipment From General Revenue Fund		28,000
GAME AND FRESH WATER FISH COMMISSION, FLORIDA					
3 Fixed Capital Outlay Land Acquisition From Land Acquisition Trust Fund		843,600			
3A Fixed Capital Outlay Renovation Youth Conservation Camps From General Revenue Fund		35,100			
3B Fixed Capital Outlay Additional Directors Quarters—Ocala From General Revenue Fund		7,700			

Item	Positions \$	Amount \$
7C Fixed Capital Outlay Girls Start Center - Polk County From General Revenue Fund		403,710
NATURAL RESOURCES		
Recreation and Parks,		
Division of		
7D Fixed Capital Outlay Park Development From Land Acquisition Trust Fund ..		5,108,532
7E Fixed Capital Outlay Land Acquisition From Land Acquisition Trust Fund ..		9,447,000
SECRETARY OF STATE AND DEPARTMENT OF STATE		
Archives, History, and Records Management, Division of		
7F Fixed Capital Outlay Construction Grants From General Revenue Fund		60,000
TRANSPORTATION, DEPARTMENT OF		
Road Operations, Division of		
8 Fixed Capital Outlay Security Fencing of Maintenance Yards, Milton and DeFuniak Springs From Working Capital Trust Fund ..		14,000
9 Fixed Capital Outlay Security Fencing of Structures Shop, Orlando From Working Capital Trust Fund ..		10,000
10 Fixed Capital Outlay Parking, Clearwater From Working Capital Trust Fund ..		4,000
11 Fixed Capital Outlay Relocation of Truck Shed, Jacksonville From Working Capital Trust Fund ..		10,000
Total of Section 03		
From General Revenue Fund		11,553,502
From Trust Funds		15,637,132

Section 4. From moneys becoming available pursuant to the provisions of section 9(A)(2), Article XII of the state constitution, as amended, there is hereby appropriated \$144,900,000 for public educational facilities for the 1978-79 fiscal year. The legislature hereby finds and determines that the items and sums designated below constitute authorized capital outlay projects within the meaning and as required by section 9(A)(2), article XII of the state constitution, as amended, and section 240.141, Florida Statutes, and any other law. The moneys in the following items are appropriated to be expended pursuant to sections 235.42, 235.4235 and 235.435, Florida Statutes. The provisions of section 216.301(3)(A) shall not apply to capital outlay funds appropriated to the public education capital outlay and debt service trust fund.

Provided, however, should an emergency arise, the state board of education is authorized to reallocate appropriations and cash to fund the emergency.

Provided, however, notwithstanding the provision of section 235.435(C), Florida Statutes, should federal appropriations provide funding for energy projects on a matching basis, the state board of education may authorize energy projects to be matched from each board's allocation from the public education capital

outlay and debt service trust fund, and may pay any additional administrative costs from the fund as provided in section 235.42-4), Florida Statutes.

Should moneys available pursuant to the provision of section 9(A)(2), Article XII of the state constitution, as amended, exceed the \$144,900,000, the surplus shall be used to insure that none of the educational agencies lose their entitlement to the funds in accordance with state board rules 6AER 76-7 and 6A1.51 for advance funding and section 235.221, Florida Statutes, for high priority facilities construction.

Provided, however, prior to the allocation of any capital outlay funds being made pursuant to the formula set forth in section 235.435, Florida Statutes, all vocational and occupational supplemental FTE's shall be deleted from the projection of capital outlay needs.

The Department of Education shall make a study of the current status of all public education facilities for accessibility to and use by the physically handicapped and report the deficiencies with cost estimates for correcting such deficiencies to the 1979 legislature no later than April 1, 1979.

EDUCATION, DEPARTMENT OF

OA Fixed Capital Outlay To School Boards of the 67 School Districts From Public Education Capital Outlay and Debt Service Trust Fund	83,564,508
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The office of educational facilities construction shall determine each school board's allocation of the amount appropriated in item "OA", pursuant to the formula set forth in s. 235.435, Florida Statutes, the allocation made to each school board shall be considered a part of the comprehensive construction and debt service program and shall be expended in accordance with the provisions of s. 235.435(3), Florida Statutes. Prior to the distribution of funds, pursuant to this section, the commissioner shall include area vocational-technical centers for Charlotte and Santa Rosa Counties in the projected educational plant needs.

From the cumulative total allocated to the school boards of the 67 school districts, \$13,057,159 shall be prorated to the school boards of Bradford, Broward, Dade, Hillsborough, Orange and Palm Beach Counties for projects listed in the commissioner of education's legislative capital outlay budget requests for 1977 and 1978. Any additional capital outlay funds needed to complete the projects shall be provided from the annual allocation for each of the districts.

From the cumulative total allocated to the school boards of the 67 school districts, \$2,591,199 shall be prorated to the school boards of Marion and Levy Counties for the construction of a multi-county high school. Additional capital outlay funds needed to complete the project shall be provided from the annual allocation for each of the districts.

From the cumulative total allocated to the division of public schools, \$136,043 shall be allocated for instructional television at WJCT—Jacksonville and \$537,852 at WTHS—Miami.

The remaining balance of \$67,242,255 shall be allocated to the school boards of the 67 school districts pursuant to the formula set forth in section 235.435, Florida Statutes.

OB Fixed Capital Outlay To Boards of Trustees of the Community Colleges From Public Education Capital Outlay and Debt Service Trust Fund.....	21,372,915
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The Funds appropriated in Item "OB" shall be allocated pursuant to Section 234.435, Florida Statutes, and further shall not be disbursed or encumbered for expenditure by any community college unless and until the preliminary plans for construction, design and use have been reviewed by the commissioner of education and he has certified, as to each facility which is to be constructed or renovated, that the design and use plans for such

facility have considered the multi-purpose use designed to fulfill educational, recreational, cultural, social and other shared needs in the community, in light of the particular needs of the community served by the community college.

Provided, however not less than \$29,337 of the funds appropriated in Item "OB" shall be allocated to central Florida community college for the acquisition and lease of property in Bronson, Florida.

OC Fixed Capital Outlay
To Board of Regents
of the State University System
From Public Education Capital Outlay and Debt Service Trust Fund ...

21,576,378

Provided, however, the allocation made to the board of regents shall be expended pursuant to the numerical order project priority lists as amended, submitted to the legislature by the commissioner of education. Provided further, that no funds shall be allocated for library books and priorities numbers 1, 5 and 7.

Provided, that \$1,429,719 shall be allocated to Florida A & M University for physical education facilities. Provided, further, that Florida A & M University and Florida State University shall cooperatively utilize the facilities of Campbell Stadium.

OD Fixed Capital Outlay
To State Board of Education for master plans for branch campuses and centers
From Public Education Capital Outlay and Debt Service Trust Fund ...

332,490

The sum of \$332,490 to the state board of education for evaluation, master plans and design for branch campuses or centers shall be allocated according to the following priorities:

1. Highest priority is the sum of \$48,896 USF, Fort Myers Master Plan.
2. Second priority is the sum of \$176,023 Brevard Community College/FTU, shared facilities, and the sum of \$48,896 Panama City Master Plan.
3. Third priority is the sum of \$58,675 for study and evaluation of Community/Junior colleges, school districts, and state universities expressing a desire for additional campuses or shared facilities including:
 - (A) Broward County, third area vocational-technical center.
 - (B) Daytona Beach Community College, New Smyrna and DeLand campus or center.
 - (C) FAU, Fort Pierce campus.
 - (D) Indian River Community College, Stuart and Okeechobee campus or center.
 - (E) Manatee Junior College, Venice campus or center.
 - (F) Miami-Dade Community College, shared facilities with FIU.
 - (G) Orange County, second area vocational-technical center.
 - (H) Palm Beach Community College, north campus and a south campus to be shared with FAU.
 - (I) Polk Community College, Lakeland and Bartow campus or center.
 - (J) St. Johns River Community College, Orange Park Center.
 - (K) St. Petersburg Junior College, Seminole campus.

The evaluations and studies are to be conducted jointly by the state university system, division of community colleges, division of vocational education and office of educational facilities construction.

The evaluation and studies shall take into account the following criteria:

1. Projected FTE enrollments for a five year period.
2. Utilization of existing facilities, both public and private, suitable for similar use.
3. The potential for competition with nearby private institutions.
4. Distance from existing institutions offering similar programs.
5. Projected total operating costs for a five-year period.

Information and data related to these criteria shall be included in any recommendation for construction or expansion of any of the above projects. Such recommendations shall be included in the fixed capital outlay budget request.

OE Fixed Capital Outlay
To the Florida School For the Deaf and the Blind
From Public Education Capital Outlay and Debt Service Trust Fund

1,028,569

The funds appropriated in Item "OE" are for campus improvements to the boiler room, grounds, utilities and buildings as listed in the Fixed Capital Outlay Budget request.

OF Fixed Capital Outlay
To the State Board of Education for Public Broadcasting
From Public Education Capital Outlay and Debt Service Trust Fund

3,786,652

From the funds appropriated in Item "OF" \$482,472 are to match federal funds for equipment grants. However, federal funds through the H.E.W. broadcasting facilities program shall be matched on the basis of one state dollar for every three federal dollars and any excess of state funds not matched by federal dollars will revert to the public education Capital Outlay and Debt Service Trust Fund.

The remaining balance of \$3,304,180 appropriated in Item "OF" are designated for the following projects accordingly:

Fort Myers T.V. Station Transmitting Building	\$56,289
WJCT - Jacksonville	\$1,384,601
WMFE - Orlando	\$241,236
WEDU - Tampa	\$814,718
WLRN - Miami	\$373,916
WFSU - Tallahassee	\$433,420

In addition, the Department of General Services shall conduct a study of the Florida public broadcasting system's existing facilities, recommendations for new educational television stations with approximate costs, and recommendations for repairs, renovation, replacement of equipment, etc., for existing educational television stations. It is the intent of the Legislature to provide the state with a complete and functional educational television network at a reasonable cost to the state. This study shall recommend an orderly growth for Florida's existing educational television network and provide reasonable cost data for any additions or remodeling. Provided, however, WFSU shall consider locating their studios in an existing state-owned building, including the old capitol, provided, however, that in the event suitable space cannot be located, a report shall be made to the House and Senate Appropriations Committees by March 1, 1979.

OG Fixed Capital Outlay
To the State Board of Education for the instructional television program in the dubbing center
From Public Education Capital Outlay and Debt Service Trust Fund

319,777

OH Fixed Capital Outlay
To Division of Blind Services - Media-Lending Library

Item	Positions \$	Amount \$
From Public Education Capital Outlay and Debt Service Trust Fund		10,268
The funds appropriated in Item "OH" are for three recording booths.		
OI Fixed Capital Outlay To the Board of Trustees of Palm Beach Community College		
From Public Education Capital Outlay and Debt Service Trust Fund		586,747
The funds appropriated in Item "OI" are for the construction of a community education facility at the Glades Center of Palm Beach Community College in accordance with Section 235.211(2), Florida Statutes.		
OJ Fixed Capital Outlay Library Books - State University System		
From Public Education Capital Outlay and Debt Service Trust Fund		9,779,124
The funds appropriated in Item "OJ" for library books shall be allocated to the various universities in accordance with a formula based on justified need in terms of programs and enrollments, taking into account existing library holdings. None of these funds shall be used for salaries, other personal services, expenses or other equipment.		
OK Fixed Capital Outlay Library Books - Division of Community Colleges		
From Public Education Capital Outlay and Debt Service Trust Fund		2,542,572

The funds appropriated in Item "OK" for library books shall be allocated to the various community college boards of trustees based upon equal dollars distributed per assigned F.T.E. None of these funds shall be used for salaries, other personal services, expenses or other equipment.

Any amount of the appropriated \$144,900,000 not anticipated to be encumbered during the 1978-79 fiscal year may be used by the State Board of Education for advancing funds in accordance with State Board of Education rules 6AER 76-7 and 6A1.51 for advance funding and Section 235.221, Florida Statutes, for high priority facilities construction.

Total of Section 04
From Trust Funds 144,900,000

Section 5. There is hereby appropriated from the General Revenue Fund the sum of twenty-five thousand dollars (\$25,000) per day for each day of any special, extended or extra session of the Legislature be allocated pursuant to the provisions of Chapter 11, Florida Statutes.

Section 6. There is hereby appropriated the amounts necessary from the General Revenue Fund to reimburse the Senate appropriation and/or the House appropriation the actual expenses of witnesses and other costs incurred under the provision of Article III, Sections 5 and 17, and Article IV, Section 7, of the Florida Constitution, and Chapter 11, Florida Statutes.

