Journal of the Senate

Number 28 **Friday, June 1, 1984**

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

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

Excused periodically: Senators Johnston, Neal, Scott, Thomas, Beard, Hair, Gordon, Castor, Kirkpatrick, Vogt, Grizzle, Margolis and Crawford, conferees and alternates on the General Appropriations Bill, the education package and implementing bills; Mr. President, periodically.

Prayer by the Rev. J. David Carter, Pastor, First Baptist Church, Clermont:

Our Lord, we recognize your presence even when we are not living in recognition of that. We know, O Lord, that you are aware of our activities even when we do not recognize your presence in that awareness.

Lord, we are just human. We don't expect to be anything else. I don't guess we should, but we do know that we have a relationship that's possible with you where our humanity can be lifted above the carnal and fleshly. Lord, we do praise your name for being God and being so loving as God that you provide for us and care for us and want to become personally involved in our lives.

Lord, there are a lot of things that we deal with from day to day that are serious, but there are those special things that we have on our minds and may our serious decisions never hurt those who are innocent or hurting or unaware. Let them be there to strengthen them and build them up even though there are times when it doesn't seem like we really have the strength to handle it.

And Lord, as time passes from now until the time we stand before you, we thank you that we can have the faith now to face that day with courage and respect and know what we would say to you in that day. Lord, we ask that you bless the proceedings that follow and what is said and done on a professional level here. Compliment the personal lives we live and may our personal lives bring honor to the professional lives we have and the positions that we fill. And after all is said and done in this life, may our end result as we look back upon life be one that brings honor and glory to you. In the name of the Lord Jesus Christ we pray. Amen.

Votes Recorded

Senator Myers was recorded as voting yea on the following which were considered May 24: SB 284, SB 500, HB 585, CS for SB 599, CS for HB 101, HB 1300, HB 1301, HB 1302, CS for HB 836, HB 1143; and the following which were considered May 23: Senate Bills 619, 126, 473, 575, 257, 214, 430, CS for SB 265, HB 588, CS for SB 598, SB 269, SB 230, HB 864, CS for SB 296, CS for SB 192, HB 984, HB 1143, SB 987, SB 1084, HB 500, HB 501, SB 1105, SB 1111, SB 1112, SB 1123, HB 1108, SB 1136, SB 1138; House Bills 476, 496, 512, 517, 655, 935, 947, 949, 975, 989, 1016, 1026, 1073, 1075, 1076, 1077, 1079, 1080, 1083, 1085, 1086, 1088, 1091, 1092, 1105, 1117, 1130, 1140, 1141, 1244, 1289; Senate Bills 350, 351, 406, 478, 882, 1101, 848, 1105, 1145; CS for HB 526, HB 220, CS for SB 929, SB 955, SB 1073, SB 876, HB 324, SB 341, SB 153, HB 490, HB 1189 and CS for SB 519.

Senator Crawford was recorded as voting yea on the following which were considered May 30: SB 708, HB 1039, SR 1158, HB 302, CS for SB 541, HB 89, CS for SB 238, SB 759; CS for SB 651, CS for HB 1312 which were considered May 31; SJR 1157 which was considered June 1; and HB 329 which was considered May 24.

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Consent Calendar for Friday, June 1, 1984: HB 256, CS for SB 812, CS for SB 157, SB 823, CS for CS for SB's 469, 698, 239 and 380, SR 1144, CS for SB 317, SB 405, CS for SB 1018, SB 444, SB 727, CS for SB 11, CS for SB 564, SB 178, CS for HB 1206, SB 481, SB 345, SB 502, CS for SB 949, SB 757, HB 1218, CS for SB 62, CS for SB 782, CS for CS for SB 982, CS for SB's 306 and 1126, SB 374, CS for SB 752, SB 486, SB 558, CS for HB 688, SB 421, SB 200, SJR 93, HB 120, SB 1032, SB 132, CS for CS for SB 422, CS for SB 392

Respectfully submitted,
Dempsey J. Barron, Chairman

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Friday, June 1, 1984: CS for SB's 1028 and 1095, CS for SB 748, CS for SB 875, HB 248, SB 896, SB 763, SB 339

Respectfully submitted,
Dempsey J. Barron, Chairman

The Committee on Economic, Community and Consumer Affairs recommends the following pass: HB 64

The bill was placed on the calendar.

The Committee on Finance, Taxation and Claims recommends a committee substitute for the following: SB 1010

The bill with committee substitute attached was placed on the calendar.

First Reading

By Senators Frank, Beard and Castor—

SB 1159—A bill to be entitled An act relating to Hillsborough County; codifying laws relating to the Hillsborough County Port District and the Tampa Port Authority; providing legislative intent; establishing the port district; providing definitions; creating the Tampa Port Authority; providing for its membership, powers, duties, and governance; providing for the employment of a port director and prescribing his duties; authorizing the acquisition, construction, extension, and enlargement of projects; providing for the conveyance to and the conveyance by the authority of submerged lands; providing for the regulation of the development of facilities within and of traffic through the port; authorizing the exercise by the authority of the powers of eminent domain; providing for acquisition and disposal of property; authorizing the borrowing of money and the issuance of bonds; authorizing the establishment and collection of rates, rentals, fees, and other charges; authorizing the adoption of rules and regulations; providing for regulation over the operation of ports and harbors and for the appointment, regulation, and compensation of harbormasters; providing for the regulation of watercraft; authorizing the imposition of franchise, license, and excise fees; providing for the budget of the authority; authorizing the county to appropriate tax revenues to the port district; providing for the deposit and disposition of revenues and for an annual audit; providing remedies of bondholders; prescribing procedure for awarding contracts; providing for the recovery of money or things of value paid pursuant to contracts entered in violation of act and providing for the award of attorney's fees; providing a declaration of public necessity; providing that chapters 313 and 314, Florida Statutes, do not apply within the district; providing for the adoption of rates and regulations and prescribing penalties for violations thereof; providing for

injunctive relief; providing for promotion and sales and for reimbursement for travel in connection therewith; prohibiting discrimination in connection with employment, contracting, and use of facilities; regulating dredging, filling, construction, and other activities on submerged lands; requiring permits to engage in such activities; providing for revocation of such permits; authorizing the adoption of minimum construction specifications; providing for enforcement of orders of the authority; authorizing the authority to make required changes and impose liens for such changes; providing for civil penalties; providing for issuance of beverage license to the authority; prescribing standards for managing facilities and granting concessions; providing for periodic recodification of act; providing severability; repealing chapter 23338, Laws of Florida, 1945, chapter 24577, Laws of Florida, 1947, chapter 24578, Laws of Florida, 1947, chapter 25879, Laws of Florida, 1949, chapter 27600, Laws of Florida, 1951, and chapters 57-1380, 59-1358, 63-1398, 63-1400, 67-1476, 67-1481, 67-1482, 67-1485, 67-1487, 67-1488, 67-1490, 67-1491, 67-1492, 67-1500, 67-1503, 67-1505, 69-1135, 69-1137, 69-1138, 69-1140, 69-1141, 70-716, 72-560, 72-566, 75-386, 75-392, 76-385, 77-568, 77-570, 78-526, 78-527, 79-473, 80-613, 80-614, 81-386, and 81-393, Laws of Florida, relating to the Hillsborough County Port District and the Tampa Port Authority; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committees on Commerce; and Rules and Calendar.

By Senator Crawford—

SB 1160—A bill to be entitled An act relating to Hendry County; creating the Cooperative Producers Water Control District; providing definitions; providing that certain provisions of chapter 298, F.S., are applicable to the district; providing for a board of supervisors; providing powers and duties of the board; providing for acquisition of property and for exercise of eminent domain; providing for an improvement tax and a maintenance tax; authorizing the issuance of obligations of the district to finance the construction of the work and projects of the district; providing for a plan of reclamation; providing for annual budget approval by the Board of County Commissioners of Hendry County; providing for the enforcement of the act; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Barron, the rules were waived and by two-thirds vote Senate Resolutions 1144 and 1156 were withdrawn from the Committee on Rules and Calendar.

On motion by Senator Barron—

SR 1156—A resolution commending Senator George G. Tapper of Port St. Joe upon his receipt of the 1984 Regional Trustee Leadership Award of the Association of Community College Trustees, and honoring him for his contributions to educational and civic endeavors.

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

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Gersten, Scott

On motion by Senator Barron, by two-thirds vote CS for SB 1010 was made a special and continuing order of business for 10:30 a.m.

On motions by Senator Johnston, the rules were waived and by two-thirds vote SB 652, HB 395 and CS for SB 877 were withdrawn from the Committee on Appropriations.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had filed with the Secretary of State CS for SB 63, CS for SB 228 and CS for SB 438 which became law on June 1, 1984.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Curtis Peterson, President

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

CS for SB 529—A bill to be entitled An act relating to health services and health care costs; amending s. 395.031, F.S.; providing standards for verification of trauma centers; amending ss. 401.21, 401.211, 401.23, 401.24, 401.25, 401.255, 401.26, 401.27, 401.281, 401.30, 401.31, 401.33, 401.34, 401.35, 401.411, F.S.; creating ss. 401.321, 401.414, F.S.; providing short title, intent, and definitions; providing for a state plan; providing for licensure and regulation by the Department of Health and Rehabilitative Services; providing for vehicle permits; providing personnel standards; providing for records; providing for inspection and examination; providing for transfer and assignment of license; providing exemptions; providing for rules; providing for discipline; repealing s. 401.413, F.S., relating to administrative fines; creating the "Florida Youth Emotional Development and Suicide Prevention Act;" providing for a statewide plan for the emotional development of youth and the prevention of youth suicide to be developed by the Department of Health and Rehabilitative Services with the cooperation of the Department of Education, the Department of Law Enforcement, and certain local and state agencies; providing guidelines and procedures; amending s. 230.2313, F.S.; requiring each school in a district to submit a written student services plan to the superintendent and school board annually; including within such plan the distribution of a suicide prevention public awareness program; amending s. 231.17, F.S.; including in the minimum requirements for teacher certificates, a mastery of the ability to recognize signs of severe emotional distress in students and techniques of crisis intervention; amending s. 232.246, F.S.; including positive emotional development in the life management skills credit necessary for graduation; amending s. 381.494, F.S.; providing for the assessment of reasonable attorneys fees and expenses against nonprevailing petitioners in certificate of need administrative proceedings; amending s. 230.2313, F.S.; including health service programs within student services programs; amending s. 402.32, F.S., providing definitions; changing the responsibilities of the Department of Health and Rehabilitative Services with respect to school health services; requiring public health units to develop a health services plan and specifying the minimum components thereof; changing duties of district school boards and of nonpublic schools which voluntarily participate in the program; amending s. 232.0315, F.S., providing school boards and nonpublic schools the option of providing students a 30-day extension in obtaining a health examination; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 33, lines 11-31, strike all of said lines and renumber subsequent sections.

Amendment 2—On page 2 in the title, lines 12-16, strike all of said language after the first semicolon on line 12 through the semicolon on line 16

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

CS for SB 529 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—30

Mr. President	Childers, W. D.	Gordon	Hill
Beard	Dunn	Grant	Jenne
Carlucci	Fox	Grizzle	Jennings
Castor	Frank	Hair	Johnston
Childers, D.	Girardeau	Henderson	Kirkpatrick

Langley	Meek	Thomas	Weinstein
Margolis	Myers	Thurman	
McPherson	Scott	Vogt	

Nays—None

Vote after roll call:

Yea—Gersten, Neal, Stuart

The bill was ordered engrossed and then enrolled.

The Honorable Curtis Peterson, President

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

CS for SB 242—A bill to be entitled An act relating to radiologic technologists; creating s. 468.29, F.S., entitling part V of chapter 468, F.S., as the "Radiologic Technologist Certification Act"; amending s. 468.30, F.S., modifying policy and declaring intent; amending s. 468.301, F.S., modifying definitions; amending s. 468.302, F.S., updating terminology and specifying categories and scope of practice; amending s. 468.304, F.S., providing a cap on examination fees and modifying qualifications for admission to examination; amending s. 468.305, F.S., updating terminology; amending s. 468.306, F.S., modifying requirements for examinations and providing reexamination and endorsement fees; providing for certification by endorsement; amending s. 468.307, F.S., modifying provisions relating to issuance, possession, and display of certificates; providing for temporary certificates; amending s. 468.308, F.S., providing qualifications necessary for certification based upon prior experience or training; providing a cap on the application fees; providing for other qualifications; restricting certification of limited computed tomographers; amending s. 468.309, F.S., modifying provisions relating to renewal of certificate and providing a cap on renewal fees; authorizing continuing education requirements; providing for automatic reversion of a certificate to inactive status under certain conditions; amending s. 468.31, F.S., providing for placement of a certificate in inactive status; providing for reactivation upon payment of a fee and meeting certain other requirements; amending s. 468.311, F.S., relating to violations and penalties; creating s. 468.3115, F.S., providing for injunctive relief; amending s. 468.312, F.S., providing for deposit of fees in the Radiation Protection Trust Fund; creating s. 468.313, F.S., specifying grounds for discipline and providing administrative penalties; creating s. 468.314, F.S., establishing the Advisory Council on Radiation Protection and providing for membership, terms, meetings, and responsibilities thereof; providing for review and repeal of said council; saving part V of chapter 468, F.S., from sunset repeal scheduled October 1, 1984; providing for review and repeal of said part on October 1, 1994; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On pages 2-26, strike everything after the enacting clause and insert:

Section 1. Section 468.29, Florida Statutes, is created to read:

468.29 Short title.—This part shall be known and may be cited as the "Radiologic Technologist Certification Act."

Section 2. Section 468.30, Florida Statutes, is amended to read:

468.30 Declaration of policy.—It is declared to be the policy of the state that the health and safety of the people must be protected against the harmful effects of excessive and improper exposure to ionizing radiation. Such protection can in some major measure be accomplished by requiring adequate training and experience of persons who *use radiation and* ~~operate~~ radiation-emitting equipment in each particular case under the specific direction of licensed practitioners. It is the purpose of this part to establish standards of education, training, and experience and to require the examination and certification of *users* ~~operators~~ of *radiation and* radiation-emitting equipment. *It is the intent of the Legislature that the Department of Health and Rehabilitative Services shall contract with the Department of Professional Regulation for investigation, certificate issuance and renewal, technical assistance, and related support services.*

Section 3. Section 468.301, Florida Statutes, is amended to read:

468.301 Definitions.—As used in this part:

(1) "Basic X-ray machine operator" means a person employed by a licensed practitioner to perform certain radiographic functions, specifically excluding nuclear medicine and radiation therapy procedures, under the direct supervision of that practitioner.

(2) "Certificate" means a certification granted and issued by the department under this part.

(3) "Council" means the Advisory Council on Radiation Protection.

~~(1) "Administrator" means the administrator of the Radiological and Occupational Health Section, or its successor, of the Health Program Office of the Department of Health and Rehabilitative Services.~~

(4)~~(2)~~ "Department" means the Department of Health and Rehabilitative Services.

(5) "Direct supervision" means supervision and control by a licensed practitioner who assumes legal liability for the services rendered by the basic X-ray machine operator. Supervision shall require the physical presence of the licensed practitioner for consultation and direction of the actions of the basic X-ray machine operator.

(6) "Educational program" means training or education, including either didactic or clinical practicum, or both, which has a specified objective, planned activities for students, and suitable methods for measuring student attainment and which is offered, sponsored, or approved by an organization or institution which is able to meet or enforce these criteria and which is subject to approval by the department.

(7) "General radiographer" means a person employed and certificated in radiography, other than a basic X-ray machine operator.

(8) "General supervision" means supervision whereby a practitioner authorizes the services to be performed by the radiologic technologist, and, except in cases of emergency, supervision shall require the easy availability or physical presence of the licensed practitioner for consultation and direction of the actions of the radiologic technologist.

~~(3) "Certificate" means a certification granted and issued by the department under this part.~~

~~(4) "Health physicist" means a person recognized by the Health Program Office of the Department of Health and Rehabilitative Services as a qualified expert in the field of radiation protection as it relates to diagnostic and therapeutic X-ray.~~

(9)~~(5)~~ "Licensed practitioner" means a person licensed or otherwise authorized by law to practice medicine, ~~dentistry,~~ podiatry, chiropody, osteopathy, naturopathy, or chiropractic in this state.

(10) "National organization" means a professional association or registry, approved by the department, that examines, registers, certifies, or approves individuals and education programs relating to operators of sources of radiation.

(11)~~(6)~~ "Person" means any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, agency, political subdivision of this state or any other state, or political subdivision of any agency thereof and any legal successor, representative, agent, or agency of the foregoing.

(12) "Radiation" means X-rays and gamma rays, alpha and beta particles, high speed electrons, neutrons, and other nuclear particles.

~~(7) "Program Office" means the Health Program Office of the Department of Health and Rehabilitative Services.~~

(13)~~(8)~~ "Radiologic technologist" means a person other than a licensed practitioner who is qualified by education, training, or experience, *as more specifically defined in s. 468.302,* to use *radiation* ~~X rays~~ on human beings under the specific direction *and general supervision* of a licensed practitioner in each particular case.

(14) "Secretary" means the Secretary of Health and Rehabilitative Services.

~~(9) "Section" means the Radiological and Occupational Health Section, or its successor, of the Health Program Office of the Department of Health and Rehabilitative Services.~~

~~(10) "National Organization" means a professional association or registry, approved by the department, that examines, registers, certifies, or approves individuals and education programs relating to operators of sources of radiation.~~

Section 4. Section 468.302, Florida Statutes, is amended to read:

468.302 Use of *radiation* ~~X-rays~~; limitations; exceptions.—

(1) Except as hereinafter provided, no person shall use *radiation* ~~X rays~~ on a human being unless he:

(a) Is a licensed practitioner; or ~~unless he~~

(b) Is the holder of a certificate as provided in this part *operating under the direct or general supervision of a licensed practitioner in each particular case.*

(2)(a) A person holding a certificate as a basic X-ray machine operator may use the title "Basic X-ray Machine Operator."

(b) A person holding a certificate as a general radiographer may use the title "Certified Radiologic Technologist-Radiographer" or the letters "CRT-R" after his name.

(c) A person holding a certificate as a limited computed tomography technologist may use the title "Certified Radiologic Technologist-Computed Tomography" or the letters "CRT-C" after his name.

(d) A person holding a certificate as a radiation therapy technologist may use the title "Certified Radiologic Technologist-Therapy" or the letters "CRT-T" after his name.

(e) A person holding a certificate as a nuclear medicine technologist may use the title "Certified Radiologic Technologist-Nuclear Medicine" or the letters "CRT-N" after his name.

No other person shall be entitled to so use such title or letters, as contained in this subsection, or to hold himself out in any way, whether orally or in writing, expressly or by implication, as being so certified.

(3)(a) A person holding a certificate as a basic X-ray machine operator may perform general diagnostic radiographic and general fluoroscopic procedures, specifically excluding nuclear medicine and radiation therapy procedures, under the direct supervision and control of a licensed practitioner in that practitioner's office or in a hospital pursuant to paragraph (b) of this subsection. A basic X-ray machine operator may participate in additional approved programs, as provided by rule of the department.

(b) Effective January 1, 1985, the basic X-ray machine operator shall not practice radiologic technology in walk-in emergency centers, free-standing breast clinics, free-standing cancer clinics, state mental hospitals, state correctional institutions, or in any facility regulated under chapters 389, 390, 392, 393, 394, and 641, except that graduates of department-approved educational programs in radiologic technology who graduated on or before the effective date of this act shall have 1 year from the effective date in which to pass the examination for the appropriate category set forth in section 468.302. For facilities licensed under chapter 395, a basic X-ray machine operator may only perform procedures specified in paragraph (a) of this subsection in a hospital with a capacity of 150 beds or less. Should such hospital have or acquire radiographic or fluoroscopic equipment other than general diagnostic radiographic and general fluoroscopic equipment, it shall keep a record documenting which personnel performed each radiographic or fluoroscopic procedure.

(c) A person holding a certificate as a general radiographer may not perform nuclear medicine and radiation therapy procedures. A general radiographer may participate in additional approved programs, as provided by rule of the department.

(d) A person holding a certificate as a limited computed tomography technologist may perform only diagnostic computed tomography examinations.

(e) A person holding a certificate as a radiation therapy technologist may administer only X-radiation and ionizing radiation emitted from particle accelerators and external beam teletherapy from sealed sources of radioactive material to human beings for therapeutic or simulation purposes.

(f) A person holding a certificate as a nuclear medicine technologist may only:

1. Conduct in vivo and in vitro measurement of radioactivity; and

2. Administer radiopharmaceuticals to human beings for diagnostic and therapeutic purposes.

However, a nuclear medicine technologist's authority shall exclude radioimmunoassay and other clinical laboratory testing regulated pursuant to chapter 483.

~~(2) A person holding a certificate as a radiologic technologist may use the title "Certified Radiologic Technologist" or the letters "CRT" after his name. No other person shall be entitled to so use such title or letters, or to use a title or letters after his name that indicate or imply that he is a certified radiologic technologist, or to hold himself out in any way, whether orally or in writing, expressly or by implication, as a certified radiologic technologist.~~

(4)~~(3)~~ A person holding a certificate as a radiologic technologist may only use *radiation* ~~X rays~~ or *radiation* ~~X-ray~~ producing equipment on human beings for diagnostic or therapeutic purposes while operating in each particular case under *the general supervision of* a licensed practitioner, and only if the application of *radiation* ~~X rays~~ is limited to those persons or parts of the human body specified in the law under which the practitioner is licensed.

(5)~~(4)~~ Nothing contained in this part relating to radiologic technology shall be construed to limit, enlarge, or affect in any respect the practice of their respective professions by duly licensed practitioners.

(6)~~(5)~~ The requirement of a certificate shall not apply to:

(a) A hospital resident who is not a licensed practitioner in this state or a student enrolled in and attending a school or college of medicine, osteopathy, chiropody, podiatry, ~~dentistry, dental hygiene, dental assisting,~~ chiropractic, or radiologic technology *educational program* who applies radiation to a human being while under the direct supervision of a licensed practitioner.

(b) A person engaged in performing the duties of a radiologic technologist in his employment by a governmental agency of the United States.

~~(c) A dental hygienist, licensed prior to the effective date of this part, who operates only dental radiographic equipment for the sole purpose of dental radiography and limits the X-ray beam to the face of the patient.~~

~~(d) A dental assistant, certified prior to the effective date of this part, who operates only dental radiographic equipment for the sole purpose of dental radiography and limits the X-ray beam to the face of the patient.~~

(7) A person licensed to perform nuclear medicine procedures pursuant to chapter 483 shall not be required to be certificated under this part, provided such person does not perform any other procedures regulated under this part.

Section 5. Section 468.304, Florida Statutes, is amended to read:

468.304 Certification examination; admission.—The department shall admit to examination for certification any applicant who pays to the *department* ~~program office~~ a nonrefundable fee *not to exceed $50* ~~of $25~~ and submits satisfactory evidence, verified by oath or affirmation, that he:

(1) Is at least 18 years of age at the time of application;~~.~~

(2) Is a high school graduate or has successfully completed the requirements for a graduate equivalency diploma (GED) or its equivalent;

(3)~~(2)~~ Is of good moral character; *and*~~.~~

(4)~~(3)~~*(a)* Has successfully completed *an educational program, which may be established in hospitals licensed pursuant to chapter 395 or in accredited postsecondary academic institutions, which shall be subject to approval* ~~a 24-month course of study in radiologic technology in a school of radiologic technology approved~~ by the department as maintaining a satisfactory standard;~~,~~ or

(b)1. With respect to an applicant for a basic X-ray machine operator's certificate, has completed a course of study *approved* ~~as determined~~ by the department with appropriate study material provided the applicant by the department;~~.~~

2. With respect only to an applicant for a general radiographer's certificate who is a basic X-ray machine operator certificateholder, has completed an educational program or a 2-year training program, which

educational or training program complies with rules of the department, taking into account the types of procedures and level of supervision usually and customarily practiced in a hospital; or

3. With respect only to an applicant for a nuclear medicine technologist's certificate who is a general radiographer certificateholder, has completed an educational program or a 2-year training program, which educational or training program complies with rules of the department, taking into account the types of procedures and level of supervision usually and customarily practiced in a hospital.

Section 6. Section 468.305, Florida Statutes, is amended to read:

468.305 Certification; standards.—The department shall develop *standards* ~~criteria~~ for certification *for the categories of radiological personnel or procedures specified in s. 468.302* ~~based on levels of difficulty of radiological procedures~~. *Such certification standards shall be developed by the department to provide for educational programs for persons who are duly licensed or credentialed in a recognized health care profession or who have other training relevant to the program of study to be undertaken.* All such *categories* ~~levels of certification~~ shall include demonstration of safety procedure competency; however, nothing in this part shall be construed to require that all operators of *radiation* ~~X-ray~~ equipment be registered radiologic technologists.

Section 7. Section 468.306, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 468.306, F.S., for present text.)

468.306 Examinations.—All applicants, except those certified pursuant to subsection (5) or s. 468.308, shall be required to pass an examination. The department is authorized to develop or use examinations for each type of certificate.

(1) The department shall have the authority to contract with organizations that develop such test examinations. Examinations may be administered by the department or the contracting organization.

(2) Examinations shall be given for each type of certificate at least twice a year at such times and places as the department may determine to be advantageous for applicants.

(3) All examinations shall be written, and shall include positioning, technique, and radiation protection. The department shall either pass or fail each applicant on the basis of his final grade. The examination for basic X-ray machine operator shall include basic positioning and basic techniques directly related to the skills necessary to safely operate radiographic equipment.

(4) A nonrefundable fee not to exceed $40 shall be charged for any subsequent examination.

(5) The department may issue a certificate by endorsement to practice radiologic technology to an applicant who, upon applying to the department and remitting a fee not to exceed $50, demonstrates to the department that he holds a current certificate, license, or registration to practice radiologic technology, provided that the requirements therefor are deemed by the department to be substantially equivalent to those established under this part and rules adopted hereunder.

Section 8. Section 468.307, Florida Statutes, is amended to read:

468.307 Certificate; issuance; possession; display.—

(1) The department shall issue a certificate to each candidate who has *met the requirements of ss. 468.304 and 468.306* ~~paid the prescribed fee and either successfully passed the examination~~ or *has* qualified under s. 468.306*(5)*~~(6)~~ *or s. 468.308.*

~~(2)(a) The department may, at its discretion, issue a temporary certificate to any applicant who does not qualify, by reason of a restricted area or duration of training and experience, for the issuance of a certificate under the provisions of s. 468.304, s. 468.306, or s. 468.308, but who has demonstrated to the satisfaction of the department by examination that he is capable of performing the functions of a radiologic technologist within the limited field specified in his application. The temporary certificate shall specify the activities in which its holder may engage. Authority of the department to issue temporary certificates under the provisions of this subsection shall terminate 2 years after the effective date of this part.~~

~~(b) Upon application by a physician, the department may, at its discretion, issue a temporary certificate to an applicant hired after the 2-year period specified in paragraph (a), provided such temporary certificate shall expire 6 months from the date of issuance and shall not be renewed.~~

(2)~~(3)~~(a) ~~Additionally,~~ The department may, at its discretion, issue a temporary certificate to *any applicant who has completed an educational program awaiting examination for certificates specified in s. 468.302(2)(b), (d), and (e), provided that the applicant has met all other requirements established pursuant to s. 468.304. Upon application by a licensed practitioner who is practicing in an office of five or fewer licensed practitioners, the department may issue a temporary certificate to a basic X-ray machine operator, if such person is under direct supervision of licensed practitioners and if the licensed practitioner has not requested issuance of a temporary certificate within the previous 18 months.*:

~~1. Any person who has qualified for examination under s. 468.308 and who has applied for such examination.~~

~~2. Any person qualified under s. 468.308 who has failed his first examination under s. 468.308, and who has applied for a second examination.~~

~~3. Any person whose certification or recertification may be pending and in whose case the issuance of a temporary certificate may be justified by reason of special circumstances.~~

(b)1. A temporary certificate as provided in ~~subsection (2) and~~ this subsection shall be issued only if the department finds that its issuance will not violate the purposes of this part or tend to endanger the public health and safety. *Temporary certificates shall not be extended, renewed, or reissued.*

~~2. The holders of temporary certificates issued pursuant to paragraph (2)(a) must have successfully completed the certified radiologic technologist's examination given by the department or be enrolled in an accredited American Medical Association school program.~~

~~3. In the event the applicant is required to take a national organization or state board examination, a temporary certificate shall expire 90 days after the date of the next examination or, if the applicant does not take the required examination, then on the date of such examination.~~

2.~~4. Except as provided in paragraph (3)(b) and this subsection,~~ A temporary certificate shall expire *automatically 6 months after the date of issuance or* when the determination is made either to issue to the applicant, or to deny him the issuance of, a regular certificate~~, and in no event shall any such temporary certificate be issued for a period longer than 2 years~~.

(3)~~(4)~~ Every *employer of radiologic technologists shall display the certificates of all of said employees in a place accessible to view* ~~radiologic technologist shall carry his certificate with him when at work, and the certificate shall be displayed on request~~.

Section 9. Section 468.308, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 468.308, F.S., for present text.)

468.308 Certification based on prior experience or training.—

(1) The department shall issue a certificate for the appropriate category without examination to any person who makes application to it in writing by July 1, 1985, accompanied by a fee not to exceed $50, and who, on January 1, 1985:

(a) Is employed as a nuclear medicine technologist, an advanced radiologic technologist performing nuclear medicine procedures, or a radiation therapy technologist; or

(b) Holds a valid certificate with a national organization in one of the categories specified in paragraph (a).

(2) The department shall issue a general radiographer's certificate to a basic certificateholder who, on January 1, 1985, is employed by a hospital and demonstrates to the satisfaction of the department that his training and experience include radiographic positioning and technique and radiation protection.

(3) Application shall be made on a form prescribed by the department and shall be accompanied by such other evidence of qualifications as may be required.

(4) No application for a limited computed tomography certificate shall be accepted after October 1, 1984. All persons holding valid computed tomography certificates on October 1, 1984, shall be subject to the provisions of s. 468.309.

Section 10. Section 468.309, Florida Statutes, is amended to read:

468.309 Certificate; duration; renewal; reissuance.—

(1) A radiologic technologist's certificate issued in accordance with *this part* ~~s. 468.307 or s. 468.308~~ shall *automatically* expire on *December 31* ~~the last day~~ of the ~~second~~ year *following* ~~after~~ the year of issuance. A certificate shall be renewed by the department for a period of 2 years upon payment of a renewal fee in an amount *not to exceed $50* ~~to be determined by the department~~ and upon submission of a renewal application containing such information as the department deems necessary to show that the applicant for renewal is a radiologic technologist in good standing and has completed any continuing education requirements which may be established by the department ~~for advance levels of radiologic technology~~. Continuing education which may be required for persons certified *under this part* ~~in basic safety~~ may be *obtained through home study courses approved* ~~provided~~ by the department ~~through home study courses~~.

(2) *The department shall adopt rules establishing a procedure for the biennial renewal of certificates.* ~~A radiologic technologist who has been heretofore duly certified in this state, whose certificate has not been revoked or suspended, but who has failed to renew his certificate, may apply for the reissuance of a certificate upon complying with the provisions of this section and may be required to take the examination therefor, at the discretion of the department.~~

(3) The department may, by rule, prescribe continuing education requirements as a condition for renewal of a certificate, not to exceed 24 hours each licensure period. The criteria for continuing education programs shall be approved by the department.

(4) Any certificate which is not renewed at the end of the biennium prescribed by the department shall automatically revert to an inactive status. Such certificate may be reactivated only if the certificateholder meets the other qualifications for reactivation in s. 468.31.

(5) Sixty days prior to the end of the biennium, the department shall mail a notice of renewal to the last known address of the certificateholder.

Section 11. Section 468.31, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 468.31, F.S., for present text.)

468.31 Inactive status.—

(1) A certificateholder may request that his certificate be placed in an inactive status by making application to the department and paying a fee in an amount set by the department not to exceed $50.

(2) A certificate which has been inactive for less than 1 year after the end of the biennium prescribed by the department may be renewed pursuant to s. 468.309 upon payment of the late renewal fee not to exceed $100. The renewed certificate shall expire 2 years after the date the certificate automatically reverted to inactive status.

(3) A certificate which has been inactive for more than 1 year may be reactivated upon application to the department. The department shall prescribe, by rule, continuing education requirements as a condition of reactivating a certificate. The continuing education requirements for reactivating a certificate shall not exceed 10 classroom hours for each year the certificate was inactive and shall in no event exceed 100 classroom hours for all years in which the certificate was inactive. Any certificate which is inactive for more than 10 years shall automatically be suspended. One year prior to the suspension, the department shall give notice to the certificateholder. A suspended certificate may be reinstated as provided for original issuance in s. 468.307.

Section 12. Section 468.311, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 468.311, F.S., for present text.)

468.311 Violations and penalties.—Each of the following acts constitutes a misdemeanor of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084:

(1) Practicing radiologic technology without holding an active certificate to do so.

(2) Using or attempting to use a certificate which has been suspended or revoked.

(3) The willful practice of radiologic technology by a student radiologic technologist without a direct supervisor present.

(4) Knowingly allowing a student radiologic technologist to practice radiologic technology without a direct supervisor present.

(5) Obtaining or attempting to obtain a certificate under this part through bribery or fraudulent misrepresentation.

(6) Using the name or title "Certified Radiologic Technologist" or any other name or title which implies that a person is certified to practice radiologic technology, unless such person is duly certified as provided in this part.

(7) Knowingly concealing information relating to the enforcement of this part or rules adopted pursuant hereto.

(8) Employing, for the purpose of applying ionizing radiation to any human being, any individual who is not certified under the provisions of this part.

Section 13. Section 468.3115, Florida Statutes, is created to read:

468.3115 Injunction.—The practice of radiologic technology in violation of this part, or the performance of any act prohibited in this part, is declared a nuisance inimical to the public health, safety, and welfare of this state. The department, or any state attorney in the name of the people of this state, may, in addition to other remedies provided in this part, bring an action for an injunction to restrain such violation of this part until compliance with the provisions of this part, including the rules adopted pursuant to this part, has been demonstrated to the satisfaction of the department.

Section 14. Section 468.312, Florida Statutes, is amended to read:

468.312 Fees; disposition.—All moneys derived from fees imposed pursuant to this part shall be placed in *the Radiation Protection Trust Fund* ~~a fund~~ to be used by the ~~Radiological and Occupational Health Section of the~~ department ~~of Health and Rehabilitative Services~~ for the sole purpose of carrying out the provisions of this part.

Section 15. Section 468.313, Florida Statutes, is created to read:

468.313 Disciplinary actions; penalties.—

(1) The following acts shall be grounds for disciplinary action as set forth in this section:

(a) Procuring, attempting to procure, or renewing a certificate to practice radiologic technology by bribery, by fraudulent misrepresentation, or through an error of the department.

(b) Having a certificate to practice radiologic technology revoked, suspended, or otherwise acted against, including being denied certification, by the certification authority of another state, territory, or country.

(c) Being convicted or found guilty, regardless of adjudication, in any jurisdiction of a crime which directly relates to the practice of radiologic technology or to the ability to practice radiologic technology. A plea of nolo contendere shall be considered a conviction for purposes of this provision.

(d) Making or filing a false report or record, which the certificateholder knows to be false, intentionally or negligently failing to file a report or record required by state or federal law, or willfully impeding or obstructing such filing or inducing another to do so. Such reports or records shall include only those which are signed in the radiologic technologist's capacity as a radiologic technologist.

(e) Engaging in unprofessional conduct, which includes, but is not limited to, any departure from, or the failure to conform to, the standards of practice of radiologic technology as established by the department, in which case actual injury need not be established.

(f) Being unable to practice radiologic technology with reasonable skill and safety to patients by reason of illness, drunkenness, use of drugs, narcotics, chemicals, or other materials, or as a result of any

mental or physical condition. A radiologic technologist affected under this paragraph shall, at reasonable intervals, be afforded an opportunity to demonstrate that he can resume the competent practice of radiologic technology with reasonable skill and safety.

(g) Failing to report to the department any person who the certificateholder knows is in violation of this part or of the rules of the department.

(h) Willfully or repeatedly violating any provision of this part, any rule of the department, or any lawful order of the department previously entered in a disciplinary proceeding or failing to comply with a lawfully issued subpoena of the department.

(i) Employing, for the purpose of applying ionizing radiation to any human being, any individual who is not certified under the provisions of this part.

(2) When the department finds any person or firm guilty of any of the grounds set forth in subsection (1), it may enter an order imposing one or more of the following penalties:

(a) Refusal to approve an application for certification.

(b) Revocation or suspension of a certificate.

(c) Imposition of an administrative fine not to exceed $1,000 for each count or separate offense.

(d) Issuance of a reprimand.

(e) Placement of the radiologic technologist on probation for such period of time and subject to such conditions as the department may specify, including requiring the radiologic technologist to submit to treatment, to undertake further relevant education or training, to take an examination, or to work under the supervision of a licensed practitioner.

(3) The department shall not reinstate the certificate of a radiologic technologist, or cause a certificate to be issued to a person it has deemed unqualified, until such time as it is satisfied that such person has complied with all the terms and conditions set forth in the final order and that such person is capable of safely engaging in the practice of radiologic technology.

(4) The department shall by rule establish guidelines for the disposition of disciplinary cases involving specific types of violations. Such guidelines may include minimum and maximum fines, periods of suspension or probation, or conditions of probation or reissuance of a certificate.

Section 16. Section 468.314, Florida Statutes, is created to read:

468.314 Advisory council; appointment; terms; powers; duties.—

(1) The Advisory Council on Radiation Protection is created within the Department of Health and Rehabilitative Services and shall consist of 15 persons to be appointed by the secretary for 3-year terms.

(2) The council shall be comprised of:

(a) A certified radiologic technologist-radiographer.

(b) A certified radiologic technologist-nuclear medicine.

(c) A certified radiologic technologist-therapy.

(d) A basic X-ray machine operator or a licensed practitioner who employs same.

(e) A board-certified radiologist.

(f) A board-certified nuclear medicine physician.

(g) A certified health physicist.

(h) A representative from the administration of a hospital affiliated with a radiologic technology educational program.

(i) An expert in environmental radiation matters.

(j) A board-certified chiropractic radiologist.

(k) A board-certified podiatrist.

(l) A board-certified radiological physicist.

(m) A board-certified therapeutic radiologist or board-certified radiation oncologist.

(n) Two persons, neither of whom has ever been certified as a radiologic technologist or been a member of any closely related profession.

(3) In order to achieve staggering of terms, within 120 days after October 1, 1984, the secretary shall appoint 15 eligible and qualified persons to be members of the council, as follows:

(a) Five members shall be appointed for terms of 1 year;

(b) Five members shall be appointed for terms of 2 years; and

(c) Five members shall be appointed for terms of 3 years.

As the term of each member expires, the secretary shall appoint his successor for a term of 3 years. A member shall serve until his successor is appointed.

(4) The council shall meet at least twice a year, but no more than four times per year unless authorized by the secretary.

(5) Members of the council shall receive no compensation for their services; however, they shall be entitled to reimbursement for necessary traveling expenses, pursuant to s. 112.061, from the funds derived from fees collected under the provision of this part.

(6)(a) The council may recommend to the department examination procedures for applicants and minimum requirements for qualification and shall recommend to the department a code of ethics for the practice of radiologic technology.

(b) The council shall make recommendations for the improvement of continuing education courses.

(c) The council shall make recommendations to the department on matters relating to the practice of radiologic technology and radiation protection.

(d) The council shall study the utilization of medical imaging and nonionizing radiation, such as nuclear magnetic resonance or similarly related technology, and shall make recommendations to the department on the personnel appropriate to conduct such procedures and the minimum qualifications for such personnel.

Section 17. Section 468.314, Florida Statutes, is repealed on October 1, 1994, and the Advisory Council on Radiation Protection shall be reviewed by the Legislature pursuant to s. 11.611, Florida Statutes, the Sundown Act.

Section 18. Notwithstanding the provisions of the Regulatory Sunset Act or of any other provision of law which provides for review and repeal in accordance with s. 11.61, Florida Statutes, part V of chapter 468, Florida Statutes, consisting of sections 468.30 through 468.312, Florida Statutes, shall not stand repealed on October 1, 1984, and shall continue in full force and effect as amended herein.

Section 19. Part V of chapter 468, Florida Statutes, is repealed on October 1, 1994, and shall be reviewed by the Legislature pursuant to s. 11.61, Florida Statutes, the Regulatory Sunset Act.

Section 20. This act shall take effect October 1, 1984.

Amendment 2—In title, on pages 1 and 2 strike the entire title and insert: A bill to be entitled An act relating to radiologic technologists; creating s. 468.29, F.S., entitling part V of chapter 468, F.S., as the "Radiologic Technologist Certification Act"; amending s. 468.30, F.S., modifying policy and declaring intent; amending s. 468.301, F.S., modifying definitions; amending s. 468.302, F.S., updating terminology and specifying categories and scope of practice; amending s. 468.304, F.S., providing a cap on examination fees and modifying qualifications for admission to examination; amending s. 468.305, F.S., updating terminology; providing for educational programs; amending s. 468.306, F.S., modifying requirements for examinations and providing reexamination and endorsement fees; providing for certification by endorsement; amending s. 468.307, F.S., modifying provisions relating to issuance, possession, and display of certificates; providing for temporary certificates; amending s. 468.308, F.S., providing qualifications necessary for certification based upon prior experience or training; providing a cap on the application fees; restricting certification of limited computed tomographers; amending s. 468.309, F.S., modifying provisions relating to renewal of certificate and providing

a cap on renewal fees; authorizing continuing education requirements; providing for automatic reversion of a certificate to inactive status under certain conditions; providing for notice; amending s. 468.31, F.S., providing for placement of a certificate in inactive status; providing for reactivation upon payment of a fee and meeting certain other requirements; amending s. 468.311, F.S., relating to violations and penalties; creating s. 468.3115, F.S., providing for injunctive relief; amending s. 468.312, F.S., providing for deposit of fees in the Radiation Protection Trust Fund; creating s. 468.313, F.S., specifying grounds for discipline and providing administrative penalties; creating s. 468.314, F.S., establishing the Advisory Council on Radiation Protection and providing for membership, terms, meetings, expenses, and responsibilities thereof; providing for review and repeal of said council; saving part V of chapter 468, F.S., from sunset repeal scheduled October 1, 1984; providing for review and repeal of said part on October 1, 1994; providing an effective date.

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

CS for SB 242 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—31

Mr. President	Fox	Johnston	Neal
Beard	Girardeau	Kirkpatrick	Rehm
Carlucci	Grant	Langley	Scott
Castor	Grizzle	Mann	Thomas
Childers, D.	Hair	Margolis	Thurman
Childers, W. D.	Henderson	McPherson	Vogt
Crawford	Hill	Meek	Weinstein
Dunn	Jennings	Myers	

Nays—1

Frank

Vote after roll call:

Yea—Gersten, Stuart

The bill was ordered engrossed and then enrolled.

The Honorable Curtis Peterson, President

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

CS for SB 1001—A bill to be entitled An act relating to ad valorem taxation; amending s. 192.001, F.S.; amending the definition of "floating structure" to include certain structures used for mining or mineral excavation and certain other structures; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 2, line 3, insert:

Section 2. Section 200.066, Florida Statutes, is amended to read:

200.066 Newly created tax units.—Ad valorem taxes of newly created municipalities or special districts shall be initially imposed no earlier than the January 1 subsequent to the creation or establishment of the municipality or district. *The creation by a county of a municipal service taxing unit under section 125.01, Florida Statutes, shall not be controlled by this section provided the boundaries of such municipal service taxing unit conforms to the boundaries of existing special districts or includes all the unincorporated areas, and provided further that such taxing unit is created prior to July 1 if millage is to be imposed in the ensuing county budget.*

(Renumber subsequent section.)

Amendment 2—On page 1, in the title, line 6, after the semicolon (;), insert: to exempt municipal service taxing from the requirement that special districts not initially impose ad valorem taxes earlier than January 1 subsequent to the creation of such taxing unit;

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

Section 4. Section 200.069, Florida Statutes, is amended to read:

200.069 Notice of proposed property taxes.—Pursuant to s. 200.065(2)(b), the property appraiser, in the name of the taxing authorities within his jurisdiction and at the expense of the county, shall prepare and deliver by first-class mail to each taxpayer to be listed on the current year's assessment roll a notice of proposed property taxes, which notice shall be in substantially the following form. Notwithstanding the provisions of s. 195.022, no county officer shall use a form other than that provided by the department for this purpose, *except as provided in subsection (11).*

(1) The notice shall read:

NOTICE OF PROPOSED PROPERTY TAXES

DO NOT PAY—THIS IS NOT A BILL

The taxing authorities which levy property taxes against your property will soon hold PUBLIC HEARINGS to adopt budgets and tax rates for the next year.

The purpose of these PUBLIC HEARINGS is to receive opinions from the general public and to answer questions on the proposed tax change and budget PRIOR TO TAKING FINAL ACTION.

Each taxing authority may AMEND OR ALTER its proposals at the hearing.

(2) The notice shall further contain information applicable to the specific parcel in question. The information shall be in columnar form. There shall be five column headings which shall read: "Taxing Authority," "Your Property Taxes Last Year," "Your Taxes This Year IF PROPOSED Budget Change is Made," "A Public Hearing on the Proposed Taxes and Budget Will be Held:," and "Your Taxes This Year IF NO Budget Change is Made."

(3) There shall be under each column heading an entry for the county; the school district levy required pursuant to s. 236.02(6); other operating school levies; the municipality or municipal service taxing unit or units in which the parcel lies, if any; the water management district levying pursuant to s. 373.503; a single entry for other independent special districts in which the parcel lies, if any, *except as provided in subsection (11)*; and a single entry for all voted levies for debt service applicable to the parcel, if any.

(4) For each entry listed in subsection (3), there shall appear on the notice the following:

(a) In the first column, a brief, commonly used name for the taxing authority or its governing body. The entry in the first column for the levy required pursuant to s. 236.02(6) shall be "By State Law." The entry for other operating school district levies shall be "By Local Board." Both school levy entries shall be indented and preceded by the notation "Public Schools:." The entry in the first column for independent special districts other than the water management district shall be "Independent Special Districts", *except as provided in subsection (11).* For voted levies for debt service, the entry shall be "Voter Approved Debt Payments."

(b) In the second column, the gross amount of ad valorem taxes levied against the parcel in the previous year. If the parcel did not exist in the previous year, the second column shall be blank.

(c) In the third column, the gross amount of ad valorem taxes proposed to be levied in the current year, which amount shall be based on the proposed millage rates provided to the property appraiser pursuant to s. 200.065(2)(b) or, in the case of voted levies for debt service, the millage rate previously authorized by referendum, and the taxable value of the parcel as shown on the current year's assessment roll.

(d) In the fourth column, the date, the time, and a brief description of the location of the public hearing required pursuant to s. 200.065(2)(c). However:

1. No entry shall be made in the fourth column for the line showing independent special districts other than water management districts if that line represents more than one district;

2. For the line showing voted levies for debt service pursuant to paragraph (a), the following statement shall appear: "Includes debt of . . . (list of brief, commonly used names for each taxing authority whose debt service levy is included on this line) . . .; and

3. For the line showing totals, the following statement shall appear: "For details on independent special districts and voter-approved debt, contact your Tax Collector at . . . (phone number) . . .." *If the option in subsection (11) is utilized, the phrase "independent special districts and" shall be deleted.*

(e) In the fifth column, the gross amount of ad valorem taxes which would apply to the parcel in the current year if each taxing authority were to levy the rolled-back rate computed pursuant to s. 200.065(1) or, in the case of voted levies for debt service, the amount previously authorized by referendum.

(f) For special assessments collected utilizing the ad valorem method pursuant to s. 197.0126, the previous year's assessment amount shall be added to the ad valorem taxes shown in the second and fifth columns, and the amount proposed to be imposed for the current year shall be added to the ad valorem taxes shown in the third column.

(5) The amounts shown on each line preceding the entry for voted levies for debt service shall include the sum of all ad valorem levies of the applicable unit of local government for operating purposes, including those of dependent special districts (except for municipal service taxing units, which shall be listed on the line for municipalities), and all nonvoted or nondebt service special assessments imposed by the applicable unit of local government to be collected utilizing the ad valorem method. Voted levies for debt service for all units of local government shall be combined and shown on a single line, including voter-approved special assessments for debt service if collected utilizing the ad valorem method.

(6) Following the entries for each taxing authority, a final entry shall show: in the first column, the words "Total Property Taxes:" and in the second, third, and fifth columns, the sum of the entries for each of the individual taxing authorities. The second, third, and fifth columns shall, immediately below said entries, be labeled Column 1, Column 2, and Column 3, respectively. Below these labels shall appear, in boldfaced type, the statement: SEE REVERSE SIDE FOR EXPLANATION.

(7) The notice shall further show a brief legal description of the property and the name and mailing address of the owner of record.

(8) The notice shall further read:

Your property value as of January 1:

Assessed Value	Exemptions	Taxable Value
$.....	$.....	$.....

Last year's assessed value: $. . . (amount) . . ..

If you feel that the assessed value of your property is inaccurate or does not reflect fair market value, contact your county property appraiser at . . . (phone number) . . . or . . . (location) . . ..

If the property appraiser's office is unable to resolve the matter as to market value, you may file a petition for adjustment with the Property Appraisal Adjustment Board. Petition forms are available from the county property appraiser and must be filed ON OR BEFORE . . . (date) . . ..

(9) The reverse side of the form shall read:

EXPLANATION

COLUMN 1—"YOUR PROPERTY TAXES LAST YEAR"
This column shows the taxes that applied last year to your property. These amounts were based on budgets adopted last year and your previous assessed value.
COLUMN 2—"YOUR TAXES IF PROPOSED BUDGET CHANGE IS MADE"
This column shows what your taxes will be this year under the BUDGET ACTUALLY PROPOSED by each local taxing authority. The proposal is NOT final and may be amended at the public hearings shown on the front side of this notice.
COLUMN 3—"YOUR TAXES IF NO BUDGET CHANGE IS MADE"
This column shows what your taxes will be this year IF EACH TAXING AUTHORITY DOES NOT INCREASE ITS PROPERTY TAX LEVY. These amounts are based on last year's budgets and your current assessment. The difference between columns 2 and 3 is the tax change proposed by each local taxing authority and is NOT the result of higher assessments.

Note: Amounts shown on this form do NOT reflect early payment discounts you may have received or may be eligible to receive. (Discounts are a maximum of 4 percent of the amounts shown on this form.)

(10) The front side of the form required pursuant to this section shall approximate in all essential respects the facsimile set forth in this subsection as it appears in s. 26, chapter 80-274, Laws of Florida, except for amendments subsequent to 1980.

(11) If authorized by resolution of the governing body of the county prior to July 1, the notice specified herein shall contain a separate line entry for each independent special taxing district in whose jurisdiction the parcel lies. Each such district shall be identified by name. The form used for this purpose shal be identical to that supplied by the department, except that a larger space shall be provided for listing the columnar information specified in subsections (2), (3), (4) and (5). The governing body of the county shall bear the expense of procuring such form.

(Renumber subsequent section.)

Amendment 1 to House Amendment 3—On page 7, line 1, after the comma (",") insert: *and delivered to the property appraiser not later than July 31,*

Amendment 2 to House Amendment 3—On page 6, line 27, after the comma (","), insert: *and with the written concurrence of the property appraiser,*

Amendment 4—On page 1 in the title, line 6, after the semicolon insert: amending s. 200.069, F.S.; allowing each independent special taxing district to be listed separately on the notice of proposed property taxes, at the option of the governing body of the county;

Amendment 5—On page 2, line 3, insert new Section 2:

Section 2. Subsection (4) of section 196.101, Florida Statutes, is amended and subsection (6) is added to said section to read:

196.101 Exemption for totally and permanently disabled persons.—

(4) A person entitled to the exemption in subsection (2) must be a permanent resident of this state for 5 consecutive years prior to claiming the exemption under this section. Submission of an affidavit that the applicant claiming the exemption under subsection (2) has been a permanent resident of this state for the 5 years preceding the date of application shall be prima facie proof of such residence. However, the *prior year gross* income of all persons residing in or upon the homestead shall not exceed *$12,000* ~~$8,200~~. For purposes of this section, "gross income" includes Veterans Administration benefits and any social security benefits *paid* ~~payable~~ to the persons.

(6) The department shall require by rule that the taxpayer annually submit a sworn statement of gross income, pursuant to subsection (4). The department shall require the filing of said statement to be accompanied by copies of federal income tax returns for the prior year, wage and earnings statements (W-2 forms), and other documents it deems necessary, for each member of the household. The taxpayer's statement shall attest to the accuracy of said copies. The department shall prescribe and furnish a form to be used for this purpose, which form shall include a separate listing of Veterans Administration and social security benefits. All records produced by the taxpayer under this subsection shall be deemed to be confidential in the hands of the property appraiser, the department, the tax collector, and the Auditor General and shall not be divulged to any person, firm, or corporation, except upon court order or order of an administrative body having quasi-judicial powers in ad valorem tax matters.

(Renumber subsequent section.)

Amendment 6—On page 2, strike line 3 and insert:

Section 2. This act shall take effect upon becoming a law and shall apply to assessment rolls for 1985 and each year thereafter; however, the amendments to s. 192.001(17), Florida Statutes, as contained in Section 1 of this act shall apply to assessment rolls for 1984 and each year thereafter.

Amendment 7—On page 1 in the title, strike line 7 and insert: amending s. 196.101, F.S., relating to the homestead exemption for certain totally and permanently disabled persons; revising the income limitation; requiring submission of income statements; providing an effective date.

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

CS for SB 1001 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—32

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

Nays—None

Vote after roll call:

Yea—Gersten, Mann, Stuart

The bill was ordered engrossed and then enrolled.

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has refused to recede from House Amendments 1 and 2 to SB 963, again requests the Senate to concur, and in the event the Senate refuses to concur requests a Conference Committee.

Allen Morris, Clerk

SB 963—A bill to be entitled An act relating to the Legislature; requiring the Legislature annually to issue a report summarizing collections, operations, and expenditures of state government and other information; specifying duties of the Joint Legislative Management Committee; providing an effective date.

On motions by Senator Hill, the Senate refused to concur in the House amendments and again requested the House to recede. The action of the Senate was certified to the House.

The Honorable Curtis Peterson, President

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

CS for SB's 114 and 173—A bill to be entitled An act relating to the tax on sales, use and other transactions; amending s. 212.08, F.S.; providing an exemption for real or personal property; deleting the provision relating to refunds for scientific organizations and youth organizations; qualifying additional organizations as educational institutions; adding public libraries to the definition of "educational institutions"; providing an exemption to nonprofit organizations providing special benefits to minors, to local neighborhood crime watch organizations and to REACT organizations; repealing s. 212.095, F.S., relating to the refund process; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 1, line 19, through page 27, line 14, strike everything after the enacting clause and insert:

Section 1. Section 212.08, Florida Statutes, is amended to read:

212.08 Sales, rental, use, consumption, distribution, and storage tax; specified exemptions.—The sale at retail, the rental, the use, the consumption, the distribution, and the storage to be used or consumed in this state of the following ~~tangible personal property~~ are hereby specifically exempt from the tax imposed by *part I of* this chapter.

(1) EXEMPTIONS; GENERAL GROCERIES.—There are exempt from the tax imposed by this chapter food and drinks for human consumption and candy, but only when the price at which such candy is sold is 25 cents or less. Unless the exemption provided by paragraph (7)(b) for school lunches or the exemption provided by paragraph (7)(k) for meals provided by certain nonprofit organizations pertains, none of such items of food and drink means:

(a) Food and drinks served, prepared, or sold in or by restaurants, drugstores, lunch counters, cafeterias, hotels, or other like places of business or by any business or place required by law to be licensed by the Division of Hotels and Restaurants of the Department of Business Regulation;

(b) Foods and drinks sold ready for immediate consumption from vending machines, pushcarts, motor vehicles, or any other form of vehicle;

(c) Soft drinks, which include, but are not limited to, any nonalcoholic beverage; any preparation or beverage commonly referred to as a "soft drink"; or any noncarbonated drink made from milk derivatives or tea, when sold in cans or similar containers. The term "soft drink" does not include: natural fruit or vegetable juices or their concentrates or reconstituted natural concentrated fruit or vegetable juices, whether frozen or unfrozen, dehydrated, powdered, granulated, sweetened or unsweetened, seasoned with salt or spice, or unseasoned; coffee or coffee substitutes; tea except when sold in containers as provided herein; cocoa; or natural fluid milk; or

(d) Foods cooked and prepared on the seller's premises and sold ready for immediate consumption either on or off the premises.

(2) EXEMPTIONS, MEDICAL.—

(a) There shall be exempt from the tax imposed by this chapter any product, supply, or medicine dispensed in a retail establishment by a pharmacist licensed by the state, according to an individual prescription or prescriptions written by a practitioner of the healing arts licensed by the state; hypodermic needles; syringes; chemical compounds and test kits used for the diagnosis or treatment of human disease, illness, or injury; and common household remedies recommended and generally sold for the relief of pain, ailments, distress, or disorders of the human body, according to a list prescribed and approved by the Department of Health and Rehabilitative Services, which list shall be certified to the Department of Revenue from time to time and included in the rules promulgated by the Department of Revenue. There shall also be exempt from the tax imposed by this chapter artificial eyes and limbs; eyeglasses; dentures; hearing aids; crutches; prosthetic and orthopedic appliances; feminine hygiene products, including, but not limited to, sanitary panties, sanitary belts, sanitary napkins, and tampons; and funerals. Funeral directors shall pay tax on all tangible personal property used by them in their business.

(b) For the purposes of this subsection, the term "prosthetic and orthopedic appliances" means any apparatus, instrument, device, or equipment used to replace or substitute for any missing part of the body, to alleviate the malfunction of any part of the body, or to assist any disabled person in leading a normal life by facilitating such person's mobility. Such apparatus, instrument, device, or equipment shall be exempted according to an individual prescription or prescriptions written by a practitioner of the healing arts who is licensed by the state or a list prescribed and approved by the Department of Health and Rehabilitative Services, which list shall be certified to the Department of Revenue from time to time and included in the rules promulgated by the Department of Revenue. This subsection shall be strictly construed and enforced.

(3) EXEMPTIONS, PARTIAL; CERTAIN FARM EQUIPMENT.—There shall be taxable at the rate of 3 percent the sale, use, consumption, or storage for use in this state of self-propelled or power-drawn farm equipment used exclusively by a farmer on a farm owned, leased, or sharecropped by him in plowing, planting, cultivating, or harvesting crops. The rental of self-propelled or power-drawn farm equipment shall be taxed at the rate of 5 percent.

(4) EXEMPTIONS, ITEMS BEARING OTHER EXCISE TAXES, ETC.—

(a) Also exempt are:

1. Water (not exempting mineral water or carbonated water).

2. All fuels used by a public or private utility, including any municipal corporation or rural electric cooperative association, in the generation of electric power or energy for sale. Fuel other than motor fuel and special fuel is taxable as provided in this part, with the exception of fuel expressly exempt herein. However, diesel fuel and kerosene used in any tractor, vehicle, or other farm equipment which is used exclusively on a farm or for processing farm products on the farm are taxable as provided in part II. Motor fuels and special fuels are taxable as provided in part II,

with the exception of those motor fuels and special fuels used by railroad locomotives or vessels to transport persons or property in interstate or foreign commerce which are taxable under this part only to the extent provided herein. The basis of the tax shall be the ratio of intrastate mileage to interstate or foreign mileage traveled by the carrier during the previous fiscal year of the carrier, such ratio to be determined at the close of the fiscal year of the carrier. This ratio shall be applied each month to the total purchases made in this state of gasoline and other fuels to establish that portion of the total used and consumed in intrastate movement and subject to tax under this chapter.

(b) Alcoholic beverages and malt beverages are not exempt. The terms "alcoholic beverages" and "malt beverages" as used in this paragraph have the same meanings ascribed to them in ss. 561.01(4) and 563.01, respectively. It is determined by the Legislature that the classification of alcoholic beverages made in this paragraph for the purpose of extending the tax imposed by this chapter is reasonable and just; and it is intended that such tax be separate from, and in addition to, any other tax imposed on alcoholic beverages.

(5) EXEMPTIONS; ACCOUNT OF USE.—

(a) Items in agricultural use and certain nets.—There are exempt from the tax imposed by this chapter nets designed and used exclusively by commercial fisheries; fertilizers, insecticides, herbicides, and fungicides used for application on crops or groves; portable containers used for processing farm products; field and garden seeds; nursery stock, seedlings, cuttings, or other propagative material purchased for growing stock; cloth, plastic, and other similar materials used for shade, mulch, or protection from frost or insects on a farm; and liquefied petroleum gas or other fuel used to heat a structure in which started pullets or broilers are raised; however, such exemption shall not be allowed unless the purchaser or lessee signs a certificate stating that the item to be exempted is for the exclusive use designated herein.

(b) Machinery and equipment used to increase productive output.—

1. Industrial machinery and equipment purchased for use in new businesses which manufacture, process, compound, or produce for sale items of tangible personal property at fixed locations are exempt from the tax imposed by this chapter upon an affirmative showing by the taxpayer to the satisfaction of the department that such items are used in a new business in this state. Such purchases must be made prior to the date the business first begins its productive operations, and delivery of the purchased item must be made within 12 months of that date.

2. Industrial machinery and equipment purchased for use in expanding manufacturing facilities or plant units which manufacture, process, compound, or produce for sale items of tangible personal property at fixed locations in this state are exempt from any amount of tax imposed by this chapter in excess of $100,000 per calendar year upon an affirmative showing by the taxpayer to the satisfaction of the department that such items are used to increase the productive output of such expanded business by not less than 10 percent.

3.a. To receive an exemption provided by subparagraph 1. or subparagraph 2., a qualifying business entity shall apply to the department for a temporary tax exemption permit. The application shall state that a new business exemption or expanded business exemption is being sought. Upon a tentative affirmative determination by the department pursuant to subparagraph 1. or subparagraph 2., the department shall issue such permit.

b. The applicant shall be required to maintain all necessary books and records to support the exemption. Upon completion of purchases of qualified machinery and equipment pursuant to subparagraph 1. or subparagraph 2., the temporary tax permit shall be delivered to the department or returned to the department by certified or registered mail. The department shall have 4 years from the date of delivery or date of receipt to perform an audit of such purchases, notwithstanding the provisions of s. 212.14(6).

c. If, in a subsequent audit conducted by the department, it is determined that the machinery and equipment purchased as exempt under subparagraph 1. or subparagraph 2. did not meet the criteria mandated by this paragraph or if commencement of production did not occur, the amount of taxes exempted at the time of purchase shall immediately be due and payable to the department by the business entity, together with the appropriate interest and penalty, computed from the date of purchase, in the manner prescribed by this chapter.

d. In the event a qualifying business entity fails to apply for a temporary exemption permit or if the tentative determination by the department required to obtain a temporary exemption permit is negative, a qualifying business entity shall receive the exemption provided in subparagraph 1. or subparagraph 2. through a refund of previously paid taxes. No refund may be made for such taxes unless the criteria mandated by subparagraph 1. or subparagraph 2. have been met and commencement of production has occurred.

4. The department shall promulgate rules governing applications for, issuance of, and the form of temporary tax exemption permits; provisions for recapture of taxes; and the manner and form of refund applications and may establish guidelines as to the requisites for an affirmative showing of increased productive output, commencement of production, and qualification for exemption.

5. The exemptions provided in subparagraphs 1. and 2. do not apply to machinery or equipment purchased or used by electric utility companies, communications companies, phosphate or other solid minerals severance, mining, or processing operations, oil or gas exploration or production operations, printing or publishing firms, any firm subject to regulation by the Division of Hotels and Restaurants of the Department of Business Regulation, or any firm which does not manufacture, process, compound, or produce for sale items of tangible personal property.

6. For the purposes of the exemptions provided in subparagraphs 1. and 2., these terms have the following meanings:

a. "Industrial machinery and equipment" means "section 38 property" as defined in s. 48(a)(1)(A) and (B)(i) of the Internal Revenue Code, provided "industrial machinery and equipment" shall be construed by regulations adopted by the Department of Revenue to mean tangible property used as an integral part of the manufacturing, processing, compounding, or producing for sale of items of tangible personal property. Such term includes parts and accessories only to the extent that the exemption thereof is consistent with the provisions of this paragraph.

b. "Productive output" means the number of units actually produced by a single plant or operation in a single continuous 12-month period, irrespective of sales. Increases in productive output shall be measured by the output for 12 continuous months immediately following the completion of installation of such machinery or equipment over the output for the 12 continuous months immediately preceding such installation. However, if a different 12-month continuous period of time would more accurately reflect the increase in productive output of machinery and equipment purchased to facilitate an expansion, the increase in productive output may be measured during that 12-month continuous period of time if such time period is mutually agreed upon by the Department of Revenue and the expanding business prior to the commencement of production; but in no case may such time period begin later than 2 years following the completion of installation of the new machinery and equipment. The units used to measure productive output shall be physically comparable between the two periods, irrespective of sales.

(c) Machinery and equipment used in production of electrical or steam energy.—The purchase of machinery and equipment for use at a fixed location, which equipment and machinery are necessary in the production of electrical or steam energy resulting from the burning of boiler fuels other than residual oil, is exempt from the tax imposed by this chapter. Such electrical or steam energy must be primarily for use in manufacturing, processing, compounding, or producing for sale items of tangible personal property in this state. However, the exemption provided for in this paragraph shall not be allowed unless the purchaser signs an affidavit stating that the item or items to be exempted are for the exclusive use designated herein. Any person furnishing a false affidavit to the vendor for the purpose of evading payment of any tax imposed under chapter 212 shall be subject to the penalty set forth in s. 212.085 and as otherwise provided by law.

(d) Machinery and equipment used under federal procurement contract.—

1. Industrial machinery and equipment purchased by an expanding business which manufactures tangible personal property pursuant to federal procurement regulations at fixed locations in this state are partially exempt from the tax imposed in this chapter on that portion of the tax which is in excess of $100,000 per calendar year upon an affirmative showing by the taxpayer to the satisfaction of the department that such items are used to increase the implicit productive output of the expanded business by not less than 10 percent. The percentage of increase is mea-

sured as deflated implicit productive output for the calendar year during which the installation of the machinery or equipment is completed or during which commencement of production utilizing such items is begun divided by the implicit productive output for the preceding calendar year. In no case may the commencement of production begin later than 2 years following completion of installation of the machinery or equipment.