Section 7. For the purpose of reimbursing state agencies for payments made to the Department of Commerce as their share of unemployment compensation benefits paid to their former employees, the amount necessary is hereby appropriated to the Department of Administration from trust funds. Moneys appropriated herein, and in Section 1, Item 6, may be

transferred by the Department of Administration to the appropriate agencies for expenditure. Provided further, that should any state agency become more than 90 days delinquent on reimbursements due to the Unemployment Compensation Trust Fund, the Department of Commerce shall certify to the State Comptroller the amount due and the State Comptroller shall, upon approval of the Department of Administration, transfer the amount due to the Unemployment Compensation Trust Fund from any agency funds available.

Section 8. Should any state agency become more than 90 days delinquent in paying the Department of Insurance, Division of Risk Management for insurance coverage, the department may certify to the State Comptroller the amount due and the State Comptroller shall, upon approval of the Department of Administration, transfer the amount due to the Division of Risk Management from any agency funds available.

Section 9. Notwithstanding the provisions of Section 215.32(2) (C), Florida Statutes, the moneys appropriated in Section 1, Items 8 and 9, Deficiency and Emergency, may be made available in the manner provided in Section 216.231(1), Florida Statutes. When the emergency or deficiency need arises, the allocation approved shall be transferred to the General Revenue Appropriation accounts of the affected agencies as may be necessary.

Section 10. Moneys appropriated in Section 1, Item 14, for health insurance premium increases may be transferred by the Department of Administration to the appropriate state agencies for expenditure.

Section 11. Moneys appropriated in Section 1, Item 16, for salary adjustments and increases for state employees may be transferred by the Department of Administration to the appropriate state agencies for expenditure. This includes from the General Revenue Fund all the Historical Preservation Boards, the Board of Trustees of the Stephen Foster Memorial and the Board of Trustees of the John and Mable Ringling Museum of Art.

Moneys included in Section 1, Item 16, of this Act are to provide salary adjustments and merit increases effective September 1, 1978, except increases for those employees of the Board of Regents who began the summer quarter of 1978, and have been employed at least two full quarters during the fiscal year 1977-78, which shall be effective with the first pay period following July 1, 1978. All moneys for salary adjustments and merit increases are provided as follows:

Career Service System:

A. Merit pay increase moneys are provided at 6% of the actual June 30, 1978, salary rate of the authorized current positions of each budget entity, irrespective of the employees current annual June 30, 1978, salary rate, except as provided in D. below.

1. Each employee who has been employed continuously since March 1, 1978, (has completed six months or more of satisfactory state service) and has a current performance evaluation of satisfactory or better on September 1, 1978, shall receive a salary increase of 4%. Such salary increase shall be based on the employee's August 31, 1978 salary.
2. The remaining funds shall be available to management to grant additional increases to eligible employees, up to a maximum of 10% based on the employee's latest performance evaluation. Eligibility shall be the same as in 1. above and such increases are to be based on the employee's August 31, 1978 salary. Provided, further, that moneys available under this section shall be distributed to the employees within each unit whether or not the unit is currently under contract or certified.

B. In lieu of the above provisions, the following shall apply to employees in the Professional, Human Services, and Health Care Professional Bargaining Units:

1. Salary increases shall be as provided in A. 1. and 2. above.
2. Salary increases to be granted at the discretion of management shall be as provided in A.2. above; however, such increases shall be distributed only to employees within the Bargaining Unit.

- C. All increases are to be granted on September 1, 1978, the anniversary date of all employees shall be changed to September 1, 1979, and no other merit or incentive increases shall be granted during the 1978-79 fiscal year.
- D. Employees who were demoted as a result of reorganization or other administrative action and who were allowed to retain a salary above the maximum for the class to which demoted, shall not be eligible to receive any increases provided in A. 1. or 2., above, which would cause their salaries to exceed 110 percent of the maximum for their class.
- E. All "law enforcement" classes in the Division of Highway Patrol, of the Department of Highway Safety and Motor Vehicles, Division of Law Enforcement of the Department of Natural Resources and the Game and Fresh Water Fish Commission, shall receive a salary adjustment of \$100 per month, in lieu of the provisions of A. 1. above.

BOARD OF REGENTS PAY PLAN

No employee shall receive a total merit increase in excess of ten percent (10%) of his actual June 30, 1978, annual salary rate unless approved by majority vote of the Board of Regents, except those employees eligible for increases under the provisions of A. 3. who shall be eligible for a maximum total merit increase of up to thirteen percent (13%). Furthermore, no funds other than those appropriated in this act for merit increases may be so utilized.

UNIT EMPLOYEES

- A. Merit pay increase moneys are provided at 6% of the actual June 30, 1978, salary rate of the authorized current positions.
1. Each employee who has been employed at least two full quarters during the fiscal year 1977-78 and who has not received notification that 1978-79 will be his terminal year of employment, shall receive an increase of 3% based on such employee's June 30, 1978, salary rate.
 2. Funds equal to 3% shall be available to the board to grant pay increases at the discretion of the board for promotional increases, increases in recognition of merit, salary adjustments required by section 241.735, Florida Statutes, and for other increases to remain competitive.
 3. From the funds provided in 2. above, the Board of Regents shall give priority to those instructional and research faculty, who spend at least 50% of their assigned workload in teaching activities.
- B. No moneys appropriated in section 1, shall be used to compensate union representatives for release time in processing grievances or acting as union stewards.

NON-UNIT EMPLOYEES:

Merit pay increase moneys are provided at 6% of the actual June 30, 1978, salary rate of the authorized current positions. Each employee who has been employed at least two full quarters during the fiscal year 1977-78 and who has not received notification that 1978-79 will be his terminal year of employment, shall be eligible to receive a salary increase of up to 10% at the discretion of the board to grant promotional increases, increases in recognition of merit, salary adjustments required by section 241.735, Florida Statutes, and for other increases to remain competitive.

SCHOOL FOR THE DEAF AND BLIND PAY PLAN:

Unit employees: Salary increase moneys are provided at 6% of the June 30, 1978 salary rate. Funds equal to 2% shall be allocated to all returning teachers and funds equal to 4% shall be allocated for competitive pay adjustments.

Non-unit employees: Salary increase moneys are provided at 6% of the June 30, 1978 salary rate and shall be allocated by the board of trustees.

COMPETITIVE PAY:

New competitive area differentials may be added and increases in current differentials may be implemented. The lump sum appropriation in administered funds may be used to effect changes in competitive pay only if the following conditions are specifically met during the 1978-79 fiscal year:

- A. Representative competitive pay data indicate that the statewide salary for the class is not sufficiently competitive.

- B. Difficulty in recruiting and retaining employees demonstrated which cannot be satisfactorily resolved within the flexibility of the state career service personnel rules and regulations for individual employees or positions.
- C. There are a sufficient number of positions in the competitive area which meet the above criteria to justify a competitive pay adjustment.

Section 12. General Revenue Fund appropriations for any state agency contained in section 1, may, with the approval of the Department of Administration, be transferred to the proper trust fund for disbursement.

Section 13. The Department of General Services, division of building construction and property management, is hereby authorized to levy and assess an amount necessary to cover the cost of administration of the bureau of construction of fixed capital outlay projects on which they serve as owner representative on behalf of the state. The assessment rate is subject to the approval of the department of administration and shall be based on estimated operating cost projections for the services rendered. The total assessment shall be transferred by the department of administration into the architect's incidental trust fund at the beginning of the fiscal year.

Section 14. In the event that funds available in 1978-79 are insufficient to meet appropriations from either the general revenue fund or federal revenue sharing fund, and excess funds are available above appropriations in the other of these funds, then, notwithstanding section 216.221, Florida Statutes, the Department of Administration may reduce appropriations in the fund experiencing the shortfall in revenue receipts and increase appropriations in the other. Provided, however, the adjustments shall be made only to the extent necessary to offset the shortfall and to the extent excess funds are available.

Section 15. The general revenue fund appropriations contained in section 1 anticipate the receipt of funds from the public works employment act, title II. The Department of Administration shall, in consultation with the appropriate state agencies, identify general revenue fund appropriations to be funded from this source. For purposes of disbursement, the Department of Administration shall establish an account for each agency and transfer and release appropriations in the amount identified. Provided, further, the Department of Administration shall transfer these appropriations as funds become available. Any general revenue funds not utilized as a result of this section are hereby appropriated as provided in section 215.32(2)(C), Florida Statutes.

Section 16. Notwithstanding the provisions of Section 402-17(3), Florida Statutes, all claims of the state for the care and maintenance of any residential and non-residential client of mental health and retardation services, Department of Health and Rehabilitative Services may be utilized to fund the care and treatment of such individuals and administrative costs of collection.

Section 17. A state agency, financed jointly in this act by appropriations from the General Revenue Fund and a trust fund, may transfer moneys released from a General Revenue Fund salaries appropriation to a Trust Fund salaries account for the purpose of processing centralized payroll expenditures, the provisions of Section 216.292, Florida Statutes, notwithstanding.

Section 18. Notwithstanding Section 216.351, Florida Statutes, any provision of this act inconsistent with the provisions of Chapter 216, Florida Statutes, shall supersede said chapter during the 1978-79 fiscal year.

Section 19. The salaries of the following officers during the fiscal year 1978-79 shall be paid at the annual rates shown below:

	7-1-78	1-1-79
Governor	\$50,000	\$52,500
Lieutenant Governor	40,000	42,000
Secretary of State	40,000	42,000
Comptroller	40,000	42,000
Treasurer	40,000	42,000
Attorney General	40,000	42,000
Education, Commissioner of	40,000	42,000
Agriculture, Commissioner of	40,000	42,000
Supreme Court Justice	43,200	45,350

Item	Positions \$	Amount \$	
Judges—District Courts of Appeal		41,000	43,050
Judges—Circuit Courts		38,900	40,850
Commissioner—Public Service Commission ..		36,000	37,800
Judges—County Courts:			
Counties with 40,000 population or less ..	28,100		29,500

A county court judge of a county having a population of 40,000 or less who has a case load which because of local factors such as tourism, industry, or proximity to a populous area has a case load which equals or exceeds the statewide average for all counties may be paid an additional amount not to exceed the difference between his salary and the salary currently being paid to a judge of a county court of a county in excess of 40,000 population when requested by the chief judge of his circuit and approved by the Chief Justice of the Supreme Court.

Provided, that a county court judge assigned to active judicial service in any of the courts created by Article V of the State Constitution, other than to a county court having a population of 40,000 or less, shall be paid as additional compensation for such service the difference between his normal salary and the salary then currently paid to a judge of the court to which he is assigned. The amount of such differential shall be computed on the basis of an eight hour day, or major fraction thereof, and certified by the chief judge to the judicial administrative commission on a monthly basis.

County judges in counties with 40,000 population or less who are qualified to preside as

Circuit Judges	36,700	38,550
Counties over 40,000 population	36,700	38,550
State Attorneys:		
Circuits with 1,000,000 population or less	38,900	40,850
Circuits over 1,000,000	41,000	43,050
Public Defenders:		
All Circuits	35,600	37,400

All population figures relating to county judge and state attorney salaries referred to herein shall be based on the most recent projected population for July 1, 1978 prepared for the Department of Administration. Salaries based on population shall become effective July 1, 1978 and shall not be changed based on projections or estimates made subsequent to July 1, 1978. Provided however, in no instance, will the salary of a county judge or state attorney be reduced from the prior year by the effect of projected population.

Section 20. Provided that none of the officers whose salaries have been fixed in Section 19 shall receive from any county or municipality supplemental salary.

Section 21. Where any reorganization has been authorized by the legislature and the necessary adjustments of appropriations and positions have not been provided for, then, notwithstanding the provisions of Section 216.262 and 216.292, Florida Statutes, the Department of Administration may approve the necessary transfers to accomplish the purposes of such reorganization.

Section 22. Any individual filling a position authorized in Section 1 of this Act for any state agency cannot be transferred to or his services utilized by any other state agency, except as specifically authorized by law, or unless the using agency pays for such services which are in excess of one (1) week.

Section 23. Moneys appropriated in Section 1, Item 13, for law enforcement incentive funds may be transferred by the Department of Administration to the appropriate state agency for expenditure.

Section 24. Moneys appropriated in Section 1, Item 15, for retirement contribution increases may be transferred by the Department of Administration to the appropriate state agencies for expenditure or allocation.

Section 25. The unexpended balance in the appropriation provided in Item 16B, Section 2, Chapter 77-465, Laws of Florida, for an Evaluation and Treatment Center Phase I-South Florida, is hereby repealed, and \$1,000,000 of the balance is hereby appropriated for:

- A. \$500,000 shall be used for architectural working drawings for a \$8,800,000 forensic unit and;
- B. \$500,000 for planning and architectural working drawings for Phase I of a 624 bed maximum security correction institution and reception center in Dade County which shall consist of 100 single cells and 300 dormitory beds, and planning and site selection for the relocation of Niceville Road Prison (200 beds), within Okaloosa County.

Section 26. The general revenue fund appropriations contained in this act anticipate the transfer of funds from the working capital fund during 1978-79. The administration commission shall transfer these moneys during 1978-79 as required to fund the general revenue fund appropriations contained in this Act.

Section 27. Moneys appropriated in Section 1 for the purpose of paying for telephone services provided by the state communication system in the Department of General Services, Division of Communications, shall be paid by the 10th of each month for the preceding month on an estimated basis. The monthly estimate shall be determined by the Division of Communications and reconciled for actual billing to the agencies on a quarterly basis. Upon approval of the Department of Administration, estimated amounts not paid by the user agencies, shall be transferred from user agencies to the communications working capital trust fund by the state comptroller.

Section 28. The unexpended balance in the appropriation provided in Item 41, Section 2, Chapter 76-285, Laws of Florida, which pursuant to Section 216.301(3)(a), Florida Statutes, reverted to the general revenue fund on April 1, 1978, is hereby appropriated for replacement of research laboratory building, St. Petersburg. The appropriation in Item 67, Section 2, Chapter 77-465, Laws of Florida, may be transferred to and combined with this appropriation.

Section 29. The June 30, 1978, unexpended balance in Item 61, Section 2, Chapter 77-465, Laws of Florida, entitled, Restoration and Renovation, Whitfield Building, may be transferred to and combined with the appropriation in Item 63, Section 2, of this Act.

Section 30. Notwithstanding the provisions of Section 216-262(1)(f), and in accordance with Section 216.351, Florida Statutes, the rental of state-owned housing and related utilities to employees shall be continued at the same rate as fiscal year 1977-78.

Section 31. Any section of this Act, or any Item herein contained, if found to be invalid or vetoed by the governor without overriding action of the legislature shall in no way affect other sections or other Items contained in this Act.

Section 32. Of the \$6,000,000 appropriated in Item 9 P, Section 3, Chapter 77-465, Laws of Florida, entitled Lump Sum for additional 648 beds, \$3,700,000 is hereby reappropriated for a joint site acquisition and/or site preparation in Dade County for:

- A. A 624 bed maximum security correctional institution and reception center, which shall consist of 100 single cells and 300 dormitory beds, and
- B. A forensic facility; for which planning funds are provided in Section 25.

The remaining balance (\$2,300,000) of Item 9P, Section 3, Chapter 77-465, Laws of Florida, shall revert to the General Revenue Fund unallocated.

Section 33. From the twenty-five million dollars (\$25,000,000) in federal revenue sharing funds appropriated as part of Section 4, Item 1 of Chapter 74-300, Laws of Florida, for the purpose of implementing Section 235.211(1), Florida Statutes, any unencumbered funds shall be carried forward for the purpose of: (a) Purchasing for replacement of contracting for purchase of additional panels, doors, mullions, battens, copings, and other necessary parts required by districts to convert configurations of classroom space; (b) Providing a contingency; (c) Providing hitches and running gear; and (d) providing contracted services for management, administration, engineering, drafting, and evaluation.

Section 34. Funds appropriated in Section 1, Item 26B of Chapter 74-300, Laws of Florida, for rural water and sewer matching grants and certified forward as a fixed Capital Outlay appropriation pursuant to Section 30, Chapter 75-280, Laws of Florida, and certified forward as a fixed Capital Outlay appropriation pursuant to Section 24, Chapter 77-465, Laws of Florida, may again be certified forward as a fixed Capital Outlay appropriation. Provided, however, funds not disbursed by June 30, 1979, shall revert to the General Revenue Fund.

Section 35. The Department of Administration shall analyze the recommendations of the Hay and Associates personnel study and make recommendations to the Legislature with respect to implementation of those recommendations. The Department shall submit a report to the Legislature containing their recommendations on the same date that the Department's budget request is submitted to the Legislature.

Section 36. Item 3B of Section 3, Chapter 77-465, Laws of Florida, relating to state game lands, is hereby repealed. The balance of the funds appropriated in said item are to revert to the General Revenue Fund.

Section 37. Funds appropriated in Section 1, Item 100B, Chapter 76-285, Laws of Florida, and certified forward pursuant to Section 10, Chapter 77-465, Laws of Florida may again be certified forward for transfer to the fire ant control trust fund for use during the fiscal year 1978-79.

Section 38. There is hereby appropriated to the Division of Archives from the June 30, 1978, unexpended balance in the appropriation provided in Item 13, Section 1, Chapter 77-465, Laws of Florida, entitled, Florida Constitution Revision Commission, the sum of \$50,000 for the purpose of indexing, storing and general preservation of records pertaining to the activities of the 1977-78 Constitutional Revision Commission. The remaining June 30, 1978, unexpended balance shall revert to the General Revenue Fund.

Section 39. The June 30, 1978 unexpended balance in Section 03, Item 5C, Chapter 77-465, Laws of Florida, entitled replacement facilities for nonambulatory retarded individuals, shall not be subject to reversions as provided by Section 216-301(4), Florida Statutes.

Section 40. Of the funds appropriated in Item 16A, Section 2, Chapter 77-465, Laws of Florida, for the purchase of state office buildings in Leon County, \$500,000 is hereby repealed. The remaining funds shall be used to purchase, complete and occupy the Commonwealth Building.

Section 41. This act shall take effect July 1, 1978, except Sections 34 and 36 which shall take effect June 30, 1978.

Total this General Appropriation Act	95,418
From General Revenue Fund	2,965,376,596
From Trust Funds	3,121,152,139
From Working Capital Fund	900,000
From Federal Revenue Sharing Fund	70,200,000

Conference Committee Amendment 2—On page 1 in title, strike everything before the enacting clause and insert: A BILL TO BE ENTITLED

AN ACT MAKING APPROPRIATIONS; PROVIDING MONEYS FOR THE ANNUAL PERIOD BEGINNING JULY 1, 1978 AND ENDING JUNE 30, 1979 TO PAY SALARIES, OTHER EXPENSES, CAPITAL OUTLAY-BUILDINGS AND IMPROVEMENTS, AND FOR OTHER SPECIFIED PURPOSES OF THE VARIOUS AGENCIES OF STATE GOVERNMENT; SUSPENDING SECTIONS 27.54(2), 27.54(3), 215.32(2)(C), 216, 216.182, 216.221, 216-262, 216.292, 216.301, 216.351, 230.765, 235.435, 236.013, 257.22, 402.17(3), and 402.33, FLORIDA STATUTES; REPEALING ITEM 13, SECTION 1, REPEALING ITEM 16E AND PART OF ITEM 16A, SECTION 2 AND ITEM 3B AND ITEM 9P, SECTION 3, CHAPTER 77-465, LAWS OF FLORIDA; PROVIDING AN EFFECTIVE DATE.

On motion by Senator Lewis the Conference Committee Report was adopted, and SB 1100 passed as recommended and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—29

Mr. President	Gorman	Plante	Vogt
Castor	Hair	Sayler	Ware
Chamberlin	Holloway	Scarborough	Williamson
Childers, Don	Johnston	Scott	Winn
Childers, W. D.	Lewis	Spicola	Zinkil
Dunn	MacKay	Thomas, Jon	
Firestone	McClain	Thomas, Pat	
Gordon	Peterson	Trask	

Nays—9

Barron	Henderson	Skinner	Wilson
Glisson	Poston	Tobiassen	
Graham	Renick		

Vote after roll call:

Yea to Nay—Sayler

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has rejected the Conference Committee Report; discharged the House conferees; and directed the appointment of new conferees on HB 2198.

Allen Morris, Clerk

By direction of the President the following Conference Committee Report was read:

CONFERENCE COMMITTEE REPORT ON HB 2198

The Honorable Lew Brantley
President of the Senate

The Honorable Donald L. Tucker
Speaker, House of Representatives

Sirs:

Your conference committee on the disagreeing votes of the two houses on Senate amendments to HB 2198, same being:

A bill to be entitled an act relating to workmen's compensation; amending s. 440.02(2)(d), Florida Statutes, excluding certain volunteers from the definition of "employee" under the Workmen's Compensation Law; adding a new subsection (2) to s. 440.10, Florida Statutes, providing duties of subcontractors with respect to securing payment of compensation; amending s. 440.12(1) and (2), Florida Statutes, relating to compensation payments; amending s. 440.13(1) and (3), Florida Statutes, relating to injured employees' remedial treatment, care, and attendance; modifying procedure with respect to furnishing same; including treatment or service at hospitals and other health care providers under certain fee provisions; creating an advisory committee to aid in adoption of schedules of charges; empowering the Division of Fraudulent Claims of the Department of Insurance to conduct certain investigations relative thereto; amending s. 440.15(3)(u), (7), (10)(c) and (11), Florida Statutes, relating to compensation for disability; modifying the period of compensation for certain permanent partial disability; prohibiting certain discharging of employees; imposing financial penalties on employers in certain cases; modifying provisions relating to refusal of employment; providing for authorization to release unemployment compensation information; adding a new subsection to s. 440.151, Florida Statutes; providing for benefits for disability from asbestosis, berylliosis, silicosis, and other dust diseases; providing conditions; amending s.

440.185(2) and (9), Florida Statutes, decreasing time period for reporting knowledge of injury or death; amending s. 440.20(5) and (7), Florida Statutes, providing additional penalties for late payment; amending s. 440.25(3)(a) and (c), Florida Statutes, specifying limitations on and considerations of judges of industrial claims conducting hearings on awards for diminution of wage-earning capacity; requiring reports; amending s. 440.29(3), Florida Statutes, modifying provisions relating to practice and procedure before the Industrial Relations Commission and judges of industrial claims; amending s. 440.37, Florida Statutes, specifying fraudulent activities and penalties therefor; adding a new subsection to s. 440.38, Florida Statutes, relating to security for compensation, providing for certain medical benefits policies; creating s. 440.442, Florida Statutes, providing that commissioners and judges of industrial claims shall follow the Code of Judicial Conduct; amending s. 440.45(1), Florida Statutes, and adding a subsection; providing initial procedure for appointment of judges of industrial claims; creating the position of Senior Judge of Industrial Claims; providing powers and duties; providing for office and expenses; amending s. 440.49(4)(g), Florida Statutes, and adding new subsections (2) and (3) thereto, relating to certain uses of the Special Disability Trust Fund; providing an exemption; amending s. 440.57, Florida Statutes, modifying provisions relating to pooling, by employers, of liabilities; creating s. 440.59, Florida Statutes, providing for a quarterly risk management report; creating s. 624.433, Florida Statutes; requiring workmen's compensation insurers to submit certain reports; specifying contents; providing for rate review; amending s. 627.091(1), Florida Statutes, and adding a subsection, providing for deductible provisions in manuals of classifications, rules, and rates; creating s. 627.092, Florida Statutes, providing for a Workmen's Compensation Administrator; amending s. 627.101(1), Florida Statutes, relating to rate filings; creating s. 627.215, Florida Statutes, prohibiting excessive profits for workmen's compensation and employers' liability insurance; providing an effective date.

having met, and after full and free conference, have agreed to recommend, and do recommend to their respective Houses as follows:

1. That the Senate recede from its amendments 1 and 2.
2. That the Senate and House of Representatives adopt the Conference Committee amendments attached hereto; and by reference made a part of this report.
3. That the Senate and the House of Representatives pass House Bill 2198 as amended by said Conference Committee amendments.

s/ *Dempsey J. Barron*,
Chairman
s/ *Bill Gorman*
s/ *David H. McClain*
s/ *Kenneth H. MacKay, Jr.*
s/ *Alan Trask*

s/ *John R. Forbes*,
Chairman
s/ *J. Hyatt Brown*
s/ *Tom Gallagher*
H. Lee Moffitt
Steve Pajcic

Managers on the part
of the Senate

Managers on the part of the
House of Representatives

Summary of Conference Committee action:

SECTION 1

Amends Section 440.02(1)(6)2 to provide that all employers with three or more employees shall be covered by Chapter 440.

Amends Section 440.02(2)(d) to exempt from Chapter 440 volunteers who serve private non-profit agencies and receive no compensation other than expenses in an amount less than or equivalent to the standard mileage and per diem expenses received by the salaried employees in the same agency. Also exempts volunteers participating in federal programs established pursuant to Public Law 93-113.

Amends Section 440.02(9) to require that physical impairment disability be medically or scientifically demonstrable.

SECTION 2

Amends Section 440.10 to require subcontractors to supply to their contractors a certificate of compliance with the security requirements of Chapter 440.

SECTION 3

Amends Section 440.11(1) to provide that fellow employees shall enjoy the same immunities from tort liability as enjoyed by employers under Chapter 440.

SECTION 4

Amends Section 440.12(1) to provide that weekly compensation, except for the first week, shall be paid by check.

Amends Section 440.12(2) to provide that average weekly wage shall be calculated to the nearest dollar, rather than to the nearest multiple of \$7.