2. The amount of the exemption allowed shall equal the taxes otherwise imposed by this chapter in excess of $100,000 per calendar year on qualifying industrial machinery or equipment, reduced by the percentage of gross receipts from cost-reimbursement type contracts attributable to the plant or operation to total gross receipts so attributable, accrued for the year of completion or commencement.

3. The exemption provided by this paragraph shall inure to the taxpayer only through refund of previously paid taxes. Such refund shall be made within 30 days of formal approval by the department of the taxpayer's application, which application may be made on an annual basis following installation of the machinery or equipment.

4. For the purposes of this paragraph, the term:

a. "Cost-reimbursement type contracts" has the same meaning as in 32 C.F.R. s. 3-405.

b. "Deflated implicit productive output" means the product of implicit productive output times the quotient of the national defense implicit price deflator for the preceding calendar year divided by the deflator for the year of completion or commencement.

c. "Eligible costs" means the total direct and indirect costs, as defined in 32 C.F.R. ss. 15-202 and 203, excluding general and administrative costs, selling expenses, and profit, defined by the uniform cost-accounting standards adopted by the Cost-Accounting Standards Board created pursuant to 50 U.S.C. s. 2168.

d. "Implicit productive output" means the annual eligible costs attributable to all contracts or subcontracts subject to federal procurement regulations of the single plant or operation at which the machinery or equipment is used.

e. "Industrial machinery and equipment" means "section 38 property" as defined in s. 48(a)(1)(A) and (B)(i) of the Internal Revenue Code, provided such industrial machinery and equipment qualified as an eligible cost under federal procurement regulations and are used as an integral part of the tangible personal property production process. Such term includes parts and accessories only to the extent that the exemption of such parts and accessories is consistent with the provisions of this paragraph.

f. "National defense implicit price deflator" means the national defense implicit price deflator for the gross national product as determined by the Bureau of Economic Analysis of the United States Department of Commerce.

5. The exclusions provided in subparagraph (b)5. apply to this exemption. This exemption applies only to machinery or equipment purchased pursuant to production contracts with the United States Department of Defense and Armed Forces, the National Aeronautics and Space Administration, and other federal agencies for which the contracts are classified for national security reasons. In no event shall the provisions of this paragraph apply to any expanding business the increase in productive output of which could be measured under the provisions of sub-subparagraph (b)6.b. as physically comparable between the two periods.

(e) Gas used for certain agricultural purposes.—Butane gas, propane gas, and all other forms of liquefied petroleum gases are exempt from the tax imposed by this chapter if used in any tractor, vehicle, or other farm equipment which is used exclusively on a farm or for processing farm products on the farm and no part of which gas is used in any vehicle or equipment driven or operated on the public highways of this state. This restriction does not apply to the movement of farm vehicles or farm equipment between farms. The transporting of bees by water and the operating of equipment used in the apiary of a beekeeper is also deemed an exempt use. This exemption shall inure to the taxpayer only through refund of previously paid taxes. Refunds under this paragraph shall be authorized and administered as provided in s. 212.67.

(6) EXEMPTIONS; POLITICAL SUBDIVISIONS, COMMUNICATIONS.—There are also exempt from the tax imposed by this chapter sales made to the United States Government, the state, or any county, municipality, or political subdivision of this state; provided this exemption does not include sales of tangible personal property made to contractors employed either directly or as agents of any such government or political subdivision thereof when such tangible personal property goes into or becomes a part of public works owned by such government or political subdivision thereof, except public works in progress or for which bonds or revenue certificates have been validated on or before August 1, 1959; and further provided this exemption does not include sales, rental, use, consumption, or storage for use in any political subdivision or municipality in this state of machines and equipment and parts and accessories therefor used in the generation, transmission, or distribution of electrical energy by systems owned and operated by a political subdivision in this state except sales, rental, use, consumption, or storage for which bonds or revenue certificates are validated on or before January 1, 1973, for transmission or distribution expansion. Likewise exempt are newspapers; film rentals, when an admission is charged for viewing such film; and charges for services rendered by radio and television stations, including line charges, talent fees, or license fees and charges for films, video tapes, and transcriptions used in producing radio or television broadcasts.

(7) MISCELLANEOUS EXEMPTIONS.—

(a) Religious, charitable, scientific, educational, and veterans' institutions and organizations.—

1. There are exempt from the tax imposed by *part I of* this chapter *transactions involving* ~~articles of tangible personal property~~:

a. *A sale or lease* ~~Sold or leased~~ directly to ~~or by~~ churches, *or a sale or lease of tangible personal property by churches*;

b. *A sale or lease* ~~Sold or leased~~ to nonprofit religious, nonprofit charitable, nonprofit scientific, or nonprofit educational institutions when used in carrying on their customary nonprofit religious, nonprofit charitable, nonprofit scientific, or nonprofit educational activities, including church cemeteries; and

c. *A sale or lease* ~~Sold or leased~~ to the state headquarters of qualified veterans' organizations and the state headquarters of their auxiliaries when used in carrying on their customary veterans' organization activities. If a qualified veterans' organization or its auxiliary does not maintain a permanent state headquarters, then *transactions involving a sale or lease* ~~articles of tangible personal property sold or leased~~ to such organization and used to maintain the office of the highest ranking state official are exempt from the tax imposed by *part I of* this chapter.

2. The provisions of this section authorizing exemptions from tax shall be strictly defined, limited, and applied in each category as follows:

a. "Religious institutions" means churches and established physical places for worship in this state at which nonprofit religious services and activities are regularly conducted and carried on.

b. "Charitable institutions" means only nonprofit corporations qualified as nonprofit pursuant to s. 501(c)(3), United States Internal Revenue Code, 1954, as amended, and other nonprofit entities, the sole or primary function of which is to provide, or to raise funds for organizations which provide, one or more of the following services if a reasonable percentage of such service is provided free of charge, or at a substantially reduced cost, to persons who are unable to pay for such service:

I. Medical aid for the relief of disease, injury, or disability.

II. Regular provision of physical necessities such as food, clothing, or shelter.

III. Services for the prevention of, or rehabilitation of persons from, alcoholism or drug abuse; the prevention of suicide; or the alleviation of mental, physical, or sensory health problems.

IV. Social welfare services including adoption placement, child care, community care for the elderly, and other social welfare services which clearly and substantially benefit a client population which is disadvantaged or suffers a hardship.

V. Medical research for the relief of disease, injury, or disability.

VI. Legal services.

c. "Scientific organizations" means scientific organizations in this state which hold current exemptions from federal income tax under s. 501(c)(3) of the Internal Revenue Code and also means organizations the purpose of which is to protect air and water quality in this state or the purpose of which is to protect wildlife in this state and which hold current exemptions from the federal income tax under s. 501(c)(3) of the Internal Revenue Code. ~~The exemption for scientific organizations shall inure to the taxpayer only through a refund of previously paid taxes.~~

d. "Educational institutions" means state tax-supported or parochial, church and nonprofit private schools, colleges, or universities which conduct regular classes and courses of study required for accreditation by, or membership in, the Southern Association of Colleges and Secondary Schools, the Department of Education, the Florida Council of Independent Schools, or the Florida Association of Christian Colleges and Schools, Inc. *or which conduct regular classes and courses of study accepted for continuing education credit by the American Medical Association or the American Dental Association.* Nonprofit libraries, art galleries, and museums open to the public are defined as educational institutions and are eligible for exemption. The term "educational institutions" includes private nonprofit *organizations* ~~corporations~~ the purpose of which is to raise funds for *schools teaching grades kindergarten through high school* ~~high schools~~, colleges, and universities located in this state. The term "educational institutions" includes any educational television or radio network or system established pursuant to s. 229.805 or s. 229.8051 and any nonprofit television or radio station which is a part of such network or system and which holds a current exemption from federal income tax under s. 501(c)(3) of the Internal Revenue Code.

e. "Veterans' organizations" means nationally chartered or recognized veterans' organizations, including, but not limited to, Florida chapters of the Paralyzed Veterans of America, Catholic War Veterans of the U.S.A., and Jewish War Veterans of the U.S.A. and the Disabled American Veterans, Department of Florida, Inc., which hold current exemptions from federal income tax under s. 501(c)(4) or s. 501(c)(19) of the Internal Revenue Code.

(b) School books and school lunches.—This exemption applies to school books used in regularly prescribed courses of study, and to school lunches served to students, in public, parochial, or nonprofit schools operated for and attended by pupils of grades 1 through 12. School books and food sold or served at community colleges and other institutions of higher learning are taxable.

(c) Hospital meals and rooms.—Also exempt from payment of the tax imposed by this chapter on rentals and meals are patients and inmates of any hospital or other physical plant or facility designed and operated primarily for the care of persons who are ill, aged, infirm, mentally or physically incapacitated, or otherwise dependent on special care or attention.

(d) Professional services.—

1. Also exempted are professional, insurance, or personal service transactions which involve sales as inconsequential elements for which no separate charges are made.

2. The above-exempted personal service transactions do not exempt the sale of information services involving the furnishing of printed, mimeographed, or multigraphed matter, or matter duplicating written or printed matter in any other manner, other than professional services and services of employees, agents, or other persons acting in a representative or fiduciary capacity or information services furnished to newspapers and radio and television stations. The term "information services" means and includes the services of collecting, compiling, or analyzing information of any kind or nature and furnishing reports thereof to other persons.

(e) Magazines.—There are likewise exempt from the tax imposed by this chapter subscriptions to magazines entered as second-class mail sold for an annual or longer period of time.

(f) Volunteer fire departments.—Also exempt are firefighting and rescue service equipment and supplies purchased by volunteer fire departments, duly chartered under the Florida Statutes as corporations not for profit.

(g) Guide dogs for the blind.—Also exempt are the sale or rental of guide dogs for the blind, commonly referred to as "seeing-eye dogs," and the sale of food or other items for such guide dogs.

1. The department shall issue a consumer's certificate of exemption to any blind person who holds an identification card as provided for in s. 413.091 and who either owns or rents, or contemplates the ownership or rental of, a guide dog for the blind. The consumer's certificate of exemption shall be issued without charge and shall be of such size as to be capable of being carried in a wallet or billfold.

2. The department shall make such rules concerning items exempt from tax under the provisions of this paragraph as may be necessary to provide that any person authorized to have a consumer's certificate of exemption need only present such a certificate at the time of paying for exempt goods and shall not be required to pay any tax thereon.

(h) Household fuels.—Also exempt from payment of the tax imposed by this chapter are sales of utilities to residential households or owners of residential models in this state by utility companies who pay the gross receipts tax imposed under s. 203.01, and sales of fuel to residential households or owners of residential models, including oil, kerosene, liquefied petroleum gas, coal, wood, and other fuel products used in the household or residential model for the purposes of heating, cooking, lighting, and refrigeration, regardless of whether such sales of utilities and fuels are separately metered and billed direct to the residents or are metered and billed to the landlord. If any part of the utility or fuel is used for a nonexempt purpose, the entire sale is taxable. The landlord shall provide a separate meter for nonexempt utility or fuel consumption.

(i) Flags.—Also exempt are sales of the flag of the United States and the official state flag of Florida.

(j) Crustacea bait.—Also exempt from the tax imposed by this chapter is the purchase by commercial fishermen of bait intended solely for use in the entrapment of Callinectes sapidus and Menippe mercenaria.

(k) Meals provided by certain nonprofit organizations.—There is exempt from the tax imposed by this chapter the sale of prepared meals by a nonprofit volunteer organization to handicapped, elderly, or indigent persons when such meals are delivered as a charitable function by the organization to such persons at their places of residence.

(l) Artificial commemorative flowers.—Also exempted from the tax imposed by this chapter is the sale of artificial commemorative flowers by bona fide nationally chartered veterans' organizations.

(m) Aircraft.—Also exempt is any sale, including an occasional or isolated sale, of an aircraft to an air carrier which is based in the state and which is subject to regulation by the Florida Public Service Commission.

(n) Boiler fuels.—Purchases of natural gas, residual oil, recycled oil, waste oil, solid waste material for use as a fuel, coal, or wood, wood residues, or wood bark used in an industrial manufacturing, processing, compounding, or production process at a fixed location in this state are exempt from the taxes imposed by this chapter. This exemption does not apply to the use of boiler fuels used by any firm subject to regulation by the Division of Hotels and Restaurants of the Department of Business Regulation.

(o) Resource recovery equipment.—Also exempt is resource recovery equipment which is owned and operated by or on behalf of any county or municipality, certified by the Department of Environmental Regulation under the provisions of s. 403.715.

(p) Solar energy systems and components.—Also exempt from payment of the tax imposed by this chapter is the sale at retail, rental, use, consumption, distribution, or storage to be used or consumed in this state of a solar energy system or any component thereof. The Florida Solar Energy Center shall from time to time certify to the department a list of equipment and requisite hardware considered to be a solar energy system or component thereof. This paragraph is repealed effective June 30, 1984.

(q) Energy-efficient devices, systems, and components.—Central air conditioning systems of which the energy-efficiency ratio (EER) or the seasonal energy-efficiency ratio (SEER) exceeds 10.0; heat pumps of which the energy-efficiency ratio (EER) or the seasonal energy-efficiency ratio (SEER) exceeds 8.2 and of which the coefficient of performance (COP) exceeds 2.8; water heating systems which recover waste heat from an air conditioning system, which utilize the otherwise unused capacity of a heat pump, or which derive heat from a heat pump dedicated to water heating; and compressor/condenser units installed as replacements in existing systems which will meet the energy-efficiency-ratio or seasonal-energy-efficiency-ratio requirements of this paragraph as installed are exempt from payment of the tax imposed by this chapter. This exemption is limited to those systems designed primarily for residential use, and any system of heating, ventilating, and air conditioning (HVAC) which

includes electric resistance elements as its primary source of heat is not exempt from the tax imposed by this chapter. The provisions of this section apply to transactions occurring between January 1, 1980, and July 1, 1985. Persons who have paid the tax prior to July 1, 1980, may apply to the Department of Revenue for refunds, and the department is authorized to provide for the payment of such refunds.

(r) Nonprofit organizations designated as State Theater Program facilities.—Nonprofit organizations incorporated in accordance with chapter 617 which have qualified under s. 501(c)(3) of the Internal Revenue Code of 1954, as amended, and which have been designated as State Theater Program facilities as provided in s. 265.287 are exempt from the tax imposed by this chapter.

(s) Florida Retired Educators Association and its local chapters.—Also exempt from payment of the tax imposed by this chapter are purchases of office supplies, equipment, and publications made by the Florida Retired Educators Association and its local chapters.

(t) Feeds.—Feeds for poultry and livestock, including racehorses and dairy cows, are exempt.

(u) Nationally recognized organizations providing special educational, *cultural, recreational* and social benefits to minors,—*Transactions involving a sale or lease to nonprofit organizations whose primary purpose is providing activities which contribute to the development of good character, good sportsmanship, or to the educational, recreational, social or cultural development of minors in this state* ~~Purchases of tangible personal property by the state headquarters or regional offices of the following organizations~~ are exempt from the tax imposed by *part I of* this chapter. ~~to the extent authorized in this paragraph.~~ *This exemption is extended only to that level of the organization located in Florida that has a salaried executive officer or an elected non-salaried executive officer.* ~~It is the legislative intent that this exemption apply only to nationally recognized organizations of significant longevity which primarily provide clear and substantial educational and social benefits to minors, which benefits are essentially more meaningful in nature than merely recreational or supervisional services, which organizations include the Boy Scouts of America, Boys Club, Camp Fire, Inc., 4-H, Future Farmers of America, Girl Scouts of America, Girls Club, parent-teacher associations, Police Athletic League, Young Men's Christian Association, Young Men's Hebrew Association, Young Women's Christian Association, Young Women's Hebrew Association, and youth organizations sponsored and funded by nationally recognized religious institutions. This exemption shall inure to the taxpayer only through refund of previously paid taxes.~~

(8) PARTIAL EXEMPTIONS, VESSELS ENGAGED IN INTERSTATE OR FOREIGN COMMERCE.—

(a) The sale or use of vessels and parts thereof used to transport persons or property in interstate or foreign commerce is subject to the taxes imposed in this chapter only to the extent provided herein. The basis of the tax shall be the ratio of intrastate mileage to interstate or foreign mileage traveled by the carrier during the previous fiscal year. The ratio would be determined at the close of the carrier's fiscal year. This ratio shall be applied to the total purchases of such vessels and parts thereof each month to establish that portion of the total used and consumed in intrastate movement and subject to the tax at the applicable rate. Items, appropriate to carry out the purposes for which a vessel is designed or equipped and used, purchased by the owner, operator, or agent of a vessel for use on board such vessel shall be deemed to be parts of the vessel upon which the same are used or consumed. Vessels and parts thereof used to transport persons or property in interstate and foreign commerce are hereby determined to be susceptible to a distinct and separate classification for taxation under the provisions of this chapter.

(b) The partial exemption provided for in this subsection shall not be allowed unless the purchaser signs an affidavit stating that the item or items to be partially exempted are for the exclusive use designated herein and setting forth the extent of such partial exemption. Any person furnishing a false affidavit to such effect for the purpose of evading payment of any tax imposed under this chapter is subject to the penalties set forth in s. 212.12 and as otherwise provided by law.

(c) It is the intent of the Legislature that neither subsection (4) nor this subsection, whether as currently in effect or as amended by chapter 73-240, Laws of Florida, and in effect between June 22, 1973, and June 13, 1977, shall be construed as imposing the tax provided by this chapter on vessels used as common carriers, contract carriers, or private carriers, engaged in interstate or foreign commerce, except to the extent provided by the pro rata formula provided in subsection (4) and in paragraph (a).

(9) PARTIAL EXEMPTIONS, VEHICLES ENGAGED IN INTERSTATE OR FOREIGN COMMERCE.—Vehicles which are licensed as common carriers by the Interstate Commerce Commission or by the Civil Aeronautics Board and parts thereof used to transport persons or property in interstate or foreign commerce are subject to tax imposed in this chapter only to the extent provided herein. The basis of the tax shall be the ratio of intrastate mileage to interstate or foreign mileage traveled by the carrier during the previous fiscal year of the carrier, such ratio to be determined at the close of the carrier's fiscal year. This ratio shall be applied each month to the total purchases of such vehicles and parts thereof which are used in this state to establish that portion of the total used and consumed in intrastate movement and subject to tax under this chapter. Vehicles which are licensed as common carriers by the Interstate Commerce Commission or the Civil Aeronautics Board and parts thereof used to transport persons or property in interstate and foreign commerce are hereby determined to be susceptible to a distinct and separate classification for taxation under the provisions of this chapter.

(10) PARTIAL EXEMPTION; MOTOR VEHICLE SOLD TO RESIDENT OF ANOTHER STATE.—The tax collected on the sale of a new or used motor vehicle in this state to a resident of another state shall be an amount equal to the sales tax which would be imposed on such sale under the laws of the state of which the purchaser is a resident, except that such tax shall not exceed the tax that would otherwise be imposed under this chapter. At the time of the sale, the purchaser shall execute a notarized statement of his intent to license the vehicle in the state of which he is a resident within 10 days of the sale and of the fact of the payment to the State of Florida of a sales tax in an amount equivalent to the sales tax of his state of residence and shall submit the statement to the appropriate sales tax collection agency in his state of residence.

(11) PARTIAL EXEMPTION; FLYABLE AIRCRAFT.—

(a) The tax imposed on the sale by a manufacturer of flyable aircraft, who designs such aircraft, which sale may include necessary equipment and modifications placed on such flyable aircraft prior to delivery by the manufacturer, shall be an amount equal to the sales tax which would be imposed on such sale under the laws of the state in which the aircraft will be domiciled.

(b) This partial exemption applies only if the purchaser is a resident of another state who will not use the aircraft in this state, or if the purchaser is a resident of another state and uses the aircraft in interstate or foreign commerce, or if the purchaser is a resident of a foreign country.

(c) The maximum tax collectible under this subsection may not exceed 5 percent of the sales price of such aircraft. No Florida tax may be imposed on the sale of such aircraft if the state in which the aircraft will be domiciled does not allow Florida sales or use tax to be credited against its sales or use tax. Furthermore, no tax may be imposed on the sale of such aircraft if the state in which the aircraft will be domiciled has enacted a sales and use tax exemption for flyable aircraft or if the aircraft will be domiciled outside the United States.

(d) The purchaser shall execute a sworn affidavit attesting that he is not a resident of this state and stating where the aircraft will be domiciled. If the aircraft is subsequently used in this state within 6 months of the time of purchase, in violation of the intent of this subsection, the purchaser shall be liable for payment of the full use tax imposed by this chapter and shall be subject to the penalty imposed by s. 212.12(2), which penalty shall be mandatory.

(e) The provisions of s. 212.12(1) notwithstanding, manufacturers of flyable aircraft granted the partial sales tax exemption under this subsection shall be allowed to retain a 10-percent deduction of the amount of sales tax due on sales of flyable aircraft manufactured by them if such manufacturers conform to the provisions of this chapter.

(12) No transactions shall be exempt from the tax imposed by this chapter except those expressly exempted herein. Except for s. 423.02, all special or general laws granting tax exemptions, to the extent they may be inconsistent or in conflict with this chapter, including, but not limited to, the following designated laws, shall yield to and be superseded by the provisions of this subsection: ss. 153.76, 258.14, 315.11, 323.15(6), 340.20, 348.65, 348.762, 349.13, 374.132, 616.07, 623.09, 637.131, and 637.291 and the following Laws of Florida, acts of the year indicated: s. 31, ch. 30843, 1955; s. 19, ch. 30845, 1955; s. 12, ch. 30927, 1955; s. 8, ch. 31179, 1955; s. 15, ch. 31263, 1955; s. 13, ch. 31343, 1955; s. 16, ch. 59-1653; s. 13, ch. 59-1356; s. 12, ch. 61-2261; s. 19, ch. 61-2754; s. 10, ch. 61-2686; s. 11, ch. 63-1643; s. 11, ch. 65-1274; s. 16, ch. 67-1446; and s. 10, ch. 67-1681.

Section 2. Organizations qualified for a refund pursuant to Chapter 83-338, Laws of Florida, shall not be required to pay sales tax on purchases made prior to the effective date of this act on which sales tax was not charged at the time of the purchase.

Section 3. Youth recreational organizations are hereby authorized to apply to the Department of Revenue for a refund of any sales taxes paid during fiscal year 1983-84 on bona fide purchases of items or services necessary to conduct their recreational activities. Affected recreational groups shall submit a refund request, along with invoices or other acceptable proof of purchase, to the department by January 1, 1985. Refund applications deemed valid by the department shall be submitted to the Comptroller for payment to the applicant.

Section 4. Section 212.082, F.S., is created to read:

(1) It is the intent of the Legislature that political subdivisions of the state and public libraries shall utilize their sales tax exemption certificates for purchasing, with funds provided by the following groups, services, equipment, supplies and items necessary for the operation of such groups, in addition to the normal exempt purchases political subdivisions and libraries are empowered to make:

(a) School districts shall purchase necessary goods and services requested by Parent-Teacher organizations.

(b) Counties and municipalities shall purchase necessary goods and services requested by REACT groups, neighborhood crime watch groups, and state or locally recognized organizations solely engaged in youth activities identical to those discussed in s. 212.08(7)(u).

(c) Public libraries shall purchase necessary goods and services requested by groups solely engaged in fund raising activities for such libraries.

Section 5. This act shall take effect August 1, 1984.

Amendment 2 to House Amendment 1—On page 22, lines 1 through 28, strike all existing language and insert:

(u) ~~Nationally recognized~~ *Organizations* providing special educational, *cultural, recreational* and social benefits to minors.—*There shall be* ~~Purchasers of tangible personal property by the state headquarters or regional offices of the following organizations are~~ exempt from the tax imposed by *part I of* this chapter *nonprofit organizations which are incorporated pursuant to Chapter 617 or which hold a current exemption from federal corporate income tax pursuant to s. 501(c)(3) of the Internal Revenue Code whose primary purpose is providing activities which contribute to the development of good character, good sportsmanship, or to the educational or cultural development of minors in this state* ~~to the extent authorized in this paragraph~~. *This exemption is extended only to that level of the organization located in Florida that has a salaried executive officer or an elected non-salaried executive* officer. ~~It is the legislative intent that this exemption apply only to nationally recognized organizations of significant longevity which primarily provide clear and substantial educational and social benefits to minors, which benefits are essentially more meaningful in nature than merely recreational or supervisional services, which organizations include the Boy Scouts of America, Boys Club, Camp Fire, Inc., 4-H, Future Farmers of America, Girl Scouts of America, Girls Club, parent-teacher associations, Police Athletic League, Young Men's Christian Association, Young Men's Hebrew Association, Young Women's Christian Association, Young Women's Hebrew Association, and youth organizations sponsored and funded by nationally recognized religious institutions. This exemption shall inure to the taxpayer only through refund of previously paid taxes.~~

Amendment 2—On page 1, in the title, lines 1-16, strike all existing language and insert: A bill to be entitled An act relating to the tax on sales, use and other transactions; amending s. 212.08, F.S.; providing an exemption for real or personal property; deleting the provision relating to refunds for scientific organizations and youth organizations; qualifying additional organizations as educational institutions; granting an exemption to nonprofit organizations providing special benefits to minors; providing for a refund of fiscal year 1983-1984 sales taxes to certain recreational groups; creating s. 212.082, F.S.; providing legislative intent relating to local neighborhood crime watch organizations, REACT organizations, Parent-Teacher organizations, certain youth groups, and public library support groups; providing an effective date.

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

CS for SB's 114 and 173 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Gersten, Neal

The bill was ordered engrossed and then enrolled.

The Honorable Curtis Peterson, President

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

CS for SB 356—A bill to be entitled An act relating to regulation of professions and occupations; amending s. 455.219, F.S.; providing for the maintenance of separate revenue accounts for certain fines and costs collected by the Department of Professional Regulation; creating s. 455.228, F.S.; providing that the Department of Professional Regulation may issue cease and desist notices to certain unlicensed persons who have violated certain professional regulations and to certain employers of such unlicensed persons; providing for the department to seek the imposition of a civil penalty by the circuit court for such violations; providing for the award of certain fees and costs, attorneys' fees, and court costs to the department; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 1, between lines 21 and 22, insert:

Section 1. Section 455.206, Florida Statutes, is created to read:

455.206 Board Members.—Notwithstanding any provision of the law to the contrary, any person, who otherwise meets the requirements of law for board membership, who is connected in any way with any medical college, dental college, or community college may be appointed to any board so long as that connection does not result in a relationship wherein such college represents the person's principal source of income.

(Renumber subsequent sections.)

Amendment 2—On page 2, line 17, strike: reason, and insert: probable cause

Amendment 3—On page 2, line 27, after the period (.), insert: For the purpose of enforcing a cease and desist order, the department may file a proceeding in the name of the state seeking issuance of an injunction or a writ of mandamus against any person who violates any provisions of such order.

Amendment 4—On page 3, line 3, after the word "award" through line 5, strike all of said language and insert: to the prevailing party court costs and reasonable attorney fees, and in the event the department prevails the court may also award reasonable costs of investigation.

Amendment 5—On page 1, in the title, line 3, after the word "occupations;" insert: creating s. 455.206, F.S., providing that certain persons who meet certain requirements of law may be appointed to any board; and on page 1, lines 15 through 17, strike: all of said lines and insert: violations; providing for enforcement of cease and desist orders by injunction or mandamus; providing for the award of certain fees and costs, attorneys, fees, and court costs; providing an effective

Amendment 6—On page 3, line 8, insert:

Section 3. The Department of Professional Regulation is hereby directed to prepare and submit a report to the President of the Senate and Speaker of the House and the minority leaders of the Senate and the House by January 1 of each year, beginning in 1985. In addition to any other information the Legislature may require, the report shall include statistics and relevent information, on a profession by profession basis, detailing:

(1) The number of complaints received and investigated.

(2) The number of probable cause findings made.

(3) The number of no probable cause findings made.

(4) The number of administrative complaints filed.

(5) The disposition of all administrative complaints.

(6) A description of disciplinary action taken by statutory classification.

Senator Carlucci moved the following amendment to House Amendment 6 which was adopted:

Amendment 1—On page 1, lines 6 and 7, strike "and the minority leaders of the Senate and the House"

On motions by Senator Carlucci, the Senate concurred in House Amendments 1, 2, 3, 4, 5 and House Amendment 6 as amended and the House was requested to concur in the Senate amendment to the House amendment.

CS for SB 356 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

Vote after roll call:

Yea—Gersten, Mann, Neal

RECONSIDERATION

The Senate resumed consideration of—

CS for SB 569—A bill to be entitled An act relating to rights-of-way acquisition by the Department of Transportation; amending s. 127.01, F.S.; specifying powers of the counties to acquire property by eminent domain; amending s. 337.27, F.S.; specifying powers of the department to acquire property and rights by eminent domain and purposes therefor; providing that when land and property falls within a designated transportation corridor the department may acquire it prior to preparation or completion of specific plans; providing that the acquisition of land and property for future transportation needs is a public purpose; providing a definition and conditions for such acquisition; providing that the department may acquire an entire lot, block, or tract of land in certain instances; providing that the value of the property to be acquired is the value on the date that the project scope is known in the market; authorizing the department to enter upon property under certain conditions and for specified purposes; providing an effective date.

On motion by Senator Beard, the Senate reconsidered the vote by which the Senate refused to concur in the House amendments on May 31.

Senator Beard moved the following amendment to House Amendment 2 which was adopted:

Amendment 1—On page 1, lines 1 and 2, after the words "House Amendment 2" strike "On Page 5, line 4, after the period, insert:" and all the rest of pages 1 and 2 and on Page 4, between lines 17 and 18, *insert:*

(4)(a) Where property has been condemned by the Department of Transportation through eminent domain proceedings, the right of the department to maintain possession of the property may be forfeited if the department fails to devote the property to the use for which it was condemned within 5 years from the date of condemnation. The department may petition the circuit court of the county wherein the property lies within that 5-year period for an extension of time which shall not exceed 2 years.

(b) If the department fails to devote the property to the use for which it was condemned, the original owner or his heirs shall have 4 months to purchase the property at the condemnor's original purchase price plus interest at the prevailing rate from the date of the condemnor's purchase. If the original owner or his heirs do not purchase the property, the department shall dispose of such property in accordance with s. 337.25, Florida Statutes.

(c) At the time the property is so acquired, the department shall notify the condemnee of the provisions of this section. Failure to provide notice as provided in this subsection shall render the condemnor liable for damages, costs and reasonable attorney's fees.

(d) For the purposes of this section, the term "use" shall include the designation by the department of such property in the Florida Transportation Plan either as a transportation corridor or any other transportation purpose authorized by statute.

(e) The department shall conduct an inventory of all property acquired by eminent domain every three years and will evaluate that inventory to ensure that all such property is included in the Florida Transportation Plan. If such property is not included in the Florida Transportation Plan, such property shall be incorporated into that plan or disposed of pursuant to provisions of this act.

(f) The department shall have one year from the effective date of this act to conduct an inventory of all property subject to the provisions of this act and to include such property in the Florida Transportation Plan or to begin disposal pursuant to this act.

(Renumber subsequent subsections.)

Senator Beard moved the following amendment to House Amendment 5 which was adopted:

Amendment 1—In title, on page 1, lines 1 and 2 after the words "House Amendment 5" strike "On page 1 line 3 after the semicolon insert" and all the rest of page 1 and insert a new title amendment as follows: A bill to be entitled An act relating to rights-of-way acquisition by the Department of Transportation; amending s. 127.01, F.S; specifying powers of the counties to acquire property by eminent domain; amending s. 337.27, F.S.; specifying powers of the department to acquire property and rights by eminent domain and purposes therefore; providing that when land and property falls within a designated transportation corridor the department may acquire it prior to preparation or completion of specific plans; providing that the acquisition of land and property for future transportation needs is a public purpose; providing a definition and conditions for such acquisition; providing that the department may acquire an entire lot, block, or tract of land in certain instances; providing for forfeiture of property acquired by eminent domain under certain circumstances; requiring notice to condemnees; authorizing the department to enter upon property under certain conditions and for specified purposes; providing an effective date.

On motions by Senator Beard, the Senate concurred in House Amendments 2 and 5 as amended and the House was requested to concur in the Senate amendments to the House amendments.

On motions by Senator Beard, the Senate refused to concur in House Amendments 1, 3, 4 and 6 and the House was requested to recede. The action of the Senate was certified to the House.

CS for SB 569 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—33

Mr. President	Childers, D.	Dunn	Gordon
Beard	Childers, W. D.	Fox	Grant
Carlucci	Crawford	Frank	Grizzle
Castor	Deratany	Girardeau	Hair

Henderson	Mann	Neal	Vogt
Jenne	Margolis	Plummer	Weinstein
Jennings	McPherson	Rehm	
Johnston	Meek	Thomas	
Langley	Myers	Thurman	

Nays—None

Vote after roll call:

Yea—Gersten, Hill

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has amended Senate Amendments to House Amendments, concurred in same as amended and passed CS for SB 986, as amended, and requests the concurrence of the Senate.

Allen Morris, Clerk

CS for SB 986—A bill to be entitled An act relating to environmental regulation; amending s. 403.021, F.S.; applying certain provisions about authorized channel depth to additional entities; amending s. 403.061, F.S.; applying certain classifications, standards, and criteria for waters used for deepwater shipping to additional entities; amending s. 403.0876, F.S.; specifying procedures for obtaining underground well permits; amending s. 403.091, F.S.; broadening the authority for the Department of Environmental Regulation to conduct inspections; providing guidelines; providing for inspection warrants; amending s. 403.1826, F.S.; authorizing a maximum grant for each local government agency; amending s. 403.1838, F.S.; clarifying language; amending s. 403.707, F.S.; deleting a temporary operating permit time limit; specifying certain considerations relating to construction permits; amending s. 403.702, F.S.; assuring economic, cost effective, and environmental considerations; amending s. 403.704, F.S.; requiring landfill construction and closure alternatives research and subsequent report; creating an oversight committee; requiring certain revisions of department rules; authorizing certain variance; amending s. 403.7225, F.S.; specifying public information program requirements; extending the deadline for completing certain county hazardous waste management plans; adding a requirement for updates of hazardous waste assessments; amending s. 403.7264, F.S.; changing amnesty days time periods; amending s. 403.727, F.S.; correcting a cross-reference; amending and renumbering s. 501.118, F.S.; deleting references to hazardous substances and materials; amending s. 403.804, F.S.; correcting a cross-reference; amending s. 403.816, F.S.; applying certain provisions about maintenance dredging of deepwater ports to additional entities; amending s. 403.853, F.S.; authorizing testing for certain contaminants at certain intervals; amending s. 403.862, F.S.; requiring certain funding; providing an appropriation; providing an effective date.

Amendment 1 to Senate Amendment 2 to House Amendment 1—On page 13, line 28, strike the effective date of this act and insert: September 1, 1984

Amendment 2 to Senate Amendment 2 to House Amendment 1—On page 26, line 15, strike 22 and insert: 21

Amendment 3 to Senate Amendment 2 to House Amendment 1—On page 64, lines 4 and 5, strike all of said lines and insert: repealed subject to a referendum to be held by the appropriate authority in Lake County at the general election of 1984 and the question to be resolved at the referendum shall be as follows: Shall the Oklawaha Basin Recreation and Water Conservation and Control Authority and its taxing authority be abolished?

On motions by Senator Neal, the Senate concurred in the House amendments to Senate Amendment 2.

CS for SB 986 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—32

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

Nays—None

Vote after roll call:

Yea—Gersten, Mann

The bill was ordered engrossed and then enrolled.

The Honorable Curtis Peterson, President

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

SB 948—A bill to be entitled An act relating to the functional classification of roads; amending s. 335.04, F.S.; providing that the responsibility for maintenance and operation of mechnically-operated bridges over the Florida Intracoastal Waterway shall remain with the governing entity which had operation and maintenance responsibility and jurisdiction over said bridges prior to functional classification pursuant to s. 335.04, F.S.; providing for applicability to all transfers of responsibility which have occurred since January 1, 1978, or which may occur subsequent to the effective date of this bill; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 1, line 15, strike everything after the enacting clause and insert:

335.04 Functional classification *of* ~~plan for~~ roads; *designation of state and local* responsibilities ~~of department~~.—

Section 1. Section 335.04, Florida Statutes, is amended to read:

~~(1) No later than October 1, 1977, the department shall adopt, pursuant to chapter 120, a plan based upon functional classification of roads and shall begin to implement an orderly phase-in of such plan by no later than January 1, 1978. All transfers of responsibility between the state and local governments required by such plan shall be completed no later than July 1, 1982, on which date all transfers provided for in the classification plan which have not been effected shall automatically occur, except as herein provided. Any road for which responsibility is being transferred from the department to counties and municipalities shall be brought to a physical condition commensurate with contemporary roads of like age and existing functional classification within the county or city. However, if such road has not been resurfaced within 12 years prior to the date of the proposed transfer, or if the condition of such road, when analyzed in accordance with the standards of measurement of pavement conditions utilized by the department as of January 1, 1977, indicates the need for resurfacing, and if the county requests a resurfacing, the road shall be resurfaced prior to transfer. If the county and department are unable to agree on the need for resurfacing, the county shall have the right to administrative and judicial review as provided in chapter 120. Notwithstanding the time limitations otherwise provided in this chapter for the transfer of roads, no road which has been finally determined to need resurfacing shall be transferred to the county until it has been resurfaced. In cases of transfers between the state and local governments, federal assistance shall be utilized, when feasible, for this purpose. This requirement relating to physical conditions of roads at the time of transfer may be waived upon mutual consent. The provisions in this section for resurfacing or renovation of roads prior to transfer shall not apply to any road on the existing secondary road system as of July 1, 1977.~~

~~(2) The department is authorized to match all federal aid highway funds and shall have the administrative responsibility for planning, programming, and contracting for all such federal aid projects in cooperation with local officials in accordance with federal regulations and state law.~~

(1)(a)~~(3)~~ The department shall have the responsibility *of* ~~for continuing~~ data collection *for planning and functional classification purposes and shall evaluate and functionally classify all the public roads in the state. Each road shall be assigned to the appropriate public road system, as defined in s. 334.03, on the basis of its functional classification* ~~and functional evaluation of public roads as is deemed necessary for planning and reclassification purposes~~.

(b) Beginning July 1, 1982, the department shall *evaluate and classify* ~~conduct a program that will ensure that the classification of~~ every public road ~~shall be considered and evaluated~~ at least once every 5 years. *The functional evaluations shall consider the character of service of the roads in relation to the total public road system, including traffic*

volume, route length, truck volumes, mobility, land access and other significant factors. The factors which are used in such *evaluations* ~~evaluation~~ shall *include, but not be limited to,* ~~utilize~~ quantitative criteria ~~which shall have been~~ *and shall be* adopted *by rule* pursuant to chapter 120. The department shall hold a ~~full~~ public hearing in the county affected as an integral part of its evaluation procedures in order to receive public input prior to making any *final* determination of classification. When the department *determines* ~~makes a determination~~ that a public road has changed function, *it* ~~the department~~ shall within 30 days notify *the affected governmental entities* in writing ~~the governmental entities concerned~~. Each year the department shall publish a report summarizing all such classification changes in that year and shall deliver such report to the President of the Senate and Speaker of the House by February 1. Transfer of responsibility *between governmental entities as a result of functional classification requirements* shall be accomplished on a schedule mutually agreed upon by such governmental entities; however, such transfer shall occur no later than 3 years after the date the governmental entities are notified. *Any road for which responsibility is being transferred from the department to counties or municipalities shall be brought to a physical condition commensurate with contemporary roads of like age and existing functional classification within the county or municipality. Any bridge for which responsibility is being transferred from the department to counties or municipalities and which has a projected life expectancy, as determined by the latest department "Structural Inventory and Appraisal Report," of less than 10 years shall not be transferred until rehabilitation or reconstruction has been performed at the expense of the state to ensure a 10 year life subsequent to the date of transfer. Prior to the transfer of roads or bridges from the department to the county or municipality, the department shall notify the appropriate county or municipality of the pending transfer by certified mail, return receipt requested. The county or municipality shall have 30 days after receipt of notice to file an objection with the department concerning the physical condition of the road, or the life expectancy of the bridge to be transferred. If no objection is received by the department, the road or bridge shall be transferred. If an objection is received and the department and the county or municipality are unable to agree on the physical condition of the road or on the life expectancy of the bridge, either party shall have the right to administrative and judicial review as provided in chapter 120. This requirement relating to physical condition of roads at the time of transfer may be waived upon mutual consent.* After July 1, 1982, the department, if requested by cities or counties, shall, within a reasonable period not to exceed 1 year, perform functional evaluations of specific roads utilizing the ~~quantitative~~ criteria referred to in this subsection, and the transfers resulting from such evaluations shall be accomplished as provided in this subsection.

(c) Those roads which were to be transferred from the state to the counties under the functional classification plan adopted by the department in 1977 in accordance with chapter 77-165, Laws of Florida, and which were to be resurfaced by the department prior to transfer shall not be transferred from the state highway system until the required resurfacing is completed. Prior to resurfacing such roads the governing body of the county shall certify that it has the financial ability to maintain the road. If the department and county are unable to agree on the county's financial ability, the county shall have the right to administrative and judicial review as provided in chapter 120. In determining the county's ability to maintain the road the hearing officer, or court shall consider whether the county has imposed the taxes as provided in s. 336.021 and 336.025, and the level of ad valorem property taxes imposed by the county for transportation purposes. In the event it is determined that the county does not have the financial ability to maintain such road, the department shall continue the maintenance of the road if it serves a significant inter-regional benefit to the state highway system and the department receives a specific legislative appropriation for maintenance of such road. However, this provision shall not apply to any road on the existing secondary system as of July 1, 1977. All obligations of the department, a county, or a city, under any maintenance, utility, or railroad crossing agreement or other such agreement, relating to any specific road to be transferred, shall be transferred at the same time and in the same manner as jurisdictional responsibility.

(2)~~(4)~~ The department and *local governmental entities* ~~counties, cities, and other political subdivisions~~ shall have the responsibility for the operation and maintenance of the roads under their respective jurisdictions, except as otherwise provided by law. Operation and maintenance responsibility of a county for any roads under its jurisdiction which extend into and through any incorporated area shall be limited to the roadbed, curbs, culverts, drains, and other drainage appurtenances and shall not include sidewalks and any other ways in existence at the time of transfer that are open to the public within the right-of-way of the road. The department and *local governmental entities* ~~counties, cities, and other political subdivisions~~ may enter into such agreements as are deemed necessary and convenient for the proper exercise of their responsibilities provided herein; however, the department shall *not maintain* ~~discontinue maintaining, through contractual agreements,~~ those facilities *located* off the state highway system ~~by July 1, 1980~~.

(3)~~(5)~~ *Local governmental entities* ~~The counties and cities~~ shall sign an agreement with the department ~~of Transportation~~ which requires *them* ~~the counties and cities~~ to maintain in accordance with *written* federal standards any road or portion thereof under their *respective* jurisdiction which was constructed with federal assistance and is *located on* ~~in~~ a federal aid system.

(4)~~(6)~~ Any toll facility administered by the department shall remain under department administration pursuant to the terms of the trust indenture. Toll facilities administered by cities or counties shall be transferred to another jurisdiction only upon mutual agreement of the concerned parties.

(5)~~(7)~~ The department ~~of Transportation~~ shall establish and distribute to local jurisdictions quantitative parameters as may apply to "arterial roads" within the definition established by s. 334.03(15).

(6) If as a result of the functional classification of a road pursuant to this section, a municipality would otherwise be required to assume the operation and maintenance responsibility of a mechanically-operated bridge over the Florida Intracoastal Waterway in addition to the road attendant to said bridge, and if prior to such functional classification the bridge had been constructed, operated and maintained with funds of a governmental entity other than that municipality, then the bridge and roadway shall continue to be operated and maintained by, and be within the jurisdiction of, that governmental entity. Further, the provisions of this subsection shall be applicable to all transfers or attempted transfers of responsibility pursuant to functional classification in accordance with this section which have occurred since January 1, 1978 or which may occur subsequent to the effective date hereof.

Section 2. This act shall take effect October 1, 1984.

Amendment 2—On page 1 in the title, strike the entire title and insert: A bill to be entitled An act relating to functional classification of roads; amending s. 335.04, F.S., relating to functional classification of roads; providing for designation of state and local responsibilities; providing an effective date.

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

SB 948 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—31

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

Nays—None

Vote after roll call:

Yea—Gersten, Mann

The bill was ordered engrossed and then enrolled.

The Honorable Curtis Peterson, President

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

SB 789—A bill to be entitled An act relating to the state highway system; amending s. 316.003, F.S.; defining the term "bicycle path"; amending s. 316.091, F.S.; prohibiting the operation of certain vehicles upon a limited access facility; authorizing the operation of a bicycle upon such facilities in certain circumstances; amending s. 316.1995, F.S.; pro-

hibiting the operation of certain vehicles upon a bicycle path; amending s. 316.304, F.S.; prohibiting a person from operating a vehicle while wearing a headset or certain other listening devices; providing penalties; amending s. 335.065, F.S.; providing for the planning and construction of bicycle and pedestrian ways along state transportation facilities; repealing s. 316.2075, F.S., relating to the prohibition against operating a motor vehicle on bicycle trails and footpaths; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 3, lines 29 and 30, strike all of said lines and insert:

335.065 Bicycle ~~trails~~ and *pedestrian ways* ~~footpaths~~ along state roads *and transportation facilties.*—

Amendment 2—On page 4, line 25, strike the words "of Transportation" and insert: ~~of Transportation~~

Amendment 3—On page 1 in the title, line 19, strike all of said line and insert: motor vehicle on bicycle and pedestrian ways;

Amendment 4—On page 5, lines 20 and 21, strike all of said lines and insert:

Section 7. This act shall take effect October 1, 1984.

Amendment 5—On page 2, lines 15-31, and on page 3, lines 1-4, strike all of said lines.

(Renumber subsequent subsections.)

Amendment 6—On page 2, line 10, strike *in subsection (3)* and insert: *herein*

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

SB 789 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—26

Mr. President	Deratany	Jennings	Meek
Beard	Frank	Johnston	Rehm
Carlucci	Girardeau	Kirkpatrick	Thurman
Castor	Grant	Langley	Vogt
Childers, D.	Grizzle	Malchon	Weinstein
Childers, W. D.	Hair	Margolis	
Crawford	Henderson	McPherson	

Nays—None

Vote after roll call:

Yea—Fox, Gersten, Hill, Mann, Neal

The bill was ordered engrossed and then enrolled.

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 1324 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Finance and Taxation—

HB 1324—A bill to be entitled An act relating to the tax on sales, use and other transactions; authorizing certain counties to levy a discretionary additional tax for 2 years; creating a trust fund for deposit of proceeds; specifying the proceeds be used for indigent health care; providing a method of taxing certain services billed on a monthly cycle; providing for refund of additional tax paid by certain contractors; providing penalties; providing applicable tax formulas and for enforcement; authorizing the levy, within certain special districts, of a convention development tax by certain counties in lieu of ad valorem taxes; providing for the collection, enforcement, administration and distribution of this convention development tax; providing that the provisions of this bill section supercede certain provisions of previously enacted legislation; providing an effective date.

—was read the first time by title. On motion by Senator Castor, the rules were waived and the bill was placed on the calendar.

On motions by Senator Castor, by unanimous consent, HB 1324 was taken up out of order and by two-thirds vote 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—31

Mr. President	Fox	Jennings	Plummer
Beard	Frank	Johnston	Rehm
Carlucci	Girardeau	Kirkpatrick	Scott
Castor	Grant	Margolis	Thomas
Childers, D.	Grizzle	McPherson	Thurman
Childers, W. D.	Hair	Meek	Vogt
Crawford	Henderson	Myers	Weinstein
Deratany	Hill	Neal	

Nays—1

Langley

Vote after roll call:

Yea—Gersten, Mann

Senator Thomas presiding

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has receded from House Amendment 1, further amended and passed as amended—

CS for SB 650—A bill to be entitled An act relating to construction contracting; amending s. 489.107, F.S.; expanding the membership of the Construction Industry Licensing Board; amending s. 489.119, F.S.; increasing the time period for mailing corrected application information to the Department of Professional Regulation with respect to construction contracting; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 2—On page 1, line 13, insert:

Section 1. Purpose.—The Legislature recognizes that the alarm business is a necessary and critical business which provides security, life safety, and other vital services to the public. Such business when conducted by unqualified persons may pose significant harm to the public health, safety, and welfare. Therefore, it is necessary in the interest of public health, safety, and welfare to provide uniform procedures and qualifications throughout this state for the licensing and regulation of the alarm business.

Section 2. Definitions.—

(1) "Department" means the Department of Professional Regulation.

(2) "Alarm" means any sound or signal, silent or audible, intended to apprise of danger or give warning.

(3) "Alarm system" means any device, or combination of devices, used to detect a situation, causing an alarm in the event of a burglary, robbery, medical emergency, or equipment failure.

(4) "Alarm business" means any person engaged in the sale, installation, maintenance, alteration, repair, replacement, or servicing of alarm systems for compensation where an alarm system is installed or to be installed. "Alarm business," however, does not include:

(a) The installation, maintenance, alteration, repair, replacement, or servicing of an alarm system solely by the owner of a premises or his employees at that premises for the exclusive use of the owner.

(b) The responding to, or monitoring of, an alarm system by any police officer, firefighter, or emergency medical technician while on duty and in the performance of his official duties.

(c) The fabrication, installation, inspection, alteration, repair or service of fire protection systems as defined in s. 633.021(12), Florida Statutes, and preengineered systems as defined in s. 633.021(18), Florida Statutes, only when those persons are directly engaged in said business as so defined.

(d) Businesses which only manufacture or sell alarm systems and do not, directly or indirectly, service, install, alter, maintain, repair, replace, monitor, or respond to alarm systems at a premises where an alarm system is installed.

(e) A federal, state, county, or municipal agency installing traffic control systems or alarm systems in public buildings with their own employees.

(5) "Owner" means a person who holds an interest of 25 percent or more in an alarm business.

(6) "Principal corporate officer" means the president or any vice president of an alarm business.

Section 3. Advisory council.—An advisory council to the Department of Professional Regulation is created to consist of five members who shall be residents of the state and primarily engaged in an alarm businesss licensed under this act. No licensee under this act shall have more than one of its employees as a member of the council at any one time. Members of the council shall be appointed by the secretary of the department, shall be representative of the alarm industry in the State of Florida as to size and type of services provided, and shall act in an advisory capacity to the department in all matters related to the alarm business as defined in this act. One member shall be appointed for an initial term of 1 year, two members for initial terms of 2 years, and two members for initial terms of 3 years. Thereafter, members shall be appointed biennially. Each member of the council shall be entitled to reimbursement as provided in s. 112.061, Florida Statutes.

Section 4. Authority to make rules.—The department is authorized to make such rules not inconsistent with law as may be necessary to carry out the duties and authority conferred upon the department by this act and as may be necessary to protect the health, safety and welfare of the public. However, no rule shall be adopted that unreasonably restricts competition or the availability of private alarm services in the state or in a significant part of the state or that increases the cost of private alarm services without a corresponding or equivalent public benefit.

Section 5. Enforcement and investigation.—The department shall have the power to enforce the provisions of this act, irrespective of the place or location in which the violation occurred, and, upon the complaint of any person or on its own initiative, to cause to be investigated any suspected violation thereof.

Section 6. Requirement for alarm business license.—

(1) It shall be unlawful and punishable as provided in section 23 for any person to engage in the alarm business within this state or to represent that they have been issued a certificate of competency without having first obtained an alarm business license from the department, subject to subsections (2) and (3).

(2) Each alarm business operating in the state on October 1, 1984, shall have 120 days to apply to the department for a license. Any alarm business filing a timely application may continue to engage in the alarm business pending denial or approval of its application.

(3) Any person holding a certificate of competency in a specialty included within the definition of alarm business from a governmental body as of the effective date of this act shall be required to obtain the certificate of competency as required under this act. However, such person shall be deemed to meet the requirements of section 9 so long as said certificate of competency from a governmental body is in good standing at the time of application and issuance of a certificate of competency under this act. Such person shall meet all other applicable requirements of this act.

Section 7. Application for license and certificate of competency.—

(1) Each sole proprietor, partner, or, in the case of a corporation, a principal corporate officer of an alarm business seeking an alarm business license and each individual seeking a certificate of competency shall file with the department a written application accompanied by a nonrefundable application fee specified in section 15(2). The written application shall be in accordance with the following provisions:

(a) If the applicant is a sole proprietor or an individual seeking a certificate of competency, the application shall be signed and verified by the sole proprietor or individual.

(b) If the applicant is a sole proprietor seeking an alarm business license, the application shall be signed and verified by the sole proprietor.

(c) If the applicant is a partnership seeking an alarm business license, the application shall be signed and verified by each partner.

(d) If the applicant is a corporation seeking an alarm business license, the application shall be signed and verified by a principal corporate officer.

(e) The application shall contain the following information:

1. The signer's full name and the title of the position held with the applicant.

2. The signer's date and place of birth.

3. The signer's present residence address and all residence addresses within the 5 years immediately preceding the submission of the application.

4. The signer's occupation held presently and within the 5 years immediately preceding the submission of the application.

5. The address of the principal place in which the alarm business is to be conducted.

6. The address of all branch offices within the state.

7. The name under which the alarm business is to be conducted.

8. The names and residence addresses of all partners or officers and directors, as the case may be.

9. A full set of fingerprints and a photograph of the signer taken within the 6 months immediately preceding the submission of the application.

10. If the application is for an alarm business license, the name and residence address of a certificateholder employed by the alarm business.

11. A statement of all criminal convictions of each signer and, in the case of a corporation, every principal corporate officer and the secretary and chief financial officer.

12. Such further facts as may be required by the department to show that the applicant meets the requirements of this act.

(2) If the applicant is a corporation, the application shall also specify the date and place of incorporation, a list of the principal corporate officers and the business address of, residence address of, and the office or position held by each principal corporate officer.

Section 8. Requirement for licensure.—

(1) As a requirement for the issuance of a license, each applicant shall designate a full-time owner, partner, or employee who shall possess a certificate of competency issued by the department. The certificateholder must devote full time to engaging in or supervising the sale, installation, servicing, or monitoring of alarm systems on behalf of the applicant for alarm business license in order to meet this requirement and shall submit to the department a sworn statement on a form provided by the department attesting to the compliance with this subsection.

(2) Applicants engaged in the alarm business on October 1, 1984, shall have 6 months to comply with the requirements of this section. If the applicant is unable within that time to name a certificateholder employed by the alarm business, the department may, for good cause shown, extend for a reasonable time the period within which the applicant shall comply with this section, but in no event more than 1 year.

(3) In the event that the certificateholder upon whom the alarm business relies to comply with the requirements of this act for any reason ceases to perform his duties on a regular full-time basis, the alarm business shall promptly notify the department by certified mail and shall notify the department, within 30 days, of the name of a substitute certificateholder. If the alarm business fails to designate such replacement within 120 days from the date such person ceased to perform the duties, the department may revoke the alarm business license or, in its discretion, for good cause shown, may extend for a reasonable time the period for obtaining a substitute certificateholder.

Section 9. Certificate of competency, experience or examination requirement.—

(1) To obtain a certificate of competency, the individual shall establish that he has satisfactorily engaged in the alarm business in a responsible position for a period of 3 years prior to the filing of the application or successfully pass the examination set forth in subsection (3). Such individual shall file with the department sworn statements of such experience by at least two citizens of the community or communities in which such individual was so engaged or employed.

(2) If the department determines that the applicant has not satisfactorily complied with subsection (1), or that the prior experience is not sufficient, it may require the applicant to successfully pass the examination set forth in subsection (3).

(3) The department shall prepare, with the advice of the advisory council, and administer, at least twice annually, an examination designed to measure an individual's knowledge and competence in the alarm business. It may administer separate examinations to test an individual's knowledge and competence with respect to the various types of alarm systems. A certificate of competency shall be issued upon successfully achieving a passing score to be determined by department rule.

Section 10. Application for license or certificate of competency; investigation.—After receipt of an application for a license or certificate of competency, the department shall conduct an investigation to determine whether the facts set forth in the application are true and shall compare, or request that the appropriate state agency compare, the signers' fingerprints with fingerprints filed with the Department of Law Enforcement. The department, or the state agency comparing the fingerprints, may also submit the fingerprints to the Federal Bureau of Investigation for a search of the fingerprint files of that agency to determine if the individual fingerprinted has any convictions recorded in the FBI files.

Section 11. Grounds for denial of application.—The department may deny the application for alarm business license or certificate of competency if it finds that the applicant or, if in the case of an application for alarm business license, any owners, partners, or principal corporate officers, have:

(1) Committed any act, which, if committed by a licensee, would be grounds for the revocation of a license under section 17(1);

(2) While unlicensed or uncertified, knowingly and willfully committed, or aided and abetted in the commission of, any act for which a license or certificate of competency is required by this act; or

(3) Been convicted in any jurisdiction of a felony or a crime involving moral turpitude which relates to the practice of the alarm business.

Section 12. Procedure for approval or denial of application; hearing.—The procedure of the department when approving or denying an application shall be as follows:

(1) If the application is approved, the department shall issue the certificate of competency or, in the case of an alarm business license, notify the applicant in writing that, upon compliance with section 13, a license will be issued. Such notification shall state that the license or certificate of competency will expire according to the biennial schedule established by the department, unless renewed in accordance with sections 14 and 15, and shall set forth the time within which application for renewal must be made.

(2) If the application is denied, the department shall notify the applicant in writing and shall set forth the grounds for denial. If the grounds for denial are subject to correction, the applicant shall be given 10 days after receipt of such notice or, upon application, a reasonable additional period of time within which to make the required corrections.

Section 13. License; surety bond.—

(1) No license to engage in the alarm business shall be issued under this act until the applicant files with the department a surety bond made payable to the state in the sum of $10,000, conditioned to recover against the principal by reason of wrongful acts of a material nature knowingly engaged in by the licensee in the conduct of its business which constitutes a violation of this act. No party other than the department may recover against the bond required by this section. The surety bond shall be written by a company which is authorized to do business in this state and approved by the Insurance Commissioner, and shall be approved by the department with respect to its form, manner of execution, and sufficiency.

(2) At all times every licensee shall maintain in full force and effect on file with the department the surety bond required by this act. Failure to do so shall be unlawful and punishable as provided in section 23.

(3) A bond executed and filed with the department pursuant to this act shall remain in full force and effect until the surety has terminated future liability by notice to the department 30 days in advance of termination.

(4) The sum of $10,000 in cash may be deposited with the department in lieu of the surety bond required by this section.

Section 14. Renewal of license and certificate of competency.—Each license and certificate of competency issued under this act shall expire according to the biennial schedule established by the department. Application for renewal of a license and certificate of competency shall be received by the department, on a form provided by the department, not less than 30 days prior to the expiration date of the license, subject to the discretion of the department to permit late filing. The department may refuse to renew a license or certificate of competency if the department determines that the licensee or certificateholder has committed any act set forth in section 17(1), and it shall promptly notify the licensee or certificateholder of its intent to refuse to renew the license or certificate of competency. The licensee or certificateholder may, within 15 days after receipt of such notice of intent, request a hearing on such refusal in the manner prescribed by chapter 120, Florida Statutes. A licensee or certificateholder shall be permitted to continue to engage in the alarm business while its renewal application is pending.

Section 15. Application, license, certificate and renewal fees.—

(1) The department, by rule, shall establish fees to be paid for application, issuance of certificates of competency, examination, reexamination, licensing and renewal, reinstatement, recordmaking and recordkeeping. The department shall also establish, by rule, a late renewal penalty. The department shall establish fees which are adequate to ensure the continued operation of the department. Fees shall be based on department estimates of the revenue required to implement this act and the provisions of the law with respect to the regulation of alarm businesses. All moneys collected by the department shall be deposited in the Professional Regulation Trust Fund in accordance with s. 455.219, Florida Statutes.

(2) Nonrefundable application fees shall not exceed $250.

(3) Nonrefundable examination fees shall not exceed $100.

(4) Administrative fees for change of name, address, business name or other nonrefundable administrative charges for recordkeeping shall not exceed $50.

(5) There shall be a biennial license renewal fee and certificate of competency renewal fee not to exceed $250 each which shall be remitted with the application but which will be refunded if the application is denied or withdrawn before approval.

Section 16. Transferability, death or disability.—

(1) No license or certificate of competency issued pursuant to the provisions of this act shall be assigned or transferred, either by operation of law or otherwise.

(2) If the alarm business license is held by a sole proprietor and such sole proprietor shall die, become disabled or otherwise cease to engage in the alarm business, the successor, heir, devisee, or personal representative of such owner shall, within 30 days of such death, disablement, or other termination of operation by the original alarm business licensee, apply for an alarm business license if the successor, heir, devisee, or personal representative desires to maintain the alarm business. The application shall be on a form prescribed by the department, which form shall include the same general information required by section 7. If such an application is not filed, the alarm business license shall be canceled. The successor shall be subject to the same general requirements and procedures set forth in sections 8 through 15 to the extent such sections are applicable.

(3) In the event that a sale, assignment or transfer of an alarm business licensed under this act is consummated then the purchaser, assignee or transferee shall immediately upon consummation of such sale, assignment or transfer, apply for an alarm business license on a form prescribed by the department which shall include the same general information

required by section 7. The purchaser, assignee or transferee shall be subject to the same general requirements and procedures set forth in sections 8 through 15 to the extent such sections are applicable.

(4) The department may, within its discretion, extend the period of time for filing the application required by subsections (2) and (3).

Section 17. Licenses and certificates of competency: revocation, suspension, reprimand; administrative fines.—

(1) The department may revoke or suspend a license or certificate of competency or reprimand a licensee or certificateholder on any of the following grounds:

(a) Use of fraud or deception in applying for a license or certificate of competency or in taking the examination provided for this act.

(b) Engaging in the alarm business under a false or assumed name or impersonation of a licensee or certificateholder.

(c) Conviction of the sole proprietor, any partner, any principal corporate officer or the certificateholder, in any jurisdiction, of a felony relating to the practice of the alarm business.

(d) Violation of any provision of this act or rule of the department, or failure to comply with a cease and desist order.

(e) Any other occurrence or violation enumerated under s. 455.227, Florida Statutes.

(2) In addition to any of the above disciplinary actions, the department may impose an administrative fine against any licensee or certificateholder for a violation of this act or any rule of the department. Such administrative fines shall be in accordance with s. 455.227, Florida Statutes, and shall not exceed $1,000 for each violation. Administrative fines collected shall be deposited as provided in section 15.

Section 18. Form of license.—The license, and where applicable, the certificate of competency, when issued, shall be in a form prescribed by the department and shall include:

(1) The name of the licensee or certificateholder.

(2) The nature and type of service to be performed.

(3) The business name under which the licensee is to operate.

(4) The addresses of the locations where the licensee is authorized to do business.

(5) The number and date of the license or certificate of competency and its date of expiration.

Section 19. Authority to enjoin violations; enter cease and desist orders; investigations.—

(1) If it is shown that a person has engaged, or is about to engage, in an act or practice constituting a violation of a provision of this act or a rule or order promulgated pursuant thereto, the department, with or without prior administrative proceedings, may bring an action in a court of competent jurisdiction to enjoin the acts or practices and to enforce compliance with this act or any rule or order promulgated pursuant thereto.

(2) If the department determines that a person has violated any provision of this act or any lawful order or rule of the department, it may issue an order requiring the person to cease and desist from the unlawful practice and take such affirmative action as in the judgment of the department will carry out the purposes of this act.

(3) No action shall be maintained to enforce any obligation created under this section unless brought within 3 years after the alleged violation of any provision of this act or lawful order of the department or rules promulgated pursuant to this act.

Section 20. Posting and surrender of license.—

(1) Within 72 hours after receipt of the license, the licensee shall cause such license to be posted and to be displayed at all times in a conspicuous place at all offices of the licensee, within the state where the alarm business transacts business with its customers, so that all the persons visiting such place or places may readily see the license. Such license shall be subject to inspection at all reasonable times by the department.

(2) It shall be unlawful for any person holding such license to knowingly and willfully post such license or permit such license to be posted upon premises other than those described in the license, or to knowingly and willfully alter such license. Each license or certificate of competency shall be surrendered to the department within 72 hours after it has been revoked or after the licensee ceases to do business. If, however, the department or a court of competent jurisdiction has pending before it any matter relating to the renewal, revocation or transfer of the license or certificate of competency, the licensee or a certificateholder shall not be required to surrender the license or certificate of competency until the matter has been adjudicated and all appeals have been exhausted. The department shall adopt rules providing for the orderly termination of such alarm businesses.

Section 21. Change in status of licensee or certificateholder.—A licensee or certificateholder shall notify the department within 15 days of any material change in the operations of the alarm business or information previously furnished or required to be furnished to the department or of any occurrence which could be expected to affect the licensee's or certificateholder's right to a license or certificate of competency under this act.

Section 22. Political subdivision regulation of alarm businesses.—

(1) No political subdivision within this state shall enact any legislation or promulgate any rules or regulations relating to the regulating or the regulatory licensing of alarm businesses, or their employees while so acting under the direction of such businesses, except any local ordinance or regulation pertaining to alarm users.

(2) Sixty days after October 1, 1984, any provision of any ordinance, code, or rules or regulations of any political subdivision within this state pertaining to the regulatory licensing of an alarm business, or the regulating of its employees, shall no longer be effective.

(3) The provisions of this section are not, however, intended to and do not prevent the legally constituted authority of any political subdivision within the state by legislation, rules or regulations, and within the police power of such political subdivision, from requiring alarm businesses to register their names, addresses and license numbers with the political subdivision within which they operate. Such political subdivision may also require that alarm businesses give reasonable notice of termination or suspension of licenses. No fee may be charged nor may any application be required by any political subdivision for such registration.

(4) Any political subdivision within the state may petition the department to revoke the license of an alarm business, pursuant to section 17, within such political subdivision where that political subdivision finds the licensee to be unfit to engage in the alarm business. The department shall promulgate rules setting forth procedures for implementing this subsection.

Section 23. Penalties.—

(1) Any person who violates any provision of this act is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, Florida Statutes.

(2) It shall be a misdemeanor of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, Florida Statutes, for any licensee or certificateholder or his employee to release any confidential information concerning an alarm system or a customer of an alarm business to any unauthorized person if such release or disclosure could lead to a compromise of the security of such alarm system.

Section 24. This act is repealed on October 1, 1994, and shall be reviewed by the Legislature pursuant to s. 11.61, Florida Statutes.

Section 25. If any provision of this act or the application thereof to any person or circumstance is held invalid, it is the legislative intent that such invalidity shall not affect other provisions or application of this act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

(Renumber subsequent sections.)