SECTION 5

Amends Section 440.13(1) to require that the practitioner furnish to the division and the self insured employer or the carrier a sworn statement declaring that the facts alleged in the report are true, and that the treatment and services rendered were reasonable and necessary with respect to the bodily injury sustained.

Amends Section 440.13(3)(a) to explicitly require the division to adopt hospital fee schedules based on hospital charges which prevail in the same community for similar treatment of injured persons of like standard of living.

Adds a new paragraph (b) to Section 440.13(3) which creates an advisory committee to assist the Department of Commerce in developing a hospital fee schedule.

Adds a new paragraph (c) to Section 440.13(3) which empowers the Division of Labor of the Department of Commerce to investigate hospitals and medical practitioners to determine if they are in compliance with the fee schedule or are requiring unjustified utilization. Offenders will receive no payment for such services.

SECTION 6

Amends Section 440.15(3)(u) to provide that the Judge of Industrial Claims may consider diminution of wage earning capacity only in cases in which the employee's disability is 12 percent or more of the body as a whole.

Also amends Section 440.15(3)(u) to require the division to adopt rules for determining the existence and degree of physical impairment in accordance with the guidelines established by the American Medical Association, where applicable. Finding of physical impairment must be in accordance with these rules.

Amends Section 440.15(11) to provide that benefits for permanent total disability shall be reduced by the amount of any unemployment compensation received. Also amends Section 440.15(10) to allow the Division of Employment Security to release unemployment information relative to the employee.

SECTION 7

Amends Section 440.185(2) to reduce the employer's reporting time from 10 days to 7 days from knowledge of injury or death.

Amends Section 440.185(4) to require the Division to notify the employee of his rights within 24 hours of receipt of report of injury.

SECTION 8

Amends Section 440.20(5) to raise the penalty for late payment from 10% to 20% and provides that the penalty shall be paid directly to the employee.

Also adds a subsection (7) to Section 440.20 to provide for an additional 12% per annum interest rate on overdue payments.

Amends Section 440.20(10) to provide that a Judge of Industrial Claims is not required to approve any award when it is determined by the judge to be in excess of the value or benefit the claimant would receive under the act.

Also amends this section to provide that a lump sum settlement may be approved by the judge by order without a hearing if the claimant is represented by legal counsel unless the judge determines that additional testimony is needed.

SECTION 9

Amends Section 440.25(3)(a) to provide that a claim for diminution of wage earning capacity shall not mature until 90 days after the employee has reached maximum medical improvement.

Amends Section 440.25(3)(b) to provide that the Judge of Industrial Claims may not make a finding of, or award compensation for, a disability for physical impairment which is greater than the greatest disability given the claimant by any examining or treating physician, except upon stipulation by the parties.

Amends Section 440.25(3)(c) to require the Judge of Industrial Claims to make written findings of fact based on specified criteria when compensation for diminution of wage earning capacity is awarded.

Creates Section 440.25(3)(d) to require that the JIC or IRC shall submit a special report in each contested case which is not determined within 30 days of final hearing or within 180 days of filing and application for review. The Bureau of Workmen's Compensation shall file an annual report to the Governor, Legislature, Florida Bar, Judicial Nominating Commissioner and Secretary of Commerce.

SECTION 10

Amends Section 440.29 to provide that procedure before the JIC is governed by the rules of the Supreme Court except to the extent that they do not conflict with Chapter 440.

SECTION 11

Amends Section 440.34(1) to provide that the Judge of Industrial Claims shall determine, rather than merely approve the attorney's fee, and the employer or carrier shall pay 75%, and the employee 25% of such fee.

Amends Section 440.34(3) to provide if the employer or carrier serves on the employee a written offer of settlement which is not accepted within 10 days, and the award of compensation is not greater than the offer, the employer or carrier shall not be required to pay the portion of the attorney's fee attributable to work performed after the claimant's failure to accept.

SECTION 12

Amends Section 440.37 to raise the penalty for fraud from a first degree misdemeanor to a third degree felony. It also inserts into Section 440.37 an extensive anti-fraud provision similar to the insurance fraud law, Section 627.7375. The amendment provides that claim forms shall contain a notice of the penalty for fraud, and provides that medical practitioners and attorneys who assist or conspire with any person to violate the provisions of Chapter 440 shall be guilty of a third degree felony and that the medical practitioners shall be subject to sanction by the appropriate licensing authority. It also provides penalties for hospitals and their agents which violate the anti-fraud provisions. The amendment forbids "running" by attorneys and others.

SECTION 13

Amends Section 440.38 to require insurance carrier to make available at the employer's option workmen's compensation insurance policy containing an 80/20 coinsurance provision up to \$5,000 for medical costs.

SECTION 14

Creates Section 440.442, which subjects the JIC's and the IRC to the Code of Judicial Conduct adopted by the Supreme Court of Florida. Provides that a violation of the code shall be misfeasance or malfeasance, and shall be grounds for suspension or removal from office.

SECTION 15

Amends Section 440.45(1) to provide that the Governor shall appoint the Judges of Industrial Claims from a list of three

persons nominated by the Judicial Nominating Commission of the appellate district in which the judge will principally conduct hearings.

SECTION 16

Amends Section 440.49 to exempt carriers who offer to secure employment for injured employees from registering as private employment agencies under Chapter 449.

Amends Section 440.49(4) to provide that the Special Disability Trust Fund must make a decision within 120 days of a claim being filed.

SECTION 17

Amends Section 440.57 to allow self insurance pool agreements to provide coinsurance and deductible provisions.

SECTION 18

Creates Section 440.59, which requires the Division to analyze injury reports and furnish data broken down by risk classification and send these reports to employers and insurers and self insurers.

SECTION 19

Amends Section 443.12 to conform to change in 440.15(10) made by Section 6.

SECTION 20

Creates Section 624.433, which requires insurers to submit certain data to the Department of Commerce on a quarterly basis.

SECTION 21

Amends Section 627.091(1) to allow insurers to include deductible provisions in their workmen's compensation rate filings.

Adds a subsection (5) which allows the Department of Insurance to examine the underlying statistical data of workmen's compensation rate filings.

SECTION 22

Creates Section 627.092 which provides for the position of workmen's compensation insurance administrator within the Department of Insurance.

SECTION 23

Amends Section 627.101 to provide that the Department of Insurance may reject only part of a workmen's compensation rate filing, and accept the remainder.

SECTION 24

Provides for a joint legislative committee to study the workmen's compensation system and report to the legislature on March 1, 1979. Appropriates \$150,000 for this purpose.

SECTION 25

Severability provision.

SECTION 26

Effective date.

Conference Committee Amendment 1—On page 3, line 28, strike everything after the enacting clause, and insert:

Section 1. Paragraph (b) of Subsection (1), paragraph (d) of subsection (2), and subsection (9) of section 440.02, Florida Statutes, are amended to read:

440.02 Definitions.—When used in this chapter, unless the context clearly requires otherwise, the following terms shall have the following meanings:

(1) "Employment."

(b) The term "employment" shall include:

1. Employment by the state and all political subdivisions thereof and all public and quasi-public corporations therein, including officers elected at the polls.

2. All private employments in which ~~three~~ ~~one~~ or more employees are employed by the same employer.

(2) "Employee."

(d) The term "employee" shall not include:

1. An independent contractor, including an individual who agrees in writing to perform services for a person or corporation without supervision or control as a real estate salesman or agent, if such service by such individual for such person or corporation is performed for remuneration solely by way of commission; ~~or~~

2. A person whose employment is both casual and not in the course of the trade, business, profession, or occupation of the employer; ~~or~~

3. A volunteer who falls into one of the following categories:

a. Volunteers who serve in private nonprofit agencies and who receive no compensation other than expenses in an amount less than or equivalent to the standard mileage and per diem expenses provided to salaried employees in the same agency.

b. Volunteers participating in federal programs established pursuant to Public Law 93-113.

(9) "Disability" means any physical impairment which is medically or scientifically demonstrable and which results in an incapacity because of the injury to earn in the same or any other employment the wages which the employee was receiving at the time of the injury or diminution of wage-earning capacity as prescribed by s. 440.15(3)(u).

Section 2. Subsection (2) of section 440.10, Florida Statutes, is renumbered as subsection (3), and a new subsection (2) is added to said section to read:

440.10 Liability for compensation.—

(2) No contractor shall sublet any part or parts of his contract work to a subcontractor unless that subcontractor supplies to the contractor a certificate showing that the subcontractor has secured payment of compensation as required by this section and by s. 440.38.

Section 3. Subsection (1) of section 440.11, Florida Statutes, is amended to read:

440.11 Exclusiveness of liability.—

(1) The liability of an employer prescribed in s. 440.10 shall be exclusive and in place of all other liability of such employer to any third party tortfeasor and to the employee, the legal representative thereof, husband or wife, parents, dependents, next of kin, and anyone otherwise entitled to recover damages from such employer at law or in admiralty on account of such injury or death, except that if an employer fails to secure payment of compensation as required by this chapter, an injured employee, or the legal representative thereof in case death results from the injury, may elect to claim compensation under this chapter or to maintain an action at law or in admiralty for damages on account of such injury or death. In such action the defendant may not plead as a defense that the injury was caused by negligence of a fellow servant, that the employee assumed the risk of the employment, or that the injury was due to the contributory negligence or comparative negligence of the employee. *The same immunities from liability enjoyed by an employer shall extend as well to each employee of the employer when such employee is acting in furtherance of the employer's business and the injured employee is entitled to receive benefits under this chapter. Such fellow-employee immunities shall not be applicable to an employee who acts, with respect to a fellow employee, with willful and wanton disregard or unprovoked physical aggression or with gross negligence when such acts result in injury or death, or such acts proximately cause such injury or death, nor shall such immunities be applicable to employees of the same em-*

ployer when each is operating in the furtherance of the employer's business but they are assigned primarily to unrelated works within private or public employment.

Section 4. Subsections (1) and (2) of section 440.12, Florida Statutes, are amended to read:

440.12 Time for commencement and limits on weekly rate of compensation.—

(1) No compensation shall be allowed for the first 7 days of the disability, except benefits provided for in s. 440.13; provided, however, that if the injury results in disability of more than 14 days compensation shall be allowed from the commencement of the disability. *All weekly compensation payments, except for the first week, shall be paid by check.*

(2) Compensation for disability resulting from injuries which occur after December 31, 1974, shall not be less than \$20 per week. However, if the employee's wages at the time of injury are less than \$20 per week, he shall receive his full weekly wages. If his wages at the time of the injury exceed \$20 per week, compensation shall not exceed an amount per week which is:

(a) Equal to sixty-six and two-thirds percent of the average weekly wage, determined as hereinafter provided for the year in which the injury occurred and

(b) Adjusted to the nearest dollar multiple of \$7.

For the purpose of this subsection the "average weekly wage" means the average weekly wage paid by employers subject to the Florida Unemployment Compensation Law as reported to the department for the four calendar quarters ending each June 30, which average weekly wage shall be determined by the department on or before November 30 of each year and shall be used in determining the maximum weekly compensation rate with respect to injuries occurring in the calendar year immediately following. The average weekly wage determined by the department shall be reported annually to the legislature.

Section 5. Subsections (1) and (3) of section 440.13, Florida Statutes, are amended to read:

440.13 Medical services and supplies; penalty for violations; limitations.—

(1) Subject to the limitations specified in paragraph (3)(b), the employer shall furnish to the employee such remedial treatment, care, and attendance under the direction and supervision of a qualified physician or surgeon, or other recognized practitioner, nurse, or hospital, and for such period as the nature of the injury or the process of recovery may require, including medicines, crutches, artificial members, and other apparatus. If the employer fails to provide *remedial treatment, care, or attendance* the same after request by the injured employee, such injured employee may do so at the expense of the employer, the reasonableness and the necessity to be approved by a judge of industrial claims. The employee shall not be entitled to recover any amount personally expended for such treatment or service unless such employee shall have requested the employer to furnish the same and the employer shall have failed, refused, or neglected to do so, or unless the nature of the injury required such treatment, nursing, and services and the employer or the superintendent or foreman thereof, having knowledge of such injury, shall have neglected to provide the same; nor shall any claim for medical, surgical, or other remedial treatment be valid and enforceable unless within 10 days following the first treatment (except in cases where first-aid only is rendered), and thereafter at such intervals as the division by regulation may prescribe, the physician or other recognized practitioner giving such treatment or treatments furnishes to the division and to the employer, or to the carrier if the employer is not self-insured, a report of such injury and treatment on forms prescribed by the division, provided that a judge of industrial claims for good cause may excuse the failure of the physician or other recognized practitioner to furnish any report within the period prescribed and may order the payment to such employee of such remuneration for treatment or service rendered as the judge of industrial claims finds equitable. *Along with such reports, the physician or other recognized practitioner shall furnish a sworn statement that the treatment or services rendered were reasonable and neces-*

sary with respect to the bodily injury sustained. Said sworn statement shall read as follows: "Under penalty of perjury, I declare that I have read the foregoing, and the facts alleged are true, to the best of my knowledge and belief and that the treatment and services rendered were reasonable and necessary with respect to the bodily injury sustained." All medical reports obtained or received by the employer, the carrier, or the injured employee, or the attorney for any of them, with respect to the remedial treatment, care, and attendance of the injured employee, including reports of every examination, diagnosis, or disability evaluation, shall be filed with the Bureau of Workmen's Compensation within 5 days after receipt of same. A medical report not previously filed with the bureau shall not be received in evidence in a contested case unless the party offering same has furnished a copy thereof to the opposing party or his attorney at least 5 days prior to the hearing at which it is offered. The physician shall also furnish to the injured employee, or to his attorney, on demand, a copy of each such report without charge to the injured employee, except actual cost to the physician or hospital furnishing same.