Amendment 3—In title, on page 1, line 2, after the semicolon, insert: providing for the regulation of the business of installation or repair of alarm systems; providing definitions; creating an advisory council to the Department of Professional Regulation; providing qualifications and procedures for licensure; providing qualifications and for issuance of

certificate of competency; providing for license renewal; providing contents of applications; providing grounds for denial, nonrenewal, suspension and revocation of license and certificate of competency; providing for bond; providing application, certificate of competency and license fees; providing for investigation of applicants by the department; providing for enforcement; providing for the effect on the regulatory authority of local governments; providing penalties; providing for review and repeal in accordance with the Regulatory Sunset Act; providing severability;

On motions by Senator Vogt, the Senate refused to concur in the House amendments and the House was requested to recede. The action of the Senate was certified to the House.

On motion by Senator Neal, the rules were waived and SB 253 was substituted on the consent calendar for CS for SB's 306 and 1126.

RECONSIDERATION

SB 352—A bill to be entitled An act relating to transportation and matters connected therewith; providing that chapters 334-339, 341, 348, and 349, F.S., constitute the "Florida Transportation Code"; amending and revising chapter 334, F.S., relating to transportation administration; amending and revising chapter 335, F.S., relating to the state highway system; amending and revising chapter 336, F.S., relating to the county road system; amending and revising chapter 337, F.S., relating to the Department of Transportation, contracts, acquisition and disposal of property, and utilities; amending and revising chapter 338, F.S., relating to limited access and toll facilities; amending and revising chapter 339, F.S., relating to transportation finance, planning, and miscellaneous provisions; repealing chapter 340, F.S., relating to the "Florida Turnpike Law"; amending and revising chapter 341, F.S., relating to public transit and to airport development and assistance; amending various provisions of Florida Statutes to correct cross-references and to otherwise conform to the provisions of this act; providing an effective date.

—having been reconsidered May 31, was taken up.

Senator Beard moved that the Senate reconsider the vote by which the Senate concurred in House Amendment 1 as amended. On motion by Senator Barron, debate was limited to five minutes per side. The question recurred on the motion to reconsider and the Senate reconsidered. The vote was:

Yeas—25

Mr. President	Fox	Hill	Neal
Beard	Frank	Jenne	Plummer
Carlucci	Girardeau	Johnston	Stuart
Castor	Gordon	Kirkpatrick	Weinstein
Childers, W. D.	Grizzle	Mann	
Crawford	Hair	Margolis	
Dunn	Henderson	McPherson	

Nays—13

Barron	Langley	Rehm	Vogt
Deratany	Malchon	Scott	
Grant	Meek	Thomas	
Jennings	Myers	Thurman	

On motion by Senator Beard, the Senate reconsidered the vote by which the Senate concurred in House Amendment 4 to House Amendment 1.

On motions by Senator Beard, the Senate refused to concur in House Amendment 4 to House Amendment 1 and the House was requested to recede; and the Senate concurred in House Amendment 1 as amended.

SB 352 as amended was read by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—1

Childers, D.

Vote after roll call:

Yea—Gersten

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The President presiding

The Honorable Curtis Peterson, President

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

CS for SB 106—A bill to be entitled An act relating to the sales tax; amending s. 212.11, F.S.; providing an additional method for calculating estimated tax liability; amending s. 212.12, F.S.; providing for waiver or compromise of specified penalties; providing for applying specified penalties to consolidated returns under certain circumstances; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 2, line 31, after the period "." insert:

(4) The sixty-six percent rate provided in subsection (1) shall be reduced over a period of 5 years beginning January 1, 1986, and is repealed December 31, 1990. During such period the following rates shall be applicable:

(a) From January 1, 1986, through December 31, 1986, the rate shall be fifty percent.

(b) From January 1, 1987, through December 31, 1987, the rate shall be forty percent.

(c) From January 1, 1988, through December 31, 1988, the rate shall be thirty percent.

(d) From January 1, 1989, through December 31, 1989, the rate shall be twenty percent.

(e) From January 1, 1990, through December 31, 1990, the rate shall be ten percent.

Amendment 2—On page 1, in title, line 4, insert after the word "liability": for the years 1986 through 1990

Amendment 3—On page 3, lines 24-26, strike all existing language on said lines and insert: Section 3. This act shall take effect October 1, 1984, except that section 5 shall take effect upon becoming a law and shall operate retroactively to January 1, 1984, and shall apply to tax returns due for the month of January, 1984, and thereafter.

Amendment 1 to House Amendment 3—On page 1, lines 7 and 8, strike all of said lines and insert: operate retroactively to November 1, 1983, and shall apply to tax returns due for the month of November, 1983, and thereafter.

Amendment 4—On page 1, line 12, insert: Section 1. Section 212.63, Florida Statutes, is amended to read: 212.63 Gasohol; exemption from tax imposed by this part.—The sale or distribution for use in this state of motor fuel which contains a minimum of 10 percent blend by volume of ethyl alcohol *which is distilled from U.S. agricultural products or byproducts* with a purity of 99 percent, commonly known as "gasohol," shall be exempt from the tax levied pursuant to this part as follows:

(1) Each gallon of such gasohol sold in this state shall be exempt from 4 cents of the tax imposed by this part from July 1, 1983, through June 30, 1985.

(2) Each gallon of such gasohol sold in this state shall be exempt from 2 cents of the tax imposed by this part from July 1, 1985, through June 30, *1989* ~~1987~~.

Section 2. Gasohol blended with ethyl alcohol distilled from non-U.S. agricultural products or byproducts which as of May 1, 1984 is stored in or under transit to Florida will still be entitled to a four cent per gallon exemption.

Section 3. Section 212.63, Florida Statutes, as amended by this act, shall be repealed on July 1, 1987.

Renumber sections.

Amendment 5—On page 1, in the title, line 2 after the semicolon, insert: amending s. 212.63, F.S.; revising the definition of gasohol and extending the exemption from the tax on sales of motor and special fuel; repealing said section on July 1, 1987; providing a tax exemption for certain foreign source gasohol;

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

CS for SB 106 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—36

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

Nays—1

Gordon

Vote after roll call:

Yea—Jenne, Neal

The bill was ordered engrossed and then enrolled.

First Reading

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 536, HB 1284; and has passed as amended HB's 1266, 1290, CS for HB 110, CS for HB 955, HB 995 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committees on Appropriations and Regulatory Reform and Representative Robinson—

CS for HB 536—A bill to be entitled An act relating to handicapped concerns; providing legislative intent; defining "full rehabilitation"; amending sections 6, 7, and 8 of chapter 83-227, Laws of Florida, relating to the Governor's Council on Handicapped Concerns; modifying duties; reassigning the council to the Office of the Governor; clarifying staffing provisions; providing for retention of voting members presently serving; providing qualifications for newly appointed voting members; providing for appointment of additional ex officio nonvoting members; limiting terms in office; deleting provisions relating to establishment of subcommittees, removal of members, and filling of vacancies; authorizing the council to administer certain programs; rescheduling such provisions for review and repeal effective October 1, 1994; providing an appropriation; providing an effective date.

—was referred to the Committees on Governmental Operations and Appropriations.

By the Committee on Higher Education and Representatives Young and Morgan—

HB 1284—A bill to be entitled An act relating to higher education; creating s. 240.152, F.S., creating the Florida Endowment Fund for Higher Education; providing for funding; providing for an endowment gift; providing for state matching; providing a timetable; providing purpose; establishing a board of directors to administer the fund; providing for membership, terms, filling of vacancies, and removal from office; providing powers and duties; authorizing the board to establish a trust fund for certain investment purposes; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By the Committee on Judiciary and Representative Lehtinen and others—

HB 1266—A bill to be entitled An act relating to governmental meetings and records; providing an appropriation; creating ss. 125.355, 166.045, and 235.054, F.S.; providing for the confidentiality of appraisals, offers, and counteroffers with respect to the purchase of real property by counties, municipalities, and school boards; providing for the keeping of certain records; requiring appraisals; providing for extraordinary votes; providing for future repeal; amending s. 119.02, F.S.; providing penalties; amending s. 119.07, F.S.; providing for inspection and examination of records; providing exemptions; amending s. 119.11, F.S.; providing for accelerated hearings; amending s. 119.12, F.S.; providing for attorney's fees; creating s. 119.13, F.S.; authorizing the Commission on Ethics to investigate complaints regarding violations of chapter 119, F.S.; providing grounds for punishment; creating s. 119.14, F.S.; providing a short title; providing for legislative review of exemptions to s. 286.011, F.S., and chapter 119, F.S.; establishing a schedule for review; creating s. 286.0115, F.S.; authorizing the Commission on Ethics to investigate complaints regarding violations of s. 286.011, F.S.; providing grounds for punishment; creating s. 286.015, F.S.; providing for applicability of s. 119.14, F.S.; providing an effective date.

—was referred to the Committee on Rules and Calendar.

By the Committee on Agriculture—

HB 1290—A bill to be entitled An act relating to pesticides; creating s. 487.15, F.S.; requiring the registrant of a pesticide to recover and dispose of suspended or canceled pesticides at its own cost; providing for applicability to existing suspension or cancellation orders; providing an effective date.

—was referred to the Committees on Agriculture and Appropriations.

By the Committee on Transportation and Representative Sample and others—

CS for HB 110—A bill to be entitled An act relating to motor vehicle licenses; amending s. 320.025, F.S., providing for the issuance of confidential registration certificates and registration license plates to investigative agencies of the state, county, municipal, or federal government; exempting the registration application and necessary confidential records of the investigative agency from the public records of law; amending s. 320.089, F.S., to provide special license plates for disabled veterans; amending s. 320.089, F.S., authorizing the issuance of special "Ex-P.O.W." license plates to certain Florida residents who became prisoners of war while in the service of a nation allied with the United States; requiring the Department of Highway Safety and Motor Vehicles to issue free motor vehicle license plates to former prisoners of war under certain circumstances; providing for review and repeal; providing an effective date.

—was referred to the Committee on Transportation.

By the Committees on Community Affairs; and Finance and Taxation—

CS for HB 955—A bill to be entitled An act relating to the Uniform Community Development District Act of 1980; amending s. 190.002, F.S.; providing legislative intent and policy; amending s. 190.003, F.S.; providing a definition and revising the definition of a community development district; amending s. 190.004, F.S.; providing status of such districts; amending s. 190.005, F.S.; revising procedures and requirements for creation of such districts; providing filing fees; amending s. 190.006, F.S.; revising qualifications of members of the board of supervisors; amending s. 190.007, F.S.; revising requirements for selection of a depository; amending ss. 190.011 and 190.012, F.S.; revising general and special powers of a district; requiring local government approval for certain powers; amending s. 190.016, F.S.; revising requirements for execution of bonds; authorizing payment of revenue bonds by special assessment; restricting authority to issue general obligation bonds and specifying limitations thereon; amending s. 190.021, F.S.; limiting ad valorem tax which may be levied for operating purposes; amending s. 190.022, F.S.; specifying power with respect to levy of special assessments; amending s.190.046, F.S., and repealing subsection (9) thereof; deleting provisions relating to annexation by a municipality; revising provisions relating to merger with other districts; creating s. 190.047, F.S.; providing requirements with respect to incorporation or annexation; creating s. 190.048, F.S.; requiring certain disclosure to purchasers of real estate within a district; amending s. 190.049, F.S.; prohibiting special laws and general laws of local applica-

tion creating independent special districts having specified powers; providing this act shall not repeal special assessment collection procedures required by Chapter 83-204, Laws of Florida; providing an effective date.

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

By the Committee on Corrections, Probation and Parole—

HB 995—A bill to be entitled An act relating to the state correctional system; creating s. 944.597, F.S., authorizing the Department of Corrections to contract with private transport companies for the transportation of prisoners; providing for contract requirements between the department and such private transport companies; providing an effective date.

—was referred to the Committees on Corrections, Probation and Parole; and Appropriations.

On motions by Senator Scott, by two-thirds vote HB 1266 was withdrawn from the Committee on Rules and Calendar and by two-thirds vote placed first on the special order calendar.

SPECIAL AND CONTINUING ORDER

The hour of 10:30 a.m. having arrived, the Senate proceeded to consideration of—

CS for SB 1010—A bill to be entitled An act relating to corporate income tax; amending s. 214.71, F.S.; deleting provisions relating to conditions under which sales of tangible personal property are in this state; amending s. 220.03, F.S.; redefining "state" to exclude foreign countries and deleting the definitions of "nonbusiness income" and "unitary business group"; restricting conditions under which taxes are paid in lieu of the emergency excise tax; updating the definition of "Internal Revenue Code"; amending s. 220.12, F.S.; deleting the provision which includes certain nonbusiness income in the calculation of net income; amending s. 220.13, F.S.; revising provisions relating to subtracting certain amounts from taxable income in determining adjusted federal income; amending ss. 220.131, 220.14, F.S., relating to affiliated groups and to exemptions; deleting references to unitary business groups; amending s. 220.131, F.S.; authorizing certain taxpayers to make a one time revocation of an election; amending s. 220.62, F.S.; revising the definition of "international banking facility"; amending ss. 220.63, 220.64, F.S., relating to the franchise tax on banks and savings associations; including reference to certain subtractions; deleting the application of certain provisions to such tax; repealing ss. 220.135, 220.16, F.S., relating to a requirement that all members of a unitary business group must use the unitary reporting method, and to the allocation of nonbusiness income; amending s. 221.01, F.S.; changing the method for computing the emergency excise tax; amending s. 212.05, F.S.; providing for the taxation of computer software; amending s. 607.364, F.S.; increasing the minimum tax on capital of domestic corporations; amending s. 607.361, F.S.; imposing additional corporate filing fees; amending s. 607.004, F.S.; defining alien corporation; creating s. 607.326, F.S.; prescribing reports and fees for alien corporations; amending s. 607.317, F.S.; requiring corporations to maintain certain records in this state or pay a specified fee; providing nonseverability; providing applicability; repealing ss. 220.03(6), 221.01(2), 221.02(2), 221.04(2), relating to repeal on December 31, 1984 of certain emergency excise tax provisions; providing an effective date.

—which was read the first time by title. On motion by Senator Margolis, by two-thirds vote CS for SB 1010 was read the second time by title.

Senator Margolis moved the following amendments which were adopted:

Amendment 1—On page 15, lines 29 and 30; on page 16, lines 6 and 7 and on page 16, lines 19 and 20, strike *", except such members whose dividends would be exempt under s. 220.13(1)(b)2.b."*

Amendment 2—On page 16, between lines 20 and 21, insert:

Section 6. Subsection (6) of Section 220.131, Florida Statutes, is created to read:

(6) Taxpayers may one time only revoke an election made pursuant to this section, in accordance with rules adopted by the department. Such revocation shall be prospective in nature.

(Renumber subsequent sections.)

Amendment 3—On page 22, strike all of lines 19-26 and insert: *thereto, by a corporation which employs in Florida an average of:*

(a) Fewer than 50 employees, no charge;

(b) From 50 to 99 employees, $500;

(c) From 100 to 249 employees, $1,000;

(d) From 250 to 499 employees, $2,000;

(e) 500 or more employees or which has gross annual sales in Florida of $20 million or more, $5,000.

For the purposes of this subsection, employment shall be determined pursuant to chapter 443.

Amendment 4—On page 25, line 12, after the period (.) insert: *Such books and records shall be sufficient for the complete conduct of corporate income tax audits by the Department of Revenue. Said Department shall set by rule the records to be maintained and shall be responsible for reporting to the Secretary of State non-compliance with these provisions. For purposes of this subsection the department shall be exempt from the provisions of chapter 120.*

Amendment 5—On page 25, strike all of lines 13-18 and insert:

Section 18. The Legislature declares that it would not have adopted any provision of this act without adopting all provisions of this act, and that if any provision of this act were declared invalid, this act would not be complete and in accordance with the intent of the Legislature. Therefore, if any provision of this act or the application of this act to any person or circumstance is held invalid, the invalidity shall apply to provisions of the act, regardless of whether such provisions could be given effect without the invalid provision, and to this end the provisions of this act are declared not to be severable.

Amendment 6—On page 25, lines 21 and 22, strike "s. 220.03(1)(bb) and (5)(c)" and insert: s. 220.03(5)(c)

Amendment 7—On page 22, line 4, strike *"$200"* and insert: *$250*

Amendment 8—In title, on page 1, line 21, after the semicolon (;) insert: amending s. 220.131, F.S.; authorizing certain taxpayers to make a one time revocation of an election;

On motion by Senator Margolis, by two-thirds vote CS for SB 1010 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

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

Nays—1

Langley

Vote after roll call:

Yea—Myers

Senator Gordon presiding

LOCAL CALENDAR

Consideration of HB 583 was deferred.

HB 1279—A bill to be entitled An act relating to Alachua County; authorizing the establishment of a civil service system for the appointees, officers and employees of the Office of the Sheriff of Alachua County; providing an effective date.

—was read the second time by title.

Senator Beard moved the following amendment which failed:

Amendment 1—On page 1, strike all of lines 12-15 and insert: Constitution, the Sheriff of Alachua County is authorized to establish a civil service system for the appointees, officers and employees of the Office of the Sheriff of Alachua County. The Sheriff of Alachua County

Senator Kirkpatrick moved the following amendments which were adopted:

Amendment 2—On page 1, strike everything after the enacting clause and insert:

Section 1. Employees of Alachua County Sheriff; applicability of act; permanent status of employees; administration.—

(1) APPLICABILITY.—The provisions of this act shall apply to all commissioned and noncommissioned persons in the employ of the Office of the Alachua County Sheriff, including deputy sheriffs. The provisions of this act shall not apply to the Sheriff; or to special deputy sheriffs appointed pursuant to s. 30.09(4), Florida Statutes, members of the Sheriff's Posse or Reserve Unit, and individuals appointed as part-time deputy sheriffs, as defined by the Criminal Justice Standards and Training Commission, unless any such person is also employed full-time by the Office of the Sheriff. As used in this act, the terms "employee," "employ," and "employment" shall refer to all persons, whether employed or appointed, to whom the act applies. It is not, however, the intent of this act to grant the right of collective bargaining to persons in the employ of the Office of the Alachua County Sheriff who do not otherwise have that right pursuant to law.

(2) PERMANENT STATUS: CAUSE FOR SUSPENSION OF DISMISSAL.—

(a) After an employee of the Sheriff to whom the provisions of this act apply has served in such employment for a period of 1 calendar year, such employee shall have attained permanent status in the Office of the Sheriff; provided that if an employee is placed on disciplinary probation for a period of 6 months or more or is terminated and rehired at a later date, said employee shall be required to complete 1 calendar year of service from the date of the action before being granted the right of appeal provided in Section 2. Any employee who is required to serve a probationary period attendant to a promotion shall retain permanent status in the Office of the Sheriff, but may be demoted to his prior rank during such probationary period without the right of appeal as provided in Section 2.

(b) Any employee who has achieved permanent status in the Office of the Sheriff may only be suspended or dismissed for cause; provided that prior to such action, the employee must be furnished written notice of the proposed action and offered an opportunity to respond to the reasons for the suspension or dismissal. However, in extraordinary situations, such as when delay could result in damage or injury, an employee may be suspended or dismissed for cause immediately and provided notice thereof and reasons therefore within 24 hours afterwards. Cause for suspension or dismissal shall include, but not be limited to, negligence, inefficiency or inability to perform assigned duties, insubordination, willful violation of the provisions of law or office rules, conduct unbecoming a public employee, misconduct, or habitual drug abuse. Cause for suspension or dismissal shall also include adjudication of guilt by a court of competent jurisdiction, a plea of guilty or of nolo contenders, or a jury verdict of guilty when adjudication of guilt is withheld and the accused is placed on probation, with respect to any felony, misdemeanor or major traffic infraction. The filing of felony, misdemeanor, or major traffic infraction charges against an employee shall constitute cause for suspension.

(3) TRANSITION OF EMPLOYEES.—When a newly elected or appointed Sheriff assumes office, the new Sheriff shall continue the employement of all currently employed permanent personnel unless cause for dismissal, as provided herein, exists. However, the incoming Sheriff shall have the option of maintaining the current personnel assigned to the positions of Administrative Assistant, Chief Deputy, Legal Advisor, and Director. If the incoming Sheriff fills the above positions with new personnel, the current occupants of those positions shall be reduced to the rank of Captain, which rank shall be permanent unless later reduced by disciplinary demotion, and their salaries may be reduced accordingly. If the incoming Sheriff fills the Administrative Assistant position with a new employee, the current occupant of the position shall be transferred to another position for which the employee is qualified within the Office of the Sheriff. Actions taken pursuant to this subsection affecting the Chief Deputy, Legal Advisor, Director and Administrative Assistant position shall not be appealable under Section 2.

(4) ADMINISTRATION.—The Sheriff shall have the authority to adopt such rules and regulations as are necessary for the implementation and administration of this act; however, nothing in this act shall be construed as affecting the budget-making powers of the Board of County Commissioners of Alachua County.

Section 2. Career Service Appeals Boards; creation; membership; duties.—

(1) FUNCTION OF BOARDS.—Ad hoc Career Service Appeals Boards shall be appointed as provided herein for the purpose of hearing appeals of permanent employees arising from personnel actions brought under Office rules or policies which result in dismissal, suspension, demotion, or reduction in pay; provided that reprimands, oral or written, and suspensions of 5 working days or less shall not be appealable to a Board. Any such Board may also provide assistance and advice to the Sheriff in matters concerning the disciplinary actions, and may take any other action authorized by the Sheriff.

(2) MEMBERSHIP OF BOARDS.—When needed upon the call of the Sheriff, or upon the filing of an appeal, an ad hoc Career Service Appeals Board shall be appointed. The membership of each such Board shall consist of five employees of the Office of the Sheriff. Two members shall be selected by the Sheriff, two members shall be selected by the employee filing the appeal, and the fifth member, who shall serve as Chairman of the Board, shall be selected by the four members, with the concurrence of the Sheriff and the employee requesting the hearing. The ranking officer in charge of personnel shall serve as an ex officio member of the Board, but shall have no vote. Any employee shall have the right to decline to serve as a member of a Board, and employees selected to serve on a Board shall serve without additional compensation or overtime compensation with respect to such service. Once selected to a Board, the members thereof shall serve until final action is taken by the Board with respect to the purpose for which the Board was selected, at which time the Board shall be dissolved.

(3) PROCEDURE WITH RESPECT TO APPEALS.—

(a) An appeal of an action specified in subsection (1) shall be made to the Sheriff in writing, and must be received by the Sheriff no later than 3 working days after the employee is notified of the action on which the appeal is based.

(b) A Career Service Appeals Board shall be selected and must meet for purposes of hearing the appeal no later than 15 working days after receipt of an appeal by the Sheriff.

(c) During any hearing, the employee filing the appeal shall have the right to be heard publicly, to be represented by a person of his choice, and to present any evidential facts in his behalf, and during such hearings the technical rules of evidence shall not apply. The Board shall, in the conduct of such hearings, have the power to administer oaths, issue subpoenas, compel the attendance of witnesses, and require the production of books, records, accounts, papers, documents, and testimony. In case of disobedience of any person to comply with an order of the Board or a subpoena issued by the Board, or upon the refusal of a witness to testify on any matter regarding which he may be lawfully interrogated, a County Judge of the county in which a person resides, upon application of a member of the Board, shall compel obedience by proceeding as for contempt. Each witness who appears in obedience to a subpoena before the Board shall receive compensation for attendance fees and mileage as provided for witnesses in civil cases in the courts of this state. Such payments shall be made by the party calling the witness; except that with respect to any witnesses called by the Board, payments shall be made by the Sheriff upon presentation of proper vouchers and approval by three members of the Board.

(d) A Board shall by majority vote dispose of the appeal for which it was appointed by making findings of fact and issuing a written decision. Such decision shall either sustain or not sustain the action being appealed. If an action by the Sheriff is not sustained by a Board, the Board shall order such remedial action as is appropriate, which may include reinstatement with back pay, and may modify any personnel action which was the subject of the appeal. No Board shall have the authority to impose on any employee any penalty which is more harsh than that which formed the basis of the appeal.

(e) The decision of the Board shall be final and binding on the employee and the Sheriff.

Section 3. Complaints against employees; procedure; Complaint Review Board.—

(1) COMPLAINTS AGAINST EMPLOYEES.—A complaint receipt and processing procedure shall be established in order to provide adequately for the prompt receipt, investigation, and disposition of complaints against employees of the Office of the Alachua County Sheriff.

(2) PROCEDURE WITH RESPECT TO COMPLAINTS.—

(a) Any employee of the Sheriff is authorized to receive a complaint against any other employee of the Sheriff. All complaints shall be reduced to writing and shall be resolved as provided herein;

1. If a complaint is received by an employee during normal working hours, the complaint shall be referred to the appropriate Division Commander unless the receiving employee is able to resolve the complaint, in which case the complaint and resolution shall be reported in writing to the Division Commander. If the complainant wishes to see the Sheriff, he shall be accommodated.

2. If a complaint is received after normal working hours, it shall be referred to the Watch Commander unless the receiving employee is able to resolve the complaint, in which case the complaint and resolution shall be reported in writing to the Watch Commander. The Watch Commander, in his discretion, shall conduct an investigation to determine if immediate action is needed to preserve the integrity of the Office of the Sheriff. If immediate action is not required, the complaint shall be referred to the appropriate Division Commander at the beginning of the next working day, or sooner if required.

(b) All complaints shall be reviewed by the Sheriff. If the Sheriff has reason to believe that the complaint is well founded, he shall review the complaint with the employee's appropriate chain of command.

(c) If the Sheriff finds the complaint to be unfounded, a written report shall be filed for information only, and a copy of the report shall be given to the employee.

(d) If the Sheriff finds that a complaint is well founded and that a violation has occurred, the Sheriff shall decide upon appropriate disciplinary action, and the employee shall be notified of the proposed disciplinary action as provided in Section 1.

(e) If a nonsworn employee is dissatisfied with the decision of the Sheriff regarding disciplinary action resulting from a complaint, he may appeal the action to a Career Service Appeals Board.

(f) If an employee who is subject to the provisions of s. 112.532, Florida Statutes, is dissatisfied with the decision of the Sheriff regarding disciplinary action resulting from a complaint, he may appeal the action to a Career Service Appeals Board, or he may first request a Complaint Review Board under the provisions of s. 112.532, Florida Statutes, as provided in Section 4.

Section 4. Complaint Review Boards; membership; procedure.—

(1) BOARDS, MEMBERSHIP.—If any employee who is subject to the provisions of s. 112.532, Florida Statutes, requests a Complaint Review Board as provided in Section 3, the Sheriff shall so call. Such a Board shall be composed of the following personnel, all of whom shall be law enforcement officers as defined by the Criminal Justice Standards and Training Commission, and who may be selected from any state, county, or municipal agency within Alachua County.

(a) Two members selected by the Sheriff, not from the employee's chain of command;

(b) Two members selected by the employee; and

(c) A fifth member mutually selected by the other four members, with the concurrence of the Sheriff and the employee requesting the hearing, provided that the fifth member shall serve as chairman of the Board and may be selected from the employee's chain of command, with tthe concurrence of the Sheriff and the employee requesting the hearing. The fifth member is subject to a veto by the Sheriff or the employee requesting the hearing.

(d) The ranking officer in charge of personnel shall serve as an ex officio member of the Board, but shall have no vote.

(2) PROCEDURE WITH RESPECT TO COMPLAINTS.—

(a) A Complaint Review Board shall hear all of the facts contained in the accusation against the employee. The accused shall be present during the presentation of all allegation, witnesses, and evidence and shall have the right to question the accuser and all witnesses and to present any witnesses in his own behalf. The Board shall also have the right to question the accuser and all witnesses.

(b) A Complaint Review Board, based upon its investigations and deliberations, shall determine by majority vote whether the complaint is:

1. "Unfounded," if the complaint is conclusively proved to be unfounded.

2. "Not Sustained," if the evidence is insufficient to clearly prove or disprove the allegation;

3. "Sustained," if there is sufficient evidence to clearly prove the complaint; or

4. That the accused is "exonerated" if the acts which were the basis of the complaint occurred, but were justified, proper and lawful.

(c) If a Board finds that an accused is "exonerated," or that a complaint is "unfounded" or "not sustained," it shall forward written notice thereof to the Sheriff and to the employee within 24 hours after the decision is reached.

(d)1. If a Board finds that a complaint is "sustained," it shall submit to the Sheriff and to the employee within 24 hours after reaching the decision written findings stating the law, rule, regulation or policy violated, as well as any recommendations regarding disciplinary action to be taken against the accused.

2. The Sheriff, after notification of a finding of "sustained," shall consult with the employee's chain of command to review the findings and recommendations of the Board, and the Sheriff may take such disciplinary action as he deems appropriate.

3. The decision of the Sheriff with respect to the findings of a Board and resulting disciplinary action may be appealed to a Career Service Appeals Board pursuant to Section 2. If such an appeal is taken, no findings or recommendation by the Complaint Review Board with respect to the case shall be considered by the Career Service Appeals Board in its proceedings.

Section 5. All commissioned and noncommissioned persons in the employ of the Office of the Sheriff of Alachua County on the effective date of this act who have served for a period of 1 calendar year or more as of such date shall be permanent employees subject to the provisions of this act. All other employees shall become permanent employees subject to the provisions of this act upon reading their 1 calendar year service anniversary date.

Section 6. This act shall take effect upon becoming a law.

Amendment 3—In title, on page 1, strike everything before the enacting clause and insert: A bill to be entitled An act relating to Alachua County; providing permanent status for certain employees of the Alachua County Sheriff; specifying rights of employees; providing procedures for appeal of disciplinary actions and complaints against employees; providing for the appointment of boards to hear appeals and procedures with respect thereto; providing an effective date.

On motion by Senator Kirkpatrick, by two-thirds vote HB 1279 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—25

Carlucci	Grizzle	Langley	Thomas
Childers, W. D.	Hair	Malchon	Thurman
Deratany	Henderson	Mann	Vogt
Dunn	Hill	Meek	Weinstein
Girardeau	Jenne	Myers	
Gordon	Jennings	Scott	
Grant	Kirkpatrick	Stuart	

Nays—1

Beard

Vote after roll call:

Yea—Fox, Gersten, Neal

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has passed HB 1328 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Carpenter and others—

HB 1328—A bill to be entitled An act relating to Hillsborough County; amending section 2(1) of chapter 80-510, Laws of Florida, changing the composition of the Hillsborough County Hospital Authority governing board; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title.

On motion by Senator Beard, the rules were waived and the bill was placed on the local calendar.

LOCAL CALENDAR, continued

On motions by Senator Beard, by two-thirds vote HB 1328 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—33

Barron	Girardeau	Johnston	Neal
Beard	Gordon	Kirkpatrick	Scott
Carlucci	Grant	Langley	Stuart
Childers, D.	Grizzle	Malchon	Thomas
Childers, W. D.	Hair	Mann	Thurman
Crawford	Henderson	Margolis	Vogt
Deratany	Hill	McPherson	
Fox	Jenne	Meek	
Gersten	Jennings	Myers	

Nays—None

On motions by Senator Barron, the rules were waived and by two-thirds vote SB 1160 was withdrawn from the Committee on Rules and Calendar and SB 1159 was withdrawn from the Committees on Commerce and Rules and Calendar and placed on the local bill calendar.

On motions by Senator Crawford, by two-thirds vote—

SB 1160—A bill to be entitled An act relating to Hendry County; creating the Cooperative Producers Water Control District; providing definitions; providing that certain provisions of chapter 298, F.S., are applicable to the district; providing for a board of supervisors; providing powers and duties of the board; providing for acquisition of property and for exercise of eminent domain; providing for an improvement tax and a maintenance tax; authorizing the issuance of obligations of the district to finance the construction of the work and projects of the district; providing for a plan of reclamation; providing for annual budget approval by the Board of County Commissioners of Hendry County; providing for the enforcement of the act; providing an effective date.

—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—33

Barron	Girardeau	Johnston	Neal
Beard	Gordon	Kirkpatrick	Scott
Carlucci	Grant	Langley	Stuart
Childers, D.	Grizzle	Malchon	Thomas
Childers, W. D.	Hair	Mann	Thurman
Crawford	Henderson	Margolis	Vogt
Deratany	Hill	McPherson	
Fox	Jenne	Meek	
Gersten	Jennings	Myers	

Nays—None

On motions by Senator Beard, by two-thirds vote—

SB 1159—A bill to be entitled An act relating to Hillsborough County; codifying laws relating to the Hillsborough County Port District and the Tampa Port Authority; providing legislative intent; establishing the port district; providing definitions; creating the Tampa Port Authority; providing for its membership, powers, duties, and governance; providing for the employment of a port director and prescribing his duties; authorizing the acquisition, construction, extension, and enlargement of projects; providing for the conveyance to and the conveyance by the authority of submerged lands; providing for the regulation of the development of facilities within and of traffic through the port; authorizing the exercise by the authority of the powers of eminent domain; providing for acquisition and disposal of property; authorizing the borrowing of money and the issuance of bonds; authorizing the establishment and collection of rates, rentals, fees, and other charges; authorizing the adoption of rules and regulations; providing for regulation over the operation of ports and harbors and for the appointment, regulation, and compensation of harbormasters; providing for the regulation of watercraft; authorizing the imposition of franchise, license, and excise fees; providing for the budget of the authority; authorizing the county to appropriate tax revenues to the port district; providing for the deposit and disposition of revenues and for an annual audit; providing remedies of bondholders; prescribing procedure for awarding contracts; providing for the recovery of money or things of value paid pursuant to contracts entered in violation of act and providing for the award of attorney's fees; providing a declaration of public necessity; providing that chapters 313 and 314, Florida Statutes, do not apply within the district; providing for the adoption of rates and regulations and prescribing penalties for violations thereof; providing for injunctive relief; providing for promotion and sales and for reimbursement for travel in connection therewith; prohibiting discrimination in connection with employment, contracting, and use of facilities; regulating dredging, filling, construction, and other activities on submerged lands; requiring permits to engage in such activities; providing for revocation of such permits; authorizing the adoption of minimum construction specifications; providing for enforcement of orders of the authority; authorizing the authority to make required changes and impose liens for such changes; providing for civil penalties; providing for issuance of beverage license to the authority; prescribing standards for managing facilities and granting concessions; providing for periodic recodification of act; providing severability; repealing chapter 23338, Laws of Florida, 1945, chapter 24577, Laws of Florida, 1947, chapter 24578, Laws of Florida, 1947, chapter 25879, Laws of Florida, 1949, chapter 27600, Laws of Florida, 1951, and chapters 57-1380, 59-1358, 63-1398, 63-1400, 67-1476, 67-1481, 67-1482, 67-1485, 67-1487, 67-1488, 67-1490, 67-1491, 67-1492, 67-1500, 67-1503, 67-1505, 69-1135, 69-1137, 69-1138, 69-1140, 69-1141, 70-716, 72-560, 72-566, 75-386, 75-392, 76-385, 77-568, 77-570, 78-526, 78-527, 79-473, 80-613, 80-614, 81-386, and 81-393, Laws of Florida, relating to the Hillsborough County Port District and the Tampa Port Authority; providing an effective date.

—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—33

Barron	Girardeau	Johnston	Neal
Beard	Gordon	Kirkpatrick	Scott
Carlucci	Grant	Langley	Stuart
Childers, D.	Grizzle	Malchon	Thomas
Childers, W. D.	Hair	Mann	Thurman
Crawford	Henderson	Margolis	Vogt
Deratany	Hill	McPherson	
Fox	Jenne	Meek	
Gersten	Jennings	Myers	

Nays—None

CLAIM BILLS

HB 18—A bill to be entitled An act for the relief of Paradise Groves, a partnership; providing an appropriation to compensate the partnership for losses incurred as a result of the actions of the Game and Fresh Water Fish Commission; providing an effective date.

—was read the second time by title.

The Committee on Finance, Taxation and Claims recommended the following amendment which was moved by Senator Crawford and adopted:

Amendment 1—On page 1, line 29, strike "$23,317.46" and insert: $12,567.46

On motion by Senator Crawford, by two-thirds vote HB 18 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—29

Mr. President	Dunn	Jenne	Neal
Barron	Frank	Jennings	Plummer
Beard	Gersten	Kirkpatrick	Scott
Carlucci	Girardeau	Langley	Stuart
Castor	Gordon	Malchon	Vogt
Childers, W. D.	Grant	Mann	
Crawford	Grizzle	McPherson	
Deratany	Hair	Meek	

Nays—None

HB 77—A bill to be entitled An act for the relief of Mariam B. McNulty; providing an appropriation to provide her with state employee retirement benefits to which she is entitled; providing an effective date.

—was read the second time by title.

The Committee on Finance, Taxation and Claims recommended the following amendments which were moved by Senator Malchon and adopted:

Amendment 1—On page 1, lines 23 and 24, strike "Judicial Administrative Commission" and insert: Circuit Courts

Amendment 2—On page 1, line 28, strike "$3,485.87" and insert: $3,486.87

On motion by Senator Malchon, by two-thirds vote HB 77 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—28

Mr. President	Deratany	Grizzle	Mann
Barron	Dunn	Hair	McPherson
Beard	Frank	Jenne	Meek
Carlucci	Gersten	Jennings	Neal
Castor	Girardeau	Johnston	Scott
Childers, D.	Gordon	Langley	Stuart
Childers, W. D.	Grant	Malchon	Vogt

Nays—None

HB 344—A bill to be entitled An act relating to Dade County; authorizing and directing the county to compensate Raphael Espinosa for certain damages suffered as a result of the negligence of the Metropolitan Dade County Transit Authority; providing an effective date.

—was read the second time by title. On motion by Senator Margolis, by two-thirds vote HB 344 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—30

Mr. President	Frank	Jenne	Neal
Barron	Gersten	Jennings	Plummer
Beard	Girardeau	Johnston	Scott
Carlucci	Gordon	Malchon	Stuart
Castor	Grant	Margolis	Vogt
Childers, D.	Grizzle	McPherson	Weinstein
Childers, W. D.	Hair	Meek	
Dunn	Hill	Myers	

Nays—3

Deratany	Langley	Mann

HB 382—A bill to be entitled An act for the relief of Johnnie Mae Singleton, and her husband, Sterling F. Singleton; providing an appropriation to compensate them for injuries and losses caused by the Department of Transportation; providing an effective date.

—was read the second time by title. On motion by Senator Girardeau, by two-thirds vote HB 382 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—31

Mr. President	Frank	Jenne	Plummer
Barron	Gersten	Jennings	Rehm
Carlucci	Girardeau	Johnston	Scott
Castor	Gordon	Malchon	Stuart
Childers, W. D.	Grant	Margolis	Thomas
Crawford	Grizzle	Meek	Vogt
Deratany	Hair	Myers	Weinstein
Dunn	Hill	Neal	

Nays—2

Langley	Mann

HB 393—A bill to be entitled An act for the relief of Hazel W. Wynn; providing an appropriation to compensate Hazel W. Wynn for injuries and damages suffered as the result of an assault which occurred through the negligence of the Department of Corrections; providing an effective date.

—was read the second time by title. On motion by Senator W. D. Childers, by two-thirds vote HB 393 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—30

Mr. President	Frank	Jenne	Myers
Beard	Gersten	Jennings	Plummer
Carlucci	Girardeau	Johnston	Stuart
Castor	Gordon	Langley	Thomas
Childers, W. D.	Grant	Malchon	Vogt
Crawford	Grizzle	Margolis	Weinstein
Dunn	Hair	McPherson	
Fox	Hill	Meek	

Nays—2

Deratany	Mann

HB 395—A bill to be entitled An act for the relief of Robert Leroy Davis, Jr., Robert Leroy Davis, Sr., and Reba Kay Davis; providing an appropriation to compensate them for personal injuries and damages suffered as a result of the negligence of the City of Port St. Joe; providing an effective date.

—was read the second time by title.

The Committee on Finance, Taxation and Claims recommended the following amendment which was moved by Senator Barron:

Amendment 1—On page 3, lines 18-31, and on page 4, lines 1-9, strike all of said lines and insert:

Section 2. In the manner set forth in the schedule below, the City of Port St. Joe is authorized and directed to appropriate the sum of $1,825,750 out of funds not otherwise appropriated, and to draw its warrants in the amount of said sum payable to the guardian of the property of Robert Leroy Davis, Jr., to compensate him for the personal injuries suffered in this accident.

Section 3. In the manner set forth in the schedule below, the City of Port St. Joe is authorized and directed to appropriate the sum of $801,750 out of funds not otherwise appropriated and to draw its warrants in the amount of said sum payable to Robert Leroy Davis, Sr., for personal injuries suffered and for his son's pre-18 medical expenses incurred in this accident.

Section 4. In the manner set forth in the schedule below, the City of Port St. Joe is authorized and directed to appropriate the sum of $90,750 out of funds not otherwise appropriated and to draw its warrants in the amount of said sum payable to Reba Kay Davis to compensate her for medical expenses incurred as a result of this accident.

Section 5. Schedule - The City of Port St. Joe is directed to and shall pay the above total awards at the rate of $500,000 on or before December 31, 1984 and $220,000 per year on or before December 31 of each succeeding year for nine years, with a tenth and final payment of $238,250 no later than December 31, 1994.

(Renumber subsequent section.)

Senator Barron moved the following substitute amendment which was adopted:

Amendment 2—On page 3, lines 14-31, and on page 4, lines 1-10, strike all of said lines and insert:

Section 2. The City of Port St. Joe, Florida is authorized and directed to appropriate the sum of $900,000 payable in six equal annual installments, commencing July 15, 1984, with the right of prepayment, to Robert Leroy Davis, Sr., Reba Kay Davis and Robert Leroy Davis, Jr. in proportion to the amounts awarded them in the Final Judgments entered in their favor by the United States District Court for the Northern District of Florida on March 31, 1983, and September 30, 1983, Case Number MCA 82-0207.

Section 3. As a partial payment for the State of Florida's responsibility in connection with the injuries suffered by Robert Leroy Davis, Sr., Reba Kay Davis and Robert Leroy Davis, Jr. as a result of the accident of February 4, 1981, and in contemplation of the total payment of $1,000,000 at the rate of $100,000 each year to these parties in proportion to the amounts awarded them in the Final Judgments entered in their favor by the United States District Court for the Northern District of Florida on March 31, 1983 and September 30, 1983, Case Number MCA 82-0207, there is hereby appropriated out of the funds of the State Treasury not otherwise appropriated the sum of $100,000 to be paid, proportionately to these persons, as set out above, no later than July 15, 1984. Provided, however, it is the intent of the Legislalture that the payments set forth or contemplated herein shall be paid, pro rata, only so long as Robert Leroy Davis, Jr., survives.

Section 4. The Comptroller is hereby directed to draw his warrants in favor of Robert Leroy Davis, Sr., Reba Kay Davis and Robert Leroy Davis, Jr. in proportion to the amounts awarded them in the Final Judgments entered in their favor by the United States District Court for the Northern District of Florida on March 31, 1983 and September 30, 1983, Case Number MCA 82-0207; said warrants totaling $100,000, upon the funds in the State Treasury not otherwise appropriated, on or before July 15, 1984.

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

Senator Langley moved the following amendment which was adopted:

Amendment 3—On page 2, line 31, insert: No attorney fees in excess of 10% shall be paid from the monies received by the passage of this act.

On motion by Senator Barron, by two-thirds vote HB 395 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—29

Barron	Frank	Kirkpatrick	Stuart
Beard	Gersten	Malchon	Thomas
Carlucci	Girardeau	Margolis	Thurman
Castor	Grant	McPherson	Vogt
Childers, W. D.	Grizzle	Meek	Weinstein
Crawford	Hair	Myers	
Dunn	Hill	Plummer	
Fox	Jennings	Rehm	

Nays—7

Childers, D.	Gordon	Johnston	Neal
Deratany	Jenne	Langley	

HB 534—A bill to be entitled An act relating to Metropolitan Dade County; providing for the relief of Rosalie Brooks, as mother and next friend of Vincent Nevada Brooks, a minor, and Vincent Nevada Brooks, a minor, to compensate them for injuries sustained by Vincent Nevada Brooks as the result of an accident involving a utility truck owned by the defendant; providing for payment by the Board of County Commissioners of Dade County; providing an effective date.

—was read the second time by title. On motion by Senator Margolis, by two-thirds vote HB 534 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—31

Beard	Frank	Jenne	Plummer
Carlucci	Gersten	Jennings	Rehm
Childers, D.	Girardeau	Johnston	Stuart
Childers, W. D.	Gordon	Langley	Thomas
Crawford	Grant	Malchon	Thurman
Deratany	Grizzle	Margolis	Vogt
Dunn	Hair	Meek	Weinstein
Fox	Hill	Myers	

Nays—None

CONSENT CALENDAR

HB 256—A bill to be entitled An act relating to Chipola Junior College and Chipola Dormitory Authority; authorizing the college to operate a certain dormitory for the purpose of housing students; authorizing the college and the authority to enter into agreements for that purpose; validating past agreements; providing an effective date.

—was read the second time by title. On motion by Senator Thomas, by two-thirds vote HB 256 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

Vote after roll call:

Yea—Hill, Neal

On motion by Senator Carlucci—

HB 799—A bill to be entitled An act relating to kidnapping and false imprisonment; amending s. 827.03, F.S., clarifying the definition of aggravated child abuse; providing for crimes involving kidnapping and false imprisonment of children under the age of 13; providing penalties; providing for offenses to be charged separately; providing an effective date.

—a companion measure, was substituted for CS for SB 812 and read the second time by title. On motion by Senator Carlucci, by two-thirds vote HB 799 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—31

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

Nays—None

Vote after roll call:

Yea—Gersten, Malchon

CS for SB 812 was laid on the table.

CS for SB 157—A bill to be entitled An act relating to breast cancer; amending s. 381.3712, F.S.; directing the Florida Cancer Control and Research Advisory Board to prepare a written summary of the medically viable treatment alternatives for breast cancer which explains the relative advantages, disadvantages, and risks of each; providing for printing and distribution of such summaries; directing the Florida Cancer Control and Research Advisory Board to develop and implement a public education program; creating ss. 458.324, 459.0125, F.S.; defining "medically viable"; requiring physicians to inform certain persons of medically viable treat-

ment alternatives; providing procedure; providing for certain considerations; authorizing recommendations; providing for records; amending s. 232.246, F.S., mandating that breast self-examination be taught as part of the life-management skills high school graduation requirement; providing an appropriation; providing an effective date.

—was read the second time by title.

Seven amendments were adopted to CS for SB 157 to conform the bill to CS for HB's 279 and 462.

On motions by Senator Castor, the rules were waived and by two-thirds vote CS for HB's 279 and 462 was withdrawn from the Committees on Health and Rehabilitative Services; and Appropriations.

On motion by Senator Castor—

CS for HB's 279 and 462—A bill to be entitled An act relating to breast cancer; amending s. 381.3712, F.S., directing the Florida Cancer Control and Research Advisory Board to prepare a written summary of the medically viable treatment alternatives for breast cancer which explains the relative advantages, disadvantages, and risks of each; providing for printing and distribution of such summaries; creating ss. 458.324 and 459.0125, F.S.; defining "medically viable"; requiring physicians and osteopaths to inform certain persons of medically viable treatment alternatives; providing procedure; providing for certain considerations; authorizing recommendations; providing for records; amending s. 458.311, F.S., clarifying educational requirements for licensure; amending s. 232.246, F.S., mandating that breast self-examination be taught as part of the life management skills high school graduation requirement; providing an appropriation; providing effective dates.

—a companion measure, was substituted for CS for SB 157 and read the second time by title. On motion by Senator Castor, by two-thirds vote CS for HB's 279 and 462 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

CS for SB 157 was laid on the table.

On motions by Senator D. Childers, the rules were waived and by two-thirds vote HB 726 was withdrawn from the Committees on Personnel, Retirement and Collective Bargaining; and Appropriations.

On motion by Senator D. Childers—

HB 726—A bill to be entitled An act relating to retirement; amending s. 112.048, F.S., relating to retirement for elective officers of cities or towns with no available retirement plan; providing for retirement upon satisfaction of certain service requirements; providing an effective date.

—a companion measure, was substituted for SB 823 and read the second time by title. On motion by Senator D. Childers, by two-thirds vote HB 726 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—31

Beard	Gersten	Jenne	Myers
Carlucci	Girardeau	Jennings	Scott
Childers, D.	Gordon	Johnston	Stuart
Childers, W. D.	Grant	Kirkpatrick	Thomas
Crawford	Grizzle	Langley	Thurman
Deratany	Hair	Malchon	Vogt
Dunn	Henderson	Mann	Weinstein
Fox	Hill	McPherson	

Nays—1

Neal

Vote after roll call:

Yea—Rehm

SB 823 was laid on the table.

On motions by Senator W. D. Childers, the rules were waived and by two-thirds vote HB 360 was withdrawn from the Committees on Judiciary-Criminal and Appropriations.

On motion by Senator W. D. Childers—

HB 360—A bill to be entitled An act relating to alcohol and drug related offenses; providing for the establishment of an RID program; amending s. 316.193, F.S., authorizing alternative punishment to mandatory fines for violations of provisions relating to driving under the influence of alcoholic beverages or other controlled substances or while intoxicated; amending s. 316.193, F.S., providing for consideration of certain convictions in other jurisdictions for purposes of enhanced penalties for repeat offenses relating to driving while under the influence of alcoholic beverages or other substances or with an unlawful blood alcohol level; amending s. 562.11, F.S., providing additional penalties for persons who misrepresent their age to unlawfully obtain alcoholic beverages; amending s. 316.1931, F.S., providing penalties; increasing penalties for causing certain injuries to another by the operation of a motor vehicle while intoxicated; expanding provisions relating to certain damage caused by a person operating a motor vehicle while under the influence of certain chemical substances; amending s. 322.271, F.S.; providing circumstances under which certain persons may be issued a limited license for business or employment use; repealing s. 316.1931(1), relating to driving while intoxicated; repealing s. 316.1931(3), providing that a conviction of driving while intoxicated shall not bar any civil suit; providing an effective date.

—a companion measure, was substituted for CS for CS for SB's 469, 698, 239 and 380 and read the second time by title.

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

Amendment 1—On pages 2-9, strike everything after the enacting clause and insert:

Section 1. Section 316.193, Florida Statutes, is amended to read:

316.193 Driving ~~while~~ under the influence ~~of alcoholic beverages, chemical substances, or controlled substances or with an unlawful blood alcohol level~~; penalties.—

(1) A person is guilty of the offense of driving under the influence and is punishable as provided in subsection (2) if the person is driving or in actual physical control of a vehicle within this state and:

(a) The person is under the influence of alcoholic beverages, any chemical substance set forth in s. 877.111, or any substance controlled under chapter 893, when affected to the extent that his normal faculties are impaired; or

(b) The person has a blood alcohol level of 0.10 percent or above.

~~(1) It is unlawful and punishable as provided in subsection (2) for:~~

~~(a) Any person who is under the influence of alcoholic beverages, any chemical substance set forth in s. 877.111, or any substance controlled under chapter 893, when affected to the extent that his normal faculties are impaired, to drive or be in the actual physical control of any vehicle within this state; or~~

~~(b) Any person with a blood alcohol level of 0.10 percent or above to drive or be in the actual physical control of any vehicle within this state.~~

(2) Any person who is convicted of a violation of subsection (1) shall be punished:

(a) By a fine of:

1. Not less than $250 or more than $500 for a first conviction.

2. Not less than $500 or more than $1,000 for a second conviction.

3. Not less than $1,000 or more than $2,500 for a third or subsequent conviction; and

(b) By imprisonment for:

1. Not more than 6 months for a first conviction.

2. Not more than 9 months for a second conviction.

3. Not more than 12 months for a third or subsequent conviction.

For the purposes of this subsection, a previous conviction for violation of s. 316.1931 or former s. 860.01, *or former s. 316.028, or a previous conviction for any substantially similar alcohol-related or drug-related traffic offense outside of this state,* shall also be considered a previous conviction for violation of this section. *In satisfaction of the fine imposed pursuant to this section, the court may order an indigent defendant to participate in public service or a community work project.*

(3) The court shall require any person convicted of violating this section or s. 316.1931 to attend a substance abuse course specified by the court; and the agency conducting the course may refer the person to an authorized agency for substance abuse evaluation and treatment, in addition to any sentence or fine imposed under this section. Such person shall assume reasonable costs for such education, evaluation, and treatment. "Substance abuse" means the abuse of alcohol or any substance named or described in Schedules I through V of s. 893.03. Whenever the authorized agency for substance abuse treatment is the same agency which conducts the substance abuse evaluation and education, that agency shall submit a quarterly statistical report, which shall be reviewed by the Traffic Court Review Committee to assure that excessive referrals to treatment have not been made. A programmatic and statistical report shall be submitted annually to the Traffic Court Review Committee by each agency authorized to provide services under this act.

(4) With respect to any person convicted of a violation of subsection (1), regardless of any penalty imposed pursuant to subsection (2):

(a) For the first conviction thereof, the court shall place the defendant on probation for a period not to exceed 1 year and, as a condition of such probation, shall order the defendant to participate in public service or a community work project for a minimum of 50 hours. However, in no event may the total period of probation and incarceration exceed 1 year.

(b) For the second conviction within a period of 3 years from the date of a prior conviction for violation of this section, the court shall order imprisonment for not less than 10 days.

(c) For the third conviction within a period of 5 years from the date of a prior conviction for violation of this section, the court shall order imprisonment for not less than 30 days.

For the purposes of this subsection, a previous conviction for violation of s. 316.1931 or former s. 860.01, *or a previous conviction for any substantially similar alcohol-related or drug-related traffic offense outside of this state,* shall also be considered a previous conviction for violation of this section.

Section 2. Section 316.1931, Florida Statutes, is amended to read:

316.1931 Driving automobile while intoxicated; punishment.—

(1) It is unlawful for any person, while in an intoxicated condition or under the influence of alcoholic beverages, any chemical substance set forth in s. 877.111, or any substance controlled under chapter 893 to such extent as to deprive him of full possession of his normal faculties, to drive, be in actual physical control of, or operate *within* ~~over the highways, streets, or thoroughfares of~~ this state any automobile, truck, motorcycle, or other vehicle. Any person convicted of a violation of this section shall be punished as provided in s. 316.193. For the purposes of this subsection, a previous conviction under s. 316.193 *or former s. 316.028, or a previous conviction for any substantially similar alcohol-related or drug-related traffic offense outside this state,* shall also be considered a previous conviction for violation of this subsection.

(2) If, however, damage to the property or person of another, other than damage resulting in the death of any person, is done by such intoxicated person under the influence of alcoholic beverages, *any chemical substance set forth in s. 877.111* ~~model glue~~, or any substance controlled under chapter 893, to such extent as to deprive him of full possession of his normal faculties, by reason of the operation of any of the vehicles mentioned herein, he is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, but the penalty imposed for a violation of this subsection shall be not less than the penalty provided under s. 316.193; and if the death of any human being is caused by the operation of a motor vehicle by any person while so intoxicated, such person shall be deemed guilty of manslaughter and on conviction shall be punished as provided by existing law relating to manslaughter.

(3) A conviction under the provisions of this section shall not be a bar to any civil suit for damages against the person so convicted.

Section 3. Section 316.1932, Florida Statutes, is amended to read:

316.1932 Tests for *alcoholic beverages, chemical substances, or controlled substances* ~~impairment or intoxication~~; implied consent; right to refuse.—

(1)(a) Any person who accepts the privilege extended by the laws of this state of operating a motor vehicle within this state shall, by so operating such vehicle, be deemed to have given his consent to submit to an approved chemical test of his breath for the purpose of determining the alcoholic content of his blood, and to a urine test for the purpose of detecting the presence of *chemical substances as set forth in s. 877.111 or* controlled substances, if he is lawfully arrested for any offense allegedly committed while the person was driving or was in actual physical control of a motor vehicle while under the influence of alcoholic beverages, *chemical substances,* or controlled substances. The breath test shall be incidental to a lawful arrest and administered at the request of a law enforcement officer who has reasonable cause to believe such person was driving or was in actual physical control of the motor vehicle within this state while under the influence of alcoholic beverages. The urine test shall be incidental to a lawful arrest and administered at a detention facility or any other facility, mobile or otherwise, which is equipped to administer such tests at the request of a law enforcement officer who has reasonable cause to believe such person was driving or was in actual physical control of a motor vehicle within this state while under the influence of controlled substances. The urine test shall be administered at a detention facility or any other facility, mobile or otherwise, which is equipped to administer such tests in a reasonable manner that will ensure the accuracy of the specimen and maintain the privacy of the individual involved. The administration of either test shall not preclude the administration of the other test. Such person shall be told that his failure to submit to such a breath test or urine test, or both such tests, will result in the suspension of his privilege to operate a motor vehicle for a period of 6 months, for a first refusal, or for a period of 1 year if the driving privilege of such person has been previously suspended as a result of a refusal to submit to such a test or tests. The refusal to submit to a chemical breath or urine test upon the request of a law enforcement officer as provided in this section shall be admissible into evidence in any criminal proceeding.

(b)1. Notwithstanding the provisions of this section, a law enforcement officer who has reason to believe that a person's ability to operate a motor vehicle is impaired by alcohol or any *chemical substance or* controlled substance and that the person has been operating a motor vehicle during the period of such impairment may, with the person's consent, give, or the person may demand, a prearrest breath test for the purpose of determining if the person is in violation of s. 316.193(1), but the taking of such prearrest breath test shall not be deemed a compliance with the provisions of paragraph (a). The results of any prearrest test administered under this paragraph shall not be admissible into evidence in any civil or criminal proceeding. An analysis of a person's breath, in order to be considered valid under the provisions of this section, must have been performed substantially according to methods approved by the Department of Health and Rehabilitative Services. For this purpose, the department is authorized to approve satisfactory techniques or methods. Any insubstantial differences between approved techniques and actual testing procedures in any individual case shall not render the test or test results invalid.

2. Prior to administering any prearrest breath test, a law enforcement officer shall advise the motor vehicle operator that he has the right to refuse to take such test, and, prior to administering such test, a law enforcement officer shall obtain the written consent of the motor vehicle operator.

(c) Any person whose consent is implied as provided in this section shall be deemed to have consented to an approved blood test for the purpose of determining the alcoholic content of the blood or a blood test for the purpose of determining the presence of *chemical substances or* controlled substances as provided herein if such person *appears for treatment at* ~~is admitted to~~ a hospital, clinic, or other medical facility as a result of his involvement as a driver in a motor vehicle accident and the administration of a breath or urine test is impractical or impossible. The blood test shall be performed in a reasonable manner. Any person who is incapable of refusal by reason of unconsciousness or other mental or physical condition shall be deemed not to have withdrawn his consent to such test. A blood test may be administered whether or not such person

is told that his failure to submit to such a blood test will result in the suspension of his privilege to operate a motor vehicle upon the public highways of this state. Any person who is capable of refusal shall be told that his failure to submit to such a blood test will result in the suspension of his privilege to operate a motor vehicle for a period of 6 months, for a first refusal, or for a period of 1 year if the driving privilege of such person has been suspended previously as a result of a refusal to submit to such a test or tests. The refusal to submit to a blood test upon request of a law enforcement officer shall be admissible in evidence in any criminal proceeding.

(d) If the arresting officer does not request a chemical test of the person arrested for any offense allegedly committed while the person was driving or was in actual physical control of a motor vehicle while under the influence of alcoholic beverages or controlled substances, such person may request the arresting officer to have a chemical test made of the arrested person's breath, urine, or blood for the purpose of determining the alcoholic content of the person's blood or the presence of *chemical substances or* controlled substances; and, if so requested, the arresting officer shall have the test performed.

(e)1. By applying for a driver's license and by accepting and using a driver's license, the person holding the driver's license is deemed to have expressed his consent to the provisions of this section.

2. A nonresident or any other person driving in a status exempt from the requirements of the driver's license law, by his act of driving in such exempt status, is deemed to have expressed his consent to the provisions of this section.

3. A warning of the consent provision of this section shall be printed above the signature line on each new or renewed driver's license issued after the effective date of this act.

(f)1. The tests determining the weight of alcohol in the defendant's blood shall be administered at the direction of the arresting officer substantially in accordance with rules and regulations which shall have been adopted by the Department of Health and Rehabilitative Services. Such rules and regulations shall be adopted after public hearing, shall specify precisely the test or tests which are approved by the Department of Health and Rehabilitative Services for reliability of result and facility of administration, and shall provide an approved method of administration which shall be followed in all such tests given under this section. *However, the failure of a law enforcement officer to request the withdrawal of blood shall not affect the admissibility of a test of blood withdrawn for medical purposes.*

2. Only a *certified paramedic who is present at the scene of an accident for the purpose of rendering emergency medical service or treatment,* physician, registered nurse, *licensed practical nurse,* or duly licensed clinical laboratory technologist or clinical laboratory technician, ~~or a paramedic certified as provided in s. 401.47 who is present at the scene of an accident for the purpose of rendering emergency medical service or treatment,~~ acting at the request of a law enforcement officer, may withdraw blood for the purpose of determining the alcoholic content thereof or presence of *chemical substances or* controlled substances *therein; however, the failure of a law enforcement officer to request the withdrawal of blood shall not affect the admissibility of a test of blood withdrawn for medical purposes.*

3. The person tested may, at his own expense, have a physician, registered nurse, duly licensed clinical laboratory technologist or clinical laboratory technician, or other person of his own choosing administer a test in addition to the test administered at the direction of the law enforcement officer for the purpose of determining the amount of alcohol in his blood or the presence of *chemical substances or* controlled substances at the time alleged, as shown by chemical analysis of his blood, urine, or breath. The failure or inability to obtain an additional test by a person shall not preclude the admissibility in evidence of the test taken at the direction of the law enforcement officer.

4. Upon the request of the person tested, full information concerning the test taken at the direction of the law enforcement officer shall be made available to him or his attorney.

5. No hospital, clinical laboratory, medical clinic, or similar medical institution or physician, registered nurse, *licensed practical nurse,* duly licensed clinical laboratory technologist or clinical laboratory technician, ~~or~~ *certified* paramedic, *or other person assisting a law enforcement officer* ~~certified as provided in s. 401.47~~ shall incur any civil or criminal liability as a result of the ~~proper~~ withdrawal or analysis of a blood, urine, or breath specimen *pursuant to accepted medical standards* when requested by a law enforcement officer, *regardless of whether or not the subject resisted administration of the test.*

(2) The results of any test administered pursuant to this section for the purpose of detecting the presence of any controlled substance shall not be admissible as evidence in a criminal prosecution for the possession of a controlled substance.

(3) Notwithstanding any provision of law pertaining to the confidentiality of hospital records or other medical records, information relating to the alcoholic content of the blood or the presence of chemical substances or controlled substances in the blood obtained pursuant to this section shall be released to a court, prosecuting attorney, defense attorney, or law enforcement officer in connection with an alleged violation of s. 316.193 or s. 316.1931 upon request therefor.

Section 4. Section 316.1933, Florida Statutes, is amended to read:

316.1933 Blood test for impairment or intoxication in cases of death or serious bodily injury; right to use reasonable force.—

(1) Notwithstanding any recognized ability to refuse to submit to the tests provided in s. 316.1932 or any recognized power to revoke the implied consent to such tests, if a law enforcement officer has probable cause to believe that a motor vehicle driven by or in the actual physical control of a person under the influence of alcoholic beverages or controlled substances has caused the death or serious bodily injury of a human being, such person shall submit, upon the request of a law enforcement officer, to a test of his blood for the purpose of determining the alcoholic content thereof or the presence of *chemical substances as set forth in s. 877.111 or* controlled substances therein. The law enforcement officer may use reasonable force if necessary to require such person to submit to the administration of the blood test. The blood test shall be performed in a reasonable manner. "Serious bodily injury" means a physical condition which creates a substantial risk of death; serious, personal disfigurement; or protracted loss or impairment of the function of any bodily member or organ.

(2)(a) Only a *certified paramedic who is present at the scene of an accident for the purpose of rendering emergency medical service or treatment,* physician, registered nurse, *licensed practical nurse,* or duly licensed clinical laboratory technologist or clinical laboratory technician, ~~or a paramedic certified as provided in s. 401.47 who is present at the scene of an accident for the purpose of rendering emergency medical service or treatment,~~ acting at the request of a law enforcement officer, may withdraw blood for the purpose of determining the alcoholic content thereof or the presence of *chemical substances or* controlled substances therein; *however, the failure of a law enforcement officer to request the withdrawal of blood shall not affect the admissibility of a test of blood withdrawn for medical purposes.*

(b) A chemical analysis of the person's blood to determine the alcoholic content thereof must have been performed substantially in accordance with methods approved by the Department of Health and Rehabilitative Services and by an individual possessing a valid permit issued by the department for this purpose. The Department of Health and Rehabilitative Services may approve satisfactory techniques or methods, ascertain the qualifications and competence of individuals to conduct such analyses, and issue permits which shall be subject to termination or revocation at the discretion of the department.

(c) No hospital, clinical laboratory, medical clinic, or similar medical institution or physician, registered nurse, *licensed practical nurse,* duly licensed clinical laboratory technologist or clinical laboratory technician, ~~or~~ *certified* paramedic, *or other person assisting a law enforcement officer* ~~certified under s. 401.27~~ shall incur any civil or criminal liability as a result of the ~~proper~~ withdrawal or analysis of a blood specimen *pursuant to accepted medical standards* when requested by a law enforcement *officer, regardless of whether or not the subject resisted administration of the test.*

(3)(a) Any criminal charge resulting from the incident giving rise to the officer's demand for testing shall be tried concurrently with a charge of any violation arising out of the same incident, unless, in the discretion of the court, such charges should be tried separately. If such charges are tried separately, the fact that such person refused, resisted, obstructed, or opposed testing shall be admissible at the trial of the criminal offense which gave rise to the demand for testing.

(b) The results of any test administered pursuant to this section for the purpose of detecting the presence of any controlled substance shall not be admissible as evidence in a criminal prosecution for the possession of a controlled substance.

(4) Notwithstanding any provision of law pertaining to the confidentiality of hospital records or other medical records, information relating to the alcoholic content of the blood or the presence of chemical substances or controlled substances in the blood obtained pursuant to this section shall be released to a court, prosecuting attorney, defense attorney, or law enforcement officer in connection with an alleged violation of s. 316.193 or s. 316.1931 upon request therefor.

Section 5. Subsection (4) of section 316.1934, Florida Statutes, is amended to read:

316.1934 Presumption of impairment; testing methods.—

(4) Any person charged with *a violation of s. 316.193 or s. 316.1931* ~~driving a motor vehicle while under the influence of alcoholic beverages or controlled substances to the extent that his normal faculties were impaired~~, whether in a municipality or not, shall be entitled to trial by jury according to the Florida Rules of Criminal Procedure.

Section 6. Subsection (10) is added to section 316.650, Florida Statutes, to read:

316.650 Traffic citations.—

(10) If no uniform traffic citation has been issued with respect to a criminal traffic offense, or with respect to an offense that requires mandatory revocation of the driver license or driving privilege pursuant to s. 322.26 upon conviction for such offense, and prosecution is by affidavit, information, or indictment, the prosecutor shall direct the arresting officer to prepare a citation. In the absence of an arresting officer, the prosecutor shall prepare the citation. For the purpose of this subsection, an arresting officer means the law enforcement officer who apprehended or took into custody the alleged offender.

Section 7. Subsection (3) of section 322.261, Florida Statutes, is amended to read:

322.261 Suspension of license for refusal to submit to test for impairment.—

(3) Upon his petition in writing, a copy of which he shall forward to the department, being filed within 10 days from the date of receipt of the notice, directed to the court having trial jurisdiction of the offense for which he stands charged, such person shall be afforded an opportunity for a hearing at a time to be set by the court, which hearing date shall be within 20 days of the filing of the petition with the court. It is the responsibility of the clerk of the court to schedule the hearing and to give proper notice to the petitioner and to the state attorney. If the person fails to appear for the hearing, the clerk of the court shall immediately notify the department, which shall suspend the person's license for a period of 6 months, or a period of 1 year if the driving privilege of such person has been previously suspended for a refusal to submit to such test or tests. For the purposes of this section, the question of whether such person lawfully refused to take a chemical test or tests, as provided for by this law, and the issues determinative shall be:

(a) Whether the arresting law enforcement officer had reasonable cause to believe that the person had been driving or had been in actual physical control of a motor vehicle in this state while under the influence of alcoholic beverages, *chemical substances as set forth in s. 877.111,* or controlled substances;

(b) *In the case of a breath or urine test,* whether the person was placed under lawful arrest;

(c) Whether the person refused to submit to any such test after being requested to do so by a law enforcement officer; and

(d) Whether the person had been told that, if he refused to submit to such test, his privilege to operate a motor vehicle would be suspended for a period of 6 months, or for a period of 1 year if his driving privilege had been previously suspended for a refusal to submit to such test.

Section 8. Section 322.264, Florida Statutes, is amended to read:

322.264 "Habitual traffic offender" defined.—A "habitual traffic offender" is any person whose record, as maintained by the Department of Highway Safety and Motor Vehicles, shows that such person has accumulated the *specified number of* convictions for ~~separate~~ offenses described in subsections (1) *or*~~;~~ (2) ~~and (3), committed~~ within a 5-year period:

(1) Three or more convictions~~, singly or in combination,~~ of any *one or more* of the following offenses arising out of separate acts:

(a) Voluntary or involuntary manslaughter resulting from the operation of a motor vehicle;

(b) *Any violation of s. 316.193, s. 316.1931, or former s. 860.01* ~~Driving a motor vehicle or being in actual physical control while having an unlawful blood alcohol level or while under the influence of alcoholic beverages or any substance controlled under chapter 893~~;

(c) Any felony in the commission of which a motor vehicle is used;

(d) Driving a motor vehicle while operator's license is suspended or revoked; *or*

(e) Failing to stop and render aid as required under the laws of this state in the event of a motor vehicle accident resulting in the death or personal injury of another.

(2) Fifteen convictions for moving traffic offenses for which points may be assessed as set forth in s. 322.27, including those offenses in subsection (1).

Any violation of ~~(3) The offenses included in subsections (1) and (2) shall be deemed to include also offenses under~~ any federal law, any law of another state *or country*, or any valid ordinance of a municipality or county of another state substantially conforming to the ~~aforesaid state~~ statutory *prohibitions specified in subsections (1) or (2) shall be counted as a violation of such prohibition* ~~provisions~~. In computing the number of convictions, all convictions during the 5 years previous to July 1, 1972, will be used, provided at least one conviction occurs after that date. The fact that previous convictions may have resulted in suspension or revocation under another section shall not exempt them from being used for suspension or revocation under this section as a habitual offender.

Section 9. Subsection (2) of section 322.271, Florida Statutes, is amended to read:

322.271 Authority to modify revocation or suspension.—

(2) Upon such hearing, the person whose license has been suspended, canceled, or revoked, may show that such suspension, cancellation, or revocation of his license causes a serious hardship and precludes his carrying out his normal business occupation, trade, or employment and that the use of his license in the normal course of his business is necessary to the proper support of himself or his family. *Except as otherwise provided in this subsection,* the department shall require proof of a successful completion of an approved driver training or substance abuse education course and may require letters of recommendation from respected businessmen in the community, law enforcement officers, or judicial officers in determining whether such person should be permitted to operate a motor vehicle on a restricted basis for business use only and in determining whether such person can be trusted to so operate a motor vehicle. *If a person's driver's license has been suspended under the point system, the department shall require proof of enrollment in an approved driver training course and may require the letters of recommendation described in this subsection to determine if the driver should be reinstated on a restricted basis; if such person fails to complete the approved course within 90 days after reinstatement, the department shall cancel his driver's license until the course is successfully completed.* The privilege of driving on a limited or restricted basis for business or employment use shall not be granted to a person who has been convicted of a violation of s. 316.193 or s. 316.1931 until completion of such education or training course. The privilege of driving on a limited or restricted basis for business or employment use shall not be granted to a person who has been convicted of a violation of s. 316.193, s. 316.1931, or former s. *860.01, or former s. 316.028,* or any combination of such sections, two or more times or whose license has been suspended two or more times for refusal to submit to a test under s. 316.1932.

Section 10. Section 322.28, Florida Statutes, is amended to read:

322.28 Period of suspension or revocation.—

(1) Unless otherwise provided by this section, the department shall not suspend a license for a period of more than 1 year and, upon revoking

a license, in any case except in a prosecution for the offense of driving a motor vehicle while under the influence of alcoholic beverages, *chemical substances as set forth in s. 877.111,* or controlled substances, shall not in any event grant a new license until the expiration of 1 year after such revocation.

(2) In a prosecution for *violation of s. 316.193 or s. 316.1931* ~~the offense of driving a motor vehicle with an unlawful blood alcohol level or while under the influence of alcoholic beverages or controlled substances to the extent that normal faculties are impaired, as defined in s. 316.193(1),~~ the following provisions shall apply:

(a) Upon conviction of the driver, the court, along with imposing sentence, shall revoke the driver's license or driving privilege of the person so convicted and shall prescribe the period of such revocation in accordance with the following provisions:

1. Upon first conviction for a violation of the provisions of s. 316.193 or s. 316.1931, except a violation of s. 316.1931(2) resulting in death, the driver's license or driving privilege shall be revoked for not less than 180 days or more than 1 year.

2. Upon a second conviction within a period of 5 years from the date of a prior conviction for a violation of the provisions of s. 316.193 or s. 316.1931 or a combination of such sections, the driver's license or driving privilege shall be revoked for not less than 5 years.

3. Upon a third conviction within a period of 10 years from the date of conviction of the first of three or more convictions for the violation of the provisions of s. 316.193 or s. 316.1931 or a combination of such sections, the driver's license or driving privilege shall be revoked for not less than 10 years.

For the purposes of this paragraph, *a previous conviction for a violation of any alcohol-related or drug-related traffic offense outside of this state substantially similar to the offense of driving under the influence as proscribed by s. 316.193 shall be considered a previous conviction for violation of s. 316.193, and* a conviction for violation of former s. 860.01 *or former s. 316.028* shall be considered a conviction for violation of s. 316.1931 *or s. 316.193, respectively.*

(b) If the period of revocation was not specified by the court at the time of imposing sentence or within 30 days thereafter, the department shall forthwith revoke the driver's license or driving privilege for the maximum period applicable under paragraph (a) for a first conviction and for the minimum period applicable under paragraph (a) for any subsequent convictions. The driver may, within 30 days of such revocation by the department, petition the court for further hearing on the period of revocation, and the court shall be authorized in such case, at its discretion, to reopen the case and to determine the period of revocation within the limits specified in paragraph (a).

(c) The forfeiture of bail bond, not vacated within 20 days, in any prosecution for the offense of driving while under the influence of alcoholic beverages, *chemical substances,* or controlled substances to the extent of depriving the defendant of his normal faculties shall be deemed equivalent to a conviction for the purposes of this paragraph, and the department shall forthwith revoke the defendant's driver's license or driving privilege for the maximum period applicable under paragraph (a) for a first conviction and for the minimum period applicable under paragraph (a) for a second or subsequent conviction; however, if the defendant is later convicted of the charge, the period of revocation imposed by the department for such conviction shall not exceed the difference between the applicable maximum for a first conviction or minimum for a second or subsequent conviction and the revocation period under this subsection that has actually elapsed; upon conviction of such charge, the court may impose revocation for a period of time as specified in paragraph (a). This paragraph does not apply if an appropriate motion contesting the forfeiture is filed within the 20-day period.

(d) When any driver's license or driving privilege has been revoked pursuant to the provisions of this section, the department shall not grant a new license, except upon reexamination of the licensee after the expiration of the period of revocation so prescribed. However, the department shall issue a temporary driver's permit to a licensee who presents proof of completion of a department-approved driver training or substance abuse education course, a court order for reinstatement, and a written request for a hearing established in s. 322.271, provided a record check by the department shows no other convictions for *violation of s. 316.193, s. 316.1931, former s. 860.01, former s. 316.028, or any substantially similar alcohol-related or drug-related traffic offense outside this state,* ~~driving a motor vehicle while having an unlawful blood alcohol level or while under the influence of alcoholic beverages to the extent that normal faculties are impaired~~ and that the person is otherwise entitled to the issuance of a driver's license. Such a temporary driver's permit shall be restricted to business or employment purposes and shall not be used for pleasure, recreational, or nonessential driving. Should the department determine at a later date from its records that the applicant has previously been convicted for *such* ~~the~~ offense ~~of driving of a motor vehicle while having an unlawful blood alcohol level or while under the influence of alcoholic beverages to the extent that normal faculties are impaired,~~ the permit issued under this section shall be canceled. Upon administrative hearing, if the department determines the applicant is not eligible for modification of revocation, the permit shall be canceled, and the original revocation imposed by the court shall be reimposed. A temporary permit issued under this section shall be valid for 45 days unless canceled as herein provided.

(e) The period of time for which a temporary permit issued in accordance with paragraph (d) is valid shall be deemed to be part of the period of revocation imposed by the court.

(f) *The court shall permanently revoke the driver's license or driving privilege of* ~~No driver's license or driving privilege shall be issued or granted to~~ a person who has been convicted four times for violation of s. 316.193 or s. 316.1931 or a combination of such sections, *or of* ~~nor shall such permit or license be issued to~~ a person who has been convicted of manslaughter resulting from the operation of a motor vehicle *or vehicular homicide* and who has been convicted of a violation of s. 316.193 or s. 316.1931. *If the court has not permanently revoked such license or privilege within 30 days after imposing sentence, the department shall permanently revoke the license or privilege pursuant to this paragraph. No driver's license or driving privilege shall be issued or granted to any such person.* This paragraph applies only if at least one of the convictions for violation of s. 316.193 or s. 316.1931 was for a violation that occurred after July 1, 1982. For the purposes of this paragraph, a conviction for violation of former s. 860.01 *or former s. 316.028* shall also be considered a conviction for violation of s. 316.1931 *or s. 316.193, respectively. Also, a conviction of any substantially similar traffic offense outside this state shall be considered a conviction for the purposes of this paragraph.*

(3) Upon conviction of a person for a violation of s. 322.34, the license or driving privilege, if suspended, shall be suspended for 3 months in addition to the period of suspension previously imposed, and, if revoked, the time after which a new license may be issued shall be delayed 3 months.

(4) If, in any case arising under this section, a licensee, after having been given notice of suspension or revocation of his license in the manner provided in s. 322.251, fails to surrender to the department a license theretofore suspended or revoked, as required by s. 322.29, or fails otherwise to account for the license to the satisfaction of the department, the period of suspension of the license, or the period required to elapse after revocation before a new license may be issued, shall be extended until, and shall not expire until, a period has elapsed after the date of surrender of the license, or after the date of expiration of the license, whichever occurs first, which is identical in length with the original period of suspension or revocation.

(5)(a) Upon a conviction for a violation of s. 316.1931(2), a conviction of manslaughter resulting from the operation of a motor vehicle, or a conviction of vehicular homicide, the court shall revoke the driver's license of the person convicted for a minimum period of 3 years if death to any other person resulted from the operation of a motor vehicle by such driver.

(b) If the period of revocation was not specified by the court at the time of imposing sentence or within 30 days thereafter, the department shall revoke the driver's license for the minimum period applicable under paragraph (a) or, for a subsequent conviction, for the minimum period applicable under paragraph (2)(a) or paragraph (2)(f).

(6) Except as provided in s. 322.261, no suspension or revocation of a driving privilege shall be stayed upon an appeal of the conviction, court order, or departmental order that resulted in such suspension or revocation.

Section 11. Subsection (2) of section 322.282, Florida Statutes, is amended to read:

322.282 Procedure when court revokes and reinstates license or driving privilege on a restricted basis.—When a court revokes and reinstates a license or driving privilege as authorized under s. 322.28(2)(a)1., it shall:

(2) Issue an order of reinstatement, on a form to be furnished by the department, which the person so convicted may personally take to any Florida driver's license examining office. Upon presentation of such court order and a written request for a hearing as established in s. 322.271, and upon verification from the driving record that the person so convicted has had no other convictions ~~within the past 10 years~~ for driving a motor vehicle while having an unlawful blood alcohol level or while under the influence of alcoholic beverages to the extent normal faculties are impaired, a temporary driving permit authorizing driving for business or employment purposes, as provided in s. 322.28(2)(d), shall thereupon be issued. However, should the department determine from its records that such conviction was not the person's only such conviction ~~within the past 10 years~~, the temporary permit shall be canceled, and a revocation order shall be issued for the maximum period applicable under s. 322.28(2)(a)2. or s. 322.28(2)(a)3.

Section 12. This act shall take effect October 1, 1984.

Senator Rehm moved the following amendment to Amendment 1 which was adopted:

Amendment 1A—On page 2, strike all of lines 28-30 and insert: *the fine imposed pursuant to this subsection, the court may, upon a finding that the defendant is financially unable to pay either all or part of the fine, order that the defendant participate for a specified additional period of time in public service or community work project in lieu of payment of that portion of the fine which the court determines the defendant is unable to pay. In determining such additional sentence, the court shall consider the amount of the unpaid portion of the fine and the reasonable value of the services to be ordered; the court shall not compute the reasonable value of services at a rate less than the federal minimum wage at the time of sentencing.*

Senator Deratany moved the following amendment to Amendment 1 which was adopted:

Amendment 1B—On page 4, lines 12-31, and on page 5, lines 1-19, strike all of said lines and insert:

Section 1. Section 316.1931, Florida Statutes, is amended to read:

316.1931 Driving automobile while intoxicated; punishment.—

(1) It is unlawful for any person, while in an intoxicated condition or under the influence of alcoholic beverages, any chemical substance set forth in s. 877.111, or any substance controlled under chapter 893 to such extent as to deprive him of full possession of his normal faculties, to drive, be in actual physical control of, or operate *within* ~~over the highways, streets, or thoroughfares of~~ this state any automobile, truck, motorcycle, or other vehicle. *Except as provided in subsection (2),* any person convicted of a violation of this section shall be punished as provided in s. 316.193. For the purposes of this subsection, a previous conviction under s. 316.193 *or former s. 316.028, or a previous conviction for any substantially similar alcohol-related or drug-related traffic offense outside this state,* shall also be considered a previous conviction for violation of this subsection.

(2)*(a) Any person in violation of subsection (1) who by reason of such operation of a vehicle causes* ~~If, however,~~ damage to the property or person of another, other than *as provided in paragraph (b) or paragraph (c),* ~~damage resulting in the death of any person, is done by such intoxicated person under the influence of alcoholic beverages, model glue, or any substance controlled under chapter 893, to such extent as to deprive him of full possession of his normal faculties, by reason of the operation of any of the vehicles mentioned herein, he~~ is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, but the penalty imposed for a violation of this *paragraph* ~~subsection~~ shall be not less than the penalty provided under s. 316.193.~~; and~~

(b) Any person in violation of subsection (1) who by reason of such operation of a vehicle causes serious bodily injury to another, as defined in s. 316.1933, and who at the time of the offense:

1. Had a suspended or revoked driver's license;

2. Was a habitual traffic offender as defined in s. 322.264; or

3. Had been previously convicted of a violation of this subsection, is guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(c) If the death of any human being is caused by the operation of a motor vehicle by any person while so intoxicated, such person shall be deemed guilty of manslaughter and on conviction shall be punished as provided by existing law relating to manslaughter.

(3) A conviction under the provisions of this section shall not be a bar to any civil suit for damages against the person so convicted.

Senator Crawford moved the following amendments to Amendment 1 which were adopted:

Amendment 1C—On page 18, line 2, after "amended" insert: , and subsection (4) is added to said section,

Amendment 1D—On page 19, between lines 8 and 9, insert:

(4) Notwithstanding the provisions of s. 322.28(2)(f), a person whose driving privilege has been permanently revoked because he has been convicted of four offenses specified therein may, upon expiration of 10 years from the date of such revocation, petition the department for restoration of his driving privilege. Upon such petition and after investigation of the person's qualification, fitness, and need to drive, and upon verification that such person has not been convicted within the past 10 years of an offense for which mandatory revocation of license is required or of a violation of s. 322.34, the department shall hold a hearing pursuant to chapter 120 to determine whether the driving privilege shall be restored. No person whose license has been permanently revoked for conviction of manslaughter resulting from the operation of a motor vehicle or vehicular homicide and a violation of an alcohol-related or drug-related traffic offense specified in s. 322.28(f) shall be eligible for restoration of his driving privilege. If, after reinstatement, the petitioner is convicted of an offense for which mandatory revocation of license is required, the department shall permanently revoke his driving privilege, and no driver's license or driving privilege shall thereafter be granted to such person.

Senator Langley moved the following amendment to Amendment 1 which was adopted:

Amendment 1E—On page 25, between lines 24 and 25, insert:

Section 12. Subsection (2) of section 562.11, Florida Statutes, is amended to read:

562.11 Selling, giving, or serving alcoholic beverages to persons under age 19 prohibited.—

(2) It is unlawful for any person to misrepresent or misstate his age or the age of any other person for the purpose of inducing any licensee or his agents or employees to sell, give, serve, or deliver any alcoholic beverages to a person under 19 years of age. Anyone convicted of violating the provisions hereof shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. Any person under the age of 17 years violating said provisions shall be within the jurisdiction of the judge of the circuit court and shall be dealt with as a juvenile delinquent according to law. *In addition to any other penalty imposed for a violation of this subsection, if a person uses a driver's license or identification card issued by the Department of Highway Safety and Motor Vehicles in violation of this subsection the court may:*

(a) Order the person to participate in public service or a community work project for a period not to exceed 40 hours; and

(b) Suspend the person's driver's license or privilege for a period not to exceed 1 year.

(Renumber subsequent section.)

Senator Scott moved the following amendment to Amendment 1 which was adopted:

Amendment 1F—On page 25, between lines 24 and 25, insert:

Section 12. Section 318.12, Florida Statutes, is amended to read:

318.12 Purpose.—It is the legislative intent in the adoption of this chapter to decriminalize certain violations of chapter 316, the Florida Uniform Traffic Control Law; chapter 320, Motor Vehicle Licenses; *chapter 322, Drivers' Licenses;* chapter 339, Florida Transportation Code, Sixth Part; chapter 239, Universities; Scholarships, etc.; and chap-

ter 340, Turnpike Projects, thereby facilitating the implementation of a more uniform and expeditious system for the disposition of traffic infractions.

Section 13. Subsection (1) of section 318.14, Florida Statutes, is amended to read:

318.14 Noncriminal traffic infractions; exception; procedures.—

(1) Except as provided in s. 318.17, any person cited for a violation of chapter 316, s. 320.07(3), s. 320.35, *s. 322.15, s. 322.19,* s. 339.30, s. 340.23, or s. 240.265 shall be deemed to be charged with a noncriminal infraction and shall be cited for such an infraction and cited to appear before an official.

Section 14. Subsections (2) and (3) of section 318.18, Florida Statutes, are amended and subsection (5) is added to said section to read:

318.18 Amount of civil penalties.—The penalties required for a noncriminal disposition pursuant to s. 318.14(1), (2), and (4) shall be as follows:

(1) Five dollars for all infractions of bicycle regulations under s. 316.2065 and infractions of pedestrian regulations under s. 316.130.

(2) Fifteen dollars for all nonmoving traffic violations and for all violations of s. 320.07(3), *s. 322.15(3), s. 322.19,* and s. 316.613.

(3) Twenty-five dollars for all moving violations not requiring a mandatory appearance. In addition to this $25 fine, when the lawful speed limit is 55 miles per hour, a fine of $25 is imposed on any person convicted of exceeding such speed limit by more than 10 miles per hour and less than 25 miles per hour, and a fine of $50 is imposed on any person convicted of exceeding such speed limit by 25 or more miles per hour~~, including those persons convicted under the provisions of s. 318.19(3)~~. Whenever the court imposes the penalty of attending a driver improvement school under the provisions of s. 318.15 or s. 322.291 and the fine is waived, the added fine of $25 or $50 shall not be waived but shall be paid to the Traffic Violations Bureau and distributed as provided in ss. 34.191 and 316.660.

(4) The penalty imposed under s. 316.545 shall be determined by the officer in accordance with the provisions of ss. 316.535 and 316.545.

(5) In addition to any civil penalties and surcharges imposed for speeding pursuant to this section, an additional penalty of $2 shall be assessed for each mile per hour in excess of 25 miles per hour over the lawful speed limit.

Section 15. Section 318.19, Florida Statutes, is amended to read:

318.19 Infractions requiring a mandatory hearing.—Any person cited for the infractions listed in this section shall not have the provisions of s. 318.14(2) and (4) available to him but must appear before the designated official at the time and location of the scheduled hearing:

(1) Any infraction which results in an accident that causes the death or personal injury of another or property damage in excess of *$2,000* ~~$750~~; *or*

(2) Any infraction which would, if the person is convicted, result in the suspension or revocation of his driver's license or privilege under s. *322.27.*~~; or~~

~~(3) Speeding in excess of 25 miles per hour over the lawful speed limit.~~

Section 16. Subsection (3) is added to section 322.15, Florida Statutes, to read:

322.15 License to be carried and exhibited on demand.—

(1) Every licensee shall have his operator's or chauffeur's license in his immediate possession at all times when operating a motor vehicle and shall display the same upon demand of a patrol officer, peace officer, or field deputy or inspector of the department.

(2) No person charged with violating this section shall be convicted if, prior to or at the time of his court or hearing appearance, he produces in court or to the clerk of the court in which the charge is pending a driver's license theretofore issued to him and valid at the time of his arrest. The clerk of the court is authorized to dismiss such cases at any time prior to the defendant's appearance in court.

(3) Any person charged with a violation of this section who did not have in his possession a valid driver's license for the sole reason that his license had expired within the 12-month period preceding the date of the violation shall be subject to the penalty provided in s. 318.18(2).

Section 17. Section 322.19, Florida Statutes, is amended to read:

322.19 Notice of change of address or name.—Whenever any person, after applying for or receiving an operator's or chauffeur's license, shall move from the address named in such application, or in the license issued to him, or when the name of a licensee is changed by marriage or otherwise, such person shall within 10 days thereafter notify the department in writing of his old and new addresses, or of such former and new names, and of the number of his license. *A violation of this section shall be a nonmoving violation with penalty as provided in s. 318.18(2).*

Section 18. Section 322.39, Florida Statutes, is amended to read:

322.39 Penalties.—

(1) It is a misdemeanor for any person to violate any of the provisions of this chapter, unless such violation is by this chapter or other law of this state declared to be *otherwise* ~~a felony~~.

(2) Unless another penalty is in this chapter or by the laws of this state provided, every person convicted of a misdemeanor for the violation of any provision of this chapter shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

Section 19. Subsection (4) of section 316.655, Florida Statutes, is amended, and subsection (5) is added to said section to read:

316.655 Penalties.—

(4) Any person convicted of a violation of s. 316.027, s. 316.061, s. 316.067, s. 316.072, s. 316.192, s. 316.193, *s. 316.1931,* or s. 316.1935 shall be punished as specifically provided in that section. If the court finds that a minor committed the offense, the court may impose one or more of the following sanctions in lieu of the sanctions provided under such section:

(a) The court may reprimand or counsel the minor and his parents or guardian.

(b) The court may suspend or revoke the minor's privilege to drive under stated conditions and limitations for a period not to exceed that authorized for a like suspension or revocation of an adult's license for a like offense.

(c) The court may require the minor to attend, for a reasonable period, a traffic school conducted by a public authority.

(d) The court may order the minor to remit to the general fund of the local governmental body a sum not exceeding the maximum fine applicable to an adult for a like offense.

(e) The court may order the minor to participate in public service or a community work project for a minimum number of hours. A minor who participates in such a work program shall be considered an employee of the state for the purposes of chapter 440.

(f) The court may impose a curfew or other restriction on the liberty of the minor for a period not to exceed 6 months.

However, under no circumstances shall a minor be placed in the same cell as an adult. The receiving facility shall have adequate staff to supervise and monitor the minor's activities at all times. Nothing in this paragraph shall prohibit the placing of two or more minors in the same cell.

(5)(a) If a person who is charged with a violation of any of the criminal offenses enumerated in subsection (4) or who is charged with the commission of any offense constituting a misdemeanor under chapters 320 or 322, fails to comply with all of the directives of the court within the time allotted by the court, the clerk of the traffic court shall mail to the person, at the address specified on the uniform traffic citation, a notice of such failure, notifying him that, if he does not comply with the court's directives within 30 days after the date of the notice, and pay a delinquency fee of $10 to the clerk, his driver's license will be suspended. The notice shall be mailed no later than 5 days after such failure. The delinquency fee may be retained by the office of the clerk to defray the operating costs of the office.

(b) If the person fails to comply with the court's directives within the 30-day period, the clerk of the traffic court shall notify the department of such failure within 5 days. Upon receipt of the notice, the department shall immediately suspend the driver's license of the person.

(c) After suspension of the driver's license of a person pursuant to this subsection, the license may not be reinstated until the person complies with all court directives imposed upon him, including payment of the delinquency fee imposed by paragraph (a), presents certification of such compliance to a driver licensing office, and complies with the requirements of chapter 322.

Section 20. Section 320.57, Florida Statutes, is amended to read:

320.57 Penalties for violations of this chapter.—

(1) Any person convicted of violating any of the provisions of this chapter is, unless otherwise provided herein, guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(2) Any person charged with the commission of an offense constituting a misdemeanor under this chapter who fails to comply with all of the directives of the court, shall be subject to the provisions of s. 316.655(5).

(3)~~(2)~~ The owner of a truck-tractor and semitrailer combination the actual gross vehicle weight of which exceeds the declared weight for registration purposes is required to pay to the department the difference between the license tax amount paid and the required license tax due for the proper gross vehicle weight prescribed by s. 320.08(5), plus a civil penalty of $50.

Section 21. Subsection (7) of s. 322.18, Florida Statutes, is amended to read:

322.18 Original applications, licenses, and renewals; expiration of licenses; delinquent licenses.—

(7) An expired Florida driver's license may be renewed any time within 12 months after the expiration date, with reexamination, if required, upon presenting to the department a valid certificate of eligibility and upon payment of the required delinquent fee or taking and passing the written examination. If the final date upon which a license may be renewed under this section falls upon a Saturday, Sunday, or legal holiday, the renewal period shall be extended to midnight of the next regular working day. The department may refuse to issue any license if:

(a) The department has reason to believe the licensee is no longer qualified to receive a license.

~~(b) The licensee has failed to answer a traffic summons involving a moving violation.~~

(b)~~(c)~~ The records of the department reflect that the applicant's driving privilege is under suspension or revocation.

Section 22. Section 322.29, Florida Statutes, is amended to read:

322.29 Surrender and return of license.—

(1) The department, upon suspending or revoking a license, shall require that such license be surrendered to and be retained by the department, except that at the end of the period of suspension such license so surrendered shall be returned to the licensee after the applicant has successfully passed the complete examination. The department is prohibited from requiring the surrender of a license except as authorized by this chapter.

(2) The provisions of subsection (1) to the contrary notwithstanding, no examination shall be required for the return of a license suspended under s. 318.15 *or under s. 316.655(5)* unless an examination is otherwise required by this chapter. Every person applying for the return of a license suspended under s. 318.15 *or under s. 316.655(5)* shall present to the department certification from the court that he has complied with all obligations and penalties imposed on him pursuant to s. 318.15 *or, in the case of suspension pursuant to s. 316.655(5), that he has complied with all directives of the court and the requirements of s. 316.655(5),* and shall pay to the department a nonrefundable service fee of $25.; *However,* ~~except that~~ the service fee shall not be required if the person is required to pay a $15 fee or $35 fee under the provisions of s. 322.12(1).

Section 23. Subsection (3) is added to section 322.39, Florida Statutes, to read:

322.39 Penalties.—

(3) Any person charged with the commission of a misdemeanor under this chapter who fails to comply with all of the directives of the court, shall be subject to the provisions of s. 316.655(5).

(Renumber subsequent section.)

Amendment 1 as amended was adopted.

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

Amendment 2—In title, on pages 1 and 2, strike everything before the enacting clause and insert: A bill to be entitled An act relating to highway safety; amending ss. 316.193, 316.1931, 316.1932, 316.1933, 316.1934, 316.650, 322.261, 322.264, 322.271, 322.28, 322.282, F.S.; specifying elements of the crime of driving under the influence; providing that convictions of former s. 316.028, F.S., count as previous convictions; providing that out-of-state convictions count as previous convictions; providing for community service in lieu of a fine; providing penalties; specifying elements of the crime of driving while intoxicated; expanding provisions relating to certain damage caused by a person operating a motor vehicle while under the influence of certain chemical substances; providing penalties; providing circumstances for blood tests; authorizing specified persons to withdraw blood; providing for admissibility of results of such test; providing limited immunity from liability for conducting such test; providing an exemption from confidentiality laws; providing for jury trials in certain circumstances; providing for preparation of traffic citation in certain circumstances; limiting issues to be considered with respect to refusal to submit to such test; defining "habitual traffic offender"; providing conditions for reinstatement of a driver's license; providing circumstances for permanent revocation; providing that an appeal does not stay a suspension or revocation of driving privilege; providing an effective date.

Senator Langley moved the following amendment to Amendment 2 which was adopted:

Amendment 2A—In title, on page 2, line 13, after the semicolon (;) insert: amending s. 562.11, F.S.; providing additional penalties for driver's license or identification card violations;

Senator Scott moved the following amendment to Amendment 2 which was adopted:

Amendment 2B—In title, on page 2, line 13, after "privilege;" insert: amending s. 318.12, F.S.; providing for decriminalization of certain violations in chapter 322, F.S., relating to drivers' licenses; amending s. 318.14, F.S.; providing for decriminalization of certain sections of chapter 322, F.S.; amending s. 318.18, F.S.; providing penalties for certain nonmoving traffic violations; amending s. 318.19, F.S.; increasing limits for property damages incurred in an automobile accident which would require a driver to make a court appearance; amending ss. 322.15, 322.19, and 322.39, F.S.; providing penalties for certain violations; amending s. 316.655, F.S.; providing for suspension of the driver's license of persons charged with criminal traffic offenses under certain circumstances; providing a delinquency fee; providing for reinstatement upon certification that certain requirements have been met; amending s. 320.57, F.S.; specifying penalties; amending s. 322.18, F.S.; specifying when the department may refuse to issue a license; amending s. 322.29, F.S.; providing for reinstatement of the driver's license following suspension; amending s. 322.39, F.S.; specifying penalties;

Amendment 2 as amended was adopted.

On motion by Senator W. D. Childers, by two-thirds vote HB 360 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

CS for CS for SB's 469, 698, 239 and 380 was laid on the table.

On motion by Senator Crawford—

SR 1144—A resolution commending the management of Lake Kissimmee State Park for its preservation of a reconstructed herd of scrub cattle.

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

Yeas—31

Carlucci	Gordon	Kirkpatrick	Plummer
Childers, D.	Grant	Langley	Rehm
Childers, W. D.	Grizzle	Malchon	Stuart
Crawford	Henderson	Mann	Thomas
Dunn	Hill	Margolis	Thurman
Fox	Jenne	McPherson	Vogt
Frank	Jennings	Meek	Weinstein
Gersten	Johnston	Myers	

Nays—None

Vote after roll call:

Yea—Hair, Neal

On motions by Senator Deratany, the rules were waived and by two-thirds vote CS for HB 210 was withdrawn from the Committee on Judiciary-Criminal.

On motion by Senator Deratany—

CS for HB 210—A bill to be entitled An act relating to bingo; amending s. 849.093, F.S., defining the term "charitable, nonprofit, or veterans' organizations"; requiring such organizations involved in the conduct of or sponsoring any bingo game to be located in the county or within a 15-mile radius of where the game is located; requiring a sponsoring organization to designate a member who will be present at the sponsored bingo game; requiring posting of notice of sponsoring organization and designated member; limiting the number of days during which bingo games may be conducted at any one location to 2 days per week; providing legislative intent; providing an effective date.

—a companion measure, was substituted for CS for SB 317 and read the second time by title.

Senator Henderson moved the following amendments which were adopted:

Amendment 1—On page 7, between lines 9 and 10, insert:

Section 2. Section 849.16, Florida Statutes, is amended to read:

849.16 "Machines" or "devices," which come within provisions of law defined.—

~~(1)(a)~~ Any "machine" or "device" is a slot machine or device within the provisions of this chapter if it is one that is adapted for use in such a way that, as a result of the insertion of any piece of money, coin, or other object, such machine or device is caused to operate or may be operated and, by reason of any element of chance or of other outcome of such operation unpredictable by him, the user may receive or become entitled to receive any piece of money, credit, allowance, or thing of value, or any check, slug, token, or memorandum, whether of value or otherwise, which may be exchanged for any money, credit, allowance, or thing of value or which may be given in trade, or the user may secure additional chances or rights to use such machine, apparatus, or device, even though it may, in addition to any element of chance or unpredictable outcome of such operation, also sell, deliver, or present some merchandise, indication of weight, entertainment, or other thing of value.

~~(b) However, nothing herein contained shall be taken or construed as applicable to an arcade amusement center having amusement games or machines which operate by means of the insertion of a coin and which by application of skill may entitle the person playing or operating the game or machine to receive points or coupons which may be exchanged for merchandise only, excluding cash and alcoholic beverages, provided that the merchandise or prize awarded in exchange for said points or coupons shall not exceed the cost value of 75 cents on any game played. Nothing in this subsection shall be taken or construed as applicable to a coin-operated game or device designed and manufactured only for bona fide amusement purposes which game or device may by application of skill entitle the player to replay the game or device at no additional cost, if the game or device can accumulate and react to no more than 15 free replays; can be discharged of accumulated free replays only by reactivating the game or device for one additional play for each accumulated free replay; can make no permanent record, directly or indirectly, of free replays; and is not classified by the United States as requiring a federal gambling tax stamp under applicable provisions of the Internal Revenue Code.~~

~~(2) The term "arcade amusement center" as used in this section shall mean a place of business having at least 50 or more coin-operated amusement games or machines on the premises which are operated for the entertainment of the general public and tourists as a bona fide amusement facility.~~

Section 3. Chapter 512, Florida Statutes, consisting of section 512.01, Florida Statutes, is created to read:

512.01 Amusement machines not gambling devices.—

(1) Nothing contained in chapter 849 shall be taken or construed as applicable to an arcade amusement center having amusement games or machines which operate by means of the insertion of a coin and which by application of skill may entitle the person playing or operating the game or machine to receive points or coupons which may be exchanged for merchandise only, excluding cash and alcoholic beverages, provided that the merchandise or prize awarded in exchange for said points or coupons shall not exceed the cost value of 75 cents on any game played. Nothing in this subsection shall be taken or construed as applicable to a coin-operated game or device designed and manufactured only for bona fide amusement purposes which game or device may by application of skill entitle the player to replay the game or device at no additional cost, if the game or device can accumulate and react to no more than 15 free replays; can be discharged of accumulated free replays only by reactivating the game or device for one additional play for each accumulated free replay; can make no permanent record, directly or indirectly, of free replays; and is not classified by the United States as requiring a federal gambling tax stamp under applicable provisions of the Internal Revenue Code.

(2) The term "arcade amusement center" as used in this section shall mean a place of business having at least 50 or more coin-operated amusement games or machines on the premises which are operated for the entertainment of the general public and tourists as a bona fide amusement facility.

(Renumber subsequent section.)

Amendment 2—In title, on page 1, line 14, after the semicolon (;) insert: amending s. 849.16, F.S.; deleting language which provides that certain amusement games are not slot machines for the purposes of the laws relating to gambling; creating ch. 512, F.S.; defining the term "arcade amusement center"; providing that certain amusement games are not slot machines for purposes of the laws relating to gambling;

On motion by Senator Deratany, by two-thirds vote CS for HB 210 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—29

Carlucci	Girardeau	Johnston	Scott
Childers, D.	Gordon	Kirkpatrick	Stuart
Childers, W. D.	Grant	Langley	Thomas
Deratany	Hair	Malchon	Vogt
Dunn	Henderson	Mann	Weinstein
Fox	Hill	McPherson	
Frank	Jenne	Meek	
Gersten	Jennings	Rehm	

Nays—None

Vote after roll call:

Yea—Myers, Neal

CS for SB 317 was laid on the table.

Consideration of SB 405 was deferred.

Senator Stuart presiding

CS for SB 1018—A bill to be entitled An act relating to process and service of process; amending s. 48.031, F.S.; providing for service of process in criminal cases on law enforcement officers or certain public employees; providing an effective date.

—was read the second time by title. On motion by Senator Gersten, by two-thirds vote CS for SB 1018 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

On motion by Senator Jenne, by two-thirds vote CS for HB 658 was placed on the consent calendar.

Consideration of SB 444 was deferred.

On motions by Senator Grant, the rules were waived and by two-thirds vote HB 802 was withdrawn from the Committees on Economic, Community and Consumer Affairs; Governmental Operations; Finance, Taxation and Claims; and Appropriations.

On motion by Senator Grant—

HB 802—A bill to be entitled An act relating to assessment of special classes of property; creating s. 193.505, F.S.; providing that the owner of historically significant property may convey development rights to such property to the county governing body or covenant with such body that the property not be used for purposes inconsistent with historic preservation; providing procedures and requirements; providing for assessment of such property; providing for payment of deferred tax liability upon release from or expiration of the covenant; providing duties of property appraiser and tax collector; amending s. 193.501, F.S., relating to assessment of outdoor recreational or park land; removing reference to historical sites; revising interest rate on deferred tax liability; requiring tax collector to report deferred tax liability collected under such section; repealing s. 193.507, F.S., relating to assessment of lands within areas of critical state concern; providing an effective date.

—a companion measure, was substituted for SB 727 and read the second time by title. On motion by Senator Grant, by two-thirds vote HB 802 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32

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

Nays—None

Vote after roll call:

Yea—Malchon

SB 727 was laid on the table.

On motion by Senator Myers, the rules were waived and by two-thirds vote HB 171 was withdrawn from the Committee on Governmental Operations.

On motion by Senator Myers—

HB 171—A bill to be entitled An act relating to pugilistic exhibitions; creating s. 14.27, F.S.; creating the State Athletic Commission under the Department of Business Regulation; providing for appointment of members; creating ss. 548.0401-548.49, F.S.; providing for compensation and terms of office of members of the commission; providing for the adoption of rules; providing for an executive secretary and defining his duties; providing definitions; regulating boxing in the state; exempting amateur matches, schools and Olympic events; granting exclusive jurisdiction over all boxing matches to the commission; providing rules and requirements for boxing; establishing a minimum age for boxers; requiring a physician, referees, and judges to be in attendance; establishing weight and class limitations, methods of scoring, and other safety regulations; providing for certain disclosure; prohibiting collusive or sham contests; regulating purses and their disbursement; providing for hearings; requiring insurance; requiring certain persons to be licensed; requiring permits for boxing matches; establishing procedures for licensing; establishing license and permit fees; requiring the disclosure of receipts from boxing contests; establishing a percent gross receipts tax; providing penalties; establishing a medical advisory board; regulating the contracts and tickets of admission relating to boxing matches; requiring certain persons to post bond or other security prior to licensing; authorizing the commission to hold hearings, to issue subpoenas, to suspend or revoke licenses, and to impose fines; providing criminal penalties; prohibiting certain conflicts of interest; providing for the deposit of permit fees, license fees, and gross receipts tax proceeds; imposing penalties; repealing s. 548.03, F.S., relating to the definition of the term "pugilistic exhibition"; providing for future repeal and review; providing an effective date.

—a companion measure, was substituted for CS for SB 11 and read the second time by title.

Senator Myers moved the following amendments which were adopted:

Amendment 1—On page 2, line 17, strike everything after the enacting clause and insert:

Section 1. Section 14.27, Florida Statutes, is created to read:

14.27 State Athletic Commission.—The State Athletic Commission is hereby created under the Department of Business Regulation, consisting of three members appointed by the Governor, subject to confirmation by the Senate. For the initial appointments, one member shall be appointed for a 1-year term, one for a 2-year term, and one for a 3-year term. Upon the expiration of the terms of the initial commissioners, the Governor shall appoint their successors, each to serve for a 4-year term. The commission shall administer the provisions of chapter 548.

Section 2. Sections 548.041, 548.05, 548.06, 548.07, 548.08, 548.09, 548.10, 548.11, 548.12, 548.13, 548.14, 548.15, 548.16, 548.17, 548.18, 548.19, 548.20, 548.21, 548.22, 548.23, 548.24, 548.25, 548.26, 548.27, 548.28, 548.29, 548.30, 548.31, 548.32, 548.33, 548.34, 548.35, 548.36, 548.37, 548.38, 548.39, 548.40, 548.41, 548.42, 548.43, 548.44, 548.45, 548.46, 548.47, 548.48, and 548.49, Florida Statutes, are created to read:

548.041 State Athletic Commission; members, compensation, etc.—The State Athletic Commission, as created by s. 14.27, shall administer the provisions of this chapter. Each member of the commission shall be compensated at the rate of $25 for each day he attends a commission meeting, and shall be reimbursed for other expenses as provided in s. 112.061. The commission shall maintain an office in Tallahassee and any necessary branch offices. The initial chairman shall be appointed by the Governor, but thereafter at the first meeting of the commission after June 1 of each year the commission shall select a chairman from among its membership. The members of the commission may, at their first meeting after their appointment, adopt rules to implement this chapter. Two members shall constitute a quorum and the concurrence of at least two members is necessary for official commission action.

548.05 Secretary; deputies; duties, compensation.—

(1) The commission shall employ an executive secretary who shall receive a salary to be fixed by the commission with the approval of the Governor. The secretary shall keep a record of all proceedings of the commission and shall preserve all books, papers, and documents pertaining to the business of the commission. He shall prepare any notices and papers required and perform such other duties as the commission directs. He may issue witness subpoenas and administer oaths.

(2) The commission may appoint any deputies as are necessary, whose compensation shall be the same as that of the commissioners. The deputies shall, on the order of the commission, represent the commission at any boxing match.

548.06 Definitions; construction.—As used in this act:

(1) "Amateur" means a person who has never received nor competed for any purse or other article of value, either for the expenses of training or for participating in a match, other than a prize of $50 in value or less.

(2) "Commission" means the State Athletic Commission.

(3) "Contest" means a boxing engagement in which the boxers strive earnestly to win.

(4) "Exhibition" means a boxing engagement in which the participants show or display their skill without necessarily striving to win.

(5) "Foreign copromoter" means a promoter who has no place of business within this state.

(6) "Judge" means a person, other than a referee, who has a vote in determining the winner of any contest.

(7) "Manager" means any person who, directly or indirectly, controls or administers the boxing affairs of any boxer.

(8) "Matchmaker" means a person who brings together professionals or arranges matches for professionals.

(9) "Match" means any contest or exhibition.

(10) "Physician" means an individual licensed to practice medicine and surgery in this state.

(11) "Professional" means a person who has received or competed for any purse or other article of a value greater than $50, either for the expenses of training or for participating in any match.

(12) "Promoter" means any person, and includes any officer, director, employee, or stockholder of a corporate promoter, who produces, arranges, or stages any match involving a professional.

(13) "Purse" means the financial guarantee or other remuneration for which a professional is participating in a match and includes the professional's share of any payment received for radio broadcasting, television, and motion picture rights.

548.07 Act not to apply to amateur matches.—This act shall not apply to any match in which the participants are amateur boxers, nor to any match conducted or sponsored by any university, college, or secondary school, if all the boxers are students regularly enrolled in the institutions, any nationally chartered veterans' organization registered with the state, any company or detachment of the Florida National Guard, nor does it apply to any official Olympic event.

548.08 Power of commission to control boxing.—The commission has exclusive jurisdiction over all matches involving a professional held within the state. Matches shall be held only in accordance with this chapter.

548.09 Age of boxers.—No person under 18 years of age may participate in any match; except that any amateur 16 or 17 years of age may participate in matches with other amateurs 16 or 17 years of age, under rules the commission adopts.

548.10 Fictitious names.—No person may participate under a fictitious or assumed name, in any match involving an amateur unless he has registered the name with the commission.

548.11 Physician to be in attendance, examinations.—

(1) The commission shall assign a physician to each match, who shall observe the physical condition of the boxers and advise the commissioner or deputy in charge and the referee of the boxers' condition before and during the match. The commission shall establish a schedule of fees for the physician's services. The physician's fee shall be paid by the promoter of the match attended by the physician.

(2) In addition to any other required examination, each boxer shall be examined by the attending physician within 3 hours before he enters the ring. If the physician determines a boxer is physically or mentally unfit to proceed, the physician shall notify any commissioner or the deputy in charge who shall immediately cancel the match. The examination shall conform to rules adopted by the commission based on the advice of the medical advisory council. The results of the examination shall be in writing, signed by the physician and filed with the commission within 72 hours after the match.

548.12 Weights and classes, limitations; gloves.—

(1) The commission shall establish classes of boxers based upon weights.

(2) No match shall be held in which the difference in weight of the boxers exceeds 10 pounds, except matches in the light heavyweight and heavyweight classes and exhibitions held solely for training purposes.

(3) All boxers shall wear boxing gloves weighing not less than 6 ounces each.

548.13 Attendance of referee and judges; scoring; seconds.—

(1) At each match involving a professional, except an exhibition held solely for training purposes, at the expense of the promoter, a referee designated by the commission shall direct and control the match.

(2) Also at each contest, at the expense of the promoter, two licensed judges shall attend and shall, together with the referee, render their individual decisions, in writing, on scorecards supplied by the commission at the end of each contest which continues for the scheduled number of rounds. Each judge and the referee shall have one vote, and a majority of the votes cast shall determine the winner.

(3) The commission shall prescribe the methods of scoring.

(4) Before the start of any match, the referee shall obtain the name of each boxer's chief second. The chief second shall be responsible for the conduct of his assistants during the match.

548.14 Duty of disclosure.—Each licensee shall, immediately after learning thereof, disclose to the commission, the deputy in charge, the attending physician, or the referee, all information in his possession concerning any mental or physical disability, injury, illness, or incapacity of any boxer.

548.15 Sham or collusive contest prohibited.—

(1) No person shall knowingly conduct, participate in or be connected with a match which is represented to be a contest if one or both of the participants does not use his best efforts and skill or does not strive earnestly to win, or if the result thereof has been prearranged or if either participant does not use, or is prevented from using, his best efforts and skill as a result of coercion, bribery, duress, threats, reward or promise thereof, physical incapacity or disability, suggestion or agreement, or any other improper or unlawful means.

(2) If a licensee had knowledge of an act prohibited by subsection (1), he shall immediately report it to the commission. The report shall be in writing or, if oral, shall be immediately reduced to writing and shall contain all of licensee's reasons for the conclusions set forth in his report.

(3) A violation of this section is a misdemeanor of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

548.16 Distribution of purses to boxers; statements.—

(1) Unless otherwise directed by a representative of the commission, all purses shall be distributed by the promoter not later than 24 hours after the match. A written statement showing the distribution of the purse, including each item of receipt and each expenditure or deduction, shall be furnished to the boxer and his manager, together with the boxer's share of the purse. The promoter shall file a copy, certified by him to be correct with receipted vouchers for all expenditures and deductions, with the commission no later than 72 hours after the match.

(2) Unless otherwise directed by a representative of the commission, each manager shall furnish a statement of distribution to the boxer he manages, together with the boxer's share of the purse, not later than 24 hours after he receives the purse and statement from the promoter. The manager shall file a copy, certified by him to be correct, with receipted vouchers for all expenditures and deductions, with the commission no later than 72 hours after he receives the distribution from the promoter.

548.17 Withholding of purses; hearing; disposition of withheld purse.—

(1) Any member of the commission, the deputy in charge, or the referee, may order a promoter to withhold any purse or other funds payable to a boxer, or to withhold the share of any manager, if it appears that the boxer is not competing honestly in a match represented to be a contest or is intentionally not competing to the best of his ability and skill in a match represented to be a contest, or if it appears that the boxer, his manager, or any of his seconds has violated this chapter.

(2) Any purse so withheld shall be delivered by the promoter to the commission upon demand. Within 10 days after the match, the person from whom the sum was withheld may apply in writing to the commission for a hearing. Upon receipt of the application, the commission shall fix a date for a hearing. Within 10 days after the hearing or after 10 days following the match, if no application for a hearing is filed, the commission shall meet and determine the disposition to be made of the withheld purse. If the commission finds the charges sufficient, it may declare all or any part of the funds forfeited. If the commission finds the charges not sufficient upon which to base a withholding order, it shall immediately distribute the withheld funds to the persons entitled thereto.

548.18 Payments regulated.—

(1) No promoter or foreign copromoter may pay, lend, or give a contestant an advance against his purse before a contest, except with the prior written permission of a commissioner, and then only for expenses for transportation and maintenance in preparation for a contest.

(2) If a contestant's purse is forfeited, the commission may include any payments or advances as part of the forfeiture, and if he does not forward such amount to the commission, it may be recovered in the same manner as a debt due the state.

548.19 Insurance.—The commission may, by rule, require boxers to be covered by not less than $5,000 of insurance for medical, surgical, and hospital care resulting from injuries sustained while preparing for or engaged in matches. The insured shall be the beneficiary of such policies. The commission may also require boxers to be covered by not less than $5,000 of life insurance covering deaths caused by injuries received while preparing for or engaged in matches.

548.20 Power of commission to issue, withhold, suspend or revoke licenses and permits.—The commission has exclusive jurisdiction to issue, withhold, suspend, or revoke any license or permit provided for in this chapter.

548.21 Promoters' licenses.—No promoter may, directly or indirectly, promote any match involving a professional, unless the promoter has been issued a license therefor by the commission. A violation of this section is a misdemeanor of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

548.22 Foreign copromoters to procure licenses.—

(1) No foreign copromoter may directly or indirectly participate in the promotion of or receive any remuneration from or render any services in connection with any match involving a professional, unless the foreign copromoter has been issued a license therefor by the commission. No promoter may be associated with any foreign copromoter in promoting any match, unless the foreign copromoter has been issued a license.

(2) A foreign copromoter by accepting a license agrees to be subject to all the provisions of this chapter.

(3) A violation of this section is a misdemeanor of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

548.23 Other licenses required.—

(1) A professional boxer, manager, second, trainer, matchmaker, timekeeper, referee, judge, announcer, physician, or booking agent or representative of a booking agent shall be licensed before directly or indirectly acting in such capacity in connection with any match involving a professional.

(2) A violation of this section is a misdemeanor of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

548.24 Refusal to issue license.—The commission shall not issue a license to any person who in any jurisdiction has been convicted of any act which would constitute a violation of this chapter or any of the grounds set forth in this chapter for suspension or revocation of licenses or against whom such charges are pending before any regulatory body or who has been named in an information or indictment for any act which would constitute a violation of this chapter or a ground for suspension or revocation of a license.

548.25 Permits required.—In addition to a promoter's license, each promoter shall procure a permit for each program of matches before presenting the program. Each application for a permit shall specify the location and time of the program.

548.26 Local prohibiting ordinance.—No permit may be issued for a match to be held within any political subdivision of this state which has adopted any local ordinance or resolution prohibiting such matches.

548.27 Applications for licenses and permits.—Each application for a license or a permit shall:

(1) Be in writing on a form supplied by the commission.

(2) Be verified by the applicant.

(3) Be complete and have attached any photographs and other exhibits required.

548.28 Oral examinations.—The commission may require any applicant or any officer, director, employee, or stockholder of a corporate applicant, to appear before the commission for an oral examination, under oath, as to his qualifications before taking action on his application.

548.29 Fingerprints.—The commission shall require in duplicate, the fingerprints of each applicant and may require the fingerprints of any officer, director, employee, or stockholder of a corporate applicant to be filed. The commission is authorized to have fingerprint checks conducted of any person from whom it is authorized to require fingerprints. One set of fingerprints shall be filed in the Tallahassee office of the Department of Law Enforcement and the other set shall be filed in the office of the commission.

548.30 License fees.—

(1) The commission shall set license fees as follows:

(a) Promoter, matchmaker — not to exceed $500.

(b) All other licenses — not to exceed $100.

(2) The commission may issue licenses, without charge, to referees and physicians authorizing them to officiate only at matches involving amateurs.

(3) Each license shall expire on December 31 next following the date on which it was issued.

548.31 Permit fees.—The commission shall set permit fees based on seating capacity of the premises where the program is to be presented as follows:

(1) If the seating capacity is less than 2,000, the fee shall not exceed $50.

(2) If the seating capacity is 2,000 or more but does not exceed 5,000, the fee shall not exceed $100.

(3) If the seating capacity exceeds 5,000, the fee shall not exceed $250.

548.32 Payments to state; exemptions.—

(1) A promoter holding a match shall, within 72 hours after the match, file with the commission a written report including the number of tickets sold, the amount of gross receipts, and any other facts the commission may require. For the purposes of this chapter, total gross receipts includes:

(a) The gross price charged for the sale or lease, of broadcasting, television, and motion picture rights without any deductions for commissions, brokerage fees, distribution fees, advertising, or other expenses or charges;

(b) The portion of the receipts from the sale of souvenirs, programs, and other concessions received by the promoter;

(c) The face value of all tickets sold and complimentary tickets issued.

(2) The written report shall be accompanied by a tax payment in the amount of 5 percent of the total gross receipts exclusive of any federal taxes.

(3)(a) Any promoter who willfully makes a false and fraudulent report under this section is guilty of perjury, and, upon conviction, is subject to punishment as provided by law. Such penalty shall be in addition to any other penalties imposed by this chapter.

(b) Any promoter who willfully fails, neglects, or refuses to make a report, or to pay the taxes as prescribed, or who refuses to allow the commission to examine the books, papers, and records of any promotion is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

548.33 Closed circuit television.—Each person or club holding or showing any boxing or sparring matches on a closed circuit telecast viewed within this state, whether originating within this state or another state, shall file a written report, under oath, stating the exact number of tickets sold for the showing, the amount of gross receipts, and any other information the commission requires, and shall, within 72 hours after the telecast, pay a tax of 5 percent of its total gross receipts from the sale of tickets.

548.34 Medical advisory council, qualifications, compensation, powers and duties.—

(1) A medical advisory council is created, consisting of five members appointed by the Governor. Two of the initial members shall be appointed for terms of 1 year, one for a term of 2 years, one for a term of 3 years, and one for a term of 4 years. The Governor shall designate one of the members of the council as its chairman. The term of each member thereafter appointed, except to fill a vacancy, is 4 years.

(2) Each member shall be licensed to practice medicine in this state and shall, at the time of his appointment, have practiced medicine at least 5 years.

(3) Each member shall be paid per diem for each day that he performs his duties under this chapter, and shall be reimbursed for his expenses as provided in s. 112.061.

(4) The council shall prepare and submit, to the commission, standards for the physical and mental examination of boxers. No standard shall become effective until approved by the commission. The council shall recommend physicians qualified to make the examinations of boxers required by this chapter and shall perform any other duties as the commission may direct.

548.35 Control of contracts.—

(1) The commission shall adopt rules governing the form and content of contracts between promoters, foreign copromoters and professionals. All such contracts shall be in writing.

(2) Each contract between a manager and a professional shall contain provisions governing its duration, division of the professional's purses, and any minimum sum guaranteed annually to the professional by the manager. Each contract shall provide that the contract is automatically terminated if the license of either party is revoked by the commission or if the manager fails to renew his license within 30 days after its expiration date. If the license of either party is suspended, the contract shall not be binding upon the other party during the period of suspension.

(3) Each contract subject to this section shall contain the following clause: "This agreement is subject to the provisions of chapter 548, Florida Statutes, and to the rules of the State Athletic Commission and to any future amendments of either."

548.36 Misdemeanor to destroy tickets.—It is a misdemeanor of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, for any promoter or person associated with or employed by any promoter to destroy any ticket to a match, or ticket stub, whether sold or unsold, within 6 months after the date of the match, except upon prior written authorization of the commission.

548.37 Ticket refunds.—

(1) Upon postponement, substitution of either participant, or cancellation of the main event or the entire program of matches, the promoter shall refund the full purchase price of each ticket to any person presenting a ticket for a refund within 30 days after the scheduled date of the event. Within 10 days after the expiration of the 30-day period, the promoter shall pay all unclaimed ticket receipts to the commission. The commission shall hold the funds for 1 year and make refunds during such time to any person presenting a ticket for a refund. Thereafter, the commission shall pay all remaining moneys from the ticket sale to the State Treasurer for deposit into the General Revenue Fund.

(2) The commission may declare a promoter's or foreign copromoter's bond or other security forfeited, suspend or revoke his license, and impose any other penalty provided, for failure to comply with this section.

548.38 Admissions not to exceed seating capacity.—It is a misdemeanor of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, for any promoter to sell or cause to be sold more tickets of admission for any match than can be accommodated by the seating capacity of the premises where the match is to be held.

548.39 Age of spectators.—No person under 16 years of age may attend any match unless accompanied by an adult or unless the exhibition is of amateur status.

548.40 Promoters and foreign copromoters required to file bonds.—

(1)(a) Before any license is issued or renewed to a foreign copromoter and before any permit is issued to a foreign copromoter, he shall file a surety bond with the commission in a reasonable amount, but not less than $3,000, as the commission determines.

(b) All bonds shall be upon forms approved by the Department of Legal Affairs and supplied by the commission.

(c) The sufficiency of any surety is subject to approval of the commission and the Department of Legal Affairs.

(d) A surety bond shall be conditioned upon the faithful performance by the promoter or foreign copromoter of his obligations under this chapter and the fulfillment of his contracts with any other licensees under this chapter. However, the aggregate annual liability of the surety for all obligations and fees shall not exceed the amount of the bond.

(2) In lieu of a surety bond, the promoter or foreign copromoter may deposit with the commission cash, a certified check, or direct obligations of the United States or this state acceptable to the commission, in an equivalent amount and subject to the same conditions as the bond. No security may be returned to the promoter until 1 year after the date on which it was deposited with the commission unless a surety bond is substituted for it. If no claim against the deposit is outstanding, it shall be returned to the depositor 1 year from the date it was deposited.

(3) A filing fee of $10 shall accompany each bond, cash, or security deposited under this section.

(4) Recovery may be made against any bond, cash, or other security in the same manner as penalties are recoverable at law.

548.41 Commission hearings.—Notwithstanding the provisions of chapter 120, any member of the commission may conduct a hearing. Before any adjudication is rendered, a majority of the members of the commission shall examine the record and approve the adjudication and order.

548.42 Subpoenas.—In addition to the powers of subpoena in chapter 120, each member of the commission may issue subpoenas requiring the attendance and testimony of or the production of books and papers by any person whom the commission believes to have information or documents of importance to any commission investigation.

548.43 Suspension of licenses or permits.—Notwithstanding any provision of chapter 120, any member of the commission may, upon his own motion, or upon the verified written complaint of any person charging a licensee or permittee with violating this chapter, suspend any license or permit until final determination by the commission, if such action is necessary to protect the public welfare and the best interests of boxing. The commission shall hold a hearing within 10 days after the date on which the license or permit is suspended.

548.44 Suspension or revocation of licenses.—The commission may suspend or revoke a license or permit if the commission finds that the licensee or permittee:

(1) Is guilty of violating this chapter or the rules of the commission.

(2) Has committed fraud or deceit in securing any license or permit.

(3) Has been convicted, or pleaded guilty, or entered a plea of nolo contendere, or has been found guilty of a crime involving moral turpitude in any jurisdiction within 10 years preceding the suspension or revocation.

(4) Is guilty of unprofessional or unethical conduct.

(5) Has made a misstatement of a material fact, fraudulently concealed a material fact, or induced or aided another person in misstating or concealing any material fact in any application or other proceeding under this chapter.

(6) Has failed to account for or pay over moneys belonging to others which have come into his possession in connection with a match.

(7) Has failed to furnish to the proper party a copy of any contract or statement required by this chapter or has breached such a contract.

(8) Has paid or agreed to pay any money or article of value to any licensee or permittee for soliciting or for business secured or for rendering any service or the doing of any of the acts forbidden by this chapter and the rules adopted hereunder.

(9) Has loaned his license or permit to another person or has borrowed or used the license or permit of another.

(10) Has employed a person who does not hold a license or permit as required by law.

(11) Has failed to maintain in force the bond required by this chapter or has failed to deposit with the commission the required cash, check, or securities.

(12) Has been disciplined by the State Athletic Commission or similar agency or body of any jurisdiction.

(13) Has failed to pay a fine imposed under this chapter.

548.45 Misdemeanors.—Unless otherwise specified, any person convicted of any offense set forth in this chapter is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

548.46 Fines.—The commission may impose a fine of not more than $5,000 for any violation of this chapter in lieu of or in addition to any other punishment provided for such violation.

548.47 Financial interest in boxer prohibited.—

(1) No member of the commission or employee thereof, nor any referee, judge, or promoter licensed by the commission nor any attending physician may have any direct or indirect financial or pecuniary interest in any boxer.

(2) No manager, trainer, or second of any boxer shall have any direct or indirect financial or pecuniary interest in the opponent in any contest in which his own boxer participates. Nor shall any boxer have any direct or indirect financial or pecuniary interest in his opponent in any contest. A violation of this section is a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

548.48 Fees, fines, and forfeitures.—All fees, fines, forfeitures, and other moneys collected under the provisions of this chapter shall be paid by the commission to the State Treasurer who, after expenses of the commission are paid, shall deposit them in the General Revenue Fund.

548.49 Rules.—The commission may adopt rules to implement this chapter.

Section 3. Sections 548.01, 548.02, 548.03, and 548.04, Florida Statutes, are hereby repealed.

Section 4. Section 14.27 and chapter 548, Florida Statutes, are repealed on October 1, 1994, and shall be reviewed pursuant to section 11.61, Florida Statutes.

Section 5. This act shall take effect October 1, 1984.

Amendment 2—In title, on page 1, line 1, strike everything before the enacting clause and insert: A bill to be entitled An act relating to pugilistic exhibitions in honor of Representative Joe Lang Kershaw; creating s. 14.27, Florida Statutes; creating the State Athletic Commission under the Department of Business Regulation; providing for appointment of members; creating ss. 548.041-548.49, Florida Statutes; providing for compensation and terms of office of members of the commission; providing for the adoption of rules; providing for an executive secretary and defining his duties; providing definitions; regulating boxing in the state; granting exclusive jurisdiction over boxing matches to the commission; providing rules and requirements for boxing; establishing a minimum age for boxers; requiring a physician, referees, and judges to be in attendance; establishing weight and class limitations, methods of scoring, and other safety regulations; providing for certain disclosure; prohibiting collusive or sham contests; regulating purses and their disbursement; providing for hearings; requiring insurance; requiring certain persons to be licensed; requiring permits for boxing matches; establishing procedures for licensing; establishing license and permit fees; requiring the disclosure of receipts from boxing contests; establishing a percent gross receipts tax; providing penalties; establishing a medical advisory council; regulating the contracts and tickets of admission relating to boxing matches; requiring certain persons to post bond or other security prior to licensing; authorizing the commission to hold hearings, to issue subpoenas, to suspend or revoke licenses, and to impose fines; providing criminal penalties; prohibiting certain conflicts of interest; repealing ss. 548.01-548.04, Florida Statutes, relating to pugilistic exhibitions; providing for future repeal and review; providing an effective date.

On motion by Senator Myers, by two-thirds vote HB 171 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32

Beard	Gersten	Kirkpatrick	Neal
Carlucci	Girardeau	Langley	Rehm
Childers, D.	Grant	Malchon	Scott
Childers, W. D.	Grizzle	Mann	Stuart
Crawford	Hair	Margolis	Thomas
Deratany	Henderson	McPherson	Thurman
Dunn	Jenne	Meek	Vogt
Fox	Jennings	Myers	Weinstein

Nays—None

Vote after roll call:

Yea—Hill

CS for SB 11 was laid on the table.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has refused to recede from House amendments 1 and 2 to CS for SB's 923, 836, 1081 and 884, and has acceded to the request of the Senate for a Conference Committee. The Speaker has appointed Representatives Pajcic, Bell and Easley; alternates Carpenter, Kutun and Gustafson as the Conferees on the part of the House.

Allen Morris, Clerk

CONFEREES ON CS FOR SB's 923, 836, 1081 and 884

The President appointed Senators Gordon, Hair, Castor; alternate Senator Kirkpatrick, as conferees on CS for SB's 923, 836, 1081 and 884.

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 1260 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Finance and Taxation—

HB 1260—A bill to be entitled An act relating to industrial development financing; amending s. 159.26, F.S., changing legislative intent; amending s. 159.27, F.S., redefining "project" to include educational facilities; providing a definition; amending s. 159.30, F.S., authorizing governmental agencies to operate or lease industrial development-financed educational facilities; providing an effective date.

—was read the first time by title.

CONSENT CALENDAR, continued

On motions by Senator Hair, by two-thirds vote HB 1260, a companion measure, was substituted for CS for SB 564 and by two-thirds vote read the second time by title. On motion by Senator Hair, by two-thirds vote HB 1260 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

CS for SB 564 was laid on the table.

On motions by Senator Scott, the rules were waived and by two-thirds vote SB 1088 was withdrawn from the Committee on Rules and Calendar and by two-thirds vote placed on the local calendar.