(3)(a) All fees and other charges for such treatment or service, including treatment or service at any hospital or other health care provider, shall be limited to such charges as prevail in the same community for similar treatment of injured persons of like standard of living, and shall be subject to regulations by the division, which shall adopt schedules of charges for such treatment or services.

(b) There is hereby created an advisory committee to aid and assist the Department of Commerce in adopting schedules of maximum charges for hospital treatment and services payable through workmen's compensation benefits, to be appointed by and serve at the pleasure of the Secretary of Commerce.

(c) The Division of Labor of the Department of Commerce shall be empowered to investigate hospitals and medical practitioners to determine if they are in compliance with the schedule of charges adopted by the division or if they are requiring unjustified treatment, hospitalization, or office visits. If the division finds that the hospital or medical practitioner has made such excessive charges or required such treatment, hospitalization, or visits, the hospital or medical practitioner shall not receive payment under this chapter from a carrier, employer, or employee for the excessive fees or unjustified treatment, hospitalization, or visits and, furthermore, the hospital or medical practitioner shall be liable to return to the carrier any such fees or charges already collected.

(d) All rights for remedial attention under this section shall be barred unless a claim therefor is filed with the division within 2 years after the time of injury, except that if payment of compensation has been made or remedial attention has been furnished by the employer without an award on account of such injury a claim may be filed within 2 years after the date of the last payment of compensation or within 2 years after the date of the last remedial attention furnished by the employer; and all rights for remedial attention under this section pursuant to the terms of an award shall be barred unless a further claim therefor is filed with the division within 2 years after the entry of such award, except that if payment of compensation has been made or remedial attention has been furnished by the employer under the terms of the award a further claim may be filed within 2 years after the date of the last payment of compensation or within 2 years after the date of the last remedial attention furnished by the employer.

Sect. on 6. Paragraph (u) of subsection (3), paragraph (c) of subsection (10), and subsection (11) of section 440.15, Florida Statutes, are amended to read:

440.15 Compensation for disability.—Compensation for disability shall be paid to the employee, subject to the limits provided in s. 440.12(2), as follows:

(3) PERMANENT PARTIAL DISABILITY.—In case of disability partial in character but permanent in quality, the compensation shall, in addition to that provided by subsection (2), be 60 percent of the average weekly wages, and shall be paid to the employee as follows:

(u) Other cases: In all other cases in this class of disability the compensation shall be 60 percent of the injured employee's

average weekly wage for such number of weeks as the injured employee's percentage of disability is of 350 weeks; provided, however, that for the purpose of this paragraph "disability" means either physical impairment or diminution of wage-earning capacity, whichever is greater. Diminution of wage-earning capacity may be considered by the industrial claims judge only in cases where the employee's disability is 12 percent or more of the body as a whole. The division shall adopt rules for determining the existence and degree of permanent physical impairment ratings. Such rules shall be in accordance with guidelines for such determination established by the American Medical Association as revised from time to time, where such guidelines are applicable. Any evaluation or finding as to the existence or degree of such physical impairment rating made for the purposes of this chapter shall be made in accordance with such rules.

(10) EMPLOYEE ELIGIBLE FOR BENEFITS UNDER THIS CHAPTER AND FEDERAL OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE ACT.—

(c) No disability compensation benefits payable for any week, including those benefits provided by paragraph (1)(e), shall be reduced pursuant to this subsection until the Social Security Administration determines the amount otherwise payable to the employee under 42 U.S.C. s. 423 and s. 402 and the employee has begun receiving such social security benefit payments. The employee shall, upon demand by the division, the employer, or the carrier, authorize the Social Security Administration to release disability information relating to him, and authorize the Division of Employment Security to release unemployment compensation information relating to him, in accordance with rules to be promulgated by the division prescribing the procedure and manner for requesting the authorization and for compliance by the employee. Neither the division nor the employer or carrier shall make any payment of benefits for total disability or those additional benefits provided by paragraph (1)(e) for any period during which the employee willfully fails or refuses to authorize the release of information in the manner and within the time prescribed by said rules. The authority for release of disability information granted by an employee under this paragraph shall be effective for a period not to exceed 12 months, such authority to be renewable as the division may prescribe by rule.

(11) EMPLOYEE ELIGIBLE FOR BENEFITS UNDER THIS CHAPTER WHO HAS RECEIVED UNEMPLOYMENT COMPENSATION.—Weekly compensation benefits payable under this chapter for temporary total disability or permanent total disability resulting from injuries to an employee who is receiving or has received unemployment compensation under chapter 443, or under the unemployment compensation law of any other state, for any week with respect to which weekly compensation benefits are payable under this chapter for temporary total disability or permanent total disability, shall be reduced by the amount of unemployment compensation received.

Section 7. Subsections (2), (4) and (9) of section 440.185, Florida Statutes, are amended to read:

440.185 Notice of injury or death; reports; penalties for violations.—

(2) Within 7 ~~10~~ days of actual knowledge of injury or death, the employer shall report same to the carrier by letter or on a form prescribed by the division, providing the following information:

(a) The name, address, and business of the employer;

(b) The name, social security number, street, mailing address, and occupation of the employee;

(c) The cause and nature of the injury or death;

(d) The year, month, day, and hour when, and the particular locality where, the injury or death occurred; and

(e) Such other information as the division may require.

(4) The carrier or a self-insured employer shall, within 10 days of receipt of the form reporting the injury, or of knowledge of the injury if the employer is self-insured, mail the form or a letter containing the information required by subsection (2) to the division at its address in Tallahassee. However, the division may by rule provide for a different reporting system

for those types of injuries it determines should be reported in a different manner. *Within 24 hours after receipt of the report of injury from the carrier or self-insured employer, the division shall notify the injured employee by appropriate written notice advising him of his rights, remedies and responsibilities under the act. The Workmen's Compensation Advisory Council shall annually review the means of said notification and shall recommend to the division appropriate changes.*

(9) Any employer or carrier who fails or refuses to send any form, report, or notice required by this section shall be subject to a civil penalty not to exceed \$100 for each such failure or refusal. However, any employer who fails to notify the carrier of the injury on the prescribed form or by letter within the 7 ~~10~~ days required in subsection (2) shall be liable for the civil penalty, which shall be paid by the employer and not the carrier. Failure by the employer to meet its obligations under subsection (2) shall not relieve the carrier from liability for the civil penalty if it fails to comply with subsections (4) and (5).

Section 8. Subsections (5), (7) and (10) of section 440.20, Florida Statutes, are amended to read:

440.20 Payment of compensation.—

(5) If any installment of compensation payable without an award is not paid within 14 days after it becomes due, as provided in subsection (2), there shall be added to such unpaid installment an amount equal to 20 ~~10~~ percent thereof, which shall be paid at the same time as, but in addition to, such installment of compensation, unless notice is filed under subsection (4), or unless such nonpayment results from conditions over which the employer or carrier had no control. When any installment of compensation payable without an award has not been paid within 14 days after it became due and the claimant concludes the prosecution of the claim before a judge without having specifically claimed additional compensation in the nature of a penalty under this section, he will be deemed to have acknowledged that, owing to conditions over which the employer or carrier had no control, such installment could not be paid within the period prescribed for payment and to have waived his right to claim such penalty. However, during the course of a hearing, the judge on his own motion may raise the question of whether such penalty should be awarded or excused. If no claim for such penalty is presented and the judge does not raise the question on his own motion during the hearing, no penalty will be awarded, and it will be deemed that the judge has excused such delay in payment of compensation pursuant to this section. The division may assess without a hearing the above-mentioned 20 ~~10~~ percent additional payment against either the employer or the insurance carrier, depending upon who was at fault in causing the delay. However, if any party requests a hearing within 20 days of the assessment, such hearing shall be conducted before a judge of industrial claims in accordance with s. 440.25. The insurance policy cannot provide that this sum will be paid by the carrier if the division or the judge of industrial claims determines that the 20 ~~10~~ percent additional payment should be made by the employer rather than the carrier. *Any additional installment of compensation paid by the carrier pursuant to this section shall be paid directly to the employee.*

(7) *In addition to any other penalties provided by this chapter for late payment, if any installment of compensation is not paid when it becomes due, the employer or carrier shall pay interest thereon at the rate of 12 percent per annum from the date the installment becomes due until it is paid, whether such installment is payable without an order or under the terms of an order.*

(a) Within 30 days after final payment of compensation has been made, the employer shall send to the division a notice, in accordance with a form prescribed by the division stating that such final payment has been made, the total amount of compensation paid, the name of the employee and of any other person to whom compensation has been paid, the date of the injury or death, and the date to which compensation has been paid.

(b) If the employer fails to so notify the division within such time the division may assess against such employer a civil penalty in an amount not over \$100.

(10) Upon the application of any party in interest and after giving due consideration to the interests of all interested

parties, if a judge of industrial claims finds that it is for the best interests of the person entitled to compensation, said judge of industrial claims may enter a compensation order requiring that the liability of the employer for compensation shall be discharged by the payment of a lump sum equal to the present value of all future payments of compensation, computed at 4 percent true discount compounded annually, or requiring that the employer make advance payment of a part of the compensation for which said employer is liable by the payment of a lump sum equal to the present value of such part of the compensation computed at 4 percent true discount compounded annually. Upon joint petition of all interested parties and after giving due consideration to the interests of all interested parties, if a judge of industrial claims finds that it is for the best interests of the person entitled to compensation, such judge of industrial claims may enter a compensation order approving and authorizing the discharge of the liability of the employer for both compensation and remedial treatment, care, and attendance by the payment of a lump sum equal to the present value of all future payments for both compensation and remedial treatment, care, and attendance; and a compensation order so entered upon joint petition of all interested parties shall not be subject to modification or review under s. 440.28. *Provided, however, that nothing in this subsection shall be construed to mean that a judge of industrial claims is required to approve any award for lump sum payment when it is determined by the judge of industrial claims that the payment being made is in excess of the value of benefits the claimant would be entitled to under this chapter.* The judge shall make or cause to be made such investigations as he considers necessary, in each case in which the parties have stipulated that a proposed final settlement of all liability of the employer shall not be subject to modification or review under s. 440.28, to determine whether such final disposition will definitely aid the rehabilitation of the injured worker or otherwise is clearly for the best interests of the person entitled to compensation, and in his discretion may have an investigation made by the Rehabilitation Section of the Bureau of Workmen's Compensation. The joint petition and the report of any investigation so made will be deemed a part of the proceeding. A judge, in his discretion, may hear testimony relating to a proposed stipulation for settlement under this subsection without having in hand the bureau file; however, he shall in no event enter an order thereon without first having reviewed the bureau file. *When the claimant is represented by counsel or when the claimant and carrier or employer are represented by counsel, final approval of the lump sum settlement agreement, as provided for in a joint petition and stipulation, shall be approved by entry of an order within 7 days of the filing of such joint petition and stipulation without a hearing unless the judge determines, at his discretion, that additional testimony is needed before such settlement can be approved or disapproved and so notifies the parties.* The probability of the death of the injured employee or other person entitled to compensation before the expiration of the period during which such person is entitled to compensation shall, in the absence of special circumstances making such course improper, be determined in accordance with the most recent United States Life Tables published by the National Office of Vital Statistics of the United States Department of Health, Education, and Welfare. The probability of the happening of any other contingency affecting the amount or duration of the compensation, except the possibility of the remarriage of a surviving spouse, shall be disregarded. As a condition of approving a lump sum payment to a surviving spouse, the judge of industrial claims in the judge's discretion may require security which will insure that, in the event of the remarriage of such surviving spouse, any unaccrued future payments so paid may be recovered or recouped by the employer or carrier. Such applications shall be considered and determined in accordance with ss. 440.25 and 440.27 and the workmen's compensation rules of procedure prescribed by the commission and adopted by the Supreme Court.