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

LOCAL CALENDAR

SB 1088—A bill to be entitled An act relating to the City of Parkland, Broward County; extending and enlarging the corporate limits of the city; providing for the assumption of duties, powers, and responsibilities over the annexed territory; providing an effective date.

—was read the second time by title.

Senator McPherson moved the following amendment which was adopted:

Amendment 1—On page 1, lines 15-31; on page 2, lines 1-31; on page 3, lines 1-31; on page 4, lines 1-31; on page 5, lines 1-31, and on page 6, lines 1-25, strike all of said lines and insert:

The North 40.00 Feet of Tracts 1, 9 and 16; together with the North 70.00 Feet of Tracts 17, 24, 25 and 32, all in Section 31, Township 47 South, Range 41 East, according to the Plat of "Florida Fruit Lands Company's Subdivision No. 2", as recorded in Plat Book 1, Page 102 of the Public Records of Palm Beach County, Florida.

AND:

Tracts 22 and 26 of Section 33, Township 47 South, Range 41 East, according to the Plat Book of "Florida Fruit Lands Company's Subdivision No. 2", as recorded in Plat Book 1, Page 102 of the Public Records of Palm Beach County, Florida.

AND:

The West one-half (W.1/2) of the Southeast one-quarter (S.E.1/4) of Section 34, Township 47 South, Range 41 East.

AND:

Tract 28; together with the West 22.00 Feet of Section 35, Township 47 South, Range 41 East, lying South of a line 125.00 Feet South of the North Line of the Northwest one-quarter (N.W.1/4) of the Southwest one-quarter (S.W.1/4) of the Northwest one-quarter (N.W.1/4) of said Section 35; together with the West 75.00 Feet of said Section 35, lying North of a line 125.00 Feet South of the said Northwest one-quarter (N.W.1/4) of the Southwest one-quarter (S.W.1/4) of the Northwest one-quarter (N.W.1/4) of said Section 35; all lying in said Section 35, Township 47 South, Range 41 East, according to the Plat of "Florida Fruit Lands Company's Subdivision No. 2", as recorded in Plat Book 1, Page 102 of the Public Records of Palm Beach County, Florida.

AND:

The East three-eighth (E.3/8) of Section 1, Township 48 South, Range 41 East, lying West of the West right-of-way line of State Road No. 7; together with the following described Parcel: Commencing at a point on the West boundary of said Section 1, being 3442.00 Feet North of the Southwest Corner of said Section, said point being located on the East and West line dividing said Section 1 into two equal portions; thence East, along said line, a distance of 1320.00 Feet to the point of beginning; thence continue East, along said line, a distance of 660.00 Feet; thence North parallel with the West line of said Section 1, a distance of 660.00 Feet; thence West, along a line parallel with the said East and West dividing line, a distance of 660.00 Feet; thence South parallel with the west line of said section 1, a distance of 660.00 Feet to the point of beginning; together with the following described parcel: Beginning at a point on the centerline of Holmberg Road and 938.00 Feet East of the West Line of said Section 1; thence South, parallel with the East line of said Section 1, a distance of 660.00 Feet; thence East, parallel with the centerline of said Holmberg Road, a distance of 495.00 Feet; thence North, parallel with the East line of said Section 1, a distance of 660.00 Feet to the centerline of said Holmberg Road; thence West, along said centerline, a distance of 495.00 Feet to the Point of Beginning. All lying in Section 1, Township 48 South, Range 41 East.

AND:

The West 22.00 Feet and the South 33.00 Feet of the North one-half (N.1/2) of Section 2, Township 48 South, Range 41 East; together with the East three-quarters (E.3/4) of the East one-half (E.1/2) of the East one-half (E.1/2) of the North one-half (N.1/2) of said Section 2; together with that portion of the West one-half (W.1/2) of the West one-half (W.1/2) of the East one-half (E.1/2) of the East one-half (E.1/2) lying North of the South line of the North 2123.00 Feet of said Section 2, less the North 1320.00 Feet of the East 1320.00 Feet thereof, as measured along the section lines.

AND:

The South 50.00 Feet of the Northeast one-quarter (N.E.1/4) of Section 3, Township 48 South, Range 41 East according to the Plat of "Florida Fruit Lands Company's Subdivision No. 2", as recorded in Plat Book 1, Page 102 of the Public Records of Palm Beach County, Florida; together with all of Tracts 13, 15, 16, and 19 of said Section 3; together with Tract 14, less that portion of the South 422.84 Feet, lying West of the East 879.84 Feet thereof, and less the East 330.00 Feet of the South 422.81 Feet thereof. All in said Section 3, Township 48 South, Range 41 East.

AND:

That triangular tract of land in the East one-half (E.1/2) of Section 4, Township 48 South, Range 41 East, as described in official Record Book 55, Page 500 of the Public Records of Broward County, Florida.

AND:

All that portion of the right-of-way for State Road No. 827 in Sections 35 and 36, Township 47 South, Range 41 East, lying South of the county line between Broward County and Palm Beach County, and lying West of the West right-of-way line of State Road No. 7, all as shown on the State of Florida, State Road Department right-of-way Map for said State Road 827, Section 93240-2501 and Section 86002-2501 Sheets 7 and 8 of 11.

AND:

Those existing road rights-of-way along the section lines and quarter section lines of Sections 31, 33 and 35, Township 47 South, Range 41 East, and Sections 3 and 5, less the Southwest one-quarter (S.W.1/4) thereof, Township 48 South, Range 41 East according to the Plat of "Florida Fruit Lands Company's Subdivision No. 2", as recorded in Plat Book 1, Page 102 of the Public Records of Palm Beach County, Florida.

On motion by Senator Scott, by two-thirds vote SB 1088 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—32

Barron	Frank	Jenne	Meek
Carlucci	Gersten	Jennings	Myers
Childers, D.	Girardeau	Kirkpatrick	Plummer
Childers, W. D.	Gordon	Langley	Scott
Crawford	Grant	Malchon	Stuart
Deratany	Hair	Mann	Thomas
Dunn	Henderson	Margolis	Thurman
Fox	Hill	McPherson	Vogt

Nays—None

Vote after roll call:

Yea—Weinstein

On motion by Senator Barron, the Senate recessed at 12:00 noon to reconvene at 1:00 p.m.

AFTERNOON SESSION

The Senate was called to order by the President at 1:00 p.m. A quorum present—35:

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

CONSENT CALENDAR, continued

On motions by Senator Fox, the rules were waived and by two-thirds vote CS for HB 234 was withdrawn from the Committees on Education; Personnel, Retirement and Collective Bargaining; and Appropriations.

On motion by Senator Fox—

CS for HB 234—A bill to be entitled An act relating to school personnel; amending s. 231.36, F.S., relating to contracts with instructional staff; amending s. 231.40, F.S., expanding personal leave days for school personnel; providing an effective date.

—a companion measure, was substituted for SB 405 and read the second time by title. On motion by Senator Fox, by two-thirds vote CS for HB 234 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—26

Mr. President	Girardeau	Margolis	Stuart
Beard	Grant	McPherson	Thomas
Childers, W. D.	Henderson	Meek	Thurman
Crawford	Hill	Myers	Vogt
Dunn	Jenne	Neal	Weinstein
Fox	Jennings	Plummer	
Frank	Malchon	Scott	

Nays—1

Langley

Vote after roll call:

Yea—Deratany, Gersten, Hair, Mann

SB 405 was laid on the table.

Senator Barron presiding

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has passed as amended CS for HB 403 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Community Affairs and Representatives Hargrett and Grant—

CS for HB 403—A bill to be entitled An act relating to public housing; amending s. 421.05, F.S., requiring at least one of the commissioners of a public housing authority to be a public housing resident; providing an exception; amending s. 421.06, F.S., providing a conflict of interest exemption for such commissioners; creating s. 943.406, F.S., the "Handicapped and Elderly Security Assistance Act of 1984"; providing intent to establish security assistance grant programs; providing definitions; providing for administration by the Bureau of Criminal Justice Assistance of the Division of Public Safety Planning and Assistance of the Department of Community Affairs; providing program objectives; providing for establishment of priorities in accordance with specified considerations; providing for instructions to grant applicants; specifying application components; providing procedures for submission of applications; providing for review of applications based upon a numerical scoring system to be developed by the bureau; providing for appointment of a screening committee to conduct initial review; providing for technical review; providing for monitoring of programs for which grants are awarded; providing for rules; creating s. 943.407, F.S., establishing the Handicapped and Elderly Security Assistance Trust Fund; providing for administration of the fund; providing for payment of certain expenses from the fund; specifying sources of funding; creating s. 943.408, F.S., providing for the levying of additional costs upon felons and misdemeanants in certain cases, for deposit in the trust fund; providing for the application of certain surcharges upon certain fines and bail bonds; providing for collection of a service charge with respect thereto; providing a local option for the collection of certain costs and surcharges; authorizing the bureau to seek and use specified financial assistance; repealing s. 943.405, F.S., relating to prevention of crime against the elderly; providing an effective date.

—was read the first time by title. On motion by Senator Frank, the rules were waived and the bill was placed on the calendar.

On motions by Senator Frank, by unanimous consent, CS for HB 403 was taken up out of order and by two-thirds vote 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—24

Barron	Frank	Malchon	Scott
Carlucci	Girardeau	Margolis	Stuart
Childers, D.	Henderson	Meek	Thomas
Childers, W. D.	Hill	Myers	Thurman
Crawford	Jenne	Plummer	Vogt
Dunn	Jennings	Rehm	Weinstein

Nays—5

Beard	Langley	Neal
Grant	McPherson	

Vote after roll call:

Yea—Deratany, Fox, Hair

CONSENT CALENDAR, continued

On motion by Senator Henderson, the rules were waived and by two-thirds vote CS for HB 299 was withdrawn from the Committee on Governmental Operations.

On motion by Senator Henderson—

CS for HB 299—A bill to be entitled An act relating to private investigators; amending s. 493.30, F.S., providing definitions; amending s. 493.304, F.S., providing additional classes of licenses; amending s. 493.305, F.S., limiting eligibility to reapply for license as appropriate; amending s. 493.306, F.S., requiring certain qualifications for approval as a firearms instructor; amending s. 493.313, F.S., specifying required hours of range training for license renewal; providing an effective date.

—a companion measure, was substituted for SB 178 and read the second time by title. On motion by Senator Henderson, by two-thirds vote CS for HB 299 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—30

Barron	Frank	Langley	Scott
Beard	Girardeau	Malchon	Stuart
Carlucci	Grant	Margolis	Thomas
Childers, D.	Henderson	McPherson	Thurman
Childers, W. D.	Hill	Meek	Vogt
Crawford	Jenne	Myers	Weinstein
Dunn	Jennings	Neal	
Fox	Johnston	Rehm	

Nays—None

Vote after roll call:

Yea—Deratany, Gersten, Hair, Mann

SB 178 was laid on the table.

CS for HB 1206—A bill to be entitled An act relating to the Commission on Criminal Justice Standards and Training; amending s. 943.085, F.S.; providing intent; amending s. 943.09, F.S.; changing certain staff support duties relating to the commission; amending s. 943.10, F.S.; changing and providing additional definitions; amending s. 943.11, F.S.; modifying the membership of the commission; providing a method for appointment by the Governor; deleting provisions relating to probable cause panels; amending s. 943.12, F.S.; revising the powers, duties, and functions of the commission; amending s. 943.13, F.S.; changing minimum employment qualifications for officers; creating s. 943.131, F.S.; providing for certain temporary employment of officers; creating s. 943.133, F.S.; requiring an employing agency to collect, verify, and maintain officers' employment documentation; providing for injunctive relief; creating s. 943.135, F.S.; requiring periodic training or education programs for officers as a condition of employment; creating s. 943.137, F.S.; providing for qualifications above the minimum; creating s. 943.139, F.S.; requiring certain notification of employment or discharge of an officer; permitting access to certain information by subsequent employing agency; creating s. 943.1395, F.S.; providing for certification, concurrent certification, reemployment, and revocation; amending s. 943.14, F.S.; establishing responsibility of the commission for criminal justice training schools; requiring commission approval of criminal justice training schools, courses, and diplomas; requiring employing agencies to be responsible for inservice training programs; prohibiting certain acts; providing a penalty; providing for injunctive relief; amending s. 943.16, F.S.; specifying employing agency; amending s. 943.17, F.S.; creating basic recruit, advanced, and career development training; defining basic recruit, advanced, and career development training; establishing existing specialized training courses as inservice training and radar training as advanced training; requiring the commission to adopt examinations; creating s. 943.173, F.S.; providing confidentiality for certain examinations and records; creating s. 943.175, F.S.; creating an inservice training program; amending s. 943.19, F.S.; providing a saving clause; amending s. 943.22, F.S.; defining certain terms; changing requirements for salary incentive payments for officers; amending s. 943.25, F.S.; specifying duties of the commission relating to certain trust funds; providing for certain funding; requiring financial audits; restricting trust funds for capital improvements; establishing a Criminal Justice Training Improvement Trust Fund; establishing certain positions; creating s. 943.253, F.S.; exempting elected officers from training and certification requirements; creating s. 943.254, F.S.; requiring certain reports by the Auditor General and commission; amending s. 943.255, F.S.; eliminating decertification proceedings; amending s. 316.1906, F.S.; modifying the definition of "officer" with respect to the use of radar speed-measuring devices; providing an additional training requirement for such officers; repealing s. 943.145, F.S., relating to certification and decertification of officers; repealing s. 943.15, F.S., relating to reimbursements for trainees' expenses; repealing ss. 943.20 and 943.21, F.S., relating to above-minimum qualifications and exemptions for elected officers, to conform; repealing s. 943.23, F.S., relating to notices of employment, inactive status, and reinstatement; repealing s. 943.234, F.S., relating to concurrent certification; amending ss. 121.0515, 258.024, 354.01, 354.05, 370.021, 534.081, and 790.25, F.S., to correct cross-references; providing an effective date.

—was read the second time by title. On motion by Senator Hill, by two-thirds vote CS for HB 1206 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—31

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

Nays—None

Vote after roll call:

Yea—Hair, Mann

On motions by Senator Jenne, the rules were waived and by two-thirds vote HB 254 was withdrawn from the Committees on Governmental Operations, Rules and Calendar, and Appropriations.

On motion by Senator Jenne—

HB 254—A bill to be entitled An act relating to the celebration of the 500th Anniversary of the Discovery of America and to hemispheric trade; creating s. 288.3475, F.S.; creating the Columbus Hemispheric Trade Commission; providing for members and their duties; providing for a report; providing for future repeal; providing an effective date.

—a companion measure, was substituted for SB 481 and read the second time by title. On motion by Senator Jenne, by two-thirds vote HB 254 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

Vote after roll call:

Yea—Hair

SB 481 was laid on the table.

On motions by Senator Jennings, the rules were waived and by two-thirds vote HB 36 was withdrawn from the Committees on Judiciary-Criminal and Appropriations.

On motion by Senator Jennings—

HB 36—A bill to be entitled An act relating to fraudulent practices; adding subsection (3) to s. 817.36, Florida Statutes, prohibiting the fraudulent creation of admission tickets and tokens; providing a penalty; amending s. 817.58(2), Florida Statutes, and adding subsection (7) thereto, redefining the term "credit card" and defining the term "counterfeit credit card" for the purposes of the State Credit Card Crime Act; amending s. 817.60(6)(a) and (b), Florida Statutes, prohibiting persons from falsely altering a purported credit card; providing that possession of one or more items defined as "counterfeit credit cards" is prima facie evidence of intent to fraudulently use or counterfeit a credit card; providing a penalty; providing an exception; amending ss. 817.60(1), (2), (3), (4), and (7), 817.61, 817.62(2), 817.64, and 817.645, Florida Statutes, increasing to a third degree felony the penalty for certain crimes relating to credit cards; creating s. 817.646, Florida Statutes, providing that it is unlawful for certain persons to make credit card account lists or portions thereof available to third parties; providing exceptions; providing a penalty; providing an effective date.

—a companion measure, was substituted for SB 345 and read the second time by title.

Senator Jennings moved the following amendments which were adopted:

Amendment 1—On page 2, lines 29-31; on page 3, lines 1-31, and on page 4, lines 1-26, strike all of said lines and insert:

Section 3. Paragraphs (a) and (b) of subsection (6) of section 817.60, Florida Statutes, are amended to read:

817.60 Theft; obtaining credit card through fraudulent means.—

(6) FORGERY OF CREDIT CARD.—

(a) A person who, with intent to defraud a purported issuer or a person or organization providing money, goods, services, or anything else of value or any other person, falsely makes, ~~or~~ falsely embosses, *or falsely alters in any manner* a purported credit card or utters such a credit card is guilty of credit card forgery and is subject to the penalties set forth in s. 817.67(2).

(b) *Possession of one or more items defined as "counterfeit credit cards" by persons other than authorized manufacturers or issuers shall be prima facie evidence of intent to fraudulently use or counterfeit a*

credit card and shall be subject to the penalties set forth in s. 817.67(1). ~~A person other than the purported issuer who possesses two or more credit cards which are falsely made or falsely embossed is presumed to have violated this subsection.~~

Amendment 2—On page 2, line 10, strike "*a felony of the third* degree" and insert: *a misdemeanor of the first degree*

Amendment 3—On page 5, line 10, strike "s. 817.67*(2)*. ~~(1)~~" and insert: s. 817.67(1).

Amendment 4—On page 6, lines 13-31, and on page 7, lines 1-4, strike all of said lines and renumber subsequent sections.

Amendment 5—On page 7, line 29, strike "*817.67(2)*" and insert: *817.67(1)*

Amendment 6—On page 8, between lines 18 and 19, insert:

Section 10. Section 817.564, Florida Statutes, is created to read:

817.564 Production, sale, or distribution of false identification cards prohibited; penalty—

(1) It shall be unlawful for any person, except a governmental agency or instrumentality, to sell or issue or to offer to sell or issue in this state any identification card or document purporting to contain the age or date of birth of the person in whose name it was issued, unless:

(a) Prior to selling or issuing such card or document, the person has first obtained from the applicant and retains for a period of 3 years from the date of sale:

1. An authenticated or certified copy of proof of age as provided in s. 232.03; and

2. A notarized affidavit from the applicant attesting to his or her age and that the proof-of-age documents required by subparagraph (1)(a)1. are for such applicant.

(b) Prior to offering to sell such cards in this state, the person has included in any offer for sale of identification cards or documents that such cards cannot be sold or issued without the applicant first submitting the documents required by paragraph (1)(a).

(c) The identification card or document contains the business name and street address of the person selling or issuing such card or document.

(2) For purposes of this section, "offer to sell" shall include every inducement, solicitation, attempt, or printed or media advertisement to encourage a person to purchase an identification card.

(3) All records required to be maintained by this section shall be available for inspection without warrant upon reasonable demand by any law enforcement officer, including, but not limited to, state attorney investigators and Division of Alcoholic Beverages and Tobacco investigators.

(4) Any person violating the provisions of this section shall be guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. Failure to produce the documents required by subsection (1), upon lawful request therefor, shall be prima facie evidence of a violation of this section.

(5) The state attorney for any county in which a violation of this section occurs or the Attorney General may enjoin any sale or offer for sale in violation of this section by temporary and permanent injunction by application to any court of competent jurisdiction.

(Renumber subsequent section.)

Senator Grant moved the following amendment which was adopted:

Amendment 7—On page 8, between lines 18 and 19, insert:

Section 10. Subsections (1), (2), and (4) of section 832.05, Florida Statutes, are amended to read:

832.05 Knowingly making, issuing, *using*, etc., worthless checks, *drafts, and debit cards*; obtaining property in return for worthless checks, etc.; penalty; duty of drawee; evidence.—

(1) PURPOSE.—The purpose of this section is to remedy the evil of giving checks, drafts, bills of exchange, *debit card orders,* and other orders on a bank without first providing funds in or credit with the depository on which the same are made or drawn to pay and satisfy the same, which tends to create the circulation of worthless checks, drafts, bills of exchange, *debit card orders,* and other orders on banks, bad banking, check kiting and a mischief to trade and commerce. *As used in this section, "debit card" means a card, code or other device, other than a check, draft or similar paper instrument, by the use of which a person may order, instruct or authorize a financial institution to debit a demand deposit, savings deposit or other asset account.*

(2) WORTHLESS CHECKS; PENALTY.—

(a) It shall be unlawful for any person, firm or corporation to draw, make, utter, issue or deliver to another any check, draft, or other written order on any bank or depository, *or use a debit card,* for the payment of money or its equivalent, knowing at the time of the drawing, making, uttering, issuing or delivering such check or draft, *or at the time of using such debit card,* that the maker or drawer thereof has not sufficient funds on deposit in or credit with such bank or depository with which to pay the same on presentation; provided, that this section shall not apply to any check where the payee or holder knows or has been expressly notified prior to the drawing or uttering of same or has reason to believe that the drawer did not have on deposit or to his credit with the drawee sufficient funds to insure payment as aforesaid, nor shall this section apply to any postdated check.

(b) Violation of the provisions of this subsection shall constitute a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083, unless the check, draft, *debit card order,* or other written order drawn, made, uttered, issued or delivered be in the amount of $50, or its equivalent, or more and the payee or a subsequent holder thereof receives something of value therefor. In that event the violation shall constitute a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(3) CASHING OR DEPOSITING ITEM; PENALTY.—

(a) It is unlawful for any person, by act or common scheme, to cash or deposit any item, as defined in s. 674.104(1)(g), in any bank or depository with intent to defraud.

(b) Violation of the provisions of this subsection shall constitute a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(4) OBTAINING PROPERTY IN RETURN FOR WORTHLESS CHECKS, ETC.; PENALTY.—

(a) It shall be unlawful for any person, firm or corporation to obtain any services, goods, wares or other things of value by means of a check, draft or other written order upon any bank, person, firm or corporation, knowing at the time of the making, drawing, uttering, issuing or delivering of said check or draft that the maker thereof has not sufficient funds on deposit in or credit with such bank or depository with which to pay the same upon presentation, provided however that no crime may be charged in respect to the giving of any such check or draft or other written order where the payee knows or has been expressly notified or has reason to believe that the drawer did not have on deposit or to his credit with the drawee sufficient funds to insure payment thereof.

(b) It is unlawful for any person to use a debit card to obtain money, goods, services, or anything else of value knowing at the time of such use that he does not have sufficient funds on deposit with which to pay for the same, or that the value thereof exceeds the amount of credit which is available to him through an overdraft financing agreement or prearranged line of credit which is accessible by the use of the card.

(c)~~(b)~~ Violation of the provisions of this subsection shall, if the check, draft , ~~or~~ other written order, *or debit card order* be for an amount less than $50 or its equivalent, constitute a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. Violation of the provisions of this subsection shall, if the check, draft, ~~or~~ other written order, *or debit card order* be in the amount of $50, or its equivalent, or more, constitute a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 11. Subsection (2) of section 817.58, Florida Statutes, is amended to read:

817.58 Definitions.—As used in ss. 817.57-817.68:

(2) "Credit card" means any instrument or device, whether known as a credit card, credit plate, *bank service card, banking card, check guarantee card, debit card,* or by any other name, issued with or without fee by an issuer for the use of the cardholder in obtaining money, goods, services, or anything else of value on credit, *or for use in an automated banking device to obtain any of the services offered through the device.*

(Renumber subsequent sections.)

Senator Jennings moved the following amendments which were adopted:

Amendment 8—On page 1, line 27, after the semicolon (;) insert: amending s. 832.05, F.S.; including certain use of debit cards within prohibitions relating to worthless checks and drafts; providing penalties; amending s. 817.58, F.S.; including debit cards and similar cards within the definition of "credit card" for purposes of the State Credit Card Crime Act;

Amendment 9—In title, on page 1, insert: creating s. 817.564, F.S., providing certain preconditions to the issuance or sale or offer for issuance or sale of identification cards; providing a penalty for violation;

Amendment 10—In title, on page 1, strike all of lines 18-22 and insert: providing an exception;

Amendment 11—In title, on page 1, line 27, after the semicolon (;) insert: amending s. 832.05, F.S.; including certain use of debit cards within prohibitions relating to worthless checks and drafts; providing penalties; amending s. 817.58, F.S.; including debit cards and similar cards within the definition of "credit card" for purposes of the State Credit Card Crime Act;

On motion by Senator Jennings, by two-thirds vote HB 36 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32

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

Nays—None

SB 345 was laid on the table.

Consideration of SB 502 was deferred.

On motion by Senator Langley, the rules were waived and by two-thirds vote HB 1275 was withdrawn from the Committee on Transportation.

On motion by Senator Langley—

HB 1275—A bill to be entitled An act relating to aircraft; amending s. 329.01, F.S., requiring the recording of instruments affecting civil aircraft with the office of the Federal Aviation Administrator of the United States; amending s. 329.10, F.S., expanding the application of provisions prohibiting the possession of unregistered aircraft in the state; prohibiting the supplying of certain false information; amending s. 329.51, F.S., providing a time period for the filing of liens on aircraft; providing an effective date.

—a companion measure, was substituted for CS for SB 949 and read the second time by title. On motion by Senator Langley, by two-thirds vote HB 1275 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—29

Barron	Frank	Johnston	Rehm
Beard	Gersten	Langley	Stuart
Carlucci	Girardeau	Malchon	Thomas
Childers, D.	Grant	Margolis	Thurman
Childers, W. D.	Hair	McPherson	Vogt
Crawford	Henderson	Meek	
Deratany	Hill	Myers	
Dunn	Jennings	Neal	

Nays—None

Vote after roll call:

Yea—Mann, Weinstein

CS for SB 949 was laid on the table.

On motions by Senator Grant, by two-thirds vote SB 30 was withdrawn from the Committee on Appropriations and by two-thirds vote placed next on the consent calendar.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for HB 98 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committees on Appropriations; and Retirement, Personnel and Collective Bargaining and Representative Smith and others—

CS for CS for HB 98—A bill to be entitled An act relating to retirement; creating s. 240.508, F.S., creating the "Institute of Food and Agricultural Sciences Supplemental Retirement Act"; providing legislative purpose; providing eligibility; providing for a retirement supplement amount; providing for payment of a supplement; providing for optional forms of retirement benefits; providing for death benefits; providing for designation of beneficiaries; providing for cost-of-living adjustments; providing a limitation on reemployment after retirement; providing for administration; providing for contributions; providing for administration of the trust fund; providing an effective date.

—was read the first time by title.

CONSENT CALENDAR, continued

On motions by Senator Grant, by unanimous consent CS for CS for HB 98, a companion measure, was substituted for SB 30 and by two-thirds vote read the second time by title.

Senator Grant moved the following amendment which was adopted:

Amendment 1—On page 10, line 16, strike "July 1, 1984" and insert: July 1, 1985

On motion by Senator Grant, by two-thirds vote CS for CS for HB 98 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

SB 30 was laid on the table.

SB 757—A bill to be entitled An act relating to land and water management; amending s. 380.045, F.S., providing that the resource planning and management committee appointed by the Governor shall adopt a proposed voluntary resource planning and management program within a certain time period; providing criteria for the program; directing the Administration Commission to review the program; providing for action by the state land planning agency; amending s. 380.05, F.S., relating to rules adopted designating an area of critical state concern; amending s. 380.11, F.S., providing that the state land planning agency may appear as a party in certain proceedings or actions; providing an effective date.

—was read the second time by title.

Senator Langley moved the following amendments which were adopted:

Amendment 1—On page 4, line 26, strike all of section 3.

Amendment 2—In title, on page 1, strike all of lines 13-17 and insert: Area of critical state concern.

On motion by Senator Mann, by two-thirds vote SB 757 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

HB 1218—A bill to be entitled An act relating to community redevelopment; amending s. 163.335, F.S.; providing intent; amending s. 163.340, F.S.; redefining "public body" or "taxing authority" and "related activities" and providing other definitions; amending s. 163.356, F.S.; requiring annual reports by community redevelopment agencies; amending s. 163.357, F.S.; providing for the responsibilities and liabilities of a governing body as a community redevelopment agency; amending s. 163.358, F.S.; providing counties and municipalities with the power to approve the use of eminent domain by such agencies; creating s. 163.359, F.S.; requiring certain public notice during the redevelopment process; amending ss. 163.360 and 163.361, F.S.; relating to certain modifications of the redevelopment plan; amending s. 163.362, F.S.; expanding the required components of the plan; amending s. 163.370, F.S.; prohibiting the payment or financing of specified projects by increment revenues; requiring certain approval for exercise of eminent domain power by the agency; providing certain restrictions upon the powers of such agencies; amending s. 163.375, F.S.; conforming provisions relating to eminent domain; amending s. 163.380, F.S., relating to the disposal of property in a community redevelopment area; amending s. 163.385, F.S.; restricting the maturity of revenue bonds issued by such agencies; amending s. 163.387, F.S.; requiring local approval of the redevelopment plan prior to establishment of a redevelopment trust fund; excepting debt service millage from tax increments for purposes of funding such trust funds; providing restrictions upon such tax increments; providing funding restrictions upon modifications of redevelopment plans; requiring certain notice of tax increments to taxing authorities; limiting the obligations of taxing authorities; specifying uses of excess funds by redevelopment agencies; amending s. 163.390, F.S., relating to bonds as legal investments; amending s. 163.400, F.S., relating to cooperation by public bodies; creating s. 163.436, F.S.; authorizing the use of taxes to preserve and enhance tax bases; amending s. 200.065, F.S.; excluding increases in assessed values in redevelopment areas from the calculation of rolled-back rates for property tax purposes; amending s. 163.350, F.S.; providing for community redevelopment programs to include affordable housing for certain people; amending s. 163.355, F.S.; providing additional circumstances for a finding of necessity for community redevelopment; providing an effective date.

—was read the second time by title.

Senator Margolis moved the following amendment:

Amendment 1—On page 3, line 1, strike everything after the enacting clause and insert:

Section 1. Subsections (4) and (5) are added to section 163.335, Florida Statutes, to read:

163.335 Findings and declarations of necessity.—

(4) It is further found and declared that the preservation or enhancement of the tax base from which a taxing authority realizes tax revenues is essential to its existence and financial health; that the preservation and enhancement of such tax base is implicit in the purposes for which a taxing authority is established; that tax increment financing is an effective method of achieving such preservation and enhancement in areas in which such tax base is declining; that community redevelopment in such areas, when complete, will enhance such tax base and provide increased tax revenues to all affected taxing authorities, increasing their ability to accomplish their other respective purposes; and that the preservation and enhancement of the tax base in such areas through tax increment financing and the levying of taxes by such taxing authorities therefor and the appropriation of funds to a redevelopment trust fund bears a substantial relation to the purposes of such taxing authorities and is for their respective purposes and concerns.

(5) It is further found and declared that there exists in counties and municipalities of the state a severe shortage of housing affordable to residents of low or moderate income, including the elderly; that the existence of such condition affects the health, safety, and welfare of the residents of such counties and municipalities and retards their growth and economic and social development; and that the elimination or improvement of such condition is a proper matter of state policy and state concern, for a valid and desirable public purpose.

Section 2. Subsections (2), (9), (10), and (11) of section 163.340, Florida Statutes, are amended and subsections (21) and (22) are added to said section to read:

163.340 Definitions.—The following terms, wherever used or referred to in this part, shall have the following meanings:

(2) "Public body" or "taxing authority" means the state or any county, municipality, authority, special district *as defined in s. 165.031(5)*, or other public body of the state, *except school districts, library districts, water management districts created under s. 373.069, any special district which levies ad valorem taxes on taxable real property in more than one county, or any special district whose sole available source of revenue is ad valorem taxes at the time an ordinance is adopted pursuant to s. 163.387.*

(9) "Community redevelopment ~~project~~" *or "redevelopment"* means *undertakings,* ~~and~~ activities, *or projects* of a county, municipality, or community redevelopment agency in a community redevelopment area for the elimination and prevention of the development or spread of slums and blight *or for the provision of affordable housing, whether for rent or for sale, to residents of low or moderate income, including the elderly,* and may include slum clearance and redevelopment in a community redevelopment area, rehabilitation or conservation in a community redevelopment area, or any combination or part thereof in accordance with a community redevelopment plan and may include the preparation of such a plan.

(10) "Community redevelopment area" means a slum area or a blighted area *or an area in which there is a shortage of housing affordable by residents of low or moderate income, including the elderly,* or a combination thereof which the governing body designates as appropriate for a community redevelopment ~~project~~.

(11) "Community redevelopment plan" means a plan, as it exists from time to time, for a community redevelopment *area* ~~project~~.

(21) "Debt service millage" means any millage levied pursuant to s. 12, Art. VII of the State Constitution.

(22) "Increment revenue" means the amount calculated pursuant to s. 163.387(1).

Section 3. Section 163.350, Florida Statutes, is amended to read:

163.350 Workable program.—Any county or municipality for the purposes of this part may formulate for the county or municipality a workable program for utilizing appropriate private and public resources to eliminate and prevent the development or spread of slums and urban blight, to encourage needed community rehabilitation, to provide for the redevelopment of slum and blighted areas, *to provide housing affordable by residents of low or moderate income, including the elderly,* or to undertake such of the aforesaid activities or other feasible county or municipal activities as may be suitably employed to achieve the objectives of such workable program. Such workable program may include provision for the prevention of the spread of blight into areas of the county or municipality which are free from blight through diligent enforcement of housing, zoning, and occupancy controls and standards; the rehabilitation or conservation of slum and blighted areas or portions thereof by replanning, removing congestion, providing parks, playgrounds and other public improvements, encouraging voluntary rehabilitation, and compelling the repair and rehabilitation of deteriorated or deteriorating structures; and the clearance and redevelopment of slum and blighted areas or portions thereof.

3. To hold, improve, clear, or prepare for redevelopment any such property.

4. To mortgage, pledge, hypothecate, or otherwise encumber or dispose of any real property.

5. To insure or provide for the insurance of any real or personal property or operations of the county or municipality against any risks or hazards, including the power to pay premiums on any such insurance.

6. To enter into any contracts necessary to effectuate the purposes of this part.

(f)~~(d)~~ To invest any community redevelopment funds held in reserves or sinking funds or any such funds not required for immediate disbursement in property or securities in which savings banks may legally invest funds subject to their control; and to redeem such bonds as have been issued pursuant to s. 163.385 of this part at the redemption price established therein or to purchase such bonds at less than redemption price, all such bonds so redeemed or purchased to be canceled.

(g)~~(e)~~ To borrow money and to apply for and accept advances, loans, grants, contributions and any other form of financial assistance from the Federal Government or the state, county, or other public body, or from any sources, public or private, for the purposes of this part, and to give such security as may be required and to enter into and carry out contracts or agreements in connection therewith; and to include in any contract for financial assistance with the Federal Government for or with respect to a community redevelopment ~~project~~ and related activities such conditions imposed pursuant to federal laws as the county or municipality may deem reasonable and appropriate and which are not inconsistent with the purposes of this part.

(h)~~(f)~~ Within its area of operation, to make or have made all surveys and plans necessary to the carrying out of the purposes of this part and to contract with any person, public or private, in making and carrying out such plans and to adopt or approve, modify and amend such plans, which plans may include, but not be limited to:

1. Plans for carrying out a program of voluntary or compulsory repair and rehabilitation of buildings and improvements.

2. Plans for the enforcement of state and local laws, codes, and regulations relating to the use of land and the use and occupancy of buildings and improvements and to the compulsory repair, rehabilitation, demolition, or removal of buildings and improvements.

3. Appraisals, title searches, surveys, studies, and other plans and work necessary to prepare for the undertaking of community redevelopment ~~projects~~ and related activities.

(i)~~(g)~~ To develop, test, and report methods and techniques, and carry out demonstrations and other activities, for the prevention and the elimination of slums and urban blight and developing and demonstrating new or improved means of providing housing for families and persons of low income.

(j)~~(h)~~ To apply for, accept and utilize grants of funds from the Federal Government for such purposes.

(k)~~(i)~~ To prepare plans for and assist in the relocation of persons (including individuals, families, business concerns, nonprofit organizations and others) displaced from a community redevelopment area, and to make relocation payments to or with respect to such persons for moving expenses and losses of property for which reimbursement or compensation is not otherwise made, including the making of such payments financed by the Federal Government.

(l)~~(j)~~ To appropriate such funds and make such expenditures as may be necessary to carry out the purposes of this part; to zone or rezone any part of the county or municipality or make exceptions from building regulations; and to enter into agreements with a housing authority, which agreements may extend over any period, notwithstanding any provision or rule of law to the contrary, respecting action to be taken by such county or municipality pursuant to any of the powers granted by this part.

(m)~~(k)~~ To close, vacate, plan, or replan streets, roads, sidewalks, ways or other places; and to plan or replan any part of the county or municipality.

(n)~~(l)~~ Within its area of operation, to organize, coordinate, and direct the administration of the provisions of this part, as they may apply to such county or municipality in order that the objective of remedying slum and blighted areas and preventing the causes thereof within such county or municipality may be most effectively promoted and achieved, and to establish such new office or offices of the county or municipality or to reorganize existing offices in order to carry out such purpose most effectively.

(o)~~(m)~~ To exercise all or any part or combination of powers herein granted or to elect to have such powers exercised by a community redevelopment agency.

(2) With the approval of the governing body, a community redevelopment agency may:

(a) Prior to approval of a community redevelopment plan or approval of any modifications of the plan, acquire real property in a community redevelopment area, demolish and remove any structures on the property, and pay all costs related to the acquisition, demolition, or removal, including any administrative or relocation expenses.

(b) Assume the responsibility to bear any loss that may arise as the result of the exercise of authority under this subsection, in the event that the real property is not made part of the community redevelopment *area* ~~project~~.

Section 12. Subsection (1) of section 163.375, Florida Statutes, is amended to read:

163.375 Eminent domain.—

(1) Any county *or*~~,~~ municipality, or any community redevelopment agency *pursuant to specific approval of the governing body of the county or municipality which established the agency,* as provided by any county or municipal ordinance shall have the right to acquire by condemnation any interest in real property, including a fee simple title thereto, which it may deem necessary for, or in connection with, a community redevelopment ~~project~~ and related activities under this part. Any county *or*~~,~~ municipality, or any community redevelopment agency *pursuant to specific approval by the governing body of the county or municipality which established the agency,* as provided by any county or municipal ordinance may exercise the power of eminent domain in the manner provided in chapters 73 and 74 and acts amendatory thereof or supplementary thereto, or it may exercise the power of eminent domain in the manner now or which may be hereafter provided by any other statutory provisions for the exercise of the power of eminent domain. Property already devoted to a public use may be acquired in like manner. However, no real property belonging to the United States, the state, or any political subdivision of the state may be acquired without its consent.

Section 13. Subsections (1) and (4) of section 163.380, Florida Statutes, are amended and subsection (5) is added to said section to read:

163.380 Disposal of property in community redevelopment area.—

(1) Any county, municipality, or community redevelopment agency may sell, lease, dispose of, or otherwise transfer real property or any interest therein acquired by it for a community redevelopment ~~project or~~ in a community redevelopment area to any private person, or may retain such property for public use, and may enter into contracts with respect thereto for residential, recreational, commercial, industrial, educational, or other uses, in accordance with the community redevelopment plan, subject to such covenants, conditions, and restrictions, including covenants running with the land, as it may deem to be necessary or desirable to assist in preventing the development or spread of future slums or blighted areas or to otherwise carry out the purposes of this part. However, such sale, lease, other transfer, or retention, and any agreement relating thereto, may be made only after the approval of the community redevelopment plan by the governing body. The purchasers or lessees and their successors and assigns shall be obligated to devote such real property only to the uses specified in the community redevelopment plan, and may be obligated to comply with such other requirements as the county, municipality, or community redevelopment agency may determine to be in the public interest, including the obligation to begin any improvements on such real property required by the community redevelopment plan within a reasonable time.

(4) Any county, municipality, or community redevelopment agency may temporarily operate and maintain real property acquired by it in a community redevelopment area for or in connection with a community

redevelopment *plan* ~~project~~ pending the disposition of the property as authorized in this part, without regard to the provisions of subsection (1), for such uses and purposes as may be deemed desirable, even though not in conformity with the community redevelopment plan.

(5) If any conflict exists between the provisions of this section and s. 159.61, the provisions of this section shall govern and supersede those of s. 159.61.

Section 14. Subsections (1), (4), and (5) of section 163.385, Florida Statutes, are amended to read:

163.385 Issuance of revenue bonds.—

(1) When authorized *or approved* by resolution or ordinance of the governing body, every county, municipality, or community redevelopment agency shall have power in its corporate capacity, in its discretion, to issue ~~negotiable~~ redevelopment revenue bonds from time to time to finance the undertaking of any community redevelopment ~~project~~ under this part, including, without limiting the generality thereof, the payment of principal and interest upon any advances for surveys and plans or preliminary loans, and shall have power to issue refunding bonds for the payment or retirement of bonds or other obligations previously issued. The security for such bonds may be based upon the anticipated assessed valuation of the completed community redevelopment ~~project~~ and such other revenues as may be legally available. In anticipation of the sale of such revenue bonds, the county, municipality, or community redevelopment agency may issue ~~negotiable~~ bond anticipation notes and may renew the same from time to time, but the maximum maturity of any such note, including renewals thereof, shall not exceed 5 years from the date of issue of the original note. Such notes shall be paid from any revenues of the county, municipality, or agency available therefor and not otherwise pledged or from the proceeds of sale of the revenue bonds in anticipation of which they were issued. *Any bond, note, or other form of indebtedness pledging increment revenues to the repayment thereof shall mature no later than the end of the thirtieth fiscal year after the fiscal year in which increment revenues are first deposited into the redevelopment trust fund.*

(4) In case any of the public officials of the county, municipality, or community redevelopment agency whose signatures appear on any bonds or coupons issued under this part shall cease to be such officials before the delivery of such bonds, such signatures shall, nevertheless, be valid and sufficient for all purposes, the same as if such officials had remained in office until such delivery. ~~Any provision of any law to the contrary notwithstanding, any bonds issued pursuant to this part shall be fully negotiable.~~

(5) In any suit, action, or proceeding involving the validity or enforceability of any bond issued under this part, or the security therefor, any such bond reciting in substance that it has been issued by the county, municipality, or community redevelopment agency in connection with ~~a~~ community redevelopment ~~project~~, as herein defined, shall be conclusively deemed to have been issued for such purpose, and such project shall be conclusively deemed to have been planned, located, and carried out in accordance with the provisions of this part.

Section 15. Subsections (1), (2), (3), and (6) of section 163.387, Florida Statutes, are amended and subsections (7) and (8) are added to said section to read:

163.387 Redevelopment trust fund.—

(1) There shall be established for each community redevelopment agency created under s. 163.356 a redevelopment trust fund. Funds allocated to and deposited into this fund shall be used by the agency to finance or refinance *any* ~~each~~ community redevelopment ~~project~~ it undertakes *pursuant to the approved community redevelopment plan.* No community redevelopment agency shall *receive or spend any increment revenues pursuant to* ~~exercise any community redevelopment powers under~~ this section unless and until the governing body has, by ordinance, provided for the funding of the redevelopment trust fund for the duration of a community redevelopment *plan* ~~project~~. *Such ordinance may be adopted only after the governing body has approved a community redevelopment plan.* The annual funding of the redevelopment trust fund shall be in an amount not less than that increment in the income, proceeds, revenues, and funds of *each taxing authority* ~~the county or municipality~~ derived from or held in connection with *the* ~~its~~ undertaking and carrying out of community redevelopment ~~projects~~ under this part. Such increment shall be determined annually and shall be that amount equal to 95 percent of the difference between:

(a) The amount of ad valorem taxes levied each year by *each* ~~all~~ taxing *authority, exclusive of any amount from any debt service millage,* ~~authorities except school districts~~ on taxable real property contained within the geographic boundaries of a community redevelopment *area* ~~project~~; and

(b) The amount of ad valorem taxes which would have been produced by the rate upon which the tax is levied each year by or for *each* ~~all~~ taxing *authority, exclusive of any debt service millage,* ~~authorities except school districts~~ upon the total of the assessed value of the taxable real property in the community redevelopment *area* ~~project~~ as shown upon the most recent assessment roll used in connection with the taxation of such property by each taxing authority prior to the effective date of the ordinance providing for the funding of the trust fund.

(2)*(a) Except for purposes of funding the trust fund pursuant to subsection (3),* upon the *adoption of an ordinance providing for funding of the* ~~establishment of a~~ redevelopment trust fund as herein provided, each taxing authority ~~except school districts~~ shall, *by January 1 of each year,* ~~annually~~ appropriate to such fund *for so long as any indebtedness pledging increment revenues to the payment thereof is outstanding but not to exceed 30 years* a sum which is no less than the increment ~~of ad valorem tax revenues~~ as defined and determined in *subsection* ~~paragraphs~~ (1)~~(a) and (b)~~ accruing to said taxing authority. *If the community redevelopment plan is amended or modified pursuant to s. 163.361(1)(b), each such taxing authority shall make such annual appropriation for a period not to exceed 30 years after the date the governing body amends the plan. No taxing authority shall be exempt from the provisions of this section.*

(b) Any taxing authority which does not pay the increment to the trust fund by January 1 shall pay to the trust fund an amount equal to 5 percent of the amount of the increment and shall pay interest on the amount of the increment equal to 1 percent for each month the increment is outstanding.

(3) *Notwithstanding the provisions of subsection (2),* the obligation of *the* ~~a local~~ governing body *which established the community redevelopment agency* to fund the redevelopment trust fund annually shall continue until all loans, advances, and indebtedness, if any, and interest thereon, of a community redevelopment agency incurred as a result of *redevelopment in* a community redevelopment *area* ~~project~~ have been paid~~, but only to the extent that the tax increment described in this section accrues.~~

(6) Moneys in the redevelopment trust fund may be expended from time to time for the following purposes, when directly related to ~~the~~ financing or refinancing of *redevelopment in a community redevelopment area pursuant to an approved* ~~a~~ community redevelopment *plan* ~~project~~:

(a) Administrative and overhead expenses necessary or incidental to the ~~preparation and~~ implementation of a community redevelopment plan adopted by the agency;

(b) Expenses of redevelopment planning, surveys, and financial analysis; *provided, moneys in the trust fund may be used to reimburse the governing body or the community redevelopment agency for such expenses incurred before the redevelopment plan was approved and adopted;*

(c) The acquisition of real property in the redevelopment area;

(d) The clearance and preparation of any redevelopment area for redevelopment and relocation of site occupants as provided in s. 163.370;

(e) Repayment of principal and interest *or any redemption premium* for loans, advances, *bonds,* bond anticipation notes, and other forms of indebtedness; and

(f) All expenses incidental to or connected with the issuance, sale, redemption, retirement, or purchase of agency bonds, bond anticipation notes, or other forms of indebtedness *including funding of any reserve, redemption, or other fund or account provided for in the ordinance or resolution authorizing such bonds, notes, or other forms of indebtedness.*

(7) On the last day of the community redevelopment agency's fiscal year, any money which remains in the trust fund after payment of expenses pursuant to subsection (6) for such year shall be:

(a) Returned to each taxing authority which paid the increment in the proportion such taxing authority's payment bears to the total amount paid into the trust fund by all taxing authorities within the redevelopment area for that year;

(b) Used to reduce the amount of any indebtedness to which increment revenues are pledged; or

(c) Deposited into an escrow account for the purpose of later reducing any indebtedness to which increment revenues are pledged.

(8) Each community redevelopment agency shall provide for an independent financial audit of the trust fund each fiscal year and a report of such audit. Such report shall describe the amount and source of deposits into and the amount and purpose of withdrawals from the trust fund during such fiscal year and the amount of principal and interest paid during such year on any indebtedness to which is pledged increment revenues and the remaining amount of such indebtedness. The agency shall provide a copy of the report to each taxing authority.

Section 16. Section 163.390, Florida Statutes, is amended to read:

163.390 Bonds as legal investments.—All banks, trust companies, bankers, savings banks and institutions, building and loan associations, savings and loan associations, investment companies, and other persons carrying on a banking or investment business; all insurance companies, insurance associations, and other persons carrying on an insurance business; and all executors, administrators, curators, trustees, and other fiduciaries may legally invest any sinking funds, moneys, or other funds belonging to them or within their control in any bonds or other obligations issued by a county or municipality pursuant to this part or by any community development agency vested with community redevelopment ~~project~~ powers. Such bonds and other obligations shall be authorized security for all public deposits. It is the purpose of this section to authorize any persons, political subdivisions, and officers, public or private, to use any funds owned or controlled by them for the purchase of any such bonds or other obligations. Nothing contained in this section with regard to legal investments shall be construed as relieving any person of any duty of exercising reasonable care in selecting securities.

Section 17. Subsection (1) of section 163.395, Florida Statutes, is amended to read:

163.395 Property exempt from taxes and from levy and sale by virtue of an execution.—

(1) All property of any county, municipality, or community redevelopment agency, including funds, owned or held by it for the purposes of this part shall be exempt from levy and sale by virtue of an execution, and no execution or other judicial process shall issue against the same nor shall judgment against the county, municipality, or community redevelopment agency be a charge or lien upon such property. However, the provisions of this section shall not apply to or limit the right of obligees to pursue any remedies for the enforcement of any pledge or lien given pursuant to this part by the county or municipality on its rents, fees, grants, or revenues from community redevelopment ~~projects~~.

Section 18. Subsections (1), (3), and (4) of section 163.400, Florida Statutes, are amended to read:

163.400 Cooperation by public bodies.—

(1) For the purpose of aiding in the planning, undertaking, or carrying out of a community redevelopment ~~project~~ and related activities authorized by this part, any public body may, upon such terms, with or without consideration, as it may determine:

(a) Dedicate, sell, convey, or lease any of its interest in any property or grant easements, licenses, or other rights or privileges therein to a county or municipality.

(b) Incur the entire expense of any public improvements made by such public body in exercising the powers granted in this section.

(c) Do any and all things necessary to aid or cooperate in the planning or carrying out of a community redevelopment plan and related activities.

(d) Lend, grant, or contribute funds to a county or municipality; borrow money; and apply for and accept advances, loans, grants, contributions, or any other form of financial assistance, from the Federal Government, the state, county or other public body, or any other source.

(e) Enter into agreements, which may extend over any period, notwithstanding any provision or rule of law to the contrary, with the Federal Government, a county or municipality, or other public body respecting action to be taken pursuant to any of the powers granted by this part, including the furnishing of funds or other assistance in connection with a community redevelopment ~~project~~ and related activities.

(f) Cause public buildings and public facilities, including parks, playgrounds, recreational, community, educational, water, sewer, or drainage facilities, or any other works which it is otherwise empowered to undertake to be furnished; furnish, dedicate, close, vacate, pave, install, grade, regrade, plan, or replan streets, roads, sidewalks, ways, or other places; plan or replan or zone or rezone any part of the public body or make exceptions from building regulations; and cause administrative and other services to be furnished to the county or municipality.

If at any time title to or possession of any *property in a* community redevelopment *area* ~~project~~ is held by any public body or governmental agency, other than the county or municipality, which is authorized by law to engage in the undertaking, carrying out, or administration of community redevelopment ~~projects~~ and related activities, including any agency or instrumentality of the United States, the provisions of the agreements referred to in this section shall inure to the benefit of and may be enforced by such public body or governmental agency. As used in this subsection, the term "county or municipality" shall also include a community redevelopment agency.

(3) For the purpose of aiding in the planning, undertaking, or carrying out of any community redevelopment ~~project~~ and related activities of a community redevelopment agency or a housing authority hereunder, any county or municipality may, in addition to its other powers and upon such terms, with or without consideration, as it may determine, do and perform any or all of the actions or things which, by the provisions of subsection (1), a public body is authorized to do or perform, including the furnishing of financial and other assistance.

(4) For the purposes of this section, or for the purpose of aiding in the planning, undertaking, or carrying out of a community redevelopment ~~project~~ and related activities of a county or municipality, such county or municipality may, in addition to any authority to issue bonds pursuant to s. 163.385, issue and sell its general obligation bonds. Any bonds issued by the county or municipality pursuant to this section shall be issued in the manner and within the limitations prescribed by the applicable laws of this state for the issuance and authorization of general obligation bonds by such county or municipality. Nothing in this section shall limit or otherwise adversely affect any other section of this part.

Section 19. Section 163.445, Florida Statutes, is amended to read:

163.445 Assistance to community redevelopment by state agencies.—State agencies may provide technical and advisory assistance, upon request, to municipalities, counties, and community redevelopment agencies for a community redevelopment ~~project~~ as defined in this part. Such assistance may include, but need not be limited to, preparation of workable programs, relocation planning, special statistical and other studies and compilations, technical evaluations and information, training activities, professional services, surveys, reports, documents, and any other similar service functions. If sufficient funds and personnel are available, these services shall be provided without charge.

Section 20. Subsection (1) of section 200.065, Florida Statutes, is amended to read:

200.065 Method of fixing millage.—

(1) Upon completion of the assessment of all property pursuant to s. 193.023, the property appraiser shall certify to each taxing authority the taxable value within the jurisdiction of the taxing authority. This certification shall include a copy of the statement required to be submitted under s. 195.073(3), as applicable to that taxing authority. In making the certification, the property appraiser shall not delete from the tax roll the value of any exemption or fractional assessment for which the taxing authority is entitled to replacement revenues pursuant to state law. Separate certifications shall be made to school districts for the purpose of taxes levied pursuant to s. 236.02(6) and for other levies. The form on which the certification is made shall include instructions to each taxing authority describing the proper method of computing a millage rate which, exclusive of *any increase in the assessed value of taxable real property by which a tax increment is measured for such taxing authority pursuant to s. 163.387,* new construction, additions to structures,

deletions, and property added due to geographic boundary changes, will provide the same ad valorem tax revenue for each taxing authority as was levied during the prior year. That millage rate shall be known as the "rolled-back rate." The information provided pursuant to this subsection shall also be sent to the tax collector by the property appraiser at the time it is sent to each taxing authority.

Section 21. Notwithstanding any other provision of general or special law, the purposes for which any taxing authority, as defined in s. 163.340(2), Florida Statutes, may levy taxes or appropriate funds to a redevelopment trust fund include the preservation and enhancement of the tax base of such taxing authority and the furthering of the purposes of such taxing authority as provided by law.

Section 22. Section 10 shall not apply to any governing body of a county or municipality or to a community redevelopment agency if such governing body has approved and adopted a community redevelopment plan pursuant to s. 163.360, Florida Statutes, before this act becomes a law. Sections 10, and 14 shall not apply to any governing body of a county or municipality or to a community redevelopment agency if such governing body or agency has adopted an ordinance or resolution authorizing the issuance of any bonds, notes, or other forms of indebtedness to which is pledged increment revenues pursuant only to a community redevelopment plan as approved and adopted before this act becomes a law.

Section 23. Subsection (19) of section 159.27, Florida Statutes, is amended to read:

159.27 Definitions.—The following words and terms, unless the context clearly indicates a different meaning, shall have the following meanings:

(19) "Commercial project in an enterprise zone" means buildings, building additions or renovations, or other structures to be newly constructed and suitable for use by a commercial enterprise, and includes the site on which such building or structures are located, located *either* in an area designated as an enterprise zone pursuant to s. 290.005 and approved by the secretary of the Department of Community Affairs pursuant to s. 290.006 *or in an area authorized to be an enterprise zone pursuant to s. 290.0055 and approved by the secretary of the Department of Community Affairs pursuant to s. 290.0065.* For the purposes of this section, the term "enterprise zone" shall have the same meaning as in s. 290.004(1).

Section 24. Subsection (8) is added to section 166.231, Florida Statutes, to read:

166.231 Municipalities; public service tax.—

(8)(a) A municipality may by ordinance exempt not less than 50 percent of the tax imposed under this section on purchasers of electrical energy who are determined to be eligible for the exemption provided by s. 212.08(12) by the Department of Revenue. The exemption shall be administered as provided in said section. Not less than 14 days prior to its effective date, a copy of any ordinance adopted pursuant to this subsection shall be provided to the Department of Revenue.

(b) In the event an area authorized to be an enterprise zone pursuant to s. 290.0055 has not yet been approved pursuant to s. 290.0065, a municipality may enact an ordinance for said exemption; however, the ordinance shall not be effective until such area is approved pursuant to s. 290.0065.

(c) This subsection shall expire and be void on December 31, 1994, except that any qualified business which has satisfied the requirements of this subsection prior to said date shall be allowed the full benefit of the exemption allowed under this subsection as if this subsection had not expired on said date.

Section 25. Subsections (1), (3) and (4) of section 193.077, Florida Statutes, are amended to read:

193.077 Notice of new, rebuilt, or expanded property.—

(1) The property appraiser shall accept notices on or before April 1 of the year in which the new or additional real or personal property acquired to establish a new business or facilitate a business expansion or restoration is first subject to assessment. The notice shall be filed, on a form prescribed by the department, by any business seeking to qualify for an *enterprise zone property* ~~economic revitalization~~ tax ~~incentive~~ credit as a new or expanded business pursuant to s. 220.182(3).

(3) Within 10 days of extension or recertification of the assessment rolls pursuant to s. 193.122, whichever is later, the property appraiser shall forward to the department a list of all property of new businesses and property separately assessed as expansion-related or rebuilt property pursuant to s. 193.085(6)(a). The list shall include the name and address of the business to which the property is assessed, the assessed value of the property, the total ~~school~~ taxes levied against the property, the identifying number for the property as shown on the assessment roll, and a description of the property.

(4) The provisions of this section shall expire and be void on December 31, *1994* ~~1986~~.

Section 26. Subsection (6) of section 193.085, Florida Statutes, is amended to read:

193.085 Listing all property.—

(6)(a) Beginning in the year in which a notice of new, rebuilt, or expanded property is accepted and certified pursuant to s. 193.077 and for the 9 years immediately thereafter, the property appraiser shall separately assess the prior existing property and the expansion-related or rebuilt property, if any, of each business having submitted said notice pursuant to s. 220.182(3). The listing of expansion-related or rebuilt property on an assessment roll shall immediately follow the listing of prior existing property for each expanded business. However, beginning with the first assessment roll following receipt of a notice from the department that a business has been disallowed an *enterprise zone property* ~~economic revitalization~~ tax ~~incentive~~ credit, the property appraiser shall singly list the property of such business.

(b) The provisions of this section shall expire and be void on December 31, *1994* ~~1986~~.

Section 27. Subsection (5) of section 195.073, Florida Statutes, is amended to read:

195.073 Classification of property.—All items required by law to be on the assessment rolls shall receive a classification based upon the use of the property. The department shall promulgate uniform definitions for all classifications. The department may designate other subclassifications of property. No assessment roll may be approved by the department which does not show proper classifications.

(5)(a) Rules adopted pursuant to this section shall provide for the separate identification of property as prior existing property of an expanded or rebuilt business, as expansion-related property of an expanded or rebuilt business, and as property of a new business, in the event the business qualifies for an *enterprise zone property* ~~economic revitalization~~ tax ~~incentive~~ credit pursuant to s. 220.182, in addition to classification according to use.

(b) The provisions of this subsection shall expire and be void on December 31, *1994* ~~1986~~.

Section 28. Subsection (1) of section 195.099, Florida Statutes, is amended to read:

195.099 Periodic review.—

(1)

(b) The provisions of this subsection shall expire and be void on December 31, *1994* ~~1986~~.

Section 29. Paragraph (b) of subsection (14) and subsection (15) of section 196.012, Florida Statutes, are amended, and subsection (18) is added to said section to read:

196.012 Definitions.—For the purpose of this chapter, the following terms are defined as follows, except where the context clearly indicates otherwise:

(14) "New business" means:

(b) *Any* ~~A~~ business located in ~~an area designated as~~ an enterprise zone *that first begins operation on a site clearly separate from any other commercial or industrial operation owned by the same business* ~~pursuant to s. 290.005. For the purpose of this section, the term "enterprise zone" has the same meaning as in s. 290.004(1)~~.

(15) "Expansion of an existing business" means:

(a)*1.* A business establishing 10 or more jobs to employ 10 or more full-time employees in this state, which manufactures, processes, compounds, fabricates, or produces for sale items of tangible personal property at a fixed location and which comprises an industrial or manufacturing plant; or

2.~~(b)~~ A business establishing 25 or more jobs to employ 25 or more full-time employees in this state, the sales factor of which, as defined by s. 214.71(3), for the facility with respect to which it requests an economic development ad valorem tax exemption is less than 0.50 for each year the exemption is claimed;

provided that such business increases operations on a site colocated with a commercial or industrial operation owned by the same business, resulting in a net increase in employment of not less than 10 percent or an increase in productive output of not less than 10 percent.

(b) Any business located in an enterprise zone that increases operations on a site colocated with a commercial or industrial operation owned by the same business.

(18) "Enterprise zone" means an area either designated pursuant to s. 290.005 and approved by the secretary of the Department of Community Affairs pursuant to s. 290.006 or authorized to be an enterprise zone pursuant to s. 290.0055 and approved by the secretary of the Department of Community Affairs pursuant to s. 290.0065.

Section 30. Subsection (4) of section 196.1995, Florida Statutes, is amended, subsections (3), (4), (5), (6), (7), and (8) of said section are renumbered as subsections (4), (5), (6), (7), (8), and (9), respectively, and a new subsection (3) is added to said section to read:

196.1995 Economic development ad valorem tax exemption.—

(3) The board of county commissioners or the governing authority of any municipality which calls a referendum within its total jurisdiction to determine whether its respective jurisdiction may grant economic development ad valorem tax exemptions may vote to limit the effect of the referendum to authority to grant economic development tax exemptions for new businesses and expansions of existing businesses located in an enterprise zone. In the event an area authorized to be an enterprise zone pursuant to s. 290.0055 has not yet been approved pursuant to s. 290.0065, the board of county commissioners or the governing authority of any municipality may call such referendum prior to such approval; however, the authority to grant economic development ad valorem tax exemptions shall not apply until such area is approved pursuant to s. 290.0065. The ballot question in such referendum shall be in substantially the following form and shall be used in lieu of the ballot question prescribed in subsection (2):

Shall the board of county commissioners of this county (or the governing authority of this municipality, or both) be authorized to grant, pursuant to s. 3, Art. VII of the State Constitution, property tax exemptions for new businesses and expansions of existing businesses which are located in an enterprise zone?

Yes - For authority to grant exemptions.

No - Against authority to grant exemptions.

(5)~~(4)~~ Upon a majority vote in favor of such authority, the board of county commissioners or the governing authority of any municipality, at its discretion, by ordinance may exempt from ad valorem taxation 100 percent of the assessed value of all improvements to real property made by or for the use of a new business and all tangible personal property of such new business, or 100 percent of the assessed value of all added improvements to real property made to facilitate the expansion of an existing business and of the net increase in all tangible personal property acquired to facilitate such expansion of an existing business. *However, if the authority to grant exemptions is approved in a referendum in which the ballot question contained in subsection (3) appears on the ballot, the authority of the board of county commissioners or the governing authority of the municipality to grant exemptions shall be limited solely to new businesses and expansions of existing businesses which are located in an enterprise zone.* Property acquired to replace existing property shall not be considered to facilitate a business expansion. The exemption shall apply only to taxes levied by the respective unit of government granting the exemption. The exemption shall not apply, however, to taxes levied for payment of bonds or to taxes authorized by a vote of the electors pursuant to s. 9(b) or s. 12, Art. VII of the State Constitution. Any such exemption shall remain in effect for up to 10 years with respect to any particular facility, regardless of any change in the authority of the county or municipality to grant such exemptions. The exemption shall not be prolonged or extended by granting exemptions from additional taxes or by virtue of any reorganization or sale of the business receiving the exemption.

Section 31. Subsection (7) is added to section 205.022, Florida Statutes, to read:

205.022 Definitions.—When used in this chapter, the following terms and phrases shall have the meaning ascribed to them in this section, except when the context clearly indicates a different meaning:

(7) "Enterprise zone" means an area authorized to be an enterprise zone pursuant to s. 290.0055 and approved by the secretary of the Department of Community Affairs pursuant to s. 290.0065. This subsection shall stand repealed on September 30, 1994.

Section 32. Section 205.054, Florida Statutes, is created to read:

205.054 Occupational licenses; partial exemption in enterprise zones.—

(1) Notwithstanding the provisions of s. 205.033(1)(a) or s. 205.043(1)(a), the governing body of a county or municipality may authorize by appropriate resolution or ordinance, adopted pursuant to the procedures established in s. 205.032 or s. 205.042, the exemption of 50 percent of the rate levied as an occupational license tax for the privilege of engaging in or managing any business, profession or occupation in its respective jurisdiction when such privilege is exercised at a permanent business location or branch office located in an enterprise zone.

(2) Such exemption shall apply to all classifications for which occupational licenses are required in a jurisdiction. Classifications shall be the same in an enterprise zone as elsewhere in the jurisdiction. All licenses issued with the exemption authorized in this section shall be in the same general form as other county and municipal licenses and shall expire at the same time as other licenses are fixed by law to expire. Any license issued with the exemption authorized in this section shall be nontransferable. The exemption authorized in this section shall not apply to any penalty authorized in s. 205.053.

(3) Each and every tax collecting authority of a county or municipality providing the exemption authorized herein shall issue to such persons as may be entitled to said exemption a license pursuant to the provisions contained herein. Before issuing a license with the exemption authorized herein, proof shall be provided in each case to the tax collecting authority that the applicant is entitled to such exemption. Such proof shall be made by means of a statement filed under oath with the tax collecting authority which indicates that the permanent business location or branch office of the applicant is located in an enterprise zone of a jurisdiction which has authorized the exemption permitted herein.

(4) All licenses obtained with the exemption authorized herein by the commission of fraud upon any issuing authority shall be deemed null and void. Any person who has fraudulently obtained such exemption and thereafter engaged in any business, profession or occupation requiring a license under color thereof shall be subject to prosecution as for engaging in a business or occupation without having the required license under the laws of the state.

(5) In the event an area authorized to be an enterprise zone pursuant to s. 290.0055 has not yet been approved pursuant to s. 290.0065, the governing body of a county or municipality may enact the appropriate ordinance or resolution authorizing the exemption permitted herein; however, such ordinance or resolution shall not be effective until such area is approved pursuant to s. 290.0065.

(6) This section shall stand repealed on September 30, 1994, and no license shall be issued with the exemption authorized herein for any period beginning on or after October 1, 1994.

Section 33. Subsection (23) is added to section 212.02, Florida Statutes, to read:

212.02 Definitions.—The following terms and phrases when used in this chapter shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

(23) "Enterprise zone" means an area of the state authorized to be an enterprise zone pursuant to s. 290.0055 and approved by the secretary of the Department of Community Affairs pursuant to s. 290.0065. This subsection shall expire and be void on December 31, 1994.

Section 34. Paragraphs (f) and (g) are added to subsection (5) of section 212.08, Florida Statutes, a new subsection (12) is added to said section, and present subsection (12) is renumbered as subsection (13), to read:

212.08 Sales, rental, use, consumption, distribution, and storage tax; specified exemptions.—The sale at retail, the rental, the use, the consumption, the distribution, and the storage to be used or consumed in this state of the following tangible personal property are hereby specifically exempt from the tax imposed by this chapter.

(5) EXEMPTIONS; ACCOUNT OF USE.—

(f) Building materials used in the rehabilitation of real property located in an enterprise zone.—

1. Building materials used in the rehabilitation of real property located in an enterprise zone shall be exempt from the tax imposed by this chapter upon an affirmative showing to the satisfaction of the department that said items have been used for the rehabilitation of real property located in an enterprise zone. Except as provided in subparagraph 2., this exemption shall inure to the owner, lessee or lessor of the rehabilitated real property located in an enterprise zone only through a refund of previously paid taxes. To receive a refund pursuant to this paragraph, the owner, lessee, or lessor of the rehabilitated real property located in an enterprise zone shall file an application under oath which shall include:

a. The name and address of the person claiming the refund.

b. The refund permit number assigned pursuant to s. 212.095 to such person.

c. An address and assessment roll parcel number of the rehabilitated real property in an enterprise zone for which a refund of previously paid taxes is being sought.

d. A description of the improvements made to accomplish the rehabilitation of the real property.

e. A copy of the building permit issued for the rehabilitation of the real property.

f. A sworn statement, under the penalty of perjury, from the general contractor licensed in this state with whom the applicant contracted to make the improvements necessary to accomplish the rehabilitation of the real property which lists the building materials used in the rehabilitation of the real property, the actual cost of the building materials and the amount of sales tax paid in this state on the building materials. In the event that no general contractor has been used, the applicant shall provide this information in a sworn statement, under the penalty of perjury. A copy of the invoices evidencing the purchase of the building materials used in such rehabilitation and the payment of sales tax on the building materials shall be attached to the sworn statement provided by the general contractor or by the applicant. Unless the actual cost of building materials used in the rehabilitation of real property and the payment of sales taxes due thereon is documented by a general contractor or by the applicant in said manner, the cost of such building materials shall be an amount equal to 40 percent of the increase in assessed value for ad valorem tax purposes.

g. Either the identifying number assigned pursuant to s. 290.0065 to the enterprise zone in which the rehabilitated real property is located, or such alternative proof as may be prescribed by the department, with the concurrence of the secretary of the Department of Community Affairs, that rehabilitated real property is located in an enterprise zone.

h. A certification by the property appraiser that the improvements necessary to accomplish the rehabilitation of the real property are substantially completed and that the assessed value for ad valorem tax purposes is, or on the next ad valorem tax roll will be, 30 percent or more greater than the assessed value for ad valorem tax purposes of the real property on the prior year assessment roll.

2. This exemption shall inure to a city, county or other governmental agency through a refund of previously paid taxes if the building materials used in the rehabilitation of real property located in an enterprise zone are paid for from the funds of a community development block grant or similar grant or loan program. To receive a refund pursuant to this paragraph, a city, county or other governmental agency shall file an application which shall include the same information required to be provided in subparagraph 1. of an owner, lessee, or lessor of rehabilitated real property. In addition, said application shall include a sworn statement signed by the chief executive officer of the city, county or other governmental agency seeking a refund stating that the building materials for which a refund is sought were paid for from the funds of a community development block grant or similar grant or loan program.

3. The provisions of s. 212.095(4) shall not apply to any refund application made pursuant to this paragraph. No more than one exemption through a refund of previously paid taxes for the rehabilitation of real property shall be permitted for any one parcel of real property. No refund shall be granted pursuant to this paragraph unless the amount to be refunded exceeds $500. No refund granted pursuant to this paragraph shall exceed the lesser of 97 percent of 5 percent of the cost of the building materials used in the rehabilitation of the real property as determined pursuant to subparagraph 1.f. or $5,000. A refund approved pursuant to this paragraph shall be made within 30 days of formal approval by the department of the application for the refund.

4. The department shall adopt rules governing the manner and form of refund applications and may establish guidelines as to the requisites for an affirmative showing of qualification for exemption under this paragraph.

5. The department shall deduct an amount equal to 10 percent of each refund granted under the provisions of this paragraph from the amount deposited in the Local Government Half-cent Sales Tax Clearing Trust Fund pursuant to s. 218.61 for the county area in which the rehabilitated real property is located and shall transfer said amount to the General Revenue Fund.

6. For the purposes of the exemption provided in this paragraph:

a. "Rehabilitation of real property" means the reconstruction, renovation, restoration, rehabilitation, construction, or expansion of improvements to real property such that when substantially completed the assessed value for ad valorem tax purposes is 30 percent or more greater than the assessed value for ad valorem tax purposes of the real property on the prior year assessment roll.

b. "Substantially completed" has the same meaning as provided in s. 192.042(1).

c. "Real property" has the same meaning as provided in s. 192.001(12).

d. "Building materials" means tangible personal property which becomes a component part of improvements to real property.

7. The provisions of this paragraph shall expire and be void on December 31, 1994.

(g) Business property used in an enterprise zone.—

1. Business property purchased for use by businesses located in an enterprise zone which is subsequently used in an enterprise zone shall be exempt from the tax imposed by this chapter, if no less than 20 percent of the employees of the business are residents of an enterprise zone, excluding temporary employees. This exemption shall inure to the business only through a refund of previously paid taxes. A refund shall be authorized upon an affirmative showing by the taxpayer to the satisfaction of the department that the requirements of this paragraph have been met.

2. To receive a refund the business shall file under oath, after the employment requirements of subparagraph 8. have been satisfied, an application which shall include:

a. The name and address of the business claiming the refund.

b. The refund permit number assigned pursuant to s. 212.095 to such business.

c. Either the identifying number assigned pursuant to s. 290.0065 to the enterprise zone in which the business is located, or such alternative proof as may be prescribed by the department, with the concurrence of the secretary of the Department of Community Affairs, that the business is located in an enterprise zone.

d. A specific description of the property for which a refund is sought, including serial number or other permanent identification number.

e. The location of the property.

f. The sales invoice or other proof of purchase of the property, showing the amount of sales tax paid, the date of purchase, and the name and address of the sales tax dealer from which the property was purchased.

g. The name and address of each permanent employee of the business including, for each employee who is a resident of an enterprise zone, the identifying number assigned pursuant to s. 290.0065 to the enterprise zone in which the employee resides, or such alternative proof as may be prescribed by the department, with the concurrence of the secretary of the Department of Community Affairs, that the employee is a resident of an enterprise zone.

3. The provisions of s. 212.095(4) shall not apply to any refund application made pursuant to this paragraph. The amount refunded on purchases of business property under this paragraph shall be 97 percent of the sales tax paid on said business property. A refund approved pursuant to this paragraph shall be made within 30 days of formal approval by the department of the application for the refund. No refund shall be granted under this paragraph unless the amount to be refunded exceeds $100 in sales tax paid on purchases made within a 60-day time period.

4. The department shall adopt rules governing the manner and form of refund applications and may establish guidelines as to the requisites for an affirmative showing of qualification for exemption under this paragraph.

5. If the department determines that the business property is used outside an enterprise zone within 3 years from the date of purchase, the amount of taxes refunded to the business purchasing said business property shall immediately be due and payable to the department by said business, together with the appropriate interest and penalty, computed from the date of purchase, in the manner provided by this chapter.

6. The department shall deduct an amount equal to 10 percent of each refund granted under the provisions of this paragraph from the amount deposited in the Local Government Half-cent Sales Tax Clearing Trust Fund pursuant to s. 218.61 for the county area in which the business property is located and shall transfer said amount to the General Revenue Fund.

7. For the purposes of this exemption, "business property" means new or used property defined as "recovery property" in s. 168(c) of the Internal Revenue Code of 1954, as amended, except:

a. Property classified as 3-year property under s. 168(c)(2)(A) of the Internal Revenue Code of 1954, as amended;

b. Industrial machinery and equipment as defined in paragraph (b)6.a.; and

c. Building materials as defined in paragraph (f)6.d.

8. The employment requirements established by this paragraph shall be met during the time period beginning 90 days prior to the date of the initial purchase for which a refund is sought and ending 90 days after the date of the last purchase for which a refund is sought under this paragraph. However, if the business did not exist or was not operating in the enterprise zone 90 days prior to the date of the initial purchase, the employment requirements established by this paragraph shall be met for not less than 90 days after the date of the last purchase for which a refund is sought.

9. The provisions of this paragraph shall expire and be void on December 31, 1994.

(12) ELECTRICAL ENERGY USED IN AN ENTERPRISE ZONE.—

(a) Charges for electrical energy used by a qualified business at a fixed location in an enterprise zone in a municipality which has enacted an ordinance pursuant to s. 166.231(8) providing for exemption of municipal utility taxes on such businesses shall be exempt from the tax imposed by this chapter for a period of 5 years from the billing period beginning not more than 30 days following notification to the applicable utility company by the department that an exemption has been authorized pursuant to this subsection.

(b) To receive this exemption, a business shall file an application, on a form provided by the department for the purposes of this subsection and s. 166.231(8). The application shall be made under oath and shall include:

1. The name and location of the business.

2. Either the identifying number assigned pursuant to s. 290.0065 to the enterprise zone in which the business is located, or such alternative proof as may be prescribed by the department, with the concurrence of the secretary of the Department of Community Affairs, that the business is located in an enterprise zone.

3. The date on which electrical service is to be first initiated to the business.

4. The name and mailing address of the entity from which electrical energy is to be purchased.

5. The date of the application.

6. The name of the city in which the business is located.

7. The name and address of each permanent employee of the business including, for each employee who is a resident of an enterprise zone, the identifying number assigned pursuant to s. 290.0065 to the enterprise zone in which the employee resides, or such alternate proof as may be prescribed by the department, with the concurrence of the secretary of the Department of Community Affairs, that the employee is a resident of an enterprise zone.

(c) If, in a subsequent audit conducted by the department, it is determined that the business did not meet the criteria mandated in this subsection, the amount of taxes exempted shall immediately be due and payable to the department by the business, together with the appropriate interest and penalty, computed from the due date of each bill for the electrical energy purchased as exempt under this subsection, in the manner prescribed by this chapter.

(d) The department shall adopt rules governing applications for, issuance of, and the form of applications for, the exemption authorized in this subsection; provisions for recapture of taxes exempted under this subsection; and may establish guidelines as to qualifications for exemption.

(e) For the purpose of the exemption provided in this subsection, "qualified business" means a business for which not less than 20 percent of its employees are residents of an enterprise zone, excluding temporary employees, for the 5 year duration of this exemption, except as provided in paragraph (f), and which is:

1. First occupying a new structure to which electrical service, other than that used for construction purposes, has not been previously provided or furnished;

2. Newly occupying an existing, remodeled, renovated or rehabilitated structure to which electrical service, other than that used for remodeling, renovation or rehabilitation of said structure has not been provided or furnished in the three preceding billing periods; or

3. Occupying a new, remodeled, rebuilt, renovated or rehabilitated structure for which a refund has been granted pursuant to paragraph (5)(f).

(f) The employment requirements established by this subsection shall be satisfied, without exception, for the first 6 months of the exemption period authorized in this subsection. Subsequently, any qualified business which fails for a period of 30 consecutive days to maintain such employment requirements shall be ineligible for the remainder of the exemption authorized in this subsection.

(g) This subsection shall expire and be void on December 31, 1994, except that:

1. Paragraph (c) shall not expire; and

2. Any qualified business which has been granted an exemption under this subsection prior to said date shall be allowed the full benefit of this exemption as if this subsection had not expired on said date.

Section 35. Section 212.096, Florida Statutes, is created to read:

212.096 Sales, rental, storage, use tax; credit against tax for job creation in enterprise zones.—

(1) For the purposes of the credit provided in this section:

(a) "Eligible business" means any sole proprietorship, firm, partnership, corporation, bank, savings association, estate, trust, business trust,

receiver, syndicate or other group or combination, or successor business, which has not claimed the credit permitted under s. 220.181 for any new business employee first beginning employment with the business after January 1, 1987.

(b) "New employee" means a person residing in an enterprise zone who begins employment with an eligible business after January 1, 1987. A new employee also means a recipient of aid to families with dependent children for the 3 months prior to his employment if the eligible business employing such person is located in an enterprise zone and the employment begins after January 1, 1987. A person shall be deemed to be so employed if he performs duties in connection with the operations of the business on a regular, full-time basis, provided he is performing such duties at least 36 hours per week, or a part-time basis, provided he is performing such duties at least 20 hours per week throughout the year. Except as provided in subsection (5), a new employee shall not be a person who has been previously employed or who was hired to replace a person who had been employed within the preceding 12 months by the eligible business, or a successor eligible business, claiming the credit allowed by this section.

(c) "Aid to families with dependent children" means the program authorized in s. 409.235.

(d) "Month" means either a calendar month or the time period from any day of any month to the corresponding day of the next succeeding month or, if there is no corresponding day in the next succeeding month, the last day of the succeeding month.

(2) It is the legislative intent to encourage provision of meaningful employment opportunities which will improve the quality of life of those employed and encourage economic expansion of enterprise zones and the state. Therefore, upon an affirmative showing by a business to the satisfaction of the department that the requirements of this section have been met, the business shall be allowed a credit against the tax remitted under this chapter. The credit shall be $130 per month of employment for each new full-time employee or $65 per month of employment for each new part-time employee. The credit shall be allowed for up to the following terms beginning with the second tax return due pursuant to s. 212.11 after employment of the new employee:

(a) Twenty-four consecutive months, if the business is located in an enterprise zone; or

(b) Twelve consecutive months.

(3) In order to claim this credit, an eligible business, in conjunction with its first tax return due pursuant to s. 212.11 after the employment of a new employee, shall provide under oath a statement including:

(a) For each new employee for whom this credit is claimed, his or her name and place of residence on the last day of business of the reporting period for which the tax return applies.

(b) If applicable, any one of the following:

1. The identifying number assigned pursuant to s. 290.0065 to the enterprise zone in which the new employee resides;

2. A certification, which includes the identifying number, from the Department of Labor and Employment Security that the new employee is a resident of an enterprise zone; or

3. Such alternative proof as may be prescribed by the department, with the concurrence of the secretary of the Department of Community Affairs and the secretary of the Department of Labor and Employment Security, that the new employee is a resident of an enterprise zone.

(c) If applicable, the identifying number assigned pursuant to s. 290.0065 to the enterprise zone in which the business is located, or such alternative proof as may be prescribed by the department, with the concurrence of the secretary of the Department of Community Affairs, that the business is located in an enterprise zone.

(d) If applicable, a certification from the Department of Health and Rehabilitative Services that the new employee was a recipient of aid to families with dependent children for the 3 months prior to his employment by an eligible business.

(4) In the event the application is insufficient to support the credit authorized herein, the department shall deny the credit and notify the business of said fact prior to the time the second tax return is due. The business may reapply for this credit.

(5)(a) If a new employee no longer meets the requirements for the credit prior to having been employed by an eligible business for 12 consecutive months, the business shall be allowed to employ a replacement new employee who may qualify as a new employee only for the unused portion of the original 12 consecutive month time period of the credit. This paragraph shall not apply more than once for each job. In order to claim credit for a replacement new employee, an eligible business shall supply the information required pursuant to subsection (3) with the first tax return due after his or her employment.

(b) Notwithstanding paragraph (a), if a new employee of an eligible business located in an enterprise zone no longer meets the requirements for this credit, the business shall be allowed to employ a replacement new employee who may qualify as a new employee only for the unused portion of the original 24 consecutive months of this credit. This paragraph shall not apply more than twice for each job.

(6) The credit provided in this section shall not apply for any new employee who is an owner, partner or stockholder of an eligible business. This credit shall not apply for any new employee whose actual monthly wages exceed $1,500 per month. The amounts paid as wages to new employees shall be the compensation paid to such employees which are subject to unemployment tax. This credit shall not apply for any new employee who is employed for any period less than one full calendar month. The credit provided in this section shall not be allowed for any month in which the tax due for such period or the tax return required pursuant to s. 212.11 for such period is delinquent.

(7) In the event an eligible business has a credit larger than the amount owed the state on the tax return for the time period in which the credit is claimed, the amount of the credit for that time period shall be the amount owed the state on said tax return.

(8) Any business which has claimed this credit shall not be allowed any credit under the provisions of s. 220.181 for any new employee beginning employment after January 1, 1987.

(9) It shall be the responsibility of each business to affirmatively demonstrate to the satisfaction of the department that it meets the requirements of this section.

(10) The following persons shall be deemed not to have been hired to replace a person who had been employed within the preceding 12 months by the business claiming this credit:

(a) Each person hired in excess of the average employment reported by the business for unemployment compensation tax purposes for the 4 quarters preceding the beginning of the taxable year.

(b) Each person hired who does not represent an increase in employment as calculated under paragraph (a), if one of the following is true:

1. The person is employed at a location more than 100 miles from the location at which the prior employee was employed;

2. The person is employed in a position that has a different classification for workers' compensation insurance purposes from the position of the prior employee;

3. The person performs duties substantially different from those of the prior employee; or

4. Such other indications are present, as may reasonably be deemed sufficient by the department.

(11) Any person fraudulently claiming this credit shall be liable for repayment of the credit plus a mandatory penalty of 100 percent of the credit, plus interest at the rate provided in this chapter, and shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(12) The provisions of this section, except for subsection (11), shall expire and be void on December 31, 1994.

Section 36. Paragraphs (a) and (c) of subsection (7) and paragraphs (a) and (c) of subsection (8) of section 220.02, Florida Statutes, are amended to read:

220.02 Legislative intent.—

(7)(a) It is the intent of the Legislature that the *enterprise zone* ~~economic revitalization~~ jobs ~~creation incentive~~ credit provided by s. 220.181 be applicable only to those businesses which employ residents of

enterprise zones *and those businesses in enterprise zones which employ recipients of aid to families with dependent children.* It is further the intent of the Legislature to provide an incentive for the increased provision of such employment opportunities as will lead to the improvement of the quality of life of those employed and the positive expansion of the economy of the state as well as the economy of present enterprise zones.

(c) The provisions of this subsection shall expire and be void on June 30, *1994* ~~1986~~.

(8)(a) It is the intent of the Legislature that the *enterprise zone property* ~~economic revitalization~~ tax ~~incentive~~ credit provided by s. 220.182 be applicable only to those new or expanded businesses located in enterprise zones which make a positive expansionary contribution to the economy of this state and to the economy of their local communities in terms of new jobs for residents of enterprise zones and improvements to real and personal property located in enterprise zones.

(c) The provisions of this subsection shall expire and be void on December 31, *1994* ~~1986~~.

Section 37. Paragraphs (a), (c), (d), (f), (i), (j), (k), (o), (p), (q), (t), (u), and (x) of subsection (1) of section 220.03, Florida Statutes, are amended, and paragraph (cc) is added to said subsection, to read:

220.03 Definitions.—

(1) SPECIFIC TERMS.—When used in this code, and when not otherwise distinctly expressed or manifestly incompatible with the intent thereof, the following terms shall have the following meanings:

(a) "Ad valorem ~~school~~ taxes paid" means 96 percent of property taxes levied for *operating* ~~school~~ purposes and does not include interest, penalties, or discounts forgone. In addition, the term "ad valorem ~~school~~ taxes paid," for purposes of the credit in s. 220.182, means the ad valorem tax ~~for school purposes~~ paid on new or additional real or personal property acquired to establish a new business or facilitate a business expansion, including pollution and waste control facilities, or any part thereof, and including one or more buildings or other structures, machinery, fixtures, and equipment. The provisions of this paragraph shall expire and be void on December 31, *1994* ~~1986~~.

(c) "Business" or "business firm" means any business entity authorized to do business in this state as defined in paragraph (y), and any bank or savings and loan association as defined in s. 220.62, subject to the tax imposed by the provisions of this chapter. The provisions of this paragraph shall expire and be void on June 30, *1994* ~~1986~~.

(d) "Community contribution" means the grant by a business firm of any of the following items:

1. Cash or other liquid assets.

2. Real property.

3. Goods or inventory.

4. Other physical resources as identified by the department.

The provisions of this paragraph shall expire and be void on June 30, *1994* ~~1986~~.

(f)1. "Department" means the Department of Revenue of this state.

2. "Department," for the purposes of s. 220.183, means the Department of Community Affairs. The provisions of this subparagraph shall expire and be void on June 30, *1994* ~~1986~~.

(i) "Emergency," as used in s. 220.02 and in paragraph (u) of this subsection, means occurrence of widespread or severe damage, injury, or loss of life or property proclaimed pursuant to s. 14.022 or declared pursuant to s. 252.36. The provisions of this paragraph shall expire and be void on December 31, *1994* ~~1986~~.

(j) "Enterprise zone" means an area in the state *either* designated pursuant to s. 290.005 and approved by the secretary of the Department of Community Affairs pursuant to s. 290.006, *or authorized to be an enterprise zone pursuant to s. 290.0055 and approved by the secretary of the Department of Community Affairs pursuant to s. 290.0065,* as an area appropriate for the purposes of the credits provided in ss. 220.181 and 220.182. The provisions of this paragraph shall expire and be void on December 31, *1994* ~~1986~~.

(k)1. "Expansion of an existing business," for the purposes of the gasohol development tax incentive credit, refers to capital investment in a productive business operation, not defined as a new business, which results in a net increase in the amount of real or tangible personal property owned by it or, in the case of government-owned real property, leased by it, for the purpose of engaging in the distillation of ethyl alcohol for use in motor fuels or in the manufacture of equipment for the processing and distillation of ethyl alcohol for use in motor fuels.

2. "Expansion of an existing business," for the purposes of the *enterprise zone property* ~~economic revitalization~~ tax ~~incentive~~ credit, means any business entity authorized to do business in this state as defined in paragraph (y), and any bank or savings and loan association as defined in s. 220.62, subject to the tax imposed by the provisions of this chapter, located in an enterprise zone, which expands by or through additions to real and personal property and which establishes five or more new jobs to employ five or more additional full-time employees in this state~~, a majority of whom are residents of an enterprise zone~~. The provisions of this subparagraph shall expire and be void on December 31, *1994* ~~1986~~.

(o) "Local government" means any county or incorporated municipality in the state. The provisions of this paragraph shall expire and be void on June 30, *1994* ~~1986~~.

(p)1. "New business," for the purposes of the gasohol development tax incentive credit, means a productive business operation, which heretofore did not exist in this state, engaged in the distillation of ethyl alcohol for use in motor fuels or in the manufacture of equipment for the processing and distillation of ethyl alcohol for use in motor fuels.

2. "New business," for the purposes of the *enterprise zone property* ~~economic revitalization~~ tax ~~incentive~~ credit, means any business entity authorized to do business in this state as defined in paragraph (y), or any bank or savings and loan association as defined in s. 220.62, subject to the tax imposed by the provisions of this chapter, first beginning operations on a site located in an enterprise zone and clearly separate from any other commercial or industrial operations owned by the same entity, bank, or savings and loan association~~, a majority of the employees of which are residents of an enterprise zone~~. The provisions of this subparagraph shall expire and be void on December 31, *1994* ~~1986~~.

(q) "New ~~business~~ employee" means a person residing in an enterprise zone who begins employment in the operations of a business after July 1, 1980. *A new employee also means a recipient of aid to families with dependent children for 3 months prior to his employment if the eligible business employing such person is located in an enterprise zone and the employment begins after July 1, 1984.* A person shall be deemed to be employed by such a business if he performs duties in connection with the operations of the business on:

~~1.~~ a ~~regular,~~ full-time basis, *provided he is performing such duties at least 36 hours per week, or*

~~2.~~ a part-time basis, provided he is performing such duties at least 20 hours per week throughout the year.

Except as provided in s. 220.181(1)*(c)*~~(b)~~, a new ~~business~~ employee shall not be a person who has been previously employed or who was hired to replace a person who had been employed within the preceding 12 ~~calendar~~ months by the business, or a successor business, claiming the credit allowed by s. 220.181. The provisions of this paragraph shall expire and be void on June 30, *1994* ~~1986~~.

(t) "Project" means any activity undertaken by an eligible sponsor, as defined in s. 220.183(4)(c), which is designed to construct, *improve,* or substantially rehabilitate housing or commercial, industrial, or public resources and facilities or to improve entrepreneurial and job-development opportunities for low-income persons. The provisions of this paragraph shall expire and be void on June 30, *1994* ~~1986~~.

(u) "Rebuilding of an existing business" means replacement or restoration of real or tangible property destroyed or damaged in an emergency, as defined in paragraph (i), in an enterprise zone, by a business entity authorized to do business in this state as defined in paragraph (y), or a bank or savings and loan association as defined in s. 220.62, subject to the tax imposed by the provisions of this chapter, located in the enterprise zone~~, a majority of the employees of which are residents of an enterprise zone~~. The provisions of this paragraph shall expire and be void on December 31, *1994* ~~1986~~.

(x) "Secretary" means the secretary of the Department of Community Affairs. The provisions of this paragraph shall expire and be void on June 30, *1994* ~~1986~~.

(cc) "Aid to families with dependent children" means the program authorized in s. 409.235. This paragraph shall stand repealed on June 30, 1994.

Section 38. Paragraph (a) of subsection (1) of section 220.13, Florida Statutes, is amended to read:

220.13 "Adjusted federal income" defined.—

(1) The term "adjusted federal income" means an amount equal to the taxpayer's taxable income as defined in subsection (2), or such taxable income of more than one taxpayer as provided in s. 220.131, for the taxable year, adjusted as follows:

(a) Additions.—There shall be added to such taxable income:

1. The amount of income tax paid or accrued as a liability to this state under this code which is deductible from gross income in the computation of taxable income for the taxable year.

2. The amount of interest which is excluded from taxable income under s. 103(a) of the Internal Revenue Code or any other federal law, less the associated expenses disallowed in the computation of taxable income under s. 265(2) of the Internal Revenue Code or any other law.

3. In the case of a regulated investment company or real estate investment trust, an amount equal to the excess of the net long-term capital gain for the taxable year over the amount of the capital gain dividends attributable to the taxable year.

4. That portion of the wages or salaries paid or incurred for the taxable year which is equal to the amount of the credit allowable for the taxable year under s. 220.181. The provisions of this subparagraph shall expire and be void on June 30, *1994* ~~1986~~.

5. That portion of the ad valorem ~~school~~ taxes paid or incurred for the taxable year which is equal to the amount of the credit allowable for the taxable year under s. 220.182. The provisions of this subparagraph shall expire and be void on December 31, *1994* ~~1986~~.

6. The amount of emergency excise tax paid or accrued as a liability to this state under chapter 221 which tax is deductible from gross income in the computation of taxable income for the taxable year.

7. That portion of assessments to fund a guaranty association incurred for the taxable year which is equal to the amount of the credit allowable for the taxable year.

8. That portion of the taxes paid under part II of chapter 212 which is equal to the amount of the credit allowable for the taxable year under s. 220.189.

Section 39. Section 220.181, Florida Statutes, is amended to read:

220.181 *Enterprise zone* ~~Economic revitalization~~ jobs ~~creation incentive~~ credit.—

(1)(a) There shall be allowed a credit against the tax imposed by this chapter to any business which establishes one or more jobs to employ one or more new ~~business~~ employees who are residents of an enterprise zone. The credit shall be computed as 25 percent of the actual monthly wages paid in this state to each new ~~business~~ employee for a period of up to 12 consecutive months.

(b) If a business eligible under paragraph (a) is located in an enterprise zone, the business shall be allowed this credit for 24 consecutive months.

(c)~~(b)~~1. If a new ~~business~~ employee *no longer meets the requirements* ~~becomes ineligible~~ for *this* ~~the~~ credit ~~provided in this section~~ prior to having been employed by the *business* ~~taxpayer~~ for 12 consecutive months, the *business* ~~taxpayer~~ shall be allowed to employ a replacement new ~~business~~ employee who *may qualify as a new employee only* ~~shall be eligible~~ for the unused portion of the original 12-consecutive-month time period of the credit. This subparagraph shall not apply more than once for each job ~~created for a new business employee for which credit has been claimed~~.

2. *Notwithstanding subparagraph 1.*, if *a new* ~~an~~ employee of a business located in an enterprise zone *no longer meets the requirements for this credit* ~~vacates the position for which he was employed as a new business employee and does not qualify for unemployment compensation, except for reasons of health, as outlined in s. 443.101(1)(a)~~, the business shall be allowed to employ a replacement new ~~business~~ employee ~~for the position~~ who *may qualify as a new employee only* ~~shall be eligible~~ for the *unused portion of the original 24* ~~credit provided in this section for a period of up to 12~~ consecutive months *of the credit.* ~~This subparagraph shall apply only to those jobs for which a credit has been allowed under this section for 12 months. No business shall be allowed a credit for the same new business employee for any period exceeding 12 months.~~ This subparagraph shall not apply more than *twice* ~~once~~ for each job ~~created for a new business employee for which the credit has been claimed~~.

~~In no event shall a business be allowed any credit for any job created pursuant to this section for any period in excess of 24 months.~~

(d)~~(c) The amounts paid as wages to new business employees shall be the compensation paid to such employees newly employed by a business during the taxable year and subject to unemployment tax. The~~ *This* credit *shall apply only to wages subject to unemployment tax and* ~~provided in this section~~ shall not apply for any new ~~business~~ employee whose wages exceed $1,500 per ~~calendar~~ month. *This credit shall not apply for any new employee who is employed for any period less than one full month.*

(e)~~(d)~~ If *this* ~~the~~ credit ~~granted pursuant to this section~~ is not fully used in any one year, the unused amount may be carried forward for a period not to exceed 5 years. The carryover credit may be used in a subsequent year when the tax imposed by this chapter for such year exceeds the credit for such year ~~under this section~~ after applying the other credits and unused credit carryovers in the order provided in s. 220.02(9).

(2)~~(a)~~ When filing for an *enterprise zone* ~~economic revitalization~~ jobs ~~creation incentive~~ credit, a business shall *provide under oath a statement including:*

(a) For each new employee for whom this credit is claimed, his or her name and place of residence during the taxable year.

(b) If applicable, one of the following:

1. The identifying number assigned pursuant to s. 290.006 or 290.0065 to the enterprise zone in which the new employee resides;

2. A certification, which includes the identifying number, from the Department of Labor and Employment Security that the new employee is a resident of an enterprise zone; or

3. Such alternative proof as may be prescribed by the department, with the concurrence of the secretary of the Department of Community Affairs and the secretary of the Department of Labor and Employment Security, that the new employee is a resident of an enterprise zone. ~~include a copy of the resolution required in s. 290.005 designating the area in which a new business employee resides as an enterprise zone and a copy of the approval of such by the secretary of the Department of Community Affairs pursuant to s. 290.006.~~

(c)~~(b)~~ *If applicable, the identifying number assigned pursuant to s. 290.006 or s. 290.0065 to the enterprise zone in which the eligible business is located, or such alternative proof as may be prescribed by the department, with the concurrence of the secretary of the Department of Community Affairs, that an eligible business is located in an enterprise zone.* ~~When filing for an economic revitalization jobs creation incentive credit pursuant to subparagraph (1)(b)2., a business shall include a copy of the resolution required in s. 290.005 designating the area in which the business is located as an enterprise zone and a copy of the approval of such by the secretary of the Department of Community Affairs pursuant to s. 290.006.~~

(d) If applicable, a certification from the Department of Health and Rehabilitative Services that the new employee was a recipient of aid to families with dependent children for the 3 months prior to his employment by an eligible business.

(3) ~~When filing for an economic revitalization jobs creation incentive credit, a business shall include a statement as set forth in this subsection which shall be filed under oath with the tax return on which the credit is claimed. The statement shall set forth the name and place of residence of each new business employee on the last day of business in the tax year for~~

~~which the credit is claimed or, if the employee is no longer employed or eligible for the credit on that date, the last calendar day of the last full calendar month the employee is employed or eligible for the credit.~~ It shall be a condition precedent to the granting of the credit that each employee for whom the credit is claimed be a resident of an enterprise zone during the period the credit is claimed *or have been a recipient of aid to families with dependent children.*

(4) It shall be the responsibility of the taxpayer to affirmatively demonstrate to the satisfaction of the department that he meets the requirements of this act.

(5) The following persons shall be deemed not to have been hired to replace a person who had been employed within the preceding 12 months by the business claiming this credit:

(a) Each person hired in excess of the average employment reported by the business for unemployment compensation tax purposes for the 4 quarters preceding the beginning of the taxable year.

(b) Each person hired who does not represent an increase in employment as calculated under paragraph (a) if one of the following is true:

1. The person is employed at a location more than 100 miles from the location at which the prior employee was employed;

2. The person is employed in a position that has a different classification for workers' compensation insurance purposes than the position of the prior employee;

3. The person performs duties substantially different from those of the prior employee; or

4. Such other indications are present as may reasonably be deemed sufficient by the department.

(6) For the purpose of this section, "month" means either a calendar month or the time period from any day of any month to the corresponding day of the next succeeding month or, if there is no corresponding day in the next succeeding month, the last day of the succeeding month.

(7) Any business which has claimed this credit shall not be allowed any credit under the provision of s. 212.096 for any new business employee beginning employment after January 1, 1987.

(8) No business which files an amended return pursuant to s. 220.23 for a taxable year shall be allowed any amount of credit or credit carryforward pursuant to this section in excess of the amount claimed by said business on its original return for the taxable year. The provisions of this subsection shall not apply to increases in the amount of credit claimed under this section on an amended return due to the use of any credit amount previously carried forward for the taxable year on the original return or any eligible prior year under paragraph (1)(e).

(9) Any person fraudulently claiming this credit shall be liable for repayment of the credit plus a mandatory penalty of 100 percent of the credit, plus interest at the rate provided in chapter 214, and shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

~~(5) The department shall promulgate any rules necessary to ensure the orderly implementation and administration of this act.~~

~~(6) The secretary of the Department of Community Affairs shall approve areas appropriate for the purposes of this section pursuant to s. 290.006.~~

(10)~~(7)~~ The provisions of this section, except *subsections (1)(e) and (9)* ~~paragraph (1)(d)~~, shall expire and be void on June 30, *1994* ~~1986~~.

Section 40. Subsection (9) of section 220.182, Florida Statutes, as amended by chapters 82-119 and 83-55, Laws of Florida, is hereby repealed, and paragraph (a) of subsection (1) and subsections (2), (4), (5), (6), (10), (11), (12), and (13) of said section are amended to read:

220.182 *Enterprise zone property* ~~Economic revitalization~~ tax ~~incentive~~ credit.—

(1)(a) There shall be allowed a credit against the tax imposed by this chapter to any business which establishes a new business as defined in s. 220.03(1)(p)2., expands an existing business as defined in s. 220.03(1)(k)2., or rebuilds an existing business as defined in s. 220.03(1)(u) in this state. The credit shall be computed annually as ad valorem ~~school~~ taxes paid in this state, in the case of a new business; the additional ad valorem ~~school~~ tax paid in this state resulting from assessments on additional real or tangible personal property acquired to facilitate the expansion of an existing business; or the ad valorem ~~school~~ taxes paid in this state resulting from assessments on property replaced or restored, in the case of a rebuilt business, including pollution and waste control facilities, or any part thereof, and including one or more buildings or other structures, machinery, fixtures, and equipment.

(2) The credit shall be available to a new business for a period not to exceed the year in which ad valorem ~~school~~ taxes are first levied against the business and the 9 years immediately thereafter. The credit shall be available to an expanded existing business for a period not to exceed the year in which ad valorem ~~school~~ taxes are first levied on additional real or tangible personal property acquired to facilitate the expansion or rebuilding and the 9 years immediately thereafter. No business shall be entitled to claim the credit authorized by this section, except any amount attributable to the carryover of a previously earned credit, for more than 10 consecutive years.

(4) When filing for an *enterprise zone property* ~~economic revitalization~~ tax ~~incentive~~ credit as a new business, a business shall include a copy of its receipt indicating payment of ad valorem ~~school~~ taxes for the current year.

(5) When filing for an *enterprise zone property* ~~economic revitalization~~ tax ~~incentive~~ credit as an expanded or rebuilt business, a business shall include copies of its receipts indicating payment of ad valorem ~~school~~ taxes for the current year for prior existing property and for expansion-related or rebuilt property.

(6) The receipts described in subsections (4) and (5) shall indicate the assessed value of the property, the *property* ~~school~~ taxes paid, a brief description of the property, and an indication, if applicable, that the property was separately assessed as expansion-related or rebuilt property.

(9)~~(10) In the case of a business qualifying by reason of establishing five or more new jobs employing five or more additional full-time employees, a statement as set forth in this subsection shall be filed under oath with the income tax return on which the credit is claimed. The statement shall set forth the name and place of residence of each employee on the last day of business of the tax year for which the credit is claimed or, if the employee is no longer employed on that date, the last calendar day of the last full calendar month the employee is employed at the relevant site.~~ When filing for an *enterprise zone property* ~~economic revitalization~~ tax ~~incentive~~ credit as an expansion of an existing business, it shall be a condition precedent to the granting of each annual tax credit that there shall have been, throughout each year during the 10-year period, no fewer than five more employees than in the year preceding the initial granting of the credit. ~~Further, it shall be a condition precedent to granting of the credit that a majority of all new employees be residents of an enterprise zone.~~

(10)~~(11)~~ *To be eligible for an enterprise zone property tax credit, a new, expanded or rebuilt business shall provide a statement, under oath, on the form prescribed by the department for claiming the credit authorized by this section, that no less than 20 percent of its employees are residents of an enterprise zone, excluding temporary employees. It shall be a condition precedent to the granting of each annual tax credit that the employment requirements established by this subsection be fulfilled throughout each year during the 10-year period of the credit.* ~~When filing for an economic revitalization tax incentive credit as a new or rebuilt business, a new or rebuilt business shall include a statement as set forth in this section which shall be filed under oath with the tax return on which the credit is claimed.~~ The statement shall set forth the name and place of residence of each *permanent* employee on the last day of business of the tax year for which the credit is claimed or, if the employee is no longer employed or eligible for the credit on that date, the last calendar day of the last full calendar month the employee is employed or eligible for the credit at the relevant site. ~~When filing for an economic revitalization tax incentive credit as a new or rebuilt business, it shall be a condition precedent to the granting of the credit that a majority of all employees be residents of an enterprise zone.~~

(11)~~(12)~~ When filing for an *enterprise zone property* ~~economic revitalization~~ tax ~~incentive~~ credit, a business shall include *the identifying number assigned pursuant to s. 290.006 or s. 290.0065 to the enterprise zone in which the business is located, or such alternative proof as may*

be prescribed by the department, with the concurrence of the secretary of the Department of Community Affairs, that the business is located in an enterprise zone. ~~a copy of the resolution required in s. 290.005 designating the area in which the business is located as an enterprise zone.~~

(12)~~(13)~~ The provisions of this section shall expire and be void on December 31, *1994* ~~1986~~, and no business shall be allowed to begin claiming such *enterprise zone property* ~~economic revitalization~~ tax ~~incentive~~ credit after that date; however, the expiration of this section shall not affect the operation of any credit for which a business has qualified under this section prior to December 31, *1994* ~~1986~~, or any carryforward of unused credit amounts as provided in paragraph (1)(b).

Section 41. Subsections (3), (4), (5), (6), and (7) of section 220.183, Florida Statutes, are amended to read:

220.183 Community contribution tax credit.—

(3) AUTHORIZATION TO GRANT COMMUNITY CONTRIBUTION TAX CREDITS; LIMITATIONS ON INDIVIDUAL CREDITS AND PROGRAM SPENDING.—

(a) There shall be allowed a credit of 50 percent of a community contribution against any tax due *for* ~~in~~ a *taxable* ~~fiscal~~ year under this chapter.

(b) No business firm shall receive more than $200,000 in annual tax credits for all approved community contributions.

(c) The total amount of the tax credit *which may be* granted for *all* programs approved under this *section and s. 624.5105* ~~act~~ is $3,000,000 annually.

(d) All proposals for the granting of the tax credit shall require the prior approval of the secretary.

(e) If the credit granted pursuant to this section is not fully used in any one year, the unused amount may be carried forward for a period not to exceed 5 years. The carryover credit may be used in a subsequent year when the tax imposed by this chapter for such year exceeds the credit for such year under this section after applying the other credits and unused credit carryovers in the order provided in s. 220.02(9).

(4) ELIGIBILITY REQUIREMENTS.—

(a) All community contributions by a business firm shall be in the form specified in s. 220.03(1)(d).

(b) All community contributions must be reserved exclusively for use in projects as defined in s. 220.03(1)(t).

(c) The project must be undertaken by an "eligible sponsor," defined here as:

1. A community action program;

2. A community development corporation;

3. A neighborhood housing services corporation;

4. A local housing authority, created pursuant to chapter 421;

5. A community redevelopment agency, created pursuant to s. 163.356;

6. The Florida Industrial Development Corporation;

7. An historic preservation district; ~~or~~

8. A private industry council; or

9.~~8.~~ Such other agency as the secretary may, from time to time, designate by rule.

In no event shall a contributing business firm have a financial interest in the eligible sponsor.

(d) Except as provided below, the project shall be located in one of the following areas, subject to approval of the secretary:

1. An area designated as blighted under s. 163.355.

2. A *community development block grant program* ~~neighborhood strategy~~ area.

3. A neighborhood housing services area.

4. An historic preservation district.

5. Such other area as the secretary may from time to time designate by rule.

6. Any area designated as an enterprise zone pursuant to s. 290.005 *or s. 290.0055*.

Any project designed to construct or rehabilitate low-income housing is exempt from the area requirement of this paragraph.

(5) APPLICATION REQUIREMENTS.—

(a) Any *eligible sponsor* ~~business firm~~ wishing to participate in this program must submit a proposal to the department which sets forth the sponsor, the project, the area in which the project is located, and such supporting information as may be prescribed by rule. ~~The sponsor shall verify the terms of the proposal and indicate willingness to receive the proposed contribution, which verification shall be in writing and accompany the proposal.~~ The proposal shall also contain a resolution from the local governmental unit in which it is located certifying that the project is consistent with local plans and regulations.

(b) Any business wishing to participate in this program must submit an application for tax credit to the department which sets forth the sponsor, the project, and the type, value and purpose of the contribution, and such sponsor shall verify the terms of the application and indicate willingness to receive the contribution, which verification shall be in writing and shall accompany the application for tax credit.

(c)~~(b)~~ The business firm must submit a separate *application for tax credit* ~~proposal~~ for each individual *contribution* ~~project for~~ which it proposes to contribute *to each individual project*.

(6) ADMINISTRATION.—

(a) The department is authorized to promulgate all rules necessary to administer this section, including rules for the approval or disapproval of proposals by business firms.

(b) The decision of the secretary shall be in writing, and, if approved, the proposal shall state the maximum credit allowable to the business firm. ~~A copy of the decision shall state the maximum credit allowable to the business firm.~~ A copy of the decision shall be transmitted to the Executive Director of the Department of Revenue, who shall apply such credit to the tax liability of the business firm ~~in that year. No credit approved in any year shall be extended to subsequent years~~.

(c) The department shall *periodically* monitor all projects *in a manner consistent with available resources* to ensure that resources are utilized in accordance with this section*; however, each project shall be reviewed no less than once every 2 years*.

(d) The Department of Revenue shall promulgate any rules necessary to ensure the orderly implementation and administration of this section.

(7) EXPIRATION.—The provisions of this section, except paragraph (3)(e), shall expire and be void on June 30, *1994* ~~1986~~.

Section 42. Section 290.001, Florida Statutes, is amended to read:

290.001 Florida Enterprise Zone Act ~~of 1982~~; short title of ss. 290.001-*290.015* ~~290.012~~.—

(1) Sections 290.001-*290.015* ~~290.012~~ may be cited as the "Florida Enterprise Zone Act ~~of 1982~~."

(2) This section shall stand repealed on December 31, *1994* ~~1986~~.

Section 43. Subsection (2) of section 290.002, Florida Statutes, is amended to read:

290.002 Legislative findings.—

(2) This section shall stand repealed on December 31, *1994* ~~1986~~.

Section 44. Section 290.003, Florida Statutes, is amended to read:

290.003 Policy and purpose.—

(1) It is the policy of this state to provide the necessary means to assist local communities, their residents, and the private sector in creating the proper economic and social environment to induce the investment of private resources in productive business enterprises located in severely distressed areas and to provide jobs for residents of such areas. In achiev-

ing this objective, the state will seek to provide appropriate investments, tax benefits, and regulatory relief of sufficient importance to encourage the business community to commit its financial participation. The purpose of ss. 290.001-*290.015* ~~290.012~~ is to establish a process that clearly identifies such severely distressed areas and provides incentives by both the state and local government to induce private investment in such areas. The Legislature, therefore, declares the revitalization of enterprise zones, through the concerted efforts of government and the private sector, to be a public purpose.

(2) This section shall stand repealed on December 31, *1994* ~~1986~~.

Section 45. Section 290.004, Florida Statutes, is amended to read:

290.004 Definitions; terms used in ss. 290.001-*290.015* ~~290.012~~.—

(1) As used in ss. 290.001-*290.015* ~~290.012~~, the term:

(a) "Enterprise zone" means:

1. An area in which there is a predominance of buildings or improvements, whether residential or nonresidential, which by reason of dilapidation; deterioration; age or obsolescence; inadequate provision for ventilation, light, air, sanitation, or open space; high density of population and overcrowding; the existence of conditions which endanger life or property by fire or other causes; or any combination of such factors is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, or crime and is detrimental to the public health, safety, morals, or welfare; or

2. An area in which there are a substantial number of slum, deteriorated, or deteriorating structures and in which conditions endangering life or property by fire or other causes exist or in which one or more of the following factors exist which substantially impair or arrest the sound growth of a county or municipality and is a menace to the public health, safety, morals, or welfare in its present condition and use:

a. Predominance of defective or inadequate street layout.

b. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness.

c. Unsanitary or unsafe conditions.

d. Deterioration of site or other improvements.

e. Tax or special assessment delinquency exceeding the fair value of the land.

f. Diversity of ownership or defective or unusual conditions of title which prevent the free alienability of land within the deteriorated or hazardous area.

(b) "Department" means the Department of Community Affairs.

(c) "Secretary" means the Secretary of Community Affairs.

(d) "Governing body" means the council or other legislative body charged with governing the county or municipality.

(2) This section shall stand repealed on December 31, *1994* ~~1986~~.

Section 46. Section 290.0055, Florida Statutes, is created to read:

290.0055 Local authorization of enterprise zones after January 1, 1986; requirements; application for state approval.—

(1) Any county or municipality, or both together, may authorize creation of an enterprise zone after January 1, 1986, through adoption by the governing body or bodies of a resolution which:

(a) Finds that an area exists in such county or municipality, or both, which exhibits the characteristics of an enterprise zone;

(b) Determines that the rehabilitation, conservation or redevelopment, or a combination thereof, of such area is necessary in the interest of the public health, safety, morals and welfare of the residents of such county or municipality, or both; and

(c) Commits to undertake a particular program of local participation in the area if approval for said area is received under s. 290.0065 that is to be considered by the department in evaluating the application of the county or municipality, or both, for approval of the area under s. 290.0065.

(2) The governing body of counties defined in s. 125.011(1) shall authorize the creation of all enterprise zones within such counties.

(3) No county or municipality, or both together, shall authorize the creation of more than one enterprise zone. However, any county defined in s. 125.011(1) may authorize creation of up to four enterprise zones.

(4) Each area authorized to be an enterprise zone shall have:

(a) A continuous boundary;

(b) A population that does not exceed the greater of 2,500 or 10 percent of the population of the county or municipality, or both, authorizing the creation of the enterprise zone; and

(c) Not less than 40 percent of the land area available for commercial or industrial uses and not less than 40 percent of the land area available for residential uses, as determined by the zoning of the area, excluding the land area used for public facilities, prior to the passage of the resolution authorizing the creation of the enterprise zone.

(5) The total population of all areas authorized to be enterprise zones in a county defined in s. 125.011(1) shall not exceed 10 percent of the total population of such a county. The population of a county, other than a county defined in s. 125.011(1), shall be the unincorporated area population of such a county.

(6) Upon adoption of a resolution authorizing the creation of an enterprise zone meeting the requirements of this section, the governing body or bodies shall make application to the department, in such form as the department may require, for approval of said area pursuant to s. 290.0065.

(7) This section shall stand repealed December 31, 1994.

Section 47. Subsection (3) of section 290.006, Florida Statutes, is renumbered as subsection (5), and new subsections (3) and (4) are added to said section to read:

290.006 State approval of designated enterprise zones.—

(3) Upon approval by the secretary of a resolution designating an area as an enterprise zone pursuant to subsection (2), the department shall assign a unique identifying number to each resolution. The department shall provide the Department of Revenue and the Department of Labor and Employment Security with a copy of each resolution approved pursuant to subsection (2), together with its identifying number. The provisions of this subsection shall also apply to any area approved pursuant to subsection (2) prior to January 1, 1987.

(4) No area shall be approved pursuant to this section after June 30, 1984.

Section 48. Section 290.0065, Florida Statutes, is created to read:

290.0065 State approval of areas authorized to be enterprise zones.—

(1) Upon application of the governing body of a county or municipality, or both jointly, pursuant to s. 290.0055, the department shall determine which areas authorized by said governing bodies are the most appropriate for the purposes of the incentives enumerated in s. 290.007. The department shall be authorized to approve up to 5 areas within each of the categories established in subsection (3)(a); however, such approval shall not be effective prior to July 1, 1985.

(2) Each application made pursuant to s. 290.0055 shall be ranked competitively within the appropriate category established pursuant to subsection (3) based on economic, social, physical and fiscal distress and local government participation in community redevelopment. Economic, social, physical and fiscal distress shall be weighted 65 percent. Local government participation shall be weighted 35 percent.

(3)(a) Any areas authorized to be an enterprise zone pursuant to s. 290.0055 shall be placed in one of the following four categories:

1. Communities consisting of census tracts in urbanized areas with a total population of 150,000 or more.

2. Communities consisting of census tracts in urbanized areas with a total population of 50,000 or more but less than 150,000.

3. Communities consisting of cities with a population of 7,500 or more but less than 50,000 and unincorporated census places.

4. Communities consisting of cities with a population of less than 7,500.

(b) Areas authorized to be an enterprise zone by both a county and a municipality shall be placed in the appropriate category established under paragraph (a) in which an application by the municipality would have been considered had it acted alone, provided that no less than 60 percent of the population of the area authorized to be an enterprise zone resides within said municipality. Areas authorized to be an enterprise zone by a county defined in s. 125.011(1) shall be placed in the category in which an application by the municipality in which the area is located would have been considered had the municipality authorized said area to be an enterprise zone. Areas authorized to be an enterprise zone by a county defined in s. 125.011(1) which are located in two or more municipalities shall be placed in the category in which an application by the municipality with the highest percentage of residents in said area would have been considered had said municipality authorized said area to be an enterprise zone. No county defined in s. 125.011(1) shall be allowed more than one application in each of the categories established in paragraph (a).

(4)(a) The department shall promulgate any rules necessary for the approval by the secretary of areas under this section.

(b) Such rules shall provide for the construction of a Community Conservation Index which shall be used to determine economic, social, physical and fiscal distress. Said index, to the extent appropriate, shall be constructed using data from the 1980 census. The index may use, but shall not be limited to, the following factors:

1. The percentage of housing units in the area built more than 30 years ago.

2. The percentage of year-round housing units in the area that are vacant rental housing units.

3. The percentage of housing units in the area that lack some or all plumbing facilities.

4. The per capita income in the area.

5. The percentage change in per capita income in the area from the prior year to the current year.

6. The percentage of the population in the area that is over the age of 65 and the percentage that is under the age of 18.

7. The unemployment rate in the area.

8. The percentage of the population in the area with incomes below the poverty level.

9. The per capita taxable value of property in the area.

10. The percentage change in per capita taxable value of property in the area from the prior year to the current year.

11. The per capita local taxes levied in the area.

In communities consisting of census tracts in urbanized areas with a total population of 50,000 or more, economic, social, physical and fiscal distress for each area authorized to be an enterprise zone shall be determined by averaging the Community Conservation Index score for each census tract in the area authorized to be an enterprise zone. In communities with a population of less than 50,000, economic, social, physical and fiscal distress shall be determined through the use of the Community Conservation Index.

(c) Such rules shall provide for the evaluation of the level of local government participation authorized by governing bodies pursuant to s. 290.0055(1)(c) based on the following factors:

1. The adoption of the local option economic development property tax exemption referendum pursuant to s. 196.1995 and a commitment from the applying governing body or bodies to grant such exemptions in the area authorized to be an enterprise zone.

2. The adoption of occupational license fee abatement pursuant to s. 205.054.

3. The adoption of utility tax abatement pursuant to s. 166.231(8).

4. The targeting of locally generated funds to be expended for capital projects in specified amounts to the area authorized to be an enterprise zone in a manner demonstrating the priority the county or municipality places on community redevelopment in said area.

5. The eligibility of the area authorized to be an enterprise zone for the Urban Development Action Grant Program.

6. The commitment of specific additional local government services to the area authorized to be an enterprise zone in a manner demonstrating the priority the county or municipality places on community redevelopment in said area.

7. The targeting of federal community development funds in specified amounts to the area authorized to be an enterprise zone in a manner demonstrating the priority the county or municipality places on community redevelopment in said area.

8. The adoption of a community redevelopment plan pursuant to s. 163.360 and an ordinance funding a community redevelopment trust fund for the area authorized to be an enterprise zone pursuant to s. 163.387.

9. A commitment to reduce the impact of specific local government regulations within the area authorized to be an enterprise zone in a manner demonstrating the priority the county or municipality places on community redevelopment in said area.

10. A commitment to issue industrial revenue bonds for projects located in the area authorized to be an enterprise zone.

These rules shall assign relative weight to each of said factors in the order listed, from most important to least important; however, no factor shall be weighted greater than 20 percent of the total allocated for local government participation under subsection (2) and no factor shall have the same weight as any other factor. The department may provide for a variation of the value of a particular factor, where appropriate, based on expenditures or revenues foregone per resident of the area authorized to be an enterprise zone.

(5) In the event the department determines that one or more census tracts in an area authorized to be an enterprise zone in a community with a population of 50,000 or more is inconsistent with the intent expressed in s. 290.002, the department may, on a case by case basis, exclude from such an application one or more census tracts, or portion thereof, which are not within the top 20 percent of the most distressed communities ranked on the Community Conservation Index pursuant to paragraph (4)(b). In the event the department determines that a portion of an area authorized to be an enterprise zone in a community with a population of less than 50,000 is inconsistent with the intent expressed in s. 290.002, the department may, on a case by case basis, exclude from such area any portion thereof which does not exhibit higher levels of economic, social, physical or fiscal distress than those which exist for the community as a whole, based on the factors set forth in paragraph (4)(b).

(6) The department shall be authorized to rescind the approval of any area previously approved under this section if it determines that the county or municipality, or both, which authorized such area to be an enterprise zone pursuant to s. 290.0055 have not complied with the commitments made in the resolution required in said section. Any action taken to rescind approval for an area shall be subject to the provisions of chapter 120. Such action shall not act to deny credits or exemptions previously granted or affect any bonds that have been issued.

(7) Upon approval by the secretary of a resolution authorizing an area to be an enterprise zone pursuant to this section, the department shall assign a unique identifying number to said resolution. The department shall provide the Department of Revenue and the Department of Labor and Employment Security with a copy of each resolution approved, together with its identifying number.

(8) No area shall be approved pursuant to this section after January 1, 1987.

(9) This section shall stand repealed December 31, 1994.

Section 49. Section 290.007, Florida Statutes, is amended to read:

290.007 Incentives and programs available in enterprise zones.—

(1) STATE INCENTIVES AND PROGRAMS.—The following incentives and programs are provided by the state to encourage the revitalization of enterprise zones:

(a) The *enterprise zone* ~~economic revitalization~~ jobs ~~creation incentive~~ credit provided in s. 220.181.

(b) The *enterprise zone property* ~~economic revitalization~~ tax ~~incentive~~ credit provided in s. 220.182.

(c) The community contribution tax credit provided in s. 220.183.

(d) The community development corporation support and assistance program provided in ss. 290.0301-290.038.

(e) The sales tax exemption for building materials used in the rehabilitation of real property in enterprise zones provided in s. 212.08(5)(f).

(f) The sales tax exemption for business equipment used in an enterprise zone provided in s. 212.08(5)(g).

(g) The sales tax exemption for electrical energy used in an enterprise zone provided in s. 212.08(12).

(h) The credit against the sales tax for job creation in enterprise zones provided in s. 212.096.

(2) LOCAL INCENTIVES.—The following incentives are available from local governments to encourage the revitalization of enterprise zones:

(a) Economic development ad valorem tax exemption pursuant to s. 196.1995.

(b) The use of industrial revenue bonds pursuant to the Florida Industrial Development Financing Act.

(c) Tax increment financing pursuant to part III of chapter 163.

(d) Municipal utility tax exemption pursuant to s. 166.231(8).

(e) Occupational license tax exemption pursuant to s. 205.054.

(3) This section shall stand repealed on December 31, *1994* ~~1986~~.

Section 50. Section 290.008, Florida Statutes, is amended to read:

290.008 Federal enterprise zone programs; application.—

(1) Upon enactment of enterprise zone legislation by the Congress of the United States and approval by the President of the United States, the department shall prepare and submit, in a timely fashion, all information and forms necessary to permit eligible enterprise zones approved pursuant to s. 290.006 *or s. 290.0065* to be considered as eligible areas under any similar federal program.

(2) This section shall stand repealed on December 31, *1994* ~~1986~~.

Section 51. Section 290.009, Florida Statutes, is amended to read:

290.009 Assistance of certain departments required.—

(1) The Department of Commerce, the Department of Labor and Employment Security, *the Department of Health and Rehabilitative Services,* the Department of Revenue, and the Department of Community Affairs shall assist in the implementation of this chapter together with the incentives and programs listed in s. 290.007, to the extent that such assistance, including the provision of information about ss. *290.001-290.015* ~~290.012~~ and its components to interested persons, is consistent with the powers and duties of such departments as established by general law.

(2) This section shall stand repealed on December 31, *1994* ~~1986~~.

Section 52. Section 290.013, Florida Statutes, is created to read:

290.013 Regulatory relief; state agency reviews of rules required; procedures; annual report.—

(1) Each state agency rule adopted after January 1, 1987, where applicable, shall provide encouragements and incentives which will increase rehabilitation, renovation, restoration, improvement, or new construction of housing and which will increase the economic viability and profitability of business and commerce located within areas authorized to be enterprise zones pursuant to s. 290.0055 and approved by the secretary pursuant to s. 290.0065. In addition, each state agency shall review the rules which it administers which may negatively impact upon the rehabilitation, renovation, restoration, improvement, or new construction of housing or upon the economic viability and profitability of business and commerce located within areas authorized to be enterprise zones pursuant to s. 290.0055 and approved by the secretary pursuant to s. 290.0065, and shall take the necessary steps to waive, modify, or otherwise minimize the adverse effects of such rules upon the rehabilitation, renovation, restoration, improvement, or new construction of housing or upon the economic viability and profitability of business and commerce located in areas authorized to be enterprise zones pursuant to s. 290.0055 and approved by the secretary pursuant to s. 290.0065.

(2) Nothing in this section shall authorize any state agency to waive, modify, provide exceptions, or otherwise alter any rule which is:

(a) Expressly required to implement or enforce any statutory provision or the legislative intent thereof;

(b) Designed to protect persons against discrimination on the basis of race, color, religion, sex, marital status, national origin, age, or handicap; or

(c) Likely to present a significant risk to the public health, public safety, or the environment of the state.

(3) The modification or waiver of any rule pursuant to this section shall be accomplished in accordance with the provisions of chapter 120.

(4) The administrative head of each state agency shall, no later than March 1 of each year, inform the President of the Senate and Speaker of the House of Representatives by letter of the activities of the agency in complying with this section. The letter shall include a list of each new agency rule adopted during the prior year which contains provisions or exceptions designed to accomplish the objectives of this section and a list of each previously existing agency rule modified or waived pursuant to this section during the prior year.

(5) This section shall stand repealed on December 31, 1994.

Section 53. Section 290.014, Florida Statutes, is created to read:

290.014 Annual report on enterprise zones.—

(1) Each county or municipality, or both together, which authorizes the creation of an enterprise zone pursuant to s. 290.0055 which is approved pursuant to s. 290.0065 shall submit an annual report to the department, in such form as the department may require, on or before March 1 of each year, which shall include, but not be limited to:

(a) A list of local incentives for community redevelopment available in said area during the prior year.

(b) The usage and revenue impact of the local incentives the governing body committed to provide in the area in the resolution required in s. 290.0055.

(c) The number of business establishments located in the area during the prior year and the number of business establishments located in said area the year prior to the approval of the area as an enterprise zone.

(d) A copy of the report required pursuant to s. 103 of the Internal Revenue Code of 1954, as amended, for all industrial revenue bonds issued to finance projects located in said area during the prior year.

(e) A copy of the list required pursuant to s. 193.077(3).

(f) Information required pursuant to the research design provided for in s. 290.015(1).

(2) The department shall submit an annual report to the Governor and the Legislature by March 1 of each year detailing the information provided pursuant to subsection (1) and including information on the usage and revenue impact of the state incentives listed in s. 290.007(1).

(3) This section shall stand repealed on December 31, 1994.

Section 54. Section 290.015, Florida Statutes, is created to read:

290.015 Evaluation and review.—

(1) Prior to January 1, 1986, the department shall prescribe by rule, subject to the approval of the Auditor General, a research design for the review and evaluation of ss. 290.001-290.015 together with the incentives and programs listed in s. 290.007. The research design shall set forth the types of additional information necessary to effectuate the research design. Such information shall be provided in the report required pursuant to s. 290.014(1).

(2) Prior to the 1986 Regular Session of the Legislature, the appropriate substantive committees of the House of Representatives and the Senate, upon assignment by the Speaker and President, respectively, shall be responsible for the completion of a review of the demographic characteristics of areas designated pursuant to s. 290.005 and approved by the secretary pursuant to s. 290.006 and an evaluation of appropriateness of such areas for the incentives listed in s. 290.007 which are applicable in such areas. A report of the recommendations of the committees shall be submitted to the Speaker and the President for distribution prior to the 1986 Regular Session.

(3) Prior to the 1990 Regular Session of the Legislature, the Auditor General shall perform a review and evaluation of ss. 290.001-290.015 together with the incentives and programs listed in s. 290.007 using the research design promulgated pursuant to subsection (1). A report of the findings and recommendations of the Auditor General shall be submitted to the Speaker of the House of Representatives and the President of the Senate prior to the 1990 Regular Session.

(4) Prior to the 1994 Regular Session of the Legislature, the appropriate substantive committees of both the House of Representatives and the Senate, upon assignment by the Speaker and President, respectively, shall be responsible for the completion of a review and evaluation of ss. 290.001-290.015 together with the incentives and programs listed in s. 290.007. A report of the recommendations of the committees shall be submitted to the Speaker and the President for distribution prior to the 1994 Regular Session.

(5) This section shall stand repealed on December 31, 1994, except that subsection (2) shall stand repealed on June 30, 1986.

Section 55. Section 290.034, Florida Statutes, is amended to read:

290.034 Community Development Support and Assistance Fund.—There is established in the State Treasury a separate fund known as the Community Development Support and Assistance Fund to be administered by the department as a grant and loan fund for carrying out the purposes of this act. Any funds deposited therein not needed for immediate disbursement may be invested pursuant to s. 215.535, with the interest earned to be deposited in the fund. Administrative costs of the program shall be funded from the fund herein created, in an amount *to be set each year in the General Appropriations Act* ~~not to exceed $100,000 annually~~. *The department shall give priority in the use of the fund to those community development corporations whose service area includes an enterprise zone approved pursuant to s. 290.0065.*

Section 56. Section 624.5105, Florida Statutes, is created to read:

624.5105 Community contribution tax credit; legislative findings; policy and purpose; authorization; limitations; requirements; administration; definitions; expiration.—

(1) LEGISLATIVE FINDINGS.—The Legislature finds that:

(a) There exist in the counties and municipalities conditions of blight evidenced by extensive deterioration of public and private facilities, abandonment of sound structures, and high unemployment, which conditions impede the conservation and development of healthy, safe, and economically viable communities.

(b) Deterioration of housing and industrial, commercial, and public facilities contributes to the decline of neighborhoods and communities; reduces the value of property comprising the tax base of local communities; discourages private investment; and requires a disproportionate expenditure of public funds for the social services, unemployment benefits, and police protection required to combat the social and economic problems found in slum communities.

(c) In order to ultimately restore social and economic viability to enterprise zones, it is necessary to renovate or construct new housing, water and sewer infrastructure, and transportation facilities and to specifically provide mechanisms to attract and encourage private economic activity.

(d) The various local governments and other redevelopment organizations now undertaking physical revitalization projects are limited by tightly constrained budgets and inadequate resources.

(e) In order to significantly improve revitalization efforts by local governments and community development organizations, it is necessary to provide additional resources, and the participation of private enterprise in revitalization efforts is an effective means for accomplishing that goal.

(2) POLICY AND PURPOSE.—It is the policy of this state to encourage the participation of insurers in revitalization projects undertaken by public redevelopment organizations. The purpose of this section is to provide an incentive for such participation by granting partial state insurance premium tax credits to insurers that contribute resources to public redevelopment organizations for the revitalization of enterprise zones for the benefit of low-income and moderate-income persons. The Legislature thus declares this a public purpose for which public money may be borrowed, expended, loaned, and granted.

(3) AUTHORIZATION TO GRANT COMMUNITY CONTRIBUTION TAX CREDITS; LIMITATIONS ON INDIVIDUAL CREDITS AND PROGRAM SPENDING.—

(a) There shall be allowed a credit of 50 percent of a community contribution against any tax due for a calendar year under s. 624.509 or s. 624.510.

(b) No insurer shall receive more than $200,000 in annual tax credits for all approved community contributions.

(c) The total amount of tax credit which may be granted for all programs approved under this section and s. 220.183 is $3 million annually.

(d) All proposals for the granting of the tax credit shall require the prior approval of the secretary.

(e) If the credit granted pursuant to this section is not fully used in any 1 year, the unused amount may be carried forward for a period not to exceed 5 years. The carryover credit may be used in a subsequent year when the tax imposed by s. 624.509 or s. 624.510 for such year exceeds the credit for such year under this section.

(4) ELIGIBILITY REQUIREMENTS.—

(a) All community contributions by an insurer shall be in the form specified in subsection (7).