Section 9. Subsection (3) of section 440.25, Florida Statutes, is amended to read:

440.25 Procedure in respect to claims.—

(3)(a) The division or judge of industrial claims shall make or cause to be made such investigations as it considers necessary in respect to the claim and upon application of any interested party the judge of industrial claims shall order a hearing thereof; *provided, however, no claim for diminution of*

wage-earning capacity shall mature until 90 days after the employée has reached maximum medical improvement. If a hearing on such claim is ordered, the judge of industrial claims shall give the claimant and other interested parties at least 15 days' notice of such hearing served upon the claimant and other interested parties by mail. All medical reports obtained by the carrier or employer under this section shall be furnished free of charge to the employee or the attorney thereof on demand.

(b) The hearing shall be held in the county where the injury occurred, if the same occurred in this state, unless otherwise agreed to between the parties and authorized by the judge of industrial claims in the county where the injury occurred. If the injury occurred without the state, and is one for which compensation is payable under this chapter, then the hearing above referred to may be held in the county of the employer's residence or place of business, or in any other county of the state which will at the time of forwarding the file for hearing, in the discretion of the division, be the most convenient for a hearing. Subsequent to the forwarding of the file to such county, the parties and the judge may agree to transfer such file to a county that is deemed most convenient for a hearing. The hearing shall be conducted by a judge of industrial claims, who shall within 30 days, unless otherwise agreed to by the parties, after such hearing determine the dispute in a summary manner. At such hearing the claimant and employer may each present evidence in respect of such claim and may be represented by any attorney authorized in writing for such purpose. When there is a conflict in the medical evidence submitted at the hearing the judge of industrial claims may designate a disinterested doctor to submit a report or to testify in the proceeding, after such doctor has reviewed the medical reports and evidence, examined the claimant, or otherwise made such investigation as appropriate. The report or testimony of any doctor so designated by the judge of industrial claims shall be made a part of the record of the proceeding and shall be given the same consideration by the judge of industrial claims as is accorded other medical evidence submitted in the proceeding; and all costs incurred in connection with such examination and testimony may be assessed as costs in the proceeding, subject to the provisions of s. 440.13(3)(a). *No judge of industrial claims shall either make a finding of, or award compensation for, a disability for physical impairment that is greater than the greatest disability given the claimant by any examining or treating physician, except upon stipulation of the parties.*

(c) The order making an award or rejecting the claim, referred to in this chapter as a compensation order, shall set forth the findings of ultimate facts and the mandate, and the order need not include any other reason or justification for such mandate, ~~and~~. *However, in making an award for diminution of wage-earning capacity, the judge of industrial claims shall consider and make written findings of fact in the order on each of the following factors which are applicable to the specific claim before him:*

1. *Extent of claimant's actual physical impairment;*
2. *Claimant's age;*
3. *Claimant's work history;*
4. *Education of claimant;*
5. *Inability to obtain work which claimant can perform in his after-injury condition;*
6. *Wages actually being earned by claimant after the injury;*
7. *Claimant's ability to compete in the open labor market;*
8. *Claimant's continued employment in the same employment; or*
9. *Evidence of good faith work search.*

The compensation order shall be filed in the office of the division at Tallahassee. A copy of such compensation order shall be sent by mail to the parties and attorneys of record at the last known address of each, with the date of mailing noted thereon.

(d) *Each judge of industrial claims or the Industrial Relations Commission is required to submit a special report to the*

Bureau of Workmen's Compensation in each contested workmen's compensation case in which the case is not determined within 30 days of final hearing or within 180 days of filing an application for review. Said form shall be provided by the bureau and shall contain the name of the judge of industrial claims, if the case is before a judge of industrial claims, the attorneys involved, and a brief explanation by the judge of industrial claims or the Industrial Relations Commissioner as to the reason for such a delay in issuing a final order. The Bureau of Workmen's Compensation shall compile these special reports into an annual public report to the Governor, the Secretary of Commerce, the Legislature, the Florida Bar, and the Judicial Nominating Commissions.

Section 10. Subsection (3) of section 440.29, Florida Statutes, is amended to read:

440.29 Procedure before the commission or judges of industrial claims.—

(3) The practice and procedure before the commission and the judges of industrial claims shall be governed by rules adopted by the Supreme Court *except to the extent that such rules conflict with the provisions of this chapter.*

Section 11. Subsections (1) and (3) of section 440.34, Florida Statutes, are amended to read:

440.34 Attorney's fees; costs; penalty for violations.—

(1) If the employer or carrier shall file notice of controversy as provided in s. 440.20, shall decline to pay a claim on or before the 21st day after they have notice of same, or shall otherwise resist unsuccessfully the payment of compensation, and the claimant shall have employed an attorney at law in the successful prosecution of the claim, there shall, in addition to the award for compensation, be awarded a reasonable attorney's fee of 25 percent of the first \$5,000 of the amount of the benefits secured, 20 percent of the next \$5,000 of the amount of the benefits secured, and 15 percent of the remaining amount of the benefits secured, to be ~~determined~~ *approved* by the judge of industrial claims, which fee may be paid direct to the attorney for the claimant in a lump sum. *Of such attorney's fees, 75 percent shall be paid by the employer or carrier and 25 percent shall be paid by the claimant; however, the employer or carrier shall pay all of the attorney's fee if the claimant proves to the judge that the employer or carrier handled his claim in a negligent, arbitrary, or capricious manner.*

However, the judge of industrial claims shall consider the following factors in each case and may increase or decrease the attorney's fee if in his judgment the circumstances of the particular case warrant such action:

(a) The time and labor required, the novelty and difficulty of the questions involved, and the skill requisite to perform the legal service properly.

(b) The likelihood, if apparent to the claimant, that the acceptance of the particular employment will preclude employment of the lawyer by others or cause antagonisms with other clients.

(c) The fee customarily charged in the locality for similar legal services.

(d) The amount involved in the controversy and the benefits resulting to the claimant.

(e) The time limitation imposed by the claimant or the circumstances.

(f) The nature and length of the professional relationship with the claimant.

(g) The experience, reputation, and ability of the lawyer or lawyers performing the services.

(h) The contingency or certainty of a fee.

(3) If any proceedings are had for review of any claim, award, or compensation order before any court, the court may allow or increase the attorney's fees, in its discretion, which fees shall be in addition to the compensation paid the claimant and shall be paid as the court may direct. *However, if the employer or carrier serves on the claimant a written*

offer of settlement and such offer is not accepted in writing within 10 days of such service, and the award for compensation is less than or equal to the written offer of settlement, the employer or carrier shall not be required to pay that portion of the fee attributable to work performed after the claimant's failure to accept the offer.

Section 12. Section 440.37, Florida Statutes, is amended to read:

440.37 Misrepresentation; fraudulent activities; penalties penalty.—

(1) Any person who willfully makes any false or misleading statement or representation for the purpose of obtaining or denying any benefit or payment under this chapter shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084:

(a) Who presents or causes to be presented any written or oral statement as part of, or in support of, a claim for payment or other benefit pursuant to any provision of this chapter, knowing that such statement contains any false or misleading information concerning any fact or thing material to such claim, or

(b) Who prepares or makes any written or oral statement that is intended to be presented to any employer, insurance company, or self-insured program in connection with, or in support of, any claim for payment or other benefit pursuant to any provision of this chapter, knowing that such statement contains any false or misleading information concerning any fact or thing material to such claim, shall be guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(2)(a) All claims forms as provided for in this chapter shall contain a notice that clearly states in substance the following: "Any person who, knowingly and with intent to injure, defraud, or deceive any employer or employee, insurance company, or self-insured program, files a statement of claim containing any false or misleading information is guilty of a felony of the third degree."

(b)1. Any physician licensed under chapter 458, osteopath licensed under chapter 459, chiropractor licensed under chapter 460, or any practitioner licensed under the laws of this state who knowingly and willfully assists, conspires with, or urges any person to fraudulently violate any of the provisions of this chapter, or any person who, due to such assistance, conspiracy, or urging by said physician, osteopath, chiropractor, or practitioner, knowingly and willfully benefits from the proceeds derived from the use of such fraud, is guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. In the event that a physician, osteopath, chiropractor, or other practitioner is adjudicated guilty of a violation of this subparagraph, the State Board of Medical Examiners as set forth in chapter 458, the State Board of Osteopathic Medical Examiners as set forth in chapter 459, the Florida State Board of Chiropractic Examiners as set forth in chapter 460, or other appropriate licensing authority, whichever is appropriate, shall hold an administrative hearing to consider the imposition of administrative sanctions as provided by law against said physician, osteopath, chiropractor, or other practitioner.

2. Any attorney who knowingly and willfully assists, conspires with, or urges any claimant to fraudulently violate any of the provisions of this chapter, or any person who, due to such assistance, conspiracy, or urging on such attorney's part, knowingly and willfully benefits from the proceeds derived from the use of such fraud, is guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

3. No person or governmental unit licensed under chapter 395 to maintain or operate a hospital, and no administrator or employee of any such hospital, shall knowingly and willfully allow the use of the facilities of such hospital by any person in a scheme or conspiracy to fraudulently violate any of the provisions of this chapter. Any hospital administrator or employee who violates this subparagraph is guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. Any adjudication of guilt for a violation of this subparagraph, or the use of business practices demonstrating a pattern indicating that the spirit of the law

set forth in this part is not being followed, shall be grounds for suspension or revocation of the license to operate the hospital or the imposition of an administrative penalty of up to \$5,000 by the licensing agency as set forth in chapter 395.

(c) Any person damaged as a result of a violation of any provision of this subsection where there has been a criminal adjudication of guilt shall have a cause of action to recover compensatory damages, plus all reasonable investigation and litigation expenses, including attorney's fees at the trial and appellate courts.

(d) For the purposes of this subsection, the term "statement" includes, but is not limited to, any notice, statement, proof of injury, bill for services, diagnosis, prescription, hospital or doctor records, x-ray, test result, or other evidence of loss, injury, or expense.

(e) The provisions of this subsection shall also apply with respect to any employer, insurer, self-insurer, adjusting firm, or agent or representative thereof who intentionally injures, defrauds, or deceives any claimant with regard to any claim. Such claimant shall have the right to recover the damages provided in this subsection.

(f) It is unlawful for any attorney or other person, in his individual capacity or in his capacity as a public or private employee, or for any firm, corporation, partnership, or association to unlawfully solicit any business in and about city or county hospitals, courts, or any public institution or public place, in and about private hospitals or sanitariums, or in and about any private institution, or upon private property of any character whatsoever, for the purpose of making workmen's compensation claims. Any person who violates the provisions of this paragraph is guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083 or s. 775.084. Whenever any circuit or special grievance committee acting under the jurisdiction of the Supreme Court finds probable cause to believe that an attorney is guilty of a violation of this section, such committee shall forward to the appropriate state attorney a copy of the findings of probable cause and a copy of the report being filed in the matter.

Section 13. Subsection (5) of section 440.38, Florida Statutes, is renumbered as subsection (6), and a new subsection (5) is added to said section to read:

440.38 Security for compensation.—

(5) All insurance carriers authorized to write workmen's compensation insurance in this state shall make available, at the option of the employer, an insurance policy containing a coinsurance provision which shall bind the carrier to pay 80 percent, and the employer to pay 20 percent, of the medical benefits due to an employee for an injury compensable under this chapter, up to the amount of \$5,000. One hundred percent of the medical benefits above \$5,000 due to an employee for one injury shall be paid by the carrier. Regardless of any coinsurance or deductible amount, the claim shall be paid by the applicable carrier, which shall then be reimbursed by the employer for any coinsurance or deductible amounts paid by the carrier. The employer shall be liable for such reimbursement. No insurance carrier shall be required to offer coinsurance to any employer if, as a result of a credit investigation, the carrier determines that the employer is not sufficiently financially stable to be responsible for payment of such coinsurance amounts.

Section 14. Section 440.442, Florida Statutes, is created to read:

440.442 Code of Judicial Conduct.—Industrial Relations Commissioners and judges of industrial claims shall observe and abide by the Code of Judicial Conduct adopted by the Supreme Court of Florida as of the effective date of this act, as well as all amendments thereto that are hereafter adopted by the court. Any material violation of a canon of the Code of Judicial Conduct shall constitute either malfeasance or misfeasance in office and shall be grounds for suspension and removal of such commissioner or judge pursuant to the provisions of sec. 7, Art. IV of the State Constitution, and all general laws implementing that provision.