(b) All community contributions must be reserved exclusively for use in projects as defined in subsection (7).

(c) The project must be undertaken by an "eligible sponsor," defined as:

1. A community action program;

2. A community development corporation;

3. A neighborhood housing services corporation;

4. A local housing authority, created pursuant to chapter 421;

5. A community redevelopment agency, created pursuant to s. 163.356;

6. The Florida Industrial Development Corporation;

7. An historic preservation district;

8. A private industry council; or

9. Such other agency as the secretary may, from time to time, designate by rule.

In no event shall a contributing insurer have a financial interest in the eligible sponsor.

(d) Except as provided below, the project shall be located in one of the following areas, subject to approval of the secretary:

1. An area designated as blighted under s. 163.355.

2. A community development block grant area.

3. A neighborhood housing services area.

4. An historic preservation district.

5. Such other area as the secretary may, from time to time, designate by rule.

6. Any area designated as an enterprise zone pursuant to s. 290.005 or s. 290.0055.

Any project designed to construct or rehabilitate low-income housing is exempt from the area requirement of this paragraph.

(5) APPLICATION REQUIREMENTS.—

(a) Any eligible sponsor wishing to participate in this program must submit a proposal to the department which sets forth the sponsor, the project, the area in which the project is located, and such supporting information as may be prescribed by rule. The proposal shall also contain a resolution from the local governmental unit in which it is located certifying that the project is consistent with local plans and regulations.

(b) Any insurer wishing to participate in this program must submit an application for tax credit to the department which sets forth the sponsor, the project, and the type, value and purpose of the contribution, and such sponsor shall verify the terms of the application and indicate willingness to receive the contribution, which verification shall be in writing and shall accompany the application for tax credit.

(c) The insurer must submit a separate application for tax credit for each individual contribution which it proposes to contribute to each individual project.

(6) ADMINISTRATION.—

(a) The Department of Community Affairs is authorized to adopt all rules necessary to administer this section, including rules for the approval or disapproval of proposals by insurers.

(b) The decision of the secretary shall be in writing, and, if approved, the proposal shall state the maximum credit allowable to the insurer. A copy of the decision shall be transmitted to the Executive Director of the Department of Revenue, who shall apply such credit to the tax liability of the insurer.

(c) The Department of Community Affairs shall periodically monitor all projects in a manner consistent with available resources to ensure that resources are utilized in accordance with this section; however, each project shall be reviewed no less than once every 2 years.

(d) The Department of Revenue shall adopt any rules necessary to ensure the orderly implementation and administration of this section.

(7) DEFINITIONS.—For the purpose of this section:

(a) "Community contribution" means the grant by an insurer of any of the following items:

1. Cash or other liquid assets.

2. Real property.

3. Goods or inventory.

4. Other physical resources as identified by the department.

(b) "Local government" means any county or incorporated municipality in the state.

(c) "Project" means any activity undertaken by an eligible sponsor, as defined in subsection (4), which is designed to construct, improve or substantially rehabilitate housing or commercial, industrial, or public resources and facilities or to improve entrepreneurial and job-development opportunities for low-income persons.

(d) "Secretary" means the secretary of the Department of Community Affairs.

(8) EXPIRATION.—The provisions of this section, except paragraph (3)(e), shall expire and be void on June 30, 1994.

Section 57. Section 162.012, Florida Statutes, as created by chapter 82-119, Laws of Florida, is hereby repealed.

Section 58. Every enterprise zone approved pursuant to s. 290.006, Florida Statutes, shall cease to exist on December 31, 1986.

Section 59. This section and sections 25, 26, 27, 28, 29, 30, 42, 43, 44, 45, 47, 50, 51, 54, 55, 57, and 58 shall take effect July 1, 1984. Sections 36, 37, 38, 39, 40, and 41 shall take effect July 1, 1984, and shall apply to corporations with taxable years beginning on or after said date. Sections 33, 34, 35, 52, and 53 shall take effect January 1, 1987. Sections 23-24, 31, 32, 46, 48, 49, and 56 shall take effect January 1, 1986. Sections 1-22 shall take effect October 1, 1984.

Senator Margolis moved the following amendment to Amendment 1 which was adopted:

Amendment 1A—On page 82, line 3, strike the date "*July 1, 1985*" and insert: *January 1, 1987*

Senators Margolis and Stuart moved the following amendment to Amendment 1 which was moved by Senator Margolis and adopted:

Amendment 1B—On page 31, line 13, after the period insert: Section 163.335 (4) as created by section 1 and the provisions of section 2 excluding library districts from the definition of "public body" or "taxing authority" shall not apply in those jurisdictions where the community redevelopment agency validated bonds as of April 30, 1984.

Amendment 1 as amended was adopted.

Senator Margolis moved the following amendment which was adopted:

Amendment 2—In title, on page 2, line 29, strike everything before the enacting clause and insert: A bill to be entitled An act relating to community redevelopment; amending s. 163.335, F.S.; providing findings; amending s. 163.340, F.S.; changing certain definitions; amending ss. 163.358, 163.360, 163.380, 163.390, 163.395, 163.400, 163.445, F.S.; conforming certain provisions to such definition changes; amending s. 163.350, F.S.; providing for community redevelopment programs to include affordable housing for certain people; amending s. 163.355, F.S.; providing additional circumstances for a finding of necessity for community redevelopment; amending s. 163.357, F.S.; providing requirements for a governing body as a community redevelopment agency; amending s. 163.356, F.S.; requiring a community redevelopment agency to annually distribute certain financial reports; creating s. 163.359, F.S.; requiring notice to certain taxing authorities under certain circumstances; amending s. 163.362, F.S.; providing for additional contents of a community redevelopment plan; amending s. 163.370, F.S.; prohibiting certain projects from being undertaken using certain revenues; amending s. 163.375, F.S.; providing for approval of exercise of eminent domain; amending s. 163.385, F.S.; providing a maximum maturity for certain bonds; removing certain provisions providing for negotiability of certain bonds; amending s. 163.387, F.S.; providing requirements for establishing a redevelopment trust fund and contributing funds to such trust fund; providing penalties; requiring certain surplus moneys in the trust fund to be disbursed for certain purposes; requiring an annual audit of the trust fund and an audit report; amending s. 200.065, F.S.; excluding from determinations of the rolled back rate, certain increases in assessed value of certain property; providing for certain purposes of taxing authorities or special districts; providing exceptions to application of certain sections under certain circumstances; s. 159.27, F.S.; conforming a definition; amending s. 166.231, F.S.; authorizing an exemption from the municipal public service tax for electrical energy used in an enterprise zone by certain qualified businesses; providing for expiration; amending ss. 193.077, 193.085, 195.073, and 195.099, F.S.; conforming language and extending repeal dates; amending s. 196.012, F.S.; redefining "new business" and "expansion of an existing business" and defining "enterprise zone"; amending s. 196.1995, F.S.; authorizing a referendum on economic development ad valorem tax exemption to grant said exemption in an enterprise zone; amending s. 205.022, F.S., and creating s. 205.054, F.S.; authorizing an exemption from the occupational license tax for businesses located in an enterprise zone; providing penalties; providing for expiration; amending s. 212.02, F.S.; defining "enterprise zone"; amending s. 212.08, F.S.; providing that building materials purchased for use in the rehabilitation of real property located in an enterprise zone shall be exempt from the sales and use tax; providing application to governmental agencies under certain circumstances; providing requirements and limitations; providing that business property used in an enterprise zone shall be exempt from the sales and use tax under certain conditions; providing requirements and limitations; providing for certain deductions from amounts deposited in the Local Government Half-cent Sales Tax Clearing Trust Fund; providing that charges for electrical energy used by qualified businesses in an enterprise zone in municipalities exempting said businesses from the municipal utility tax shall be exempt from the sales and use tax for a specified period; providing for penalties; providing for expiration of said sales tax exemption provisions; creating s. 212.096, F.S.; providing a credit for job creation in enterprise zones against the sales and use tax; providing requirements and limitations; providing that a business claiming the credit shall not be eligible for a specified credit against the corporate income tax; providing a penalty for fraudulent claims; providing for expiration; amending ss. 220.02, 220.03, and 220.13, F.S., relating to credits against the corporate income tax for certain businesses located in or employing residents of enterprise zones; conforming language; revising definitions; extending repeal dates; amending s. 220.181, F.S.; renaming the credit against the corporate income tax for establishment of jobs employing residents of

enterprise zones; providing that businesses located in enterprise zones are eligible for an extended credit; providing requirements and limitations; providing that a business claiming the credit shall not be eligible for a specified credit against the sales and use tax; providing a penalty for fraudulent claims; extending the repeal date; amending s. 220.182, F.S., and repealing subsection (9) thereof; renaming the credit against the corporate income tax for establishment of a new business or business expansion or rebuilding in an enterprise zone; providing that the credit shall apply to all ad valorem taxes; revising requirements and providing procedures; extending the repeal date; deleting provisions relating to approval by the Department of Community Affairs; amending s. 220.183, F.S., relating to the community contribution tax credit; providing limitations; revising sponsor and project location requirements; revising application requirements; providing for review by the Department of Community Affairs; extending the repeal date; amending ss. 290.001, 290.002, 290.003, 290.004, 290.006, 290.007, 290.008, and 290.009, F.S., relating to the Florida Enterprise Zone Act; extending certain repeal dates and conforming language; providing for issuance of identifying numbers for enterprise zones; providing for assistance of Department of Health and Rehabilitative Services; creating ss. 290.0055 and 290.0065, F.S.; providing procedures and requirements for local authorization of enterprise zones and for approval by the department; providing for repeal; creating s. 290.013, F.S.; requiring state agency rules to provide certain encouragements and incentives with respect to enterprise zones; requiring state agencies to waive, modify or minimize the adverse impacts of certain rules on enterprise zones; providing for an annual report; providing for expiration; creating s. 290.014, F.S.; providing for annual reports on enterprise zones by counties, municipalities, and the department; providing for expiration; creating s. 290.015, F.S.; providing for a research design; providing duties of Auditor General; providing for legislative reviews of the Florida Enterprise Zone Act and its components; providing for expiration; amending s. 290.034, F.S.; providing that the amount of the Community Development Support and Assistance Fund that may be used each year for administrative expenses shall be determined by the General Appropriations Act; specifying priority for use of the fund; creating s. 624.5105, F.S.; providing a community contributions tax credit against the insurance premium tax; providing limitations and requirements; providing for expiration; repealing s. 162.012, F.S., relating to a legislative review of the Florida Enterprise Zone Act; providing for the dissolution of certain existing enterprise zones; providing multiple effective dates.

On motion by Senator Margolis, by two-thirds vote HB 1218 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

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

Nays—1

Carlucci

Vote after roll call:

Yea—Mann

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 1072 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Davis and others—

HB 1072—A bill to be entitled An act relating to Hillsborough County; codifying laws relating to the Hillsborough County Port District and the Tampa Port Authority; providing legislative intent; establishing the port district; providing definitions; creating the Tampa Port Authority; providing for its membership, powers, duties, and governance; providing for the employment of a port director and prescribing his duties; authorizing the acquisition, construction, extension, and enlargement of projects; providing for the conveyance to and the conveyance by the authority of submerged lands; providing for the regulation of the development of facilities within and of traffic through the port; authorizing the exercise by the authority of the powers of eminent domain; providing for acquisition and disposal of property; authorizing the borrowing of money and the issuance of bonds; authorizing the establishment and collection of rates, rentals, fees, and other charges; authorizing the adoption of rules and regulations; providing for regulation over the operation of ports and harbors and for the appointment, regulation, and compensation of harbormasters; providing for the regulation of watercraft; authorizing the imposition of franchise, license, and excise fees; providing for the budget of the authority; authorizing the county to appropriate tax revenues to the port district; providing for the deposit and disposition of revenues and for an annual audit; providing remedies of bondholders; prescribing procedure for awarding contracts; providing for the recovery of money or things of value paid pursuant to contracts entered in violation of act and providing for the award of attorney's fees; providing a declaration of public necessity; providing that chapters 313 and 314. Florida Statutes, do not apply within the district; providing for the adoption of rates and regulations and prescribing penalties for violations thereof; providing for injunctive relief; providing for promotion and sales and for reimbursement for travel in connection therewith; prohibiting discrimination in connection with employment, contracting, and use of facilities; regulating dredging, filling, construction, and other activities on submerged lands; requiring permits to engage in such activities; providing for revocation of such permits; authorizing the adoption of minimum construction specifications; providing for enforcement of orders of the authority; authorizing the authority to make required changes and impose liens for such changes; providing for civil penalties; providing for issuance of beverage license to the authority; prescribing standards for managing facilities and granting concessions; providing for periodic recodification of act; providing severability; repealing chapter 23338, Laws of Florida, 1945, chapter 24577, Laws of Florida, 1947, chapter 24578, Laws of Florida, 1947, chapter 25879, Laws of Florida, 1949, chapter 27600, Laws of Florida, 1951, and chapters 57-1380, 59-1358, 63-1398, 63-1400, 67-1476, 67-1481, 67-1482, 67-1485, 67-1487, 67-1488, 67-1490, 67-1491, 67-1492, 67-1500, 67-1503, 67-1505, 69-1135, 69-1137, 69-1138, 69-1140, 69-1141, 70-716, 72-560, 72-566, 75-386, 75-392, 76-385, 77-568, 77-570, 78-526, 78-527, 79-473, 80-613, 80-614, 81-386, and 81-393, Laws of Florida, relating to the Hillsborough County Port District and the Tampa Port Authority; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title. On motion by Senator Frank, the rules were waived and the bill was placed on the calendar.

On motions by Senator Frank, by unanimous consent, HB 1072 was taken up out of order and by two-thirds vote read the second time by title.

Senator Frank moved the following amendment which was adopted:

Amendment 1—On page 40, lines 10-31, and on page 41, lines 1-13, strike all of said lines and insert: In addition to any licenses that may be issued under the provisions of the Beverage Law of the State of Florida, the Division of Alcoholic Beverages and Tobacco of the Department of Business Regulation is hereby authorized to issue a special alcoholic beverage license or special alcoholic beverage licenses to qualified applicants consisting of the Tampa Port Authority. Any such license issued pursuant to this act shall not permit the licensee to sell alcoholic beverages by the package for off-premises consumption. Any license shall at all times be the property of the Tampa Port Authority subject to transfer from time to time to enable a lessee to operate under a license authorized by this section. Such license shall not be valid in any location beyond the confines of the facilities of the Tampa Port Authority. The license tax shall be in accordance with those established in s. 565.02(1)(b)-(f), Florida Statutes.

On motion by Senator Frank, by two-thirds vote HB 1072 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

CONSENT CALENDAR, continued

CS for SB 62—A bill to be entitled An act relating to bottled water plants; creating s. 381.265, F.S.; providing legislative intent; providing definitions; requiring an annual operating permit for bottled water plants and water dealers; providing for fees; providing for rules to be adopted by the Department of Health and Rehabilitative Services; providing for right of entry; providing penalties; providing an effective date.

—was read the second time by title. On motion by Senator McPherson, by two-thirds vote CS for SB 62 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—28

Barron	Gersten	Jennings	Myers
Beard	Girardeau	Johnston	Neal
Childers, W. D.	Grant	Langley	Rehm
Crawford	Hair	Malchon	Stuart
Deratany	Henderson	Mann	Thomas
Fox	Hill	McPherson	Thurman
Frank	Jenne	Meek	Vogt

Nays—None

Vote after roll call:

Yea—D. Childers, Weinstein

CS for SB 782—A bill to be entitled An act relating to birth centers; creating the "Birth Center Licensure Act"; providing legislative intent; providing a partial exemption for certain facilities; providing definitions; providing for the issuance, renewal, denial, and revocation of licenses to conduct birth centers by the Department of Health and Rehabilitative Services; providing for license applications, fees, and expenses; providing for administration; providing requirements for birth center facilities; providing for client selection; providing for informed consent; providing for client education and orientation; providing for prenatal care; providing for confidentiality; limiting surgical services; providing for laboratory services, within limits; providing for intrapartum care; limiting administration of analgesia and anesthesia; providing for postpartum care; providing for consultation; providing for transportation and transfers; providing for records and reports; providing for clinical records; providing for confidentiality; providing for audits; providing for statistical analyses; providing for standards, rules, and enforcement; providing for inspections and inspection fees; providing for furnishing of inspection reports, upon payment of a reasonable charge; providing for criminal and administrative penalties, injunctions, emergency orders, and moratoriums; providing for a trust fund; providing an effective date.

—was read the second time by title.

Senators W. D. Childers, Meek, Stuart, Jenne, Myers, D. Childers, Vogt, Margolis and Gordon offered the following amendments which were moved by Senator W. D. Childers and adopted:

Amendment 1—On page 2, strike all of lines 25-28 and insert:

(3) "Consultant" means a physician licensed pursuant to chapter 458 or 459, Florida Statutes, who agrees to provide advice and services to a birth center, and who is either: (a) certified or eligible for certification by the American Board of Obstetrics and Gynecologists or (b) has hospital obstetrical privileges. If a birth center is unable to find a consultant as defined in this subsection, the birth center may enter into a consultation agreement with the department upon approval of the State Health Officer.

Amendment 2—On page 3, lines 27-31, and on page 4, lines 1-5, strike all of said lines and insert:

Section 4. Partial Exemptions.—

(1) Any facility providing obstetrical and gynecological surgical services and owned and operated by a board-certified obstetrician on June 15, 1984, and which is otherwise subject to licensure under this act as a birth center, shall be exempt from the provisions of this act which restrict the provision of surgical services, outlet forceps delivery, and the administration of anesthesia at birth centers. The department shall adopt rules specifically related to the performance of such services and the administration of anesthesia at such facilities.

(2) Any facility which, as of June 15, 1984, has an agreement with a consultant who is licensed pursuant to chapters 458 or 459, Florida Statutes, but who is not practicing obstetrics, shall be exempt from the provisions of this act defining "consultant".

Amendment 3—On page 9, lines 18 and 19, after "repair", strike ", outlet forceps delivery"

Senator Vogt moved the following amendments which were adopted:

Amendment 4—On page 3, strike all of lines 10-13

Amendment 5—On page 9, strike all of line 24, and insert: tests, as defined by rule of the department, and shall be exempt from the requirements of chapter 483, F.S., provided that no more than five physicians are employed by the birthing center and that testing is conducted exclusively in connection with the diagnosis and treatment of clients of the birth center.

Amendment 6—On page 13, line 15, strike "life safety"

Amendment 7—On page 13, line 18, strike "life-safety code" and insert: codes

Amendment 8—On page 13, line 20, strike "fire and"

Senator Meek moved the following amendment which was adopted:

Amendment 9—In title, on page 1, lines 1-31, and on page 2, lines 1-3, strike everything before the enacting clause and insert: A bill to be entitled An act relating to birth centers; creating the "Birth Center Licensure Act"; providing legislative intent; providing definitions; providing for the issuance, renewal, denial, and revocation of licenses to conduct birth centers by the Department of Health and Rehabilitative Services; providing for license applications, fees, and expenses; providing for administration; providing requirements for birth center facilities; providing for client selection; providing for informed consent; providing for client education and orientation; providing for prenatal care; providing for confidentiality; limiting surgical services; providing for laboratory services, within limits; providing for intrapartum care; limiting administration of analgesia and anesthesia; providing for postpartum care; providing for consultation; providing for transportation and transfers; providing for records and reports; providing for clinical records; providing for confidentiality; providing for audits; providing for statistical analyses; providing for standards, rules, and enforcement; providing for inspections and inspection fees; providing for furnishing of inspection reports, upon payment of a reasonable charge; providing for criminal and administrative penalties, injunctions, emergency orders, and moratoriums; providing for a trust fund; providing an effective date.

On motion by Senator Meek, by two-thirds vote CS for SB 782 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

Vote after roll call:

Yea—Hill

On motions by Senator Myers, the rules were waived and by two-thirds vote CS for CS for HB 702 was withdrawn from the Committees on Economic, Community and Consumer Affairs; Commerce; and Appropriations.

On motion by Senator Myers—

CS for CS for HB 702—A bill to be entitled An act relating to home equity conversion; amending s. 420.011, F.S.; defining the terms "home equity conversion mortgage" and "consortium" for the purposes of the "Florida Housing Act of 1972"; amending s. 420.101, F.S.; authorizing the Housing Development Corporation of Florida to make, service, and manage home equity conversion mortgages; amending s. 420.507, F.S.; authorizing the Florida Housing Finance Agency to review and approve home equity conversion mortgage agreements; creating part VII of chapter 420, the "Florida Home Equity Conversion Act"; providing definitions; providing duties of the Department of Community Affairs; providing an appropriation to the department; creating a home equity conversion mortgage guaranty fund to be administered by the Florida Housing Finance Agency; providing an appropriation to the agency; authorizing the State Board of Administration to make investigations and studies, and promulgate rules, in conjunction with the Housing Finance Agency; providing for payments from the fund; providing for investments of the fund; authorizing the agency to issue insurance on home equity conversion mortgages and providing for eligibility therefor; providing legislative intent; providing for a home equity mortgage consortium; providing powers of the department; providing for an annual report by the department to the Legislature; providing for repeal of s. 420.604, F.S., relating to certain duties of the Department of Community Affairs, on July 1, 1990; providing an effective date.

—a companion measure, was substituted for CS for CS for SB 982 and read the second time by title.

Senator Myers moved the following amendment which was adopted:

Amendment 1—In title, on pages 1 and 2, strike everything before the enacting clause and insert: A bill to be entitled An act relating to home equity conversion; amending s. 420.011, F.S.; defining the terms "home equity conversion mortgage" and "consortium" for the purposes of the "Florida Housing Act of 1972"; amending s. 420.101, F.S.; authorizing the Housing Development Corporation of Florida to make, service, and manage home equity conversion mortgages; amending s. 402.507, F.S.; authorizing the Florida Housing Finance Agency to review and approve home equity conversion mortgage agreements; creating part VII of chapter 420, the "Florida Home Equity Conversion Act"; providing definitions; providing duties of the Department of Community Affairs; providing an appropriation to the department; creating a home equity conversion mortgage guaranty fund to be administered by the Florida Housing Finance Agency; authorizing the State Board of Administration to make investigations and studies and promulgate rules, in conjunction with the Housing Finance Agency; providing an appropriation to the agency; providing for payments from the fund; providing for investments of the fund; authorizing the agency to issue insurance on home equity conversion mortgages and providing for eligibility therefor; providing legislative intent; providing for a home equity mortgage consortium; providing powers of the department; providing for an annual report by the department to the Legislature; providing for future repeal of s. 420.604, F.S., relating to certain duties of the Department of Community Affairs; providing an effective date.

WHEREAS, the Legislature directed the Department of Community Affairs to conduct a study into the use of reverse annuity mortgages or any other similar instruments in the state and to submit a report to the Legislature on its findings, including a list of recommendations on specific legislation or informational activities needed to implement or encourage the use of such instruments, and

WHEREAS, the department's study found that:

(1) At least 315,000 persons over the age of 65 own their homes unencumbered by a mortgage, representing a total equity of $13.7 billion;

(2) Many of these homeowners have low incomes and would benefit from an additional income source;

(3) It has been shown that home equity conversion techniques enable elderly homeowners to provide more substantially for their own in-home support and specialized care; and

(4) Institutional lenders face several individual and portfolio risks inherent in home equity conversion plans which impair the availability of such plans, and

WHEREAS, by enactment of this act, the State of Florida seeks to encourage the development of home equity conversion plans and to advise, assist, and protect the elderly in the pursuit of home equity conversion. It shall be the purpose of this act to encourage such home equity conversions by providing for dissemination of information and technical assistance by the Department of Community Affairs; by providing for a mortgage guarantee fund to insure lenders against losses resulting from home equity conversion mortgages made within the parameters of this act; and by providing for consortia of lenders to participate in underwriting home equity conversion loans, NOW, THEREFORE,

On motion by Senator Myers, by two-thirds vote CS for CS for HB 702 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

CS for CS for SB 982 was laid on the table.

On motion by Senator Neal, by two-thirds vote CS for SB's 306 and 1126 was placed on the consent calendar following CS for CS for HB 702.

CS for SB's 306 and 1126—A bill to be entitled An act relating to aquatic preserves; creating s. 258.393, F.S.; creating the Terra Ceia Aquatic Preserve in Manatee County and including it in the aquatic preserve system under the Florida Aquatic Preserve Act of 1975; prescribing boundaries; amending s. 258.39, F.S.; expanding the boundaries of the Rookery Bay Aquatic Preserve; providing exemptions for discharge activities; directing the Department of Natural Resources to review the boundaries of the proposed Florida Keys - Monroe County Aquatic Preserve and make recommendations to the Legislature; providing an effective date.

—was read the second time by title. On motion by Senator Neal, by two-thirds vote CS for SB's 306 and 1126 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32

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

Nays—1

Barron

On motion by Senator Plummer, the rules were waived and by two-thirds vote HB 147 was withdrawn from the Committee on Judiciary-Criminal.

On motion by Senator Plummer—

HB 147—A bill to be entitled An act relating to graves; amending s. 872.02, F.S., providing a felony penalty for the wanton and malicious disturbance of the contents of a grave or for the removal of or damage to property in excess of a certain value; providing an effective date.

—a companion measure, was substituted for SB 374 and read the second time by title. On motion by Senator Plummer, by two-thirds vote HB 147 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

Barron	Frank	Jennings	Rehm
Beard	Gersten	Johnston	Scott
Carlucci	Girardeau	Langley	Stuart
Childers, D.	Grant	Malchon	Thurman
Childers, W. D.	Grizzle	Mann	Vogt
Crawford	Hair	McPherson	Weinstein
Deratany	Henderson	Meek	
Dunn	Hill	Myers	
Fox	Jenne	Plummer	

Nays—None

Vote after roll call:

Yea—Neal

SB 374 was laid on the table.

CS for SB 752—A bill to be entitled An act relating to special officers for carriers; amending s. 354.01, F.S., clarifying language and a statutory reference with respect to special officers; eliminating reference to the Governor as the employing agency with respect to special officers; amending s. 354.05, F.S., eliminating reference to the Governor as having authority to revoke the commission of any special officer who is decertified by the Criminal Justice Standards and Training Commission; providing an effective date.

—was read the second time by title. On motion by Senator Rehm, by two-thirds vote CS for SB 752 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—29

Barron	Gersten	Jennings	Rehm
Beard	Girardeau	Johnston	Stuart
Carlucci	Grant	Langley	Thurman
Childers, W. D.	Grizzle	Malchon	Vogt
Crawford	Hair	Mann	Weinstein
Dunn	Henderson	Meek	
Fox	Hill	Myers	
Frank	Jenne	Plummer	

Nays—None

Vote after roll call:

Yea—Neal

On motions by Senator Jenne, the rules were waived and by two-thirds vote HB 87 was withdrawn from the Committees on Personnel, Retirement and Collective Bargaining; and Appropriations.

On motion by Senator Jenne—

HB 87—A bill to be entitled An act relating to public employee collective bargaining; amending s. 447.403, F.S., authorizing public employers and employee bargaining agents to jointly waive the appointment of a special master for the resolution of impasses; providing for resolution by the appropriate legislative body; amending s. 447.205, F.S., clarifying provisions relating to the terms of office of the members of the Public Employees Relations Commission; providing an effective date.

—a companion measure, was substituted for SB 486 and read the second time by title. On motion by Senator Jenne, by two-thirds vote HB 87 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—30

Barron	Childers, W. D.	Deratany	Fox
Carlucci	Crawford	Dunn	Frank
Gersten	Hill	Malchon	Thomas
Girardeau	Jenne	Meek	Thurman
Grant	Jennings	Myers	Vogt
Grizzle	Johnston	Rehm	Weinstein
Hair	Kirkpatrick	Scott	
Henderson	Langley	Stuart	

Nays—None

Vote after roll call:

Yea—Neal, Mann

SB 486 was laid on the table.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has passed HB 1182 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Regulatory Reform—

HB 1182—A bill to be entitled An act relating to hearing aids; amending s. 484.047, F.S., providing for the biennial renewal of licenses for the dispensing of hearing aids; increasing the fee therefor; authorizing the Board of Hearing Aid Specialists to promulgate certain rules with respect to mandatory continuing education for license renewal; providing an effective date.

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

On motion by Senator Stuart, by two-thirds vote HB 1182 was withdrawn from the Committee on Rules and Calendar.

CONSENT CALENDAR, continued

On motions by Senator Stuart, by two-thirds vote HB 1182, a companion measure, was substituted for SB 558 and by two-thirds vote read the second time by title.

On motion by Senator Stuart, by two-thirds vote HB 1182 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

SB 558 was laid on the table.

CS for HB 688—A bill to be entitled An act relating to tax on sales, use and other transactions; amending s. 212.02, F.S., defining the term "transaction"; amending s. 212.058, F.S., relating to the discretionary tax; amending s. 212.08, F.S., relating to exemptions from said tax; revising the definition of "religious institutions"; granting an exemption to organizations which provide volunteer manpower to charitable organizations; providing an effective date.

—was read the second time by title. On motion by Senator Thomas, by two-thirds vote CS for HB 688 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Barron	Carlucci	Childers, W. D.	Deratany
Beard	Childers, D.	Crawford	Dunn

Fox	Hill	Mann	Rehm
Frank	Jenne	Margolis	Scott
Gersten	Jennings	McPherson	Stuart
Girardeau	Johnston	Meek	Thomas
Grant	Kirkpatrick	Myers	Thurman
Grizzle	Langley	Neal	Vogt
Henderson	Malchon	Plummer	Weinstein

Nays—None

Vote after roll call:

Yea—Hair

On motion by Senator Thomas, the following remarks by Senator Johnston were published in the journal:

Senator Johnston: Mr. President, if you recall in November I had the opportunity of being one of those who seconded your nomination for President. I really did not second the nomination of Curtis Peterson, I seconded the nomination of the man who had the foresight to marry up with Mrs. Peterson. All of us had great love and respect for Ethel Peterson then and nothing has changed to diminish that love and respect for her in the last two years. Ethel, in two years I have never heard you say one unkind word about anyone and I've never seen you without a smile on your face. I think we all owe you a debt of gratitude for what you have done for Curtis and for what you have done for this Senate. We sincerely appreciate it.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has again refused to concur in Senate Amendments 1, 2, 3 to House Amendments 1, 2, 3 and again requests the Senate to recede.

Allen Morris, Clerk

CS for SB 230—A bill to be entitled An act relating to the care of dependent children; amending s. 409.175, F.S.; substantially revising provisions relating to regulation by the Department of Health and Rehabilitative Services of agencies and facilities providing for the care and placement of dependent children; providing definitions; providing for licensure of certain persons and agencies; specifying licensing requirements; prohibiting departmental rules relating to certain religious instruction; providing for licensing studies; providing for provisional licenses; authorizing inspections; providing for denial, revocation, and suspension of licenses; providing for injunctive proceedings; providing for corrective actions in the event of violations; prohibiting certain activity without a license and providing penalties therefor; authorizing the removal of children from persons in violation of certain provisions; providing for foster parent training; requiring the department to adopt rules; creating s. 409.170, F.S.; providing for the registration of residential child-caring agencies; providing for inspections; providing licensure exemptions; providing classifications for licensed and registered facilities; requiring certain contracts; providing for denial, suspension, and revocation of registration; providing for injunctive relief; prohibiting certain acts and providing penalties; providing severability; saving s. 409.175, F.S., from scheduled sunset repeal on October 1, 1984, and providing for future repeal and review of ss. 409.170, 409.175, F.S.; providing an effective date.

On motions by Senator Jenne, the Senate receded from Senate Amendments 1, 2 and 3 and concurred in House Amendments 1, 2 and 3.

CS for SB 230 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

The bill was ordered engrossed and then enrolled.

CONSENT CALENDAR, continued

The President presiding

SB 421—A bill to be entitled An act relating to education; amending s. 229.512, F.S.; authorizing the Commissioner of Education to reorganize the Office of Teacher Education Certification, Staff Development and Professional Practices Services; amending s. 231.15, F.S.; deleting the substitute certificate classification; amending s. 231.17, F.S.; authorizing the submission of transcripts with an application for certification; providing additional criteria for teacher certification and for participation in the beginning teacher program; amending s. 231.24, F.S.; expanding the fields of credit or training which may be applied toward certificate extension; providing an effective date.

—was read the second time by title.

The Committee on Education recommended the following amendment which was moved by Senator Thurman and adopted:

Amendment 1—On page 6, strike all of lines 15-26 and insert:

(3)(a) No individual shall be issued an initial regular certificate until he has successfully completed a yearlong beginning teacher program *or has demonstrated successful instructional performance on a department approved instructional personnel performance evaluation system.* The yearlong beginning teacher program shall be *required* for all teachers without a regular certificate *with less than one full school year or equivalent of successful teaching experience as defined in s. 228.041(16), or who have not demonstrated successful performance using a department approved instructional personnel performance evaluation system* and shall be conducted during an individual's initial year of employment in a school district in this state.

Senator Thurman moved the following amendments which were adopted:

Amendment 2—On pages 1, 2, 3 and 4, strike all words beginning on line 20, page 1 through and including line 16 on page 4.

Amendment 3—In title, on page 1, strike all of lines 3, 4, 5 and 6.

On motion by Senator Thurman, by two-thirds vote SB 421 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

On motions by Senator Kirkpatrick, the rules were waived and by two-thirds vote HB 137 was withdrawn from the Committees on Agriculture and Appropriations.

On motion by Senator Kirkpatrick—

HB 137—A bill to be entitled An act relating to agricultural products; transferring, renumbering and amending s. 581.188, F.S., moving the responsibilities and enforcement provisions relating to cypress theft from the Division of Plant Industry to the Division of Forestry; amending ss. 604.16 and 604.22, F.S.; requiring that certain persons possessing and offering agricultural products for sale have certain written documentation regarding such sale; providing penalties; amending s. 604.25, F.S.; providing additional grounds for denial, suspension, or revocation of license; amending s. 604.30, F.S.; providing for fines; providing penalties; providing an effective date.

—a companion measure, was substituted for SB 502 and read the second time by title. On motion by Senator Kirkpatrick, by two-thirds vote HB 137 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Girardeau

SB 502 was laid on the table.

On motions by Senator Vogt, the rules were waived and by two-thirds vote HB 30 was withdrawn from the Committees on Economic, Community and Consumer Affairs; and Executive Business.

On motion by Senator Vogt—

HB 30—A bill to be entitled An act relating to suspension, removal, or retirement of public officers; creating s. 112.501, Florida Statutes; providing for suspension or removal from office of municipal board members; providing procedure; providing grounds; providing for discretionary reinstatement; providing for filling of vacancy; limiting authority while under suspension; providing for mandatory reinstatement; providing for reimbursement for pay and other allowances withheld during the period of suspension; providing for application in the absence of a charter provision; amending s. 112.51, Florida Statutes, relating to suspension or removal from office of municipal officers by the Governor, to expand the Governor's authority with respect thereto; providing an effective date.

—a companion measure, was substituted for SB 200 and read the second time by title. On motion by Senator Vogt, by two-thirds vote HB 30 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Weinstein

SB 200 was laid on the table.

Consideration of SJR 93 was deferred.

HB 120—A bill to be entitled An act relating to law enforcement officers and firefighters; amending sections 2 and 3 of chapter 83-115, Laws of Florida, extending to July 1, 1980, the time period for the claiming of certain educational benefits payable by the state for the children of deceased law enforcement officers or firefighters; providing an effective date.

—was read the second time by title. On motion by Senator Stuart, by two-thirds vote HB 120 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Senator Crawford presiding

On motions by Senator Weinstein, the rules were waived and by two-thirds vote HJR 37 was withdrawn from the Committees on Judiciary-Civil and Appropriations.

On motion by Senator Weinstein—

HJR 37—A joint resolution proposing an amendment to Section 8 of Article V of the State Constitution, relating to eligibility for the office of judge, to require that a county court judge be a member of the bar of Florida for the 5 years preceding his qualification.

—a companion measure, was substituted for SJR 93 and read the second time by title.

Senator Weinstein moved the following amendments which were adopted:

Amendment 1—On page 1, lines 11-31, and on page 2, lines 1-8, strike all of said lines and insert:

That the following amendment to Section 8 of Article V of the State Constitution is hereby agreed to and shall be submitted to the electors of this state for approval or rejection at the general election to be held in November 1984 and if approved shall take effect July 1, 1985:

ARTICLE V

JUDICIARY

SECTION 8. Eligibility.—No person shall be eligible for office of justice or judge of any court unless he is an elector of the state and resides in the territorial jurisdiction of his court. No justice or judge shall serve after attaining the age of seventy years except upon temporary assignment or to complete a term, one-half of which he has served. No person is eligible for the office of justice of the supreme court or judge of a district court of appeal unless he is, and has been for the preceding ten years, a member of the bar of Florida. No person is eligible for the office of circuit judge unless he is, and has been for the preceding five years, a member of the bar of Florida. Unless otherwise provided by general law, *no person is eligible for the office of* a county court judge *unless he is, and has been for the preceding five years,* ~~must be~~ a member of the bar of Florida. *Unless otherwise provided by general law, a person shall be eligible for election or appointment to the office of county court judge in a county having a population of 40,000 or less if he is a member in good standing of the bar of Florida.*

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE V, SECTION 8

ELIGIBILITY TO BE COUNTY COURT JUDGE.—Proposing an amendment to the State Constitution, effective July 1, 1985, to require that unless otherwise provided by general law, no person shall be eligible for the office of county court judge unless he is, and has been for the preceding five years, a member of the bar of Florida. Unless otherwise provided by general law, a person shall be eligible for election or appointment to the office of county court judge in a county having a population of 40,000 or less if he is a member in good standing of the bar of Florida.

Amendment 2—In title, on page 1, strike all of lines 2-7 and insert: A joint resolution proposing an amendment to Section 8, Article V of the State Constitution, relating to eligibility for the office of judge, to require that unless otherwise provided by general law, no person is eligible for the office of county court judge unless he is, and has been for the preceding five years a member of the Bar of Florida; providing an exception.

On motion by Senator Weinstein, by two-thirds vote HJR 37 as amended was read the third time in full as follows:

HJR 37—A joint resolution proposing an amendment to Section 8, Article V of the State Constitution, relating to eligibility for the office of judge, to require that unless otherwise provided by general law, no person is eligible for the office of county court judge unless he is, and has been for the preceding five years a member of the Bar of Florida; providing an exception.

Be It Resolved by the Legislature of the State of Florida

That the following amendment to Section 8 of Article V of the State Constitution is hereby agreed to and shall be submitted to the electors of this state for approval or rejection at the general election to be held in November 1984 and if approved shall take effect July 1, 1985:

ARTICLE V

JUDICIARY

SECTION 8. Eligibility.—No person shall be eligible for office of justice or judge of any court unless he is an elector of the state and resides in the territorial jurisdiction of his court. No justice or judge shall serve after attaining the age of seventy years except upon temporary assignment or to complete a term, one-half of which he has served. No person is eligible for the office of justice of the supreme court or judge of a district court of appeal unless he is, and has been for the preceding ten years, a member of the bar of Florida. No person is eligible for the office of circuit judge unless he is, and has been for the preceding five years, a member of the bar of Florida. Unless otherwise provided by general law, *no person is eligible for the office of* a county court judge *unless he is, and has been for the preceding five years,* ~~must be~~ a member of the bar of Florida. *Unless otherwise provided by general law, a person shall be eligible for election or appointment to the office of county court judge in a county having a population of 40,000 or less if he is a member in good standing of the bar of Florida.*

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE V, SECTION 8

ELIGIBILITY TO BE COUNTY COURT JUDGE.—Proposing an amendment to the State Constitution, effective July 1, 1985, to require that unless otherwise provided by general law, no person shall be eligible for the office of county court judge unless he is, and has been for the preceding five years, a member of the bar of Florida. Unless otherwise provided by general law, a person shall be eligible for election or appointment to the office of county court judge in a county having a population of 40,000 or less if he is a member in good standing of the bar of Florida.

—passed by the required constitutional three-fifths vote of the membership and was certified to the House. The vote on passage was:

Yeas—29

Beard	Frank	Jenne	Rehm
Carlucci	Gersten	Langley	Scott
Castor	Girardeau	Malchon	Thurman
Childers, W. D.	Grant	McPherson	Vogt
Crawford	Grizzle	Meek	Weinstein
Deratany	Hair	Myers	
Dunn	Henderson	Neal	
Fox	Hill	Plummer	

Nays—2

Mann	Thomas

SJR 93 was laid on the table.

The President presiding

On motions by Senator Jenne, by two-thirds vote CS for HB 955 was withdrawn from the Committees on Economic, Community and Consumer Affairs; Finance, Taxation and Claims; Appropriations; and Rules and Calendar.

On motion by Senator Jenne—

CS for HB 955—A bill to be entitled An act relating to the Uniform Community Development District Act of 1980; amending s. 190.002, F.S.; providing legislative intent and policy; amending s. 190.003, F.S.; providing a definition and revising the definition of a community development district; amending s. 190.004, F.S.; providing status of such districts; amending s. 190.005, F.S.; revising procedures and requirements for creation of such districts; providing filing fees; amending s. 190.006, F.S.; revising qualifications of members of the board of supervisors; amending s. 190.007, F.S.; revising requirements for selection of a depository; amending ss. 190.011 and 190.012, F.S.; revising general and special powers of a district; requiring local government approval for certain powers; amending s. 190.016, F.S.; revising requirements for execution of bonds; authorizing payment of revenue bonds by special assessment; restricting authority to issue general obligation bonds and specifying limitations thereon; amending s. 190.021, F.S.; limiting ad valorem tax which may be levied for operating purposes; amending s. 190.022, F.S.; specifying power with respect to levy of special assessments; amending s.190.046, F.S., and repealing subsection (9) thereof; deleting provisions relating to annexation by a municipality; revising provisions relating to merger with other districts; creating s. 190.047, F.S.; providing requirements with respect to incorporation or annexation; creating s. 190.048, F.S.; requiring certain disclosure to purchasers of real estate within a district; amending s. 190.049, F.S.; prohibiting special laws and general laws of local application creating independent special districts having specified powers; providing this act shall not repeal special assessment collection procedures required by Chapter 83-204, Laws of Florida; providing an effective date.

—a companion measure, was substituted for SB 1032 and by two-thirds vote read the second time by title. On motion by Senator Jenne, by two-thirds vote CS for HB 955 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Stuart

SB 1032 was laid on the table.

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

SB 421—A bill to be entitled An act relating to education; amending s. 229.512, F.S.; authorizing the Commissioner of Education to reorganize the Office of Teacher Education Certification, Staff Development and Professional Practices Services; amending s. 231.15, F.S.; deleting the substitute certificate classification; amending s. 231.17, F.S.; authorizing the submission of transcripts with an application for certification; providing additional criteria for teacher certification and for participation in the beginning teacher program; amending s. 231.24, F.S.; expanding the fields of credit or training which may be applied toward certificate extension; providing an effective date.

—passed this day.

The Committee on Education recommended the following amendment which was moved by Senator Thurman and adopted by two-thirds vote:

Amendment 4—On page 4, lines 22 and 23, strike "*and* part-time, ~~and substitute~~" and insert: part-time, and substitute

On motion by Senator Thurman, by two-thirds vote SB 421 as amended was read by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—33

Mr. President	Childers, D.	Dunn	Grant
Beard	Childers, W. D.	Fox	Grizzle
Carlucci	Crawford	Girardeau	Hair
Castor	Deratany	Gordon	Henderson

Hill	Margolis	Plummer	Vogt
Jenne	McPherson	Scott	Weinstein
Jennings	Meek	Stuart	
Langley	Myers	Thomas	
Malchon	Neal	Thurman	

Nays—None

Vote after roll call:

Yea—Frank, Gersten, Rehm

Consideration of SB 132 was deferred.

On motions by Senator Jenne, the rules were waived and by two-thirds vote CS for HB 530 was withdrawn from the Committees on Commerce, and Health and Rehabilitative Services.

On motion by Senator Jenne—

CS for HB 530—A bill to be entitled An act relating to insurance; creating s. 626.9545, F.S., authorizing health insurance improper charge identification incentive programs; amending s. 627.410, F.S., requiring the filing of certain health insurance rating manuals, schedules, manual changes, schedule changes, and rates and rate changes; providing exemptions; creating s. 627.4115, F.S., authorizing examination of health insurers by the Department of Insurance; providing for the acceptance of similar examination reports; creating s. 627.4231, F.S., requiring health insurance policies and health care services plans to contain certain cost containment measures; amending s. 627.4235, F.S., requiring coordination among group coverages; permitting the coordination of other health insurance coverages; making other changes with respect to the coordination of benefits; eliminating gender-based coordination provisions; creating s. 627.429, F.S., requiring certain health insurance policies to provide out-of-hospital coverage equal to in-hospital coverage under certain circumstances; amending s. 627.659, F.S., including certain policies or contracts within the term blanket health insurance; creating s. 627.916, F.S., requiring health insurers to file annual reports with the Department of Insurance regarding the implementation of cost containment measures; providing for rules and the analysis of data reported; providing for review and repeal; providing an effective date.

—a companion measure, was substituted for CS for CS for SB 422 and read the second time by title. On motion by Senator Jenne, by two-thirds vote CS for HB 530 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—29

Mr. President	Fox	Johnston	Plummer
Beard	Frank	Langley	Rehm
Carlucci	Gersten	Malchon	Scott
Childers, D.	Grizzle	Mann	Vogt
Childers, W. D.	Henderson	McPherson	Weinstein
Crawford	Hill	Meek	
Deratany	Jenne	Myers	
Dunn	Jennings	Neal	

Nays—None

Vote after roll call:

Yea—Hair, Stuart

CS for CS for SB 422 was laid on the table.

On motion by Senator Grant, the rules were waived and by two-thirds vote HB 1012 was withdrawn from the Committee on Economic, Community and Consumer Affairs.

On motion by Senator Grant—

HB 1012—A bill to be entitled An act relating to land surveyors; amending s. 472.017, F.S., providing for mandatory continuing education prior to license renewal; s. 472.013(2)(d) is repealed; providing effective dates.

—a companion measure, was substituted for CS for SB 392 and read the second time by title. On motion by Senator Grant, by two-thirds vote HB 1012 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32

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

Nays—None

Vote after roll call:

Yea—Malchon, Stuart

Yea to Nay—Jennings

CS for SB 392 was laid on the table.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has passed as amended CS for HB 658 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Education, K-12 and Representative Easley and others—

CS for HB 658—A bill to be entitled An act relating to educational facilities construction and funding; amending s. 52, chapter 81-223, Laws of Florida, and s. 236.25, F.S.; providing for continuation of the discretionary 2-mill school tax for capital outlay until July 1, 1985; providing for a discretionary 1.5-mill school tax for capital outlay beginning on July 1, 1985; authorizing the use of such tax to include the purchase of new and replacement equipment; repealing the 2-mill equivalent rollback as of July 1, 1985; providing for a repeal date; amending s. 236.45, F.S.; revising provisions relating to the payment of bonds; providing an effective date.

—was read the first time by title. On motion by Senator Jenne, the rules were waived and CS for HB 658 was placed on the calendar.

On motion by Senator Jenne, by unanimous consent CS for HB 658 was taken up out of order. On motions by Senator Jenne, by two-thirds vote CS for HB 658 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—35

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

Nays—1

Langley

Vote after roll call:

Yea—Deratany

Nay—Barron

Yea to Nay—Mr. President, W. D. Childers, Grant, Jennings

SPECIAL ORDER

On motion by Senator Dunn, by two-thirds vote—

HB 1266—A bill to be entitled An act relating to governmental meetings and records; providing an appropriation; creating ss. 125.355, 166.045, and 235.054, F.S.; providing for the confidentiality of appraisals, offers, and counteroffers with respect to the purchase of real property by counties, municipalities, and school boards; providing for the keeping of certain records; requiring appraisals; providing for extraordinary votes; providing for future repeal; amending s. 119.02, F.S.; providing penalties; amending s. 119.07, F.S.; providing for inspection and examination of records; providing exemptions; amending s. 119.11, F.S.; providing for accelerated hearings; amending s. 119.12, F.S.; providing for attorney's fees; creating s. 119.13, F.S.; authorizing the Commission on Ethics to investigate complaints regarding violations of chapter 119, F.S.; providing grounds for punishment; creating s. 119.14, F.S.; providing a short title; providing for legislative review of exemptions to s. 286.011, F.S., and chapter 119, F.S.; establishing a schedule for review; creating s. 286.0115, F.S.; authorizing the Commission on Ethics to investigate complaints regarding violations of s. 286.011, F.S.; providing grounds for punishment; creating s. 286.015, F.S.; providing for applicability of s. 119.14, F.S.; providing an effective date.

—was read the second time by title.

Senator Dunn moved the following amendments which were adopted:

Amendment 1—On page 7, strike all of lines 16 and 17

Amendment 2—On page 10, between lines 28 and 29, insert: except sections 106.24 through 106.27 and 112.320 through 112.324.

Amendment 3—On page 8, lines 14-31, and on page 9, lines 1-28, strike all of said lines

Amendment 4—On page 12, lines 7-31, and on page 13, lines 1-28, strike all of said lines

Amendment 5—On page 14, line 5, strike "Section 12. There is hereby appropriated from the General Revenue Fund to the Commission on Ethics 3 positions and $38,730 in Salaries and Benefits, $15,000 in Expenses, and $5100 in Operating Capital Outlay."

Amendment 6—In title, on page 13, line 3, after the semicolon (;) strike "providing an appropriation"

On motion by Senator Dunn, by two-thirds vote HB 1266 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32

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

Nays—1

Fox

Vote after roll call:

Nay to Yea—Fox

CS for SB's 1028 and 1095—A bill to be entitled An act relating to taxation; revising and reorganizing ch. 197, F.S., relating to tax collections, sales, and liens; providing definitions; providing for liens; increasing certain service charges and fees; providing for correction of errors; providing for collection of unpaid or omitted taxes; providing for discounts; providing for interest; providing for refunds; providing for prepayment; providing for deferral; providing for assessment rolls, notices, and collection of taxes; specifying when taxes are due or delinquent; providing for collection of special assessments; providing for distribution of taxes; providing procedures for sale of property with delinquent taxes; providing for attachment, levy, and seizure; providing for sale, redemption, and cancellation of tax certificates; providing for tax deeds; providing an effective date.

—was read the second time by title.

Senator Margolis moved the following amendment:

Amendment 1—On page 1, strike everything after the enacting clause and insert:

Section 1. Sections 197.012, 197.0124, 197.0125, 197.0126, 197.0127, 197.0129, 197.0134, 197.0135, 197.0136, 197.0138, 197.0146, 197.0147, 197.0151, 197.0152, 197.062, 197.066, 197.072, 197.076, 197.077, 197.086, 197.092, 197.101, 197.106, 197.116, 197.121, 197.132, 197.136, 197.141, 197.151, 197.156, 197.161, 197.176, 197.181, 197.186, 197.191, 197.196, 197.201, 197.206, 197.216, 197.221, 197.226, 197.231, 197.236, 197.241, 197.297, and 197.351, Florida Statutes, are hereby repealed.

Section 2. Section 197.102, Florida Statutes, is created to read:

197.102 Definitions.—As used in this chapter, the following definitions shall apply, unless the context clearly requires otherwise:

(1) "Tax notice" means the tax bill sent to taxpayers for payment of any taxes or special assessments collected pursuant to this chapter.

(2) "Tax receipt" means the paid tax notice.

(3) "Tax certificate" means the document issued when any real property taxes or special assessments collectible under this chapter become delinquent and such taxes or assessments are paid by an individual who is not the property owner or acting as an agent of the property owner, or when such taxes or assessments are not paid and the certificate is issued to the county in which the real property lies.

(4) "Tax rolls" and "assessment rolls" are synonymous, and mean the rolls prepared by the property appraiser pursuant to chapter 193 and certified pursuant to s. 193.122.

(5) "Department," unless otherwise specified, means the Department of Revenue.

(6) "Omitted taxes" means those taxes which have not been extended on the tax roll against a parcel of property after the property has been placed upon the list of lands available for taxes pursuant to s. 197.502.

Section 3. Section 197.0122, Florida Statutes, is renumbered as section 197.103, Florida Statutes.

Section 4. Section 197.122, Florida Statutes, is created to read:

197.122 Lien of taxes; dates.—All taxes imposed pursuant to the State Constitution and laws of this state shall be a first lien, superior to all other liens, on any property against which the taxes have been assessed, and shall continue in full force from January 1 of the year the taxes were levied until discharged by payment or until barred by chapter 95.

Section 5. Section 197.0128, Florida Statutes, is renumbered as section 197.123, Florida Statutes.

Section 6. Section 197.131, Florida Statutes, is created to read:

197.131 Correction of erroneous assessments.—If any tax collector shall discover an erroneous assessment, he shall notify the property appraiser. If the error constitutes a double assessment, the tax collector shall collect only the tax justly due.

Section 7. Section 197.142, Florida Statutes, is created to read:

197.142 Correction of errors.—No act of omission or commission on the part of any property appraiser, tax collector, board of county commissioners, clerk of the circuit court, or county comptroller, or their deputies or assistants, or newspaper in which any advertisement of sale may be published, shall operate to defeat the payment of taxes; but any acts of omission or commission may be corrected at any time by the officer or party responsible for them in like manner as provided by law for performing acts in the first place, and when so corrected they shall be construed as valid ab initio and shall in no way affect any process by law for the enforcement of the collection of any tax.

Section 8. Section 197.152, Florida Statutes, is created to read:

197.152 Collection of unpaid or omitted taxes; interest amount; taxable value.—Unpaid or omitted taxes shall be collected upon the basis of the regular valuation placed by the property appraiser upon the land for the year for which taxes remain unpaid, and, when no valuation was so placed, then the last assessed valuation prior thereto shall be considered the regular valuation. Omitted taxes shall be paid with interest thereon at the rate of interest as specified in this chapter.

Section 9. Section 197.162, Florida Statutes, is created to read:

197.162 Discounts; amount and time.—On all taxes assessed on the county tax rolls and collected by the county tax collector, discounts for early payment thereof shall be at the rate of 4 percent in the month of November or at any time within 30 days after the mailing of the original tax notice; 3 percent in the month of December; 2 percent in the following month of January; 1 percent in the following month of February; and zero percent in the following month of March or within 30 days prior to the date of delinquency if the date of delinquency is after April 1.

Section 10. Section 197.172, Florida Statutes, is created to read:

197.172 Interest rate; calculation and minimum.—

(1) Real property taxes shall bear interest at the rate of 18 percent per year from the date of delinquency until a certificate is sold, except that the minimum charge for any taxes paid prior to the sale of a tax certificate shall be 3 percent.

(2) The maximum rate of interest on tax certificates shall be 18 percent per year, providing the tax certificate shall bear no interest during the period of time the 3 percent mandatory charge under subsection (1) is in effect.

(3) Personal property taxes shall bear interest at 18 percent per year from the date of delinquency until paid or barred under chapter 95.

(4) Except as provided in s. 197.262 with regard to deferred payment tax certificates, interest to be accrued pursuant to this chapter shall be calculated on a monthly basis from the first day of each month.

Section 11. Section 197.182, Florida Statutes, is created to read:

197.182 Department of Revenue to pass upon and order refunds.—

(1)(a) Except as provided in paragraph (b), the Department of Revenue shall pass upon and order refunds when payment of taxes assessed on the county tax rolls has been made voluntarily or involuntarily under the following circumstances:

1. Any overpayment.

2. Payment when no tax was due.

3. When a bona fide controversy exists between the tax collector and the taxpayer as to the liability of the taxpayer for the payment of the tax claimed to be due, the taxpayer pays the amount claimed by the tax collector to be due, and it is finally adjudged by a court of competent jurisdiction that the taxpayer was not liable for the payment of the tax or any part thereof.

4. Any payment made in error by a taxpayer to the tax collector, provided that, within 24 months of the date of the erroneous payment and prior to any transfer of the assessed property to a third party for consideration, the party seeking a refund makes demand for reimbursement of the erroneous payment upon the owner of the property on which the taxes were erroneously paid and reimbursement of the erroneous payment is not received within 45 days of such demand. The demand for reimbursement shall be sent by certified mail, return receipt requested, and a copy thereof shall be sent to the tax collector.

5. Any payment for tax certificates which are subsequently determined to be void, as provided in s. 197.443.

(b) Those refunds which have been ordered by a court and those refunds which do not result from changes made in the assessed value on a tax roll certified to the tax collector shall be made directly by the tax collector without order from the department and from undistributed funds without approval of the various taxing authorities.

(c) Claims for refunds shall be made in accordance with the rules of the department. No refund shall be granted unless claim is made therefor within 4 years of January 1 of the tax year for which the taxes were paid.

(2)(a) When the Department of Revenue orders a refund, it shall forward a copy of its order to the tax collector who shall then determine and certify to the county, district school board, each municipality, and the governing body of each taxing district, their pro rata share of such refund, the reason for the refund, and the date the refund was ordered by the department.

(b) The board of county commissioners, the district school board, each municipality, and the governing body of each taxing district shall comply with the order of the department in the following manner:

1. Authorize the tax collector to make refund from undistributed funds held for that taxing authority by the tax collector;

2. Authorize the tax collector to make refund and forward to the tax collector their pro rata share of the refund from currently budgeted funds, if available; or

3. Notify the tax collector that the taxing authority does not have funds currently available and provide in their budget for the ensuing year funds for the payment of the refund.

(3) A refund ordered by the department pursuant to this section shall be made by the tax collector in one aggregate amount composed of all the pro rata shares of the several taxing authorities concerned, except that a partial refund is allowed when one or more of the taxing authorities concerned do not have funds currently available to pay their pro rata share of the refund and this would cause an unreasonable delay in the total refund. A statement by the tax collector explaining the refund shall accompany the refund payment.

(4) Nothing contained in this section shall be construed to authorize any taxing authority to make any tax levy in excess of the maximum authorized by the constitution or the laws of Florida.

Section 12. Section 197.192, Florida Statutes, is created to read:

197.192 Land shall not be subdivided; no plat filed until taxes paid.—No land shall be divided or subdivided and no drawing or plat of the subdivision or subdivision of any land shall be filed or recorded in the public records of any court until all taxes have been paid on the land.

Section 13. Section 197.0143, Florida Statutes, is renumbered as section 197.202, Florida Statutes.

Section 14. Section 197.212, Florida Statutes, is created to read:

197.212 Minimum tax bill.—At the recommendation of the county tax collector, the board of county commissioners may adopt a resolution instructing the collector not to mail tax notices to any taxpayer when the amount of taxes shown on the tax notice is less than $5. The resolution shall also instruct the property appraiser that he shall not make an extension on the tax roll for any parcel for which the tax will amount to less than $5. The minimum tax bill so established may not exceed $5.

Section 15. Section 197.0155, Florida Statutes, is renumbered as section 197.222, Florida Statutes.

Section 16. Section 197.0158, Florida Statutes, is renumbered as section 197.23, Florida Statutes.

Section 17. Section 197.0163, Florida Statutes, is renumbered as section 197.242, Florida Statutes.

Section 18. Section 197.0164, Florida Statutes, is renumbered as section 197.243, Florida Statutes.

Section 19. Section 197.0165, Florida Statutes, is renumbered as section 197.252, Florida Statutes.

Section 20. Section 197.0166, Florida Statutes, is renumbered as section 197.253, Florida Statutes.

Section 21. Section 197.0167, Florida Statutes, is renumbered as section 197.254, Florida Statutes.

Section 22. Section 197.0168, Florida Statutes, is renumbered as section 197.262, Florida Statutes.

Section 23 Section 197.0169, Florida Statutes, is renumbered as section 197.263, Florida Statutes.

Section 24. Section 197.017, Florida Statutes, is renumbered as section 197.272, Florida Statutes.

Section 25. Section 197.0171, Florida Statutes, is renumbered as section 197.282, Florida Statutes.

Section 26. Section 197.0172, Florida Statutes, is renumbered as section 197.292, Florida Statutes.

Section 27. Section 197.0173, Florida Statutes, is renumbered as section 197.301, Florida Statutes.

Section 28. Section 197.0174, Florida Statutes, is renumbered as section 197.312, Florida Statutes.

Section 29. Section 197.322, Florida Statutes, is created to read:

197.322 Delivery of assessment roll; notice of taxes; publication and mail.—

(1) The property appraiser shall deliver to the tax collector the certified assessment roll along with his warrant and recapitulation sheet.

(2) The tax collector shall on November 1st, or as soon as the assessment roll is open for collection, publish in a local newspaper notice that the tax roll is open for collection.

(3) Within 20 days after receipt of the certified roll, the tax collector shall mail to each taxpayer appearing on the assessment roll, whose post office address is known to him, a tax notice stating the amount of current taxes due by the taxpayer and, if applicable, the fact that back taxes remain unpaid and advising the taxpayer of the discounts allowed for early payment. The notice shall be accompanied by a printed statement as provided in s. 197.342.

(4) The postage shall be paid out of the general fund of the county, upon statement thereof by the tax collector.

Section 30. Section 197.323, Florida Statutes, is created to read:

197.323 Extension of roll during adjustment board hearings.—

(1) Notwithstanding the provisions of s. 193.122, the board of county commissioners may, upon request of the tax collector and by majority vote, order the roll to be extended prior to completion of property appraisal adjustment board hearings, if completion thereof would otherwise be the only cause for a delay in the issuance of tax notices beyond November 1. For any parcel for which tax liability is subsequently altered as a result of board action, the tax collector shall resolve the matter by following the same procedures used for correction of errors. However, approval by the Department of Revenue shall not be required for refund of overpayment made pursuant to this section.

(2) No tax certificate and no warrant shall be issued under s. 197.432 or s. 197.413 with respect to delinquent taxes on real or personal property for the current year if a petition currently filed with respect to such property has not received final action by the property appraisal adjustment board.

Section 31. Section 197.332, Florida Statutes, is created to read:

197.332 Duties of tax collectors and property owners.—The tax collector has the authority and obligation to collect all taxes as shown on the tax roll by the date of delinquency or to collect delinquent taxes by sale of tax certificates on real property and by seizure and sale of personal property. All owners of property shall be held to know that taxes are due and payable annually and are charged with the duty of ascertaining the amount of current and/or delinquent taxes and paying them before the date of delinquency.

Section 32. Section 197.333, Florida Statutes, is created to read:

197.333 When taxes due; delinquent.—All taxes shall be due and payable on November 1 of each year or as soon thereafter as the certified tax roll is received by the tax collector. Taxes shall become delinquent on April 1 following the year in which they are assessed or immediately after 60 days have expired from the mailing of the original tax notice, whichever is later. In the event that the delinquency date for ad valorem taxes is later than April 1 of the year following the year in which taxes are assessed, all dates or time periods specified in this chapter relative to the collection of, or administrative procedures regarding, delinquent taxes shall be extended a like number of days.

Section 33. Section 197.342, Florida Statutes, is created to read:

197.342 Notice of taxes; content and form.—

(1) A statement shall accompany the original notice of taxes, and shall include:

(a) One table consisting of six separate columns and appropriate totals for each column, which table shall show for each taxing authority in the aggregate:

1. In the first column, each applicable rolled-back millage rate computed pursuant to s. 200.065(1) for every nonvoted millage levy and the applicable millage levied for the prior year for each millage levy adopted by vote of the electors pursuant to s. 9(b) of s. 12, Art. VII of the State Constitution.

2. In the second column, an extension of the amount of taxes that would have been levied had the millage rates in the first column been adopted.

3. In the third column, the actual applicable millage rate or rates levied by the taxing authority.

4. In the fourth column, the amount of taxes actually levied by the taxing authority, based on the rates shown in the third column.

5. In the fifth column, the difference between columns four and two.

6. In the sixth column, the percentage change from column two to column four.

(b) A separate table listing in one column the identity of each taxing authority levying an amount less than or equal to the rolled-back rate computed pursuant to s. 200.065(1) and a second column identifying each taxing authority levying an amount in excess of that rate.

(2) The form of the statement, including appropriate headings and column descriptions, shall be prescribed by department rule and shall be brief and nontechnical to minimize confusion for the average taxpayer.

Section 34. Section 197.423, Florida Statutes, is created to read:

197.423 Tax notices; additional notice required.—

(1) An additional tax notice shall be mailed to each taxpayer whose payment has not been received at least 30 days prior to the date of delinquency, which shall include a description of the property and the following statement: If the taxes for the . . . (year) . . . on your property are not paid, a tax certificate will be sold for these taxes, and your property may be sold at a future date. Contact the tax collector's office in the court house at once.

(2) When the taxes under s. 193.481 on subsurface rights have become delinquent and a tax certificate is to be sold under this chapter, a notice of the delinquency shall be given by registered mail to the owner of the fee to which these subsurface rights are attached. On the day of the tax sale the fee owner shall have the right to purchase the tax certificate at the maximum rate of interest provided by law before bids are accepted for the sale of such certificate.

(3) The tax collector shall mail such additional notices as he may deem proper and necessary or as may be required by reasonable rules of the Department of Revenue.

Section 35. Section 197.344, Florida Statutes, is created to read:

197.344 Lienholders; receipt of notices and delinquent taxes.—

(1) When requested in writing, a tax notice shall be mailed according to the following procedures:

(a) Upon request by any taxpayer aged 60 or over, the tax collector shall mail the tax notice to a third party designated by the taxpayer. A duplicate copy of the notice shall be mailed to the taxpayer.

(b) Upon request by a mortgagee stating that it is the trustee of an escrow account for ad valorem taxes due on the property, the tax notice shall be mailed to it. When the original tax notice is mailed to such trustee, the tax collector shall mail a duplicate notice to the owner of the property with the additional statement that the original has been sent to the trustee.

(c) Upon request by a vendee of an unrecorded contract for deed, the tax collector shall mail a duplicate notice to such vendee.

(2) On or before May 1 of each year, the holder or mortgagee of an unsatisfied mortgage, upon filing with the tax collector a description of land encumbered by a recorded mortgage and paying an annual service charge of $2, may request and receive information concerning any delinquent taxes appearing on the current tax roll and certificates issued on the described mortgaged land. Upon receipt of such request, the collector shall furnish the following information to the mortgagee within 60 days following the tax certificate sale:

(a) Description of property on which certificates were sold as requested by the mortgagee.

(b) The number of each certificate issued and to whom.

(c) The face amount of each certificate.

(d) The cost for redemption of each certificate.