Section 15. Subsection (1) of section 440.45, Florida Statutes, is amended to read:

440.45 Judges of industrial claims.—

(1) The Governor shall appoint as many full-time judges of industrial claims as may be necessary to effectually perform the duties prescribed for them under this chapter. *The Governor shall initially appoint a judge from a list of at least three persons nominated by the Appellate District Judicial Nominating Commission for the appellate district in which the judge will principally conduct hearings.* No person shall be nominated or appointed as a full-time judge of industrial claims who has not had 3 years' experience in the practice of law in this state; and no judge of industrial claims during a term of office shall engage in the private practice of law. The Governor may appoint any former judge of industrial claims to serve as a judge of industrial claims pro hac vice to complete the proceedings on any claim with respect to which the judge had heard testimony and which remained pending at the time of the expiration of the judge's term of office. However, no former judge of industrial claims shall be appointed to serve as a judge of industrial claims pro hac vice for a period to exceed 60 successive days.

Section 16. Subsections (2) through (4) of section 440.49, Florida Statutes, are renumbered as subsections (3) through (5), respectively, new subsection (2) is added to said section, and paragraph (g) of present subsection (4) of said section is amended to read:

440.49 Rehabilitation of injured employees; Special Disability Trust Fund.—

(2) *Any insurer or insurance holding company, or subsidiary of either, which offers to secure employment or help or gives information as to where employment or help may be secured, and performs such acts exclusively in conjunction with its efforts to rehabilitate injured or disabled individuals, shall be exempt from the provisions of chapter 449, relating to private employment agencies.*

(4) LIMITATION OF LIABILITY FOR SUBSEQUENT INJURY THROUGH SPECIAL DISABILITY TRUST FUND.—

(g) Reimbursement of employer.—The right to reimbursement as provided in this subsection shall be barred unless written notice of claim of the right to such reimbursement is filed by the employer or carrier entitled to such reimbursement with the division at Tallahassee prior to 60 days after the order awarding the excess permanent compensation with respect to which such reimbursement is claimed becomes final or, if payment of such excess permanent compensation is made by the employer or carrier without an award, prior to 60 days after the date the first payment of excess compensation for the permanent disability was made.

The notice of claim shall contain such information as the division by rule or regulation may require; and the employer or carrier claiming reimbursement shall furnish such evidence in support of the claim as the division reasonably may require. *For notice of claims on the Special Disability Trust Fund filed on or after July 1, 1978, the Special Disability Trust Fund shall, within 120 days of receipt of notice that a carrier has paid, been required to pay, or accepted liability for excess compensation, serve notice of the acceptance of the claim for reimbursement. Failure of the Special Disability Trust Fund to serve the notice shall be deemed a denial of the claim by the Special Disability Trust Fund for reimbursement. If the Special Disability Trust Fund through its representative denies or controverts the claim, the right to such reimbursement shall be barred unless an application for a hearing thereon is filed with the division at Tallahassee within 60 days after notice to the employer or carrier of such denial or controversion. When such application for a hearing is timely filed, the claim shall be heard and determined in accordance with the procedure prescribed in s. 440.25 to the extent that same is applicable, and in accordance with the workmen's compensation rules of procedure. In such proceeding on a claim for reimbursement, the Special Disability Trust Fund shall be made the party respondent, and no findings of fact made with respect to the claim of the injured employee or the dependents for compensation, including any finding made or order entered pursuant to s. 440.20(10), shall be res judicata. The Special Disability Trust Fund shall not be joined or made a party to any controversy or dispute between an employee and the dependents and the employer or between two or more employers or carriers without the written consent of the fund. When it has been determined that an employer or carrier is entitled to reimbursement in any amount, the employer or*

carrier shall be reimbursed periodically every 6 months from the Special Disability Trust Fund for the compensation and medical benefits paid by the employer or carrier for which same is entitled to reimbursement, upon filing request therefor and submitting evidence of such payment in accordance with rules prescribed by the division.

Section 17. Section 440.57, Florida Statutes, is amended to read:

440.57 Pooling liabilities.—The division may, under such rules and regulations as it may prescribe, permit two or more employers to enter into agreements to pool their liabilities under this chapter for the purpose of qualifying as self-insurers and each employer member of such approved group shall be classified as a self-insurer as defined in this chapter. *The agreement entered into under this section may provide that the pool shall be liable for 80 percent, and the employer member shall be liable for 20 percent, of the medical benefits due any employee for an injury compensable under this chapter up to the amount of \$5,000. One hundred percent of the medical benefits above \$5,000 due to an employee for one injury shall be paid by the pool. The agreement may also provide that each employer member shall be responsible for the first \$100 of medical benefits due each of its employees for each injury. The claim shall be paid by the pool, regardless of its size, which shall be reimbursed by the employer for any amounts required to be paid by the employer under the agreement.*

Section 18. Section 440.59, Florida Statutes, is created to read:

440.59 Risk management report.—*The Division of Labor of the Department of Commerce shall complete on a quarterly basis an analysis of the previous quarter's injuries which resulted in workmen's compensation claims. The analysis shall be broken down by risk classification and shall show for each such risk classification the frequency and severity for the various types of injury, and shall include an analysis of the causes of such injuries. The division shall distribute to each employer and self-insurer in the state covered by the workmen's compensation law the data relevant to its work force. The report shall also be distributed to the insurers authorized to write workmen's compensation insurance in the state.*

Section 19. Subsection (7) of section 443.12, Florida Statutes, is amended to read:

443.12 Division and board; powers, duties, etc.; rules and regulations; personnel; advisory councils; records and reports; cooperation, etc.—

(7) RECORDS AND REPORTS.—Each employing unit shall keep true and accurate work records, containing such information as the [division] may prescribe. Such records shall be open to inspection and be subject to being copied by the division at any reasonable time and as often as may be necessary. The division or an appeals referee may require from any employing unit any sworn or unsworn reports, with respect to persons employed by it, deemed necessary for the effective administration of this chapter. Information thus obtained, or obtained from any individual pursuant to the administration of this chapter, shall, except to the extent necessary for the proper presentation of a claim or upon written authorization of the claimant who has a workmen's compensation claim pending, be held confidential and shall not be punished or be open to public inspection (other than to public employees in the performance of their public duties), in any manner revealing the individual's or employing unit's identity, but any claimant (or his legal representative) at a hearing before an appeals referee or the [board] shall be supplied with information from such records to the extent necessary for the proper presentation of his claim. Any employee or member of the [board] or any employee of the division who violates any provision of this subsection shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. Provided, however, the division may furnish to any employer copies of any report previously submitted by such employer, upon the request of such employer, and the division is authorized to charge therefor such reasonable fee as the [division] may by regulations prescribe not to exceed the actual reasonable cost of the preparation of such copies. Fees received by the division for copies as herein provided shall be deposited to the credit of the Employment Security Administration Trust Fund.

Section 20. Section 624.433, Florida Statutes, is created to read:

624.433 Reports of information by workmen's compensation insurers required.—

(1) Any insurer authorized to write a policy of workmen's compensation insurance or self-insurer shall transmit the following information to the department each year with the annual report of such insurer, and such information shall be broken down by its nationwide and Florida insurance writings:

- (a) Direct premiums written;
- (b) Direct premiums earned;
- (c) Dividends paid or credited to policyholders;
- (d) Losses paid;
- (e) Allocated loss adjustment expenses;
- (f) The ratio of allocated loss adjustment expenses to losses paid;
- (g) Unallocated loss adjustment expenses;
- (h) The ratio of unallocated loss adjustment expenses to losses paid;
- (i) The total of losses paid and unallocated and allocated loss adjustment expenses;
- (j) The ratio of losses paid and unallocated and allocated loss adjustment expenses to premiums earned;
- (k) The number of claims outstanding as of December 31 of each year;
- (l) The total amount of losses unpaid as of December 31 of each year;
- (m) The total amount of allocated and unallocated loss adjustment expenses unpaid as of December 31 of each year; and
- (n) The total of losses paid and allocated loss adjustment expenses and unallocated loss adjustment expenses, plus the total of losses unpaid as of December 31 of each year and loss adjustment expenses unpaid as of December 31 of each year.

(2) The department shall provide a summary of information provided pursuant to subsection (1) in its annual report.

(3)(a) The first report of this information shall include the information for the last 6 months for the year ending December 31, 1978. Such report shall be filed no later than March 1, 1979. Beginning with the report for the period ending December 31, 1980, all future reports shall have all information required by subsection (1) broken down by year for the current and 2 preceding years.

(b) Within 30 days after March 1, 1980, the Department of Insurance shall commence a review of the rates of all workmen's compensation insurers in effect at the time. If, after the review, the department finds on a preliminary basis that the rate may be excessive, inadequate, or unfairly discriminatory, the department shall so notify the insurer. Upon being so notified, the filer shall within 60 days file with the department all information which the filer believes proves the reasonableness, adequacy, and fairness of the rate. In such instances, the filer shall carry the burden of proof. In the event the department finds that a rate is excessive, inadequate, or unfairly discriminatory, the department may order that a new rate schedule be thereafter filed by the filer and may further specify the manner in which noncompliance shall be corrected.

Section 21. Subsection (1) of section 627.091, Florida Statutes, is amended, and subsection (5) is added to said Section to read:

627.091 Rate filings; workmen's compensation and employer's liability insurances.—

(1) As to workmen's compensation and employer's liability insurances, every insurer shall file with the department every manual of classifications, rules and rates, every rating plan and every modification of any of the foregoing which it proposes to use. Every insurer is hereby authorized to include deductible provisions in its manual of classifications, rules, and rates. Such deductibles shall in all cases be in a form and man-

ner which is consistent with the underlying purpose of chapter 440.

(5) Pursuant to the provisions of s. 627.321, the department may examine the underlying statistical data used in such filings.

Section 22. Section 627.092, Florida Statutes, is created to read:

627.092 Workmen's Compensation Administrator.—There is created within the Division of Insurance Company Regulation of the Department of Insurance the position of Workmen's Compensation Administrator to monitor carrier practices in the field of workmen's compensation.

Section 23. Subsection (1) of section 627.101, Florida Statutes, is amended to read:

627.101 When filing becomes effective; workmen's compensation and employer's liability insurances.—

(1) The department shall review filings as to workmen's compensation and employer's liability insurances as soon as reasonably possible after they have been made in order to determine whether they meet the applicable requirements of this part. If the department determines that part of a rate filing does not meet the applicable requirements of this part, it may reject so much of the filing as does not meet these requirements, and approve the remainder of the filing.

Section 24. The presiding officer of each house of the legislature shall, on or before July 1, 1978, designate members of each house of the legislature to serve on a joint committee, for the purpose of receiving reports, recommendations and supporting cost data from state officers and others with expertise and experience in the workmen's compensation system who have prepared reliable data as to the effects of the proposals on injured workers, employers and other members of the public. The committee so designated shall prepare recommendations and present them to their respective houses on March 1, 1979. There is hereby appropriated from the general revenue fund \$150,000 to carry out the provisions of this section.

Section 25. If any provision of this act or the application thereof to any person or circumstances is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared severable.

Section 26. This act shall take effect July 1, 1978, and shall apply to all claims arising out of injuries which occur on or after such date.

Conference Committee Amendment 2—Strike the title and insert: A bill to be entitled An act relating to workmen's compensation; amending s. 440.02(1),(2)(d) and (9), Florida Statutes, changing the definition of employment, excluding certain volunteers from the definition of "employee", and changing the definition of disability, under the Workmen's Compensation Law; adding a new subsection (2) to s. 440.10, Florida Statutes, providing duties of subcontractors with respect to securing payment of compensation; amending s. 440.11(1), Florida Statutes; extending the exclusiveness of liability to fellow employees with certain exceptions; amending s. 440.12(1) and (2), Florida Statutes, relating to compensation payments; amending s. 440.13(1) and (3), Florida Statutes, relating to injured employees' remedial treatment, care, and attendance; modifying procedure with respect to furnishing same; including treatment or service at hospitals and other health care providers under certain fee provisions; creating an advisory committee to aid in adoption of schedules of charges; empowering the Division of Labor of the Department of Commerce to conduct certain investigations relative thereto; amending s. 440.15(3)(u), (10)(c) and (11), Florida Statutes, relating to compensation for disability; restricting consideration of diminution of wage-earning capacity with respect to claims; providing for authorization to release unemployment compensation information; amending s. 440.185(2), (4) and (9), Florida Statutes, decreasing the time period for reporting knowledge of injury or death; requiring the division to notify an injured employee of his rights; amending s. 440.20(5), (7) and (10), Florida Statutes, providing additional penalties for late payment; authorizing the judge of industrial claims to examine lump sum payments in excess of benefits allowable under the law; authorizing lump sum settlements without a hearing under certain circumstances; amending s. 440.25(3),

Florida Statutes, specifying limitations on and considerations of judges of industrial claims conducting hearings on awards for diminution of wage-earning capacity; limiting the extent of an award for disability; requiring reports; amending s. 440.29(3), Florida Statutes, modifying provisions relating to practice and procedure before the Industrial Relations Commission and judges of industrial claims; amending s. 440.34(1) and (3), Florida Statutes; providing for determination of attorney's fees by judges of industrial claims; specifying that a portion of the attorney's fees are payable by employer or carrier under certain circumstances; limiting attorney's fees subsequent to a written offer of settlement; amending s. 440.37, Florida Statutes, specifying fraudulent activities and penalties therefor; adding a new subsection to s. 440.38, Florida Statutes, relating to security for compensation, providing for certain medical benefits policies; creating s. 440.442, Florida Statutes, providing that commissioners and judges of industrial claims shall follow the Code of Judicial Conduct; amending s. 440.45(1), Florida Statutes; providing initial procedure for appointment of judges of industrial claims; amending s. 440.49(4)(g), Florida Statutes, and adding new subsection (2) thereto, relating to rehabilitation of injured employees and certain uses of the Special Disability Trust Fund; amending s. 440.57, Florida Statutes, modifying provisions relating to pooling, by employers, of liabilities; creating s. 440.59, Florida Statutes, providing for a quarterly risk management report; amending s. 443.12(7), Florida Statutes; providing circumstances for the release of unemployment compensation records; creating s. 624.433, Florida Statutes; requiring workmen's compensation insurers to submit certain reports; specifying contents; providing for rate review; amending s. 627.091(1), Florida Statutes, and adding a subsection, providing for deductible provisions in manuals of classifications, rules, and rates; creating s. 627.092, Florida Statutes, providing for a Workmen's Compensation Administrator; amending s. 627.101(1), Florida Statutes, relating to rate filings; providing for a joint legislative study committee; requiring reports; providing an appropriation; providing an effective date.

On motion by Senator Barron the Conference Committee Report was adopted, and CS for HB 2198 passed as recommended and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas--31

Mr. President	Gorman	McClain	Thomas, Pat
Barron	Graham	Myers	Tobiassen
Chamberlin	Hair	Peterson	Trask
Childers, Don	Henderson	Plante	Vogt
Childers, W. D.	Holloway	Poston	Ware
Gallen	Johnston	Saylor	Winn
Glisson	Lewis	Skinner	Zirkil
Gordon	MacKay	Thomas, Jon	

Nays--9

Castor	Renick	Spicola	Wilson
Dunn	Scarborough	Williamson	
Firestone	Scott		

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate Amendments 1, 2 and 3 and requests the Senate to recede.

Allen Morris, Clerk

By Representative Forbes and others—

HB 1440—A bill to be entitled An act relating to the Jacksonville Port Authority; amending sections 5 and 15(a) and (b) of chapter 63-1447, Laws of Florida, as amended; providing for appointment of airport guards or police with full police powers; providing certain conditions; assigning liability; providing for qualifications and rights of said guards or police; providing an increase in the maximum amount of funds expendable prior to public bidding; providing an effective date.

On motions by Senator Hair, the Senate refused to recede from the Senate amendments and the House was again re-

quested to concur. The action of the Senate was certified to the House.

The Honorable Lew Brantley, President

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

Allen Morris, Clerk

By Representative Forbes and others—

HB 1884—A bill to be entitled An act relating to the City of Jacksonville; providing for certain sick leave benefits for the employees of the City of Jacksonville; providing for retroactive compensation pursuant to s. 215.425, Florida Statutes; allowing certain benefits for employees of the former county government of Duval County; providing an effective date.

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

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendment 2 has amended Senate Amendment 1 concurred in same as amended and passed CS for HB 1190, as amended, and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Commerce and Representative Hector and others—

CS for HB 1190—A bill to be entitled An act relating to insurance; creating s. 624.433, Florida Statutes; providing that products liability insurers report specified information annually to the Department of Insurance; requiring the department to publish a summary of such information in its annual report; providing an effective date.

House Amendment 1 to Senate Amendment 1—On pages 1 and 2 strike all of Section 1

On motion by Senator Plante, the Senate concurred in the House amendment to Senate Amendment 1. CS for HB 1190 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas--37

Mr. President	Gorman	Plante	Tobiassen
Barron	Graham	Poston	Trask
Castor	Hair	Renick	Vogt
Chamberlin	Henderson	Saylor	Ware
Childers, Don	Holloway	Scarborough	Wilson
Childers, W. D.	Johnston	Scott	Winn
Firestone	Lewis	Skinner	Zinkil
Gallen	MacKay	Spicola	
Glisson	McClain	Thomas, Jon	
Gordon	Myers	Thomas, Pat	

Nays--2

Dunn	Williamson
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Votes after roll call:

Yea to Nay—Barron, Skinner, Wilson

Nay to Yea—Williamson

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed SB 1100 as amended by the Conference Committee Report.

Allen Morris, Clerk

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments 1 and 2 has receded from House amendments 3, 4, 5, 6, 7, 8, 9, 10, 11 & 12, and passed SB 958, as amended.

Allen Morris, Clerk

The bills contained in the above messages were ordered engrossed and then enrolled.

The Honorable Lew Brantley, President

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

HB 276	HB 1230	HB 1958
HB 1495	CS for HB 320	HB 748
HB 1534	HB 1974	

Allen Morris, Clerk

The Honorable Lew Brantley, President

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

CS for HB 1068	HB 927	HB 367
CS for HB 361	HB 261	HB 1393
CS for HB 720	HB 571	HB 1990
CS for HB 1699	HB 1874	
HB 2096	CS for HB 123	

Allen Morris, Clerk

The Honorable Lew Brantley, President

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

SB 399	CS for SB 988	CS for SB 71
CS for SB 452	SB 114	
CS for SB 824	SB 736	

Allen Morris, Clerk

The Honorable Lew Brantley, President

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

CS for SB 415	SB 228	SB 591
SB 178	SB 61	SB 780
SB 979	SB 1080	SB 223
SB 1274	SB 859	SB 1146
SB 836	CS for SB 1014	SB 1310
SB 1202	CS for SB 992	SB 475
SB 621	SB 199	SB 248
SB 124	SB 244	SB 1315
SB 1295	CS for SB 193	

Allen Morris, Clerk

The Honorable Lew Brantley, President

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

SB 1358	SB 405	SB 1131
CS for SB 1234		

Allen Morris, Clerk

The bills contained in the above messages were ordered enrolled.

ENROLLING REPORTS

CS for SB 649	CS for SB 856	SB 1169
SB 132	SB 962	SB 1200
SB 301	SB 1240	SB 756
SB 368	SB 310	SB 1098
SB 448	SB 564	SB 1233
SB 480	SB 615	
SB 669	SB 625	

—have been enrolled, signed by the required Constitutional Officers and presented to the Governor on June 2, 1978.

Joe Brown, Secretary

SCR 791 and CS for SCR 960 have been enrolled, signed by the required Constitutional Officers and filed with the Secretary of State on June 1, 1978.

Joe Brown, Secretary

On motion by Senator W. D. Childers, the Senate recessed at 7:31 p.m.

The Senate was called to order by the President at 8:45 p.m. A quorum present.

On motion by Senator Scarborough, the Senate reverted to—

HB 1156—A bill to be entitled An act relating to state lands; amending chapter 712, Florida Statutes, providing that the sovereignty status of state-owned lands shall not be affected by the Marketable Record Title Act; amending section 95.-031, Florida Statutes, exempting causes of action for the unauthorized use of sovereignty lands from the statutes of limitations; amending s. 253.111, Florida Statutes, providing that state lands may be sold to a county upon determination of the board of county commissioners by resolution that such land will be devoted to a public purpose, rather than a public outdoor recreational purpose; providing an effective date.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of June 1 was corrected and approved as follows:

Page 693, column 2, from bottom, line 12, after the dash insert: The taxes levied and assessed as provided in Part I of this chapter shall be paid to the department monthly in the following manner:

Page 694, column 1, in lines 2 and 30 before "gallons" insert: taxable

Page 718, column 1, line 17 from bottom and column 2, line 16, before bill numbers insert: CS for

Page 725, Column 1, between lines 16 and 17 insert the following:

(27)~~(26)~~ **SUSPENSION.**—Suspension is the temporary removal of a student from his regular school program for a period not to exceed 10 school days.

(28)~~(27)~~ **EXPULSION.**—Expulsion is the removal of the right and obligation of a student to attend a public school under conditions set by the school board, and for a period of time not to exceed the remainder of the term or school year and one additional year of attendance.

(29)~~(28)~~ **CORPORAL PUNISHMENT.**—Corporal punishment is the moderate use of physical force or physical contact by a teacher or principal as may be necessary to maintain discipline or to enforce school rule. However, the term corporal punishment shall not include the use of such reasonable force by a teacher or principal as may be necessary to protect himself or other students from disruptive students.

(30)~~(29)~~ **ALTERNATIVE MEASURES FOR STUDENTS WITH SPECIAL NEEDS.**—Alternative measures for students with special needs are measures designed to meet the special needs of a student that cannot be met by regular school curricula, including, but not limited to, student services, parent conferences, physical examinations, remedial techniques, educational alternatives, and properly supervised activities relating to the upkeep and maintenance of school facilities, notwithstanding the provisions of chapter 450 to the contrary.

Page 725, column 2, from bottom, strike lines 5 through 12

Page 740, column 1, lines 21 and 22 from bottom, strike "a board of county commissioners" and insert: the Department of Environmental Regulation

Page 741, column 2, between lines 2 and 3 from bottom insert:

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments to House Amendments and passed CS for SB 678, as amended.

Allen Morris, Clerk

Page 742, column 2, line 1, before "was" insert: HB 2154

The Journal of May 31 was further corrected and approved as follows:

Page 669, column 2, strike line 25 and insert: general counsel and such other personnel as may be necessary

Pages 672 and 673, strike title to CS for HB's 1140 and 2093 and insert title as it appears on pages 572 and 573 in May 29 Journal.

Page 672, column 2, from bottom, between lines 30 and 31 insert:

Page 684, column 1, from bottom, between lines 19 and 20 insert: Vote after roll call: Nay to Yea—Glisson

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed CS for HB's 1140 and 2093 as amended by the Conference Committee Report.

Allen Morris, Clerk

The Journal of May 30 was further corrected and approved as follows:

Page 597, column 1, from bottom strike line 30 and insert: Shall be in good and mental health

The Journal of May 29 was further corrected and approved as follows:

Page 562, column 1, strike line 19 and insert: Statutes, which provide requirements and penalties; providing

Page 572, column 2, line 14, strike "On page , " and insert: Strike lines 10-15 and insert: The Economic

Page 582, column 1, line 27 from bottom, strike "line" and insert: lines 1 and 8

Page 591, column 1, line 3, strike "22" and insert: 24

The Journal of May 25 was further corrected and approved as follows:

Page 525, column 1, line 27 from bottom, strike "1092" and insert: 1090

Page 525, column 2, line 17 from bottom, strike "SB" and insert: HB

Page 525, column 1, line 6 from bottom, strike "exemptions" and insert: exceptions

Page 530, column 1, line 15 from bottom, strike the dash and insert: , by two-thirds vote CS for HB 1211 was withdrawn from the Committee on Natural Resources and Conservation. On motion by Senator Hair—

Page 538, column 2, line 31, strike "219" and insert: 919

Page 539, column 1, line 30, strike "162" and insert: 1632

Page 539, column 1, line 35, strike "362" and insert: 3612

Page 539, column 1, from bottom, line 22, strike "16" and insert: 46

Page 540, column 2, line 3, strike "9" and insert: through 30

Page 540, column 2, at end of line 12, insert: or state law or applicable federal rules and regulations

Page 540, column 1, line 7 from bottom, before "treatment" insert: drug

Page 545, column 2, line 15 from bottom, after the period add: 3. Three sets to the *library of the Supreme Court of Florida, the library of each state District Court of Appeal,*

Page 547, column 2, between lines 2 and 3 from bottom, insert: 120.72 Legislative intent; prior proceedings and rules; exception.—

Page 549, line 30, from bottom of column 2, strike "SB" and insert: HB

The Journal of May 24 was further corrected and approved as follows:

Page 470, column 1, strike line 35 after "page" and insert: 4, between lines 29 and 30 insert: Section 13

Page 470, column 2, from bottom, strike lines 22 through 23 and insert: Amendment 10—On page 2 in title, line 2 after the semicolon insert: adding subparagraph (b) of subsection (8) of s. 718.401

Page 470, in bottom line of column 1 and top line of column 2, strike: "adding subsection (3) to s."

Page 475, column 1, from bottom, strike line 16

Page 502, column 2, line 30, strike "28 and 29" and insert: 27 and 28

Page 504, column 1, line 28 after "resources" insert: or upon resources

The Journal of April 13 was further corrected and approved as follows:

Page 120, column 2, line 19, strike "S" and insert: H

On motion by Senator Plante, the Senate adjourned sine die at 8:58 p.m.