(3) On or before May 1 of each year, the holder or mortgagee of an unsatisfied mortgage or lien upon personal property, upon filing with the tax collector a description of the personal property encumbered by said mortgage or lien and the name and address of the owner of such property, and upon paying an annual service charge of $2, may request and receive information concerning any delinquent taxes appearing on the current tax roll for such property as is described as provided above or as may be owned by the named taxpayer. Upon receipt of such request, the collector shall furnish the following information to the mortgagee or lienholder prior to April 25 of the following year:

(a) A description of property against which taxes are assessed.

(b) The amount of taxes and costs owed.

Section 36. Section 197.363, Florida Statutes, is created to read:

197.363 Special assessments and service charges; optional method of collection.—

(1) Notwithstanding other provisions of law, special assessments authorized by general or special law or the State Constitution may be collected as provided for ad valorem taxes under this chapter, if:

(a) The entity imposing the special assessment has entered into a written agreement with the property appraiser, at his option, providing for reimbursement of administrative costs incurred hereinunder;

(b) A resolution authorizing utilization of this method for collection of special assessments is adopted at a public hearing;

(c) Affected property owners have been provided by first class mail prior notice of both the potential for loss of their title which exists with use of this collection method, as well as the time and place of the public hearing required by paragraph (b);

(d) The property appraiser has listed on the assessment roll the special assessment for all affected parcels;

(e) The dollar amount of the special assessment has been included in the notice of proposed property taxes; and

(f) The dollar amount of the special assessment has been included on the tax notice issued pursuant to s. 197.322.

(2) When collected utilizing the method provided for ad valorem taxes, special assessments shall be subject to all collection provisions of this chapter, including provisions relating to discount for early payment, prepayment by installment method, penalty for delinquent payment, and issuance of tax certificates and tax deeds for nonpayment, and to the provisions of s. 192.091(2)(c)2.

(3) If the requirements of subsection (1) which are imposed upon the collection of special assessments are not met, the collection of such special assessments shall be by the manner provided in the ordinance or resolution establishing such special assessments. The manner of collection established in any ordinance or resolution shall be in compliance with all general or special laws authorizing the levy of such special assessments, and in no event shall the ordinance or resolution provide for use of the ad valorem collection method.

(4) The tax collector of each county may act as agent for the county in collecting service charges if the board of county commissioners of the county and the tax collector establish by agreement a manner in which service charges may be collected. The board of county commissioners shall compensate the tax collector for the actual cost of collecting such service charges. However, tax certificates and tax deeds may not be issued for nonpayment of service charges, and such charges shall not be included on a bill for ad valorem taxes.

Section 37. Section 197.364, Florida Statutes, is created to read:

197.364 Collection of certain taxes assessed against railroad property.—

(1) The Department of Revenue shall act as the agent for the several county tax collectors for the purpose of collecting all ad valorem taxes assessed against the operating property of railroads and private railroad car lines pursuant to the provisions of s. 193.085(4).

(2) The department shall adopt rules for the expeditious collection and disbursal of all ad valorem tax moneys collected pursuant to this section.

(3) Nothing in this section shall in any way be construed as affecting the normal enforcement procedures for the collection of delinquent ad valorem taxes assessed upon the operating property of private car lines pursuant to s. 193.085(4). The tax collectors are authorized to execute against such operating property in the same manner as set forth in ss. 197.412, 197.413, 197.414, 197.416 and 197.417.

(4) It is the intent of the Legislature that neither the department nor any of its employees shall be liable for delays in the collection or transmittal of any tax subject to this section. It is the further intent of the Legislature that no action taken by the department pursuant to this section be construed in any manner to classify the tax assessed pursuant to s. 193.085(4) as a state ad valorem tax.

Section 38. Section 197.373, Florida Statutes, is created to read:

197.373 Payment of portion of taxes.—

(1) The tax collector of the county is authorized to allow the payment of any part of a tax notice when the part to be paid can be ascertained by legal description, such part is under a contact for sale or has been transferred to a new owner, and the request is made by the person purchasing the property or the new owner or someone acting on behalf of the purchaser or owner.

(2) The request must be made at least 15 days prior to the tax certificate sale.

(3) The property appraiser shall within 10 days after request from the collector, apportion the property into the parts sought to be paid or redeemed.

(4) This section shall not apply to assessments and collections made pursuant to the provisions of s. 192.037.

Section 39. Section 197.383, Florida Statutes, is created to read:

197.383 Distribution of taxes.—The collector shall distribute taxes collected to each taxing authority at least four times during the first 2 months after the tax roll comes into his possession for collection, and at least one time in all other months. A different schedule may be used if the collector and the governing board of the taxing authority mutually agree.

Section 40. Section 197.402, Florida Statutes, is created to read:

197.402 Advertisement of real or personal property with delinquent taxes.—

(1) Whenever legal advertisements are required, the board of county commissioners shall select the newspaper as provided in chapter 50. The office of the tax collector shall pay all newspaper charges, and the proportionate cost of the advertisements shall be added to the delinquent taxes when they are collected.

(2) Within 45 days after the personal property taxes become delinquent, the tax collector shall advertise a list of the names of delinquent personal property taxpayers and the amount of tax due by each. The advertisement shall include a notice that all personal property taxes are now drawing interest at the rate of 18 percent per year and that, unless the delinquent taxes are paid, warrants will be issued thereon pursuant to s. 197.413 and the tax collector will apply to the circuit court for an order directing levy upon and seizure of the personal property of the taxpayer for the unpaid taxes.

(3) Except as provided in s. 197.432(4), on or before June 1 or the sixtieth day after the date of delinquency, whichever is later, the tax collector shall advertise once each week for 4 weeks and shall sell tax certificates on all real property with delinquent taxes. He shall make a list of such properties in the same order in which the lands were assessed specifying the amount due on each parcel, including interest at the rate of 18 percent per year from the date of delinquency to the date of sale, the cost of advertising and expense of sale.

(4) All advertisements shall be in the form prescribed by the Department of Revenue.

Section 41. Section 197.403, Florida Statutes, is created to read:

197.403 Publisher to furnish copy of advertisement to tax collector; proof of publication; fees.—The newspaper publishing the notice of a tax sale shall transmit by mail a copy of the paper containing each notice to the tax collector within 10 days after the last required publication. When the publication of the tax sale notice is completed as provided by law, the publisher shall make an affidavit in the form prescribed by the Department of Revenue, which shall be delivered to the tax collector and annexed to the report of certificates sold for taxes as provided by s. 197.432(8).

Section 42. Section 197.404, Florida Statutes, is created to read:

197.404 Sale of personal or real property; valid conditions.—No sale or conveyance of real or personal property for nonpayment of taxes shall be held invalid except upon proof that:

(1) The property was not subject to taxation;

(2) The taxes had been paid before the sale of personal property; or

(3) The tax certificate on the real property had been redeemed before the execution and delivery of a deed based upon a certificate issued for nonpayment of taxes.

Section 43. Section 197.412, Florida Statutes, is created to read:

197.412 Attachment of tangible personal property in case of removal.—The tax collector of each county shall have the power to attach for taxes any tangible personal property that has been assessed at any time before payment, if he has reason to believe that the property is being removed or disposed of so as to prevent or endanger the payment of taxes thereon in the same manner and under the rules of law governing attachments of debts in other cases. All taxes assessed upon tangible personal property shall have all the force of a judgment and execution at law against the owner of the property from the date the taxes became due. If the property is still located within the county, the tax collector may issue a warrant authorizing the tax collector, his deputy, or the sheriff to collect the taxes or otherwise seize the property, and they shall proceed in the same manner as on an execution from the circuit court. If the property is located outside the county, the tax collector may issue a warrant authorizing the sheriff of the county where the property is located to collect the taxes, or otherwise seize the property in the same manner as property in the county where the property is assessed. Thereafter, the tax collector shall proceed pursuant to s. 197.413.

Section 44. Section 197.413, Florida Statutes, is created to read:

197.413 Delinquent personal property taxes; warrants; court order for levy and seizure of personal property; seizure; fees of tax collectors.

(1) Prior to May 1 of each year immediately following the year of assessment, the tax collector shall prepare a list of the unpaid personal property taxes containing the names and addresses of the taxpayers and the property subject to the tax, as the same appear on the tax roll. Prior to April 30 of the next year, the tax collector shall prepare warrants against the delinquent taxpayers providing for the levy upon, and seizure of, tangible personal property.

(2) Within 30 days from the date such warrants are prepared, the tax collector shall cause the filing of a petition in the circuit court for the county in which the tax collector serves, which petition shall briefly describe the levies and nonpayment of taxes, the issuance of warrants, proof of the publication of notice as provided for in s. 197.402, and shall list the names and addresses of the taxpayers who failed to pay taxes, as the same appear on the assessment roll. Said petition shall pray for an order ratifying and confirming the issuance of said warrants and directing the tax collector or his deputy to levy upon and seize the tangible personal property of each delinquent taxpayer to satisfy the unpaid taxes set forth in the petition. This proceeding is specifically provided to safeguard the constitutional rights of the taxpayers in relation to their tangible personal property and to allow the tax collector sufficient time to collect said delinquent personal property taxes before the filing of petitions in the circuit court and shall be conducted with these objectives in mind.

(3) The tax collector is empowered to employ counsel and agree upon his compensation for conducting such suit or suits and to pay such compensation out of the general office expense fund, and include such item in the budget. Immediately upon the filing of said petition, the tax collector shall request the earliest possible time for hearing before the circuit court on said petition, at which hearing the tax roll shall be presented and the tax collector or one of his deputies shall appear to testify under oath as to the nonpayment of the personal property taxes listed in the petition.

(4) Upon the filing of said petition, the clerk of the court shall notify each delinquent taxpayer who is included within the petition that a petition has been filed and that upon ratification and confirmation of the petition the tax collector shall be authorized to issue warrants and levy upon, seize, and sell so much of the personal property as to satisfy the delinquent taxes, plus costs, interest, attorney's fees, and other charges. Said notice shall be by certified mail, return receipt requested.

(5) If it shall appear to the circuit court that the taxes as appear on the tax roll are unpaid, the court shall issue its order directing the tax collector or his deputy to levy upon and seize so much of the tangible personal property of the taxpayers who are listed in the petition as is necessary to satisfy the unpaid taxes, costs, interest, attorney's fees, and other charges.

(6) The court shall retain jurisdiction over the matters raised in the petition to hear such objections of taxpayers to the levy and seizure of their tangible personal property as may be warranted under the statutes and laws of the state.

(7) A tax warrant issued by the tax collector for the collection of tangible personal property taxes shall, after the court has issued its order as set forth in subsection (5), have the same force as a writ of garnishment upon any person, firm, or corporation who has any goods, moneys, chattels, or effects of the delinquent taxpayer in his hands, possession, or control or who is indebted to such delinquent taxpayer.

(8) When any tax warrant is levied upon any debtor or person holding property of the taxpayer, the debtor or person shall pay the debt or deliver the property of the tax delinquent tax payer to the tax collector levying the warrant, and the receipt of the tax collector shall be complete discharge to that extent of the debtor or person holding the property. The tax collector shall make note of the levy upon the tax warrant.

(9) The tax collector shall be entitled to the following fees that shall be collected from delinquent taxpayers at the same time of the payment of their taxes:

(a) On amounts of less than $5 for taxes: $1.

(b) On amounts of over $5 but less than $10 for taxes: $1.50.

(c) On amounts over $10 for taxes: $2.

Section 45. Section 197.096, Florida Statutes, is renumbered as section 197.414, Florida Statutes.

Section 46. Section 197.416, Florida Statutes, is created to read:

197.416 Continuing duty of the tax collector to collect delinquent tax warrants.—It shall be the duty of the tax collector issuing a tax warrant for the collection of delinquent tangible personal property taxes to continue from time to time his efforts to collect them for a period of 7 years from the date of the issuance of the warrant. After the expiration of 7 years, the warrant shall be barred by this statute of limitation and no action may be maintained in any court. No tax collector or his successor shall be relieved of accountability for collection of any taxes assessed on tangible personal property until he has completely performed every duty devolving upon him as required by law.

Section 47. Section 197.417, Florida Statutes, is created to read:

197.417 Sale of personal property after seizure.—

(1) When personal property is levied upon for any delinquent taxes as provided for in s. 197.413, at least 15 days before the sale the tax collector shall give public notice by advertisement of the time and place of sale of the property to be sold. The notice shall be posted in at least three public places in the county, one of which shall be at the courthouse, and the property shall be sold at public auction at the location noted in the advertisement. The property sold shall be present if practical. At any time before the sale the owner or claimant of the property may release it by the payment of the taxes plus delinquent charges, interest, and costs for which it was liable to be sold. In all cases, immediate payment for the property shall be required. In case any sale is made as aforesaid, the tax collector shall be entitled to the same fees and charges as are allowed sheriffs upon execution sales.

(2) If the property levied upon is sold for more than the amount of taxes, delinquent charges, interest, costs and collection fees, the surplus shall be returned to the person who had possession of the property when the levy was made or to the owner of the property.

(3) If the property levied upon cannot be located in the county or is sold for less than the amount of taxes, delinquent charges, interest, costs and collection fees, the deficit shall be a general lien against all the taxpayer's other personal property situated in the county. The other property may be seized and sold in the same manner as property on which there is a specific lien for delinquent taxes.

Section 48. Section 197.432, Florida Statutes, is created to read:

197.432 Sale of tax certificates for unpaid taxes.—

(1) On the day and approximately at the time designated in the notice of the sale, the tax collector shall commence the sale of tax certificates on those lands on which taxes have not been paid; and shall continue the sale from day to day until each certificate is sold to pay the taxes, interest, costs, and charges on the parcel described in the certificate. In case there are no bidders, the certificate shall be issued to the county. The tax collector shall offer all certificates on the lands as they are assessed.

(2) A lien created through the sale of a tax certificate may not be enforced in any manner except as prescribed in this chapter.

(3) Delinquent real property taxes of all governmental units due on a parcel of land due in any 1 year shall be combined into one certificate.

(4) A tax certificate representing less than $100 in delinquent taxes, on property that has been granted a homestead exemption for the year in which the delinquent taxes were assessed, shall not be sold at public auction but shall be issued by the tax collector to the county at the maximum rate of interest allowed by this chapter. The provisions of s. 197.502(3) shall not be invoked as long as the homestead exemption is granted to the person who received the homestead exemption for the year in which the tax certificate was issued. Provided, however, that when all such tax certificates and accrued interest thereon represent an amount of $100 or more, the provisions of s. 197.502(3) shall be invoked.

(5) Each certificate shall be struck off to the person who will pay the taxes, interest, costs, and charges and will demand the lowest rate of interest, not in excess of the maximum rate of interest allowed by this chapter. The tax collector shall accept bids in even increments and in fractional interest rate bids of one-quarter of 1 percent only. If there is no buyer, the certificate shall be issued to the county at the maximum rate of interest allowed by this chapter.

(6) The tax collector shall require immediate payment of a reasonable deposit from any person to whom any certificate may be struck off, and failure to pay such deposit shall cause the bid to be canceled. When tax certificates are ready for issuance, the tax collector shall notify each person to whom any certificate was struck off that the certificate is ready for issuance, and payment must be made within 48 hours from the mailing of such notice or the deposit shall be forfeited and the bid canceled. In any event, payment shall be made before delivery of the certificate by the tax collector.

(7) The form of the certificate shall be as prescribed by the Department of Revenue. Upon the cancellation of any bid, the tax collector shall resell that certificate the following day or as soon thereafter as possible, provided the certificate is sold within 10 days after cancellation of such bid.

(8) The tax collector shall make a list of all the certificates sold for taxes, showing the date of the sale, the number of each certificate, the name of the owner as returned, a description of the land within the certificate, the name of the purchaser, the interest rate bid, and the amount for which sale was made. This list shall be known as the "List of Tax Certificates Sold." The tax collector shall append to the list a certificate setting forth the fact that the sale was made in accordance with this chapter.

(9) No certificate shall be sold on, nor any lien created in, property owned by any governmental unit whose property has become subject to taxation due to its lease to a nongovernmental lessee. Such delinquent taxes shall be enforced and collected in the manner provided in s. 196.199(7).

(10) Any tax certificates issued pursuant to the provisions of this section after January 1, 1977, which are void due to an error of the property appraiser, the tax collector, any other county official, or any municipal official and which are subsequently canceled pursuant to the provisions of this chapter or chapter 196 shall earn interest at the rate of 8 percent per annum, simple interest, calculated from the date the certificate was purchased. Refunds made on tax certificates which are void shall be processed as provided in s. 197.182.

(11) When tax certificates are advertised for sale under this law, the tax collector shall be entitled to 5 percent commission on the amount of the delinquent taxes and interest when actual sale is made. However, the tax collector shall not be entitled to any commission for the sale of certificates made to the county until the commission is paid upon the redemption or sale of the tax certificates. When a tax deed is issued to the county, the tax collector shall not receive his commission for the certificates until after the property is sold and conveyed by the county.

(12) All tax certificates issued to the county shall be held by the tax collector of the county where the lands covered by the certificates are located.

(13) Delinquent taxes on real property may be paid after the date of delinquency but prior to the sale of a tax certificate by paying all costs, advertising charges and interest.

Section 49. Section 197.433, Florida Statutes, is created to read:

197.433 Duplicate certificates.—

(1) If application is made to the board of county commissioners for issuance of a duplicate tax certificate, the board may authorize the tax collector to issue a duplicate certificate upon such reasonable terms, conditions and assurances as the board may require. The duplicate certificate shall be plainly marked or stamped "duplicate," and the tax collector shall thereupon issue it to the affiant upon payment of $2 and enter the fact of the duplicate in the tax sale record opposite the entry of the sale for which the lost or destroyed certificate was issued. He shall enter in the same place a notation of the alleged loss or destruction, whether the duplicate is issued or not.

(2) If the tax collector certifies to the board of county commissioners that a tax sale certificate belonging to the county has been lost or misplaced, the board shall enter an order in its minute book directing the collector to issue a duplicate certificate. Thereafter, the tax collector shall issue and file the duplicate certificate. At the same time, he shall make an entry on the tax sale record showing the issuance of the duplicate certificate.

Section 50. Section 197.442, Florida Statutes, is created to read:

197.442 Collector not to sell certificates on land on which taxes have been paid; penalty.—

(1) If any tax collector sells any tax certificates on land upon which the taxes have been paid, upon written demand by the aggrieved taxpayer alleging the circumstances, the tax collector shall initiate action to cancel any improperly issued tax certificate or deed in accordance with the provisions of s. 197.443. If the tax collector fails to act within a reasonable time, his office shall be liable for all legitimate expenses which the aggrieved taxpayer may spend in clearing his title, including a reasonable attorney's fee.

(2) The office of the tax collector shall be responsible to the publisher for costs of advertising lands on which the taxes have been paid and the office of the property appraiser shall be responsible to the publisher for the costs of advertising lands doubly assessed or assessed in error.

Section 51. Section 197.443, Florida Statutes, is created to read:

197.443 Cancellation of void tax certificates, procedure.—

(1) When a tax certificate on lands has been sold for unpaid taxes, and:

(a) The tax certificate evidencing the sale is void because the taxes on the lands have been paid,

(b) The lands were not subject to taxation at the time of the assessment on which they were sold,

(c) The description of the property in the tax certificate is void,

(d) An error of commission or omission has occurred which invalidates the sale,

(e) The Circuit Court has voided the tax certificate by a suit to cancel the tax certificate by the holder, or

(f) The tax certificate is void for any other reason, the tax collector shall forward a certificate of such error to the Department of Revenue and enter upon the List of Certificates Sold For Taxes a memorandum of such error. The department, upon receipt of such certificate, if satisfied of the correctness, or upon receipt of a court order, shall notify the collector, who shall cancel the certificate.

(2) The holder of a tax certificate who pays, redeems, or causes to be canceled and surrendered by any other tax certificates, or pays any subsequent and omitted taxes or costs, in connection with the foreclosure of a tax certificate or tax deed, and when such other certificates or such subsequent and omitted taxes are void for any reason, the person paying, redeeming or causing to be canceled and surrendered the other tax certificates or paying the other subsequent and omitted taxes shall be entitled to obtain the return of the amount paid therefor.

(3) When the certificate or a tax deed based upon the certificate is held by an individual, the collector shall at once notify the original purchaser of the certificate or tax deed or the subsequent holder thereof, if known, that upon the voluntary surrender of the certificate or deed of release of his rights under the tax deed, a refund will be made of the amount received by the governmental units for the certificate or deed, plus $1 for the deed of release.

(4) The refund shall be made in accordance with s. 197.182.

Section 52. Section 197.444, Florida Statutes, is created to read:

197.444 Cancellation of tax certificates; suit by holder.—

(1) The holder of any tax certificate that is void for any reason shall have the right to bring an action in circuit court to have such tax certificate canceled and to obtain the return of the money paid for the tax certificate. The plaintiff may include as many void certificates as he sees fit. The only necessary party defendant shall be the tax collector.

(2) The complaint shall briefly describe the tax certificate, state that it is void and the reason therefor, and demand that the certificate be declared void and that all amounts received by the governmental unit be returned. The plaintiff may include as many void certificates as desired, whether they cover the same land or different parcels of land.

(3) If the court finds for the plaintiff, it shall enter a final judgment declaring the tax certificate void, canceling it of record, and ordering each governmental unit or agency receiving any sums for the tax certificate to return the amounts received by them to the plaintiff; and thereupon the amount received for the certificate by the governmental units or agencies shall be returned.

(4) The provision of this section may also be used by the holder of any tax certificate who pays, redeems, or causes to be canceled and surrenders any other tax certificate in connection with an application for tax deed or in connection with tax foreclosure proceedings, if the other tax certificate is void for any reason.

(5) The provisions of this section shall not be exclusive, but a refund of moneys may be obtained under s. 197.442 or s. 197.443.

Section 53. Section 197.446, Florida Statutes, is created to read:

197.446 Payment of back taxes as condition precedent to cancellation of tax certificate held by county.—No order shall be issued by any court in an action brought by or on behalf of any landowner to enjoin any tax sale or to set aside or cancel any tax certificate held by any county in the state until the owner pays to the tax collector of the county where the property is assessable the full amount of the taxes that could have been lawfully assessed against the property for the period covered by the assessment complained of, whether the real estate has been returned for assessment by the owner or not. In all such cases the court shall ascertain and determine the amount of tax to be paid by the owner.

Section 54. Section 197.447, Florida Statutes, is created to read:

197.447 Cancellation of tax liens held by the county on property of the United States and the State of Florida.—When the board of county commissioners finds that the United States, or any duly constituted agency thereof, has acquired by purchase or contract to purchase any lands in that county for reforestation, game preserve, or military aviation purposes, or that any duly constituted authorities of the state have acquired lands for public road or aeronautical purposes, against which there is any outstanding tax lien held by the county, the board shall by resolution describe the lands acquired, the nature of the lien thereon, and the purpose for which the lands are to be used and request the Department of Revenue for authority to cancel the lien against the lands. A certified copy of the resolution shall be furnished to the Department of Revenue, and upon receipt of the authority from the department to cancel the tax lien, the tax collector and the clerk of the county in which the lands are located shall record the authority in the official records of county and note on the proper tax records of the office the action taken by the board of county commissioners and the Department of Revenue by noting: "Canceled by authority of s. 197.447, Florida Statutes," the date of the authority, and reference to the book and page number where the authorization is recorded. All taxes and liens held by the county shall thereafter be canceled. No charge shall be made for costs or expenses to secure cancellation of any tax lien affected by the provisions of this section.

Section 55. Section 197.448, Florida Statutes, is created to read:

197.448 Cancellation of certificates on riparian rights separate from land.—

(1) All tax certificates in the hands of any governmental taxing agency separately describing only riparian rights, as defined by s. 253.141, are hereby declared invalid and are hereby canceled.

(2) Any title presumed to have vested in the state under chapter 18296, Laws of Florida, 1937, known as the Murphy Act, by virtue of such certificates is hereby declared invalid, and the riparian rights affected thereby are hereby restored to their original status and become appurtenant to the adjoining upland.

(3) The tax collector of each county and the proper tax officer of any governmental taxing agency are hereby authorized and directed to withhold all such tax certificates in their hands from redemptions or sale and to enter such cancellation upon the face of any such tax certificate and upon the tax sale record of the county or other taxing agency.

Section 56. Section 197.462, Florida Statutes, is created to read:

197.462 Transfer of tax certificates held by individuals.—

(1) All tax certificates issued to an individual may be transferred by endorsement at any time before they are redeemed or a tax deed is executed thereunder.

(2) The official endorsement of a tax certificate by the tax collector with the date and the amount received shall be sufficient evidence of the assignment of it.

(3) The tax collector shall record the transfer on the record of the tax certificate sold.

(4) The tax collector shall receive 50 cents as a service charge for each endorsement.

Section 57. Section 197.472, Florida Statutes, is created to read:

197.472 Redemption of tax certificates.—

(1) Any person may redeem a county-held tax certificate or redeem any tax certificate at any time after it is issued and before a tax deed is issued or the property is placed on the List of Lands Available for Sale. A county-held certificate may be purchased at any time before a tax deed application has been made. The person redeeming or purchasing a tax certificate shall pay to the tax collector in the county where the land is situated the face amount of the certificate or the part thereof as the part or interest purchased or redeemed shall bear to the whole. Upon purchase or redemption being made, the person shall pay all taxes, interest, costs, charges and omitted taxes, if any, as provided by law upon the part or parts of the certificate so purchased or redeemed.

(2) When an individual tax certificate is redeemed and the interest earned on the tax certificate is less than 5 percent of the face amount of the certificate, then a mandatory charge of 5 percent shall be levied upon the tax certificate. The person redeeming the tax certificate shall pay the interest rate bid or the 5 percent mandatory charge, whichever is greater. This shall apply to all individual tax certificates except those with an interest rate bid of zero percent.

(3) The tax collector shall receive a fee of $5 for each tax certificate purchased or redeemed.

(4) When only a portion of a certificate is being redeemed or purchased, and such portion can be ascertained by legal description, the tax collector shall make a written request for apportionment to the property appraiser. Within 15 days of such request, the property appraiser shall furnish the tax collector a certificate apportioning the value to that portion sought to be redeemed and to the remaining land covered by the certificate.

(5) When any land covered by a tax certificate is purchased or redeemed, the tax collector shall give to the person a receipt and certificate showing the amount paid for the purchase or redemption, a description of the land, and the date, number, and amount of the certificate, certificates, or part of certificate from which the same is purchased or redeemed, which shall be in the form prescribed by the Department of Revenue. If a tax certificate is redeemed in full, the certificate shall be surrendered to the collector by the original purchaser and canceled by the tax collector. If only a part is purchased or redeemed, the portion and description of land, with date of purchase or redemption, shall be endorsed on the certificate by the collector. The certificate shall be retained by the owner, or the tax collector, if the certificate is a county-held certificate, subject to the endorsement. The purchase or redemption shall be entered by the collector on the record of tax certificates sold.

(6) When any land subject to a tax certificate has been purchased or redeemed, the collector shall pay to the holder of the tax certificate or governmental units the amount received by him less service charges.

(7) Nothing herein shall be deemed to deny any person the right to purchase or redeem any outstanding tax certificate in accordance with the law in force when it was issued. However, the provisions of s. 197.573, relating to survival of restrictions and covenance after tax deed shall not be repealed by this chapter and shall apply with the same force and effect to lands covered by such chancery decrees as the same apply to tax deeds and masters' deeds as provided in this section.

(8) The provisions of this section shall not apply to collections made pursuant to the provisions of s. 192.037.

Section 58. Section 197.473, Florida Statutes, is created to read:

197.473 Disposition of unclaimed redemption moneys.—

(1) After money paid to the tax collector for the redemption of tax certificates has been held for 90 days, which money is by the course of law provided to be paid over to the holder of a redeemed tax certificate but for which no claim has been made on the first day of the following quarter the tax collector shall remit such unclaimed moneys to the board of county commissioners, less the sum of $1 on each $100 or fraction thereof, which shall be retained by the collector as service charges.

(2) Two years after the date the unclaimed redemption moneys were remitted to the board of county commissioners, all claims to such moneys are hereby declared to be forever barred, and such moneys shall become the property of the county.

Section 59. Section 197.482, Florida Statutes, is created to read:

197.482 Limitation upon lien of tax certificate.—

(1) After the expiration of 7 years from the date of issuance of any tax certificate, if no tax deed has been applied for on the property covered by the certificate, or no other administrative or legal proceeding has existed of record, the tax certificate is declared null and void, and the tax collector shall cancel all 7-year-old tax certificates, noting the date of the cancellation of any of the tax certificates upon all appropriate records in his office. The collector shall complete the cancellation by entering opposite the record of the 7-year-old tax certificate a notation in substantially the folllowing form: "Canceled by Act of 1973 Florida Legislature." All certificates outstanding July 1, 1973, shall have a life of 20 years from the date of issue.

(2) The provisions and limitations herein prescribed for tax certificates shall not apply to tax certificates which were sold under the provisions of chapter 18296, Laws of Florida, 1937, commonly known as the Murphy Act.

Section 60. Section 197.492, Florida Statutes, is created to read:

197.492 Errors and insolvencies list.—On or before the 60th day after the tax certificate sale, the tax collector shall make out a report to the county commissioners separately showing the discounts, errors, double assessments, and insolvencies for which shall be credited, giving in every case except discounts, the names of the parties on whose account the credit is to be allowed. The county commissioners, upon receiving the report, shall examine it, make such investigations as may be necessary, and, if it is discovered that the tax collector has taken credit as an insolvent item any personal property tax due by a solvent taxpayer, then the amount of taxes represented by such item shall be charged to the tax collector and the report shall not be approved until the tax collector strikes such item from the record.

Section 61. Section 197.502, Florida Statutes, is created to read:

197.502 Application for obtaining tax deed by holder of tax sale certificate; fees.—

(1) The holder of any tax certificate other than the county, at any time after 2 years have elapsed since April 1 of the year of issuance of the tax certificate and before the expiration of 7 years from the date of issuance, may file the certificate and an application for a tax deed with the tax collector of the county where the lands described in the certificate are located. The application may be made on the entire parcel of property or any part thereof which is capable of being readily separated from the whole. Consolidated applications on more than one tax certificate are prohibited.

(2) Any certificateholder, other than the county, making application for a tax deed shall pay the collector at the time of application all amounts required for redemption or purchase of all other outstanding tax certificates, plus interest, any omitted taxes, plus interest, and delinquent taxes, plus interest, covering the land.

(3) The county shall make application for a deed on all certificates 2 years from the date the taxes to which they relate were due. Upon application for a tax deed, the county shall deposit with the collector all applicable costs and fees, but shall not deposit any money to cover the redemption of other outstanding certificates covering the land.

(4) The tax collector shall deliver to the clerk of the circuit court a statement certifying the names and addresses of all persons the clerk is required by s. 197.522(1) to notify prior to the sale of the property and stating that payment has been made to the collector for all outstanding certificates or, if the certificate is held by the county, that all appropriate fees have been deposited. The certificate shall be signed by the collector and his seal affixed. The collector may purchase a reasonable bond for errors and omissions of his office in making such certificates.

(5) The clerk shall advertise and administer the sale and receive such fees for the issuance of the deed and sale of the property as provided in s. 28.24.

(6) The opening bid on county-held certificates on nonhomestead property shall be the sum of the value of all outstanding certificates against the land, plus omitted years' taxes, delinquent taxes, interest and all costs and fees paid by the county.

(7) The opening bid on an individual certificate on nonhomestead property shall include, in addition to the amount of money paid to the collector by the certificateholder at the time of application, the amount required to redeem the applicant's tax certificate and all other costs and fees paid by the applicant.

(8) The opening bid on property assessed on the latest tax roll as homestead property shall include, in addition to the amount of money required for an opening bid on nonhomestead property, an amount equal to one-half of the latest assessed value of the homestead. Payment of one-half of the assessed value of the homestead property shall not be required if the tax certificate to which the application relates was sold prior to January 1, 1982.

(9) If there are no bidders at the public sale, the clerk shall enter the land on a list entitled "Lands Available for Taxes" and shall immediately notify the county commission and all other persons holding certificates against the land that the land is available. The county may, at any time within 90 days after the day of offering for public sale, purchase the land for the opening bid. After 90 days, any person or governmental unit may purchase the land from the clerk, without further notice or advertising, for the opening bid.

Section 62. Section 197.246, Florida Statutes, is renumbered as section 197.512, Florida Statutes.

Section 63. Section 197.256, Florida Statutes, is renumbered as section 197.522, Florida Statutes.

Section 64. Section 197.261, Florida Statutes, is renumbered as section 197.532, Florida Statutes.

Section 65. Section 197.266, Florida Statutes, is renumbered as section 197.542, Florida Statutes.

Section 66. Section 197.271, Florida Statutes, is renumbered as section 197.552, Florida Statutes.

Section 67. Section 197.311, Florida Statutes, is renumbered as section 197.562, Florida Statutes.

Section 68. Section 197.276, Florida Statutes, is renumbered as section 197.572, Florida Statutes.

Section 69. Section 197.281, Florida Statutes, is renumbered as section 197.573, Florida Statutes.

Section 70. Section 197.291, Florida Statutes, is renumbered as section 197.582, Florida Statutes.

Section 71. Section 197.302, Florida Statutes, is renumbered as section 197.592, Florida Statutes.

Section 72. Section 197.306, Florida Statutes, is renumbered as section 197.593, Florida Statutes.

Section 73. Section 197.353, Florida Statutes, is renumbered as section 197.602, Florida Statutes.

Section 74. Section 197.361, Florida Statutes, is renumbered as section 197.70, Florida Statutes.

Section 75. Section 197.366, Florida Statutes, is renumbered as section 197.71, Florida Statutes.

Section 76. Section 197.371, Florida Statutes, is renumbered as section 197.710, Florida Statutes.

Section 77. Section 197.376, Florida Statutes, is renumbered as section 197.711, Florida Statutes.

Section 78. Section 197.381, Florida Statutes, is renumbered as section 197.72, Florida Statutes.

Section 79. Section 197.386, Florida Statutes, is renumbered as section 197.73, Florida Statutes.

Section 80. Section 197.387, Florida Statutes, is renumbered as section 197.730, Florida Statutes.

Section 81. Section 197.391, Florida Statutes, is renumbered as section 197.74, Florida Statutes.

Section 82. Section 197.401, Florida Statutes, is renumbered as section 197.75, Florida Statutes.

Section 83. Section 197.406, Florida Statutes, is renumbered as section 197.750, Florida Statutes.

Section 84. Section 197.411, Florida Statutes, is renumbered as section 197.76, Florida Statutes.

Section 85. Section 197.421, Florida Statutes, is renumbered as section 197.77, Florida Statutes.

Section 86. Section 197.426, Florida Statutes, is renumbered as section 197.770, Florida Statutes.

Section 87. Section 197.431, Florida Statutes, is renumbered as section 197.78, Florida Statutes.

Section 88. Section 197.441, Florida Statutes, is renumbered as section 197.780, Florida Statutes.

Section 89. Section 197.228, Florida Statutes, is transferred to and renumbered as section 253.141, Florida Statutes.

Section 90. Section 197.352, Florida Statutes, is renumbered as section 197.217, Florida Statutes.

Section 91. This act shall take effect October 1, 1984.

Senator Margolis moved the following amendments to Amendment 1 which were adopted:

Amendment 1A—On page 17, between lines 9 and 10, insert:

Section 38. Paragraph (b) of subsection (4) of section 193.085, Florida Statutes, is amended to read:

193.085 Listing all property.—

(4) The department shall promulgate such rules as are necessary to ensure that all railroad property of all types is properly listed in the appropriate county and shall submit the county railroad property assessments to the respective county property appraisers not later than June 1 in each year. However, in those counties in which railroad assessments are not completed by the department by June 1, for millage certification purposes, the property appraiser may utilize the prior year's values for such property.

(b)1. All private car and freight line and equipment companies operating rolling stock in Florida shall make an annual return to the Department of Revenue. *For purposes of this section "private car and freight line and equipment companies" means any person, partnership, association, company or corporation other than a railroad company, owning, controlling, or operating rolling stock of any type, regardless of tax situs, used for the transportation of persons or property, by or upon the railroad lines running in, into, or through the State of Florida when such railroad lines are not owned or leased by such person, partnership, association, company, or corporation.* The department shall make an annual determination of the average number of cars habitually present in Florida for each company and shall assess the just value thereof.

2. The department shall promulgate rules respecting the methods of determining the average number of cars habitually present in Florida, the form and content of returns, and such other rules as are necessary to ensure that the property of such companies is properly returned, valued, and apportioned to the state.

3. For purposes of this paragraph, "operating rolling stock in Florida" means having ownership of rolling stock which enters Florida.

4. The department shall apportion the assessed value of such property to the local taxing jurisdiction based upon the number of track miles and the location of mainline track of the respective railroads over which the rolling stock has been operated in the preceding year in each taxing jurisdiction. The situs for taxation of such property shall be according to the apportionment.

(Renumber subsection sections.)

Amendment 1B—On page 2, line 15, insert a new Section 3:

Section 3. Subsection (7) is added to section 195.027, Florida Statutes, to read:

195.027 Rules and regulations.—

(7) The Department of Revenue shall promulgate rules and regulations relating to the appraisal of property that is encumbered with leases of initial terms of ten or more years.

(Renumber subsequent sections.)

Amendment 1 as amended was adopted.

Senators Henderson and Margolis offered the following amendment which was moved by Senator Margolis and adopted:

Amendment 2—In title, on page 1, line 20, after "deeds;" insert: amending s. 193.085, F.S.; defining "private car and freight line and equipment companies" for purposes of tax returns;

Senator Margolis moved the following amendments which were adopted:

Amendment 3—In title, on page 1, line 5, after "definitions;" insert: providing for promulgation of rules relating to tax appraisals;

Amendment 4—In title, on page 1, strike everything before the enacting clause and insert: A bill to be entitled An act relating to taxation; revising and reorganizing ch. 197, F.S., relating to tax collections, sales, and liens; providing definitions; providing for liens; providing for

correction of errors; providing for collection of unpaid or omitted taxes; providing for discounts; providing for interest; providing for refunds; providing for prepayment; providing for deferral; providing for assessment rolls, notices, and collection of taxes; specifying when taxes are due or delinquent; providing for collection of special assessments; providing for distribution of taxes; providing procedures for sale of property with delinquent taxes; providing for attachment, levy, and seizure; providing for sale, redemption, and cancellation of tax certificates; providing for tax deeds; providing an effective date.

On motion by Senator Margolis, by two-thirds vote CS for SB's 1028 and 1095 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—28

Mr. President	Girardeau	Kirkpatrick	Neal
Beard	Gordon	Malchon	Rehm
Carlucci	Grant	Mann	Stuart
Childers, W. D.	Grizzle	Margolis	Thomas
Deratany	Hair	McPherson	Thurman
Dunn	Henderson	Meek	Vogt
Fox	Jennings	Myers	Weinstein

Nays—None

Vote after roll call:

Yea—Castor, Gersten

CS for SB 748—A bill to be entitled An act relating to trial jury; amending s. 913.08, F.S.; decreasing the number of peremptory challenges; providing an effective date.

—was read the second time by title.

Senator Gordon moved the following amendment:

Amendment 1—On page 1, strike everything after the enacting clause and insert:

Section 1. Subsections (3) and (4) are added to section 913.08, Florida Statutes, to read:

913.08 Number of peremptory challenges.—

(3) Peremptory challenges by any party based solely on race or gender, religion or national origin shall not be used to systematically exclude any person from participating as a petit juror.

(4) It is not the intent of the Legislature to abolish the use of peremptory challenges.

Section 2. This act shall take effect October 1, 1984.

Senator Langley moved the following amendment to Amendment 1 which failed:

Amendment 1A—On page 1, between lines 18 and 19, insert a new Section 2:

Section 2. This provision shall apply to civil and criminal cases.

Amendment 1 was adopted.

Senator Gordon moved the following amendment which was adopted:

Amendment 2—In title, on page 1, strike everything before the enacting clause and insert: A bill to be entitled An act relating to trial jury; amending s. 913.08, F.S., providing limitations upon the use of peremptory challenges; providing legislative intent; providing an effective date.

Senator Gordon moved that the rules be waived and CS for SB 748 be read the third time by title. The motion failed. The vote was:

Yeas—21

Mr. President	Gersten	Malchon	Thomas
Barron	Girardeau	Mann	Vogt
Castor	Gordon	Margolis	Weinstein
Childers, W. D.	Hair	Meek	
Fox	Henderson	Myers	
Frank	Hill	Plummer	

Nays—15

Beard	Dunn	Johnston	Rehm
Childers, D.	Grant	Kirkpatrick	Scott
Crawford	Grizzle	Langley	Stuart
Deratany	Jennings	McPherson	

Senator Barron presiding

The President presiding

On motions by Senator D. Childers, by two-thirds vote CS for HB 988 was withdrawn from the Committees on Health and Rehabilitative Services, Commerce and Appropriations.

On motion by Senator D. Childers—

CS for HB 988—A bill to be entitled An act relating to developmental disabilities; amending s. 20.19, F.S., providing a definition; creating the Florida Developmental Disabilities Planning Council; providing for duties of the council; providing for assignment of the council within the office of the Secretary of Health and Rehabilitative Services for certain purposes only; authorizing the council to appoint an executive director; authorizing the executive director to employ personnel; providing for the composition of the council; providing for a chairman and vice-chairman; providing for meetings; providing for committees; authorizing the Governor to remove members of the council for cause; providing powers of the council; providing for bylaws; allowing the council to receive state and federal funds for certain developmental disabilities programs; requiring the Governor to designate the administering agency for the Developmental Disabilities Program; amending s. 393.066, F.S., relating to the responsibility of the Department of Health and Rehabilitative Services with respect to the Developmentally Disabled Assistance and Bill of Rights Act; providing for review and repeal; providing an effective date.

—a companion measure, was substituted for CS for SB 875 and read the second time by title.

Senator D. Childers moved the following amendments which were adopted:

Amendment 1—Between the enacting clause and Section 1. insert:

Section 1. Section 39.4055, Florida Statutes, is created to read:

39.4055 Injunction pending disposition of petition for detention or dependency; penalty.—

(1)(a) When a petition for detention or a petition for dependency has been filed or when a child has been taken into custody and reasonable cause, as defined in paragraph (b), exists, the court, upon the request of the department, a law enforcement officer, the state attorney, or other responsible person, or upon its own motion, shall have the authority to issue an injunction to prevent any act of child abuse or any unlawful sexual offense involving a child.

(b) Reasonable cause for the issuance of an injunction exists when there is evidence of child abuse or an unlawful sexual offense involving a child, or when there is a reasonable likelihood of such occurring based upon a recent overt act or failure to act.

(c) Notice shall be provided to the parties as set forth in the Florida Rules of Juvenile Procedure, unless the child is reported to be in imminent danger, in which case, the court may issue an injunction immediately. When such an immediate injunction is issued, the court shall hold a hearing on the next day of judicial business either to dissolve the injunction or to continue or modify it in accordance with the other provisions of this section.

(2)(a) In all instances where an injunction is issued under this section, the purpose of the injunction shall be primarily to protect and promote the best interests of the child. The effective period of the injunction shall be determined by the court, except that it shall expire at the time of the disposition of the petition for detention or dependency.

(b) The injunction shall apply to the alleged or actual offender in a case of child abuse or an unlawful sexual offense involving a child. The conditions of the injunction shall be determined by the court, which conditions may include ordering the alleged or actual offender to:

1. Refrain from further abuse or unlawful sexual activity involving a child.

2. Obtain counseling or participate in a specialized treatment program.

3. Limit contact or communication with the child victim, other children in the home, or any other child.

4. Refrain from contacting the child at home, school, work, or wherever he may be found.

5. Have limited or supervised visitation with the child.

6. Pay temporary support for the child or other family members, the costs of medical, psychiatric, and psychological treatment for the child victim incurred as a result of the offenses, and similar costs for other family members.

7. Vacate the home in which the child resides.

(c) At any time prior to the disposition of the petition, the alleged or actual offender may offer evidence to the court of changed circumstances as grounds to dissolve or modify the injunction.

(d) A copy of any injunction issued pursuant to the section shall be delivered to the protected party, or his parent or an individual acting in the place of a parent who is not the respondent, and to any law enforcement agency having jurisdiction to enforce said injunction. Upon delivery of the injunction to the appropriate law enforcement agency, the agency shall have the duty and reponsibility to enforce the injunction.

(3) Any person who fails to comply with an injunction issued pursuant to this section is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(4) A judge may issue an emergency injunction pursuant to this section at times when the court is closed for the transaction of judicial business. The court shall hold a hearing on the next day of judicial business either to dissolve the emergency injunction or to continue or modify it in accordance with the other provisions of this section.

Section 2. Section 39.407, Florida Statutes, is amended to read:

39.407 Medical, psychiatric, and psychological examination and treatment.—

(1)(a) After a petition for dependency has been filed, the judge may order the child named in the petition to be examined by a physician. The judge may also order such child to be evaluated by a psychiatrist or a psychologist or, if a developmental disability is suspected or alleged, by the developmental disability diagnostic and evaluation team of the department. If it is necessary to place a child in a residential facility for such evaluation, then the criteria and procedure established in s. 394.463(2) or chapter 393 shall be used, whichever is applicable.

(b) After a child has been adjudicated to be a dependent child, or before such adjudication with the consent of any parent or legal custodian of the child, the judge may order the child to be treated by a physician. The judge may also order such child to receive mental health or retardation services from a psychiatrist, psychologist, or other appropriate service provider. If it is necessary to place the child in a residential facility for such services, then the procedures and criteria established in s. 394.467 or chapter 393 shall be used, whichever is applicable.

For the purpose of either examination or treatment, the judge may order the child to be placed for treatment.

(c) When any child is placed in a shelter pending a hearing, the shelter home parent or the appropriate agent of the department may provide or cause to be provided such medical or surgical services as may be deemed necessary by a physician. A physician shall be immediately called if there are indications of physical injury or illness, or the child shall be taken to the nearest available hospital for emergency care. A child may be provided mental health or retardation services in emergency situations, pursuant to the procedures and criteria contained in s. 394.463(1) or chapter 393, whichever is applicable. After a hearing, the court may order the parents, guardian, or custodian, if found able to do so, to reimburse the county for the expense involved in such emergency medical or surgical treatment.

(d) Nothing in this *subsection* ~~section~~ shall be deemed to eliminate the right of the parents or the child to consent to examination or treatment for the child, except that consent of a parent shall not be required if the physician determines there is a serious injury or illness requiring immediate treatment and the child consents to such treatment or an ex parte court order is obtained authorizing such treatment. Nothing in this *subsection* ~~section~~ shall be construed to authorize the permanent sterilization of the child unless such sterilization is the result of or incidental to medically necessary treatment to protect or preserve the life of the child. Except as *otherwise* provided *herein* ~~in this section~~, nothing in this *subsection* ~~section~~ shall be deemed to alter the provisions of s. *743.064* ~~458.21~~ to eliminate the right of the juvenile or his parents, guardian, or legal custodian to consent to diagnostic examination and medical or surgical treatment or care *for the child*; nor shall a court be precluded from ordering services or treatment to be provided to the juvenile by a duly accredited practitioner who relies solely on spiritual means for healing in accordance with the tenets and practices of a church or religious organization, when required by his health and when requested by the juvenile.

(2) At any time after the filing of a petition for dependency, when the mental or physical condition, including the blood group, of a parent, guardian, or other person requesting custody of a child is in controversy, the court may order the person to submit to a physical or mental examination by a qualified professional. The order may be made only upon good cause shown and pursuant to notice and procedures as set forth by the Florida Rules of Juvenile Procedure.

Section 3. Subsection (18) is added to section 230.23, Florida Statutes, to read:

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

(18) CHILD ABUSE AND NEGLECT POLICY.—The school board shall by March 1, 1985:

(a) Post in a prominent place in each school a notice that pursuant to Chapter 415 all employees or agents of the district school board have: (1) an affirmative duty to report all actual or suspected cases of child abuse or neglect, (2) immunity from liability if they report such cases in good faith, and (3) a duty to comply with child protective investigations and all other provisions of law relating to child abuse and neglect. The notice shall also include the statewide toll free telephone number of the state's Abuse Registry.

(b) Provide for the superintendent, or his designee, in cases of suspected child abuse or neglect or unlawful sexual offenses involving a child, at the request of the Department of Health and Rehabilitative Services, to act as a liaison to the Department of Health and Rehabilitative Services and the child protection team, as defined in s. 415.503, when the case is referred to such a team, except that this paragraph shall in no instance be construed as relieving or restricting the Department of Health and Rehabilitative Services from discharging its duty and responsibility under law to investigate and report all suspected or actual cases of child abuse or neglect or unlawful sexual offenses involving a child.

Each district school board shall comply with the provisions of this subsection, and shall notify the Department of Education and the Department of Health and Rehabilitative Services of its compliance by March 1, 1985.

Section 4. Subsection (3) of section 395.005, Florida Statutes, is amended to read:

395.005 Rules and enforcement.—

(3)(a) The department shall promulgate rules with respect to the care and treatment of clients in intensive residential treatment programs for children and adolescents and with respect to the safe and healthful development, operation, and maintenance of such programs.

(b) The department shall, by March 1, 1985, promulgate a rule requiring all general and appropriate specialty hospitals, as defined by s. 395.002(4) and (14), and all county public health units, as described in s. 154.01, to adopt a protocol that, at minimum, requires each hospital administration and county public health unit to:

1. Incorporate in hospital or health unit policy that all staff members shall have an affirmative duty to report all actual or suspected cases of child abuse or neglect pursuant to chapter 415; and

2. In cases involving suspected child abuse or neglect, at the request of the department, designate a staff physician to act as a liaison between the hospital or public health unit and the department office investigating the suspected abuse or neglect, and the child protection team, as defined in s. 415.503, when the case is referred to such a team.

Each general and appropriate specialty hospital and county public health unit shall comply with the provisions of this paragraph and shall notify the department of its compliance by sending the department a copy of its policy by March 1, 1985. Failure by a general or appropriate specialty hospital to comply shall be punished by a fine not exceeding $1,000, to be fixed, imposed, and collected by the department. Each day in violation shall be considered a separate offense.

Section 5. Subsection (1) of section 415.104, Florida Statutes, is amended to read:

415.104 Protective investigations of cases of abuse, neglect, or exploitation of aged or disabled persons; investigations of institutional abuse, neglect, or exploitation; transmittal of records to state attorney.—

(1) The department shall, upon receipt of a report of abuse, neglect, or exploitation of an aged or disabled person, cause an immediate protective investigation to be made and shall in turn, upon determining probable cause, notify the state attorney *in writing. The department shall, immediately upon receipt of such report, orally notify the appropriate law enforcement agency in order that it may begin a criminal investigation concurrent with the department's protective investigation. The department shall make a full written report to the law enforcement agency within 3 days of the oral report.* The department shall, within 24 hours *after* ~~of~~ receipt of the report, notify the appropriate human rights advocacy committee, as established pursuant to s. 20.19(7), that an alleged abuse has occurred. ~~Such~~ Notice *to the human rights advocacy committee* may be accomplished *orally* ~~verbally~~ or in writing and shall include the name of the person alleged to have been abused and the nature of the report.

Section 6. Subsections (4), (6), (8), (10), (11), and (12) of section 415.503, Florida Statutes, are renumbered as subsections (6), (8), (10), (12), (13), and (14), respectively, new subsections (4) and (5) are added to said section, present subsections (5), (7), and (9) are renumbered and amended, and subsection (15) is added to said section, to read:

415.503 Definitions of terms used in ss. 415.502-415.514.—As used in ss. 415.502-415.514:

(4) "Child protection team" means a team of professionals established by the department to receive referrals from the single intake and protective services staff of the children, youth, and families program to provide specialized and supportive services to the program in processing child abuse and neglect cases. A child protection team shall provide consultation to other programs of the department and other persons on child abuse and neglect cases pursuant to s. 415.5055(1)(g).

(5) "Guardian ad litem" means a responsible adult who is appointed by the court to represent the best interests of a child in a proceeding as provided for by law, including, but not limited to, chapters 39 and 415, who shall be a party to any judicial proceeding as a representative of the child, and who shall serve until discharged by the court.

(7)~~(5)~~ "Harm" to a child's health or welfare can occur when the parent or other person responsible for the child's welfare:

(a) Inflicts, or allows to be inflicted, upon the child physical or mental injury, including injury sustained as a result of excessive corporal punishment;

(b) Commits, or allows to be committed, sexual battery, as defined in chapter 794, against the child *or commits, or allows to be committed, sexual abuse of a child as defined in subsection (15)*;

(c) Exploits a child, or allows a child to be exploited, as provided in s. 450.151 ~~or for prostitution~~;

(d) Abandons the child;

(e) Fails to provide the child with supervision or guardianship by specific acts or omissions of a serious nature requiring the intervention of the department or the court; or

(f) Fails to supply the child with adequate food, clothing, shelter, or health care, although financially able to do so or although offered financial or other means to do so; however, a parent or other person responsible for the child's welfare legitimately practicing his religious beliefs, who by reason thereof does not provide specified medical treatment for a child, may not be considered abusive or neglectful for that reason alone, but such an exception does not:

1. Eliminate the requirement that such a case be reported to the department;

2. Prevent the department from investigating such a case; or

3. Preclude a court from ordering, when the health of the child requires it, the provision of medical services by a physician, as defined herein, or treatment by a duly accredited practitioner who relies solely on spiritual means for healing in accordance with the tenets and practices of a well-recognized church or religious organization.

(9)~~(7)~~ "Institutional child abuse or neglect" means situations of known or suspected child abuse or neglect in which the person allegedly perpetrating the child abuse or neglect is an employee of a *public or private school,* public or private day care center, residential home, institution, *facility,* or agency *or any other person* responsible for the child's care.

(11)~~(9)~~ "Other person responsible for a child's welfare" includes the child's legal guardian, legal custodian, or foster parent; an employee of a *public or private school,* public or private child day care center, residential home, institution, *facility,* or agency; or any other person legally responsible for the child's welfare in a residential setting.

(15) "Sexual abuse of a child" means one or more of the following acts:

(a) Any penetration, however slight, of the vagina or anal opening of one person by the penis of another person, whether or not there is the emission of semen.

(b) Any sexual contact between the genitals or anal opening of one person and the mouth or tongue of another person.

(c) Any intrusion by one person into the genitals or anal opening of another person, including the use of any object for this purpose, except that it shall not include acts intended for a valid medical purpose.

(d) The intentional touching of the genitals or intimate parts, including the breasts, genital area, groin, inner thighs, and buttocks, or the clothing covering them, of either the child or the perpetrator, except that it shall not include:

1. Acts which may reasonably be construed to be normal caretaker responsibilities, interactions with, or affection for a child; or

2. Acts intended for a valid medical purpose.

(e) The intentional masturbation of the perpetrator's genitals in the presence of a child.

(f) The intentional exposure of the perpetrator's genitals in the presence of a child, or any other sexual act intentionally perpetrated in the presence of a child, if such exposure or sexual act is for the purpose of sexual arousal or gratification, aggression, degradation, or other similar purpose.

(g) The sexual exploitation of a child, which includes allowing, encouraging, or forcing a child to:

1. Solicit for or engage in prostitution; or

2. Engage in a sexual performance, as defined by chapter 827.

Section 7. Subsection (4) of section 415.504, Florida Statutes, is amended to read:

415.504 Mandatory reports of child abuse or neglect; mandatory reports of death; abuse registry.—

(4)(a) The department shall establish and maintain a central abuse registry which shall receive reports made pursuant to this section in writing or through a single statewide tollfree telephone number which any person may use to report known or suspected child abuse or neglect at any hour of the day or night, any day of the week. The abuse registry shall be operated in such a manner as to enable the department to:

1. Immediately identify and locate prior reports or cases of child abuse or neglect.

2. Regularly evaluate the effectiveness of the department's program for abused and neglected children through the development and analysis of statistical and other information.

(b) Upon receiving an oral or written report of known or suspected child abuse or neglect, the abuse registry shall immediately notify the local office of the department with respect to the report, any previous report concerning a subject of the present report, or any other pertinent information relative thereto.

(c) Upon completion of its investigation, the local office of the department shall classify reports as "indicated" or "unfounded." All identifying information in the abuse registry *or other computer systems or records* maintained in unfounded reports shall be expunged *within 30 days after the case is classified as unfounded* ~~immediately~~. All identifying information in the abuse registry maintained in indicated reports shall be expunged from the registry 7 years from the date of the last indicated report concerning the same child, siblings, or the same perpetrator. All information, other than identifying information, maintained in indicated or unfounded reports at the time of expunction shall be disposed of in a manner deemed appropriate by the department and pursuant to ss. 119.041 and 267.051(6). Nothing in this section is intended to require the expunction or destruction of case records or information required by the Federal Government to be retained for future audit.

Section 8. Section 415.505, Florida Statutes, is amended to read:

415.505 Child protective investigations; institutional child abuse or neglect investigations.—

(1)(a) The department shall be capable of receiving and investigating reports of known or suspected child abuse or neglect 24 hours a day, 7 days a week. If it appears that the immediate safety or well-being of a child is endangered, that the family may flee or the child will be unavailable for purposes of conducting a child protective investigation, or that the facts otherwise so warrant, the department shall commence an investigation immediately, regardless of the time of day or night. In all other child abuse or neglect cases, a child protective investigation shall be commenced within 24 hours of receipt of the report.

(b) For each report it receives, the department shall perform an onsite child protective investigation to:

1. Determine the composition of the family or household, including the name, address, age, sex, and race of each child named in the report; any siblings or other children in the same household or in the care of the same adults; the parents or other persons responsible for the child's welfare; and any other adults in the same household.

2. Determine whether there is indication that any child in the family or household is abused or neglected, including a determination of harm or threatened harm to each child; the nature and extent of present or prior injuries, abuse, or neglect, and any evidence thereof; and a determination as to the person or persons apparently responsible for the abuse or neglect.

3. Determine the immediate and long-term risk to each child if the child remains in the existing home environment.

4. Determine the protective, treatment, and ameliorative services necessary to safeguard and ensure the child's well-being and development and, if possible, to preserve and stabilize family life.

(c) Upon receipt of an allegation of child abuse or neglect involving an employee of a district school board, the department shall immediately report such allegation to the district school board. The department shall be the lead agency and shall cooperate with the district school board in the investigation of the allegation.

~~(c) The department may develop and coordinate one or more multidisciplinary child protection teams in each of the department's service districts. The department may convene such teams when necessary to assist in its diagnostic, assessment, service, and coordination responsibilities. Members of the team may include representatives of appropriate health, mental health, social service, legal service, and law enforcement agencies.~~

(d) If the department is denied reasonable access to a child by the parents or other persons responsible for the child's welfare and the department deems that the best interests of the child so require, it shall seek an appropriate court order or other legal authority to examine and interview the child.

(e) If the department determines that a child requires immediate or long-term protection through:

1. Medical or other health care;

2. Homemaker care, day care, protective supervision, or other services to stabilize the home environment; or

3. Foster care, shelter care, or other substitute care to remove the child from his parents' custody,

such services shall first be offered for the voluntary acceptance of the parents or other person responsible for the child's welfare, who shall be informed of the right to refuse services as well as the department's responsibility to protect the child regardless of the acceptance or refusal of services. If the services are refused or the department deems that the child's need for protection so requires, the department shall take the child into protective custody or petition the court as provided in chapter 39.

(f) No later than 30 days after receiving the initial report, the local office of the department shall complete its investigation, determine whether the reported abuse was indicated or unfounded, and report its findings to the department's abuse registry.

(g) Immediately upon receipt of a report alleging, or immediately upon learning during the course of an investigation, that a child received an observable injury or medically diagnosed internal injury as a result of child abuse or neglect, the department shall:

1. In the event that an allegation has been made, determine if the observable injury or medically diagnosed internal injury occurred as the result of abuse or neglect.

2. If it is learned during the course of an investigation that the observable injury or medically diagnosed internal injury did occur as the result of abuse or neglect, orally notify the state attorney and the appropriate law enforcement agency.

In all cases, the department shall make a full written report to the state attorney within 3 days of the oral report. Upon receiving the oral notification, the law enforcement agency may conduct a criminal investigation, which shall be coordinated, whenever possible, with the department's child protective investigation. As soon as practicable after concluding its investigation, the law enforcement agency shall report the findings from its investigation to the state attorney and to the department whenever the law enforcement agency and the department have conducted independent investigations. Any interested person who has information regarding the observable injury or medically diagnosed internal injury may forward a statement to the state attorney as to whether prosecution is warranted and appropriate.

(h) Immediately upon receipt of a report alleging, or immediately upon learning during the course of an investigation, that:

1. A child died as a result of abuse or neglect;

2. A child is a victim of aggravated child abuse as defined in s. 827.03; *or*

~~3. A child received an observable injury as a result of child abuse or neglect; or~~

3. ~~4.~~ A child is a victim of sexual battery, *or sexual abuse as defined in s. 415.503,*

the department shall orally notify the appropriate state attorney and ~~may notify~~ the appropriate law enforcement agency, *which shall immediately conduct a joint criminal investigation, unless independent investigations are more feasible. In all cases, the department shall make a full written report to the state attorney within 3 days of the oral report. A criminal investigation shall be coordinated, whenever possible, with the department's child protective investigation. If the department, as a result of its investigation, determines that there is cause to classify the report of the occurrence of an offense described in this paragraph as indicated, rather than unfounded, the department may recommend that criminal charges be filed against the alleged offender. Any interested person who has information regarding the offenses described in this paragraph may forward a statement to the state attorney as to whether prosecution is warranted and appropriate. Within 15 days of the completion of his investigation, the state attorney shall report his findings to the department and shall include in such report a determination of whether or not prosecution is justified and appropriate in view of the circumstances of the specific case.* ~~in order that they may begin a criminal investigation concurrent with the agency's child protective investigation. The department shall make a full written report to the state attorney within 3 days of the oral report. The department may notify the state attorney or law enforcement agency of any other child abuse or neglect case in which a criminal investigation is deemed appropriate by the department.~~

(2)*(a)* The department shall conduct a child protective investigation of each report of institutional child abuse or neglect. Upon receipt of a report which alleges that an employee or agent of the department, *the Department of Education, any district school board, or any other entity or person covered by s. 415.503(9) or (11),* acting in an official capacity, ~~including, but not limited to, a foster parent,~~ has committed an act of child abuse or neglect, the department shall immediately initiate a child protective investigation and *orally* notify the *appropriate* state attorney *and law enforcement agency, which shall immediately conduct a joint criminal investigation, unless independent investigations are more feasible. In all cases, the department shall make a full written report to the state attorney within 3 days of the oral report. A criminal investigation shall be coordinated, whenever possible, with the department's child protective investigation. If the department, as a result of its investigation, determines that there is cause to classify the report of abuse or neglect as indicated, rather than unfounded, the department may recommend that criminal charges be filed against the offender. Any interested person who has information regarding the offenses described in this subsection may forward a statement to the state attorney as to whether prosecution is warranted and appropriate. Within 15 days of the completion of his investigation, the state attorney shall report his findings to the department and shall include in such report a determination of whether or not prosecution is justified and appropriate in view of the circumstances of the specific case.* ~~in whose circuit the alleged child abuse or neglect occurred. The state attorney shall immediately investigate the report and, no later than 15 days after completing the investigation, shall report his findings to the department.~~

(b) The department shall notify the human rights advocacy committee in the appropriate district of the department as to all reports of institutional child abuse or neglect in the district where a client of the department is alleged or shown to have been abused or neglected, which notification shall be made within 24 hours of the time the department commences its investigation.

(3) The department shall notify the state attorney and the appropriate law enforcement agency of any other child abuse or neglect case in which a criminal investigation is deemed appropriate by the department.

Section 9. Section 415.5055, Florida Statutes, is created to read:

415.5055 Child protection teams; services; eligible cases.—The department shall develop, maintain, and coordinate the services of one or more multidisciplinary child protection teams in each of the department's service districts. Such teams may be composed of representatives of appropriate health, mental health, social service, legal service, and law enforcement agencies.

(1) The department shall utilize and convene the teams to supplement the single intake and protective services activities of the children, youth, and families program of the department. Nothing in this section shall be construed to remove or reduce the duty and responsibility of any person to report all suspected or actual cases of child abuse or neglect or sexual abuse of a child pursuant to s. 415.504. The role of the teams shall be to support activities of the program and to provide services to abused and neglected children upon referral as deemed by the teams to be necessary and appropriate for such children. The specialized diagnostic assessment, evaluation, coordination, consultation, and other supportive services that the teams shall be capable of providing include, but are not limited to, the following:

(a) Medical diagnosis and evaluation services, including provision or interpretation of X-rays and laboratory tests, and related services, as needed, and documentation of findings relative thereto.

(b) Telephone consultation services in emergencies and in other situations.

(c) Medical evaluation related to abuse or neglect, as defined by department policy or rule.

(d) Such psychological and psychiatric diagnosis and evaluation services for the child, parent or parents, guardian or guardians, or other care givers, or any other individual involved in a child abuse or neglect case, as a child protection team may determine to be needed.

(e) Short-term psychological treatment. It is the intent of the Legislature that short-term psychological treatment be limited to no more than 6 months' duration after treatment is initiated, except that the appropriate district administrator may authorize such treatment for individual children beyond this limitation if he deems it appropriate.

(f) Expert medical, psychological, and related professional testimony in court cases.

(g) Case staffings to develop, implement, and monitor treatment plans for a child whose case has been referred to a child protection team. A child protection team may provide consultation on any other child who has not been referred to a team, but who is alleged or is shown to be abused, which consultation shall be provided at the request of a representative of the children, youth, and families program or at the request of any other professional involved with a child, his parent or parents, guardian or guardians, or other care givers. In all such child protection team case staffings, consultations, or staff activities involving a child, a children, youth, and families program representative shall attend and participate.

(h) Case service coordination and assistance, including the location of services available from other public and private agencies in the community.

(i) Such training services for program and other department employees as is deemed appropriate to enable them to develop and maintain their professional skills and abilities in handling child abuse and neglect cases.

(j) Educational and community awareness campaigns on child abuse and neglect in an effort to enable citizens more successfully to prevent, identify, and treat child abuse and neglect in the community.

(2) Child abuse and neglect cases that are appropriate referrals by the children, youth, and families program to child protection teams for support services as set forth in subsection (1) include, but are not limited to, cases involving:

(a) Bruises, burns, or fractures in a child under the age of 3 years and in a nonambulatory child of any age.

(b) Unexplained or implausibly explained bruises, burns, fractures, or other injuries in a child of any age.

(c) Sexual abuse of a child in which vaginal or anal penetration is alleged, or in which other unlawful sexual conduct has been determined to have occurred.

(d) Venereal disease, or any other sexually transmitted disease, in a prepubescent child.

(e) Reported malnutrition of a child and failure of a child to thrive.

(f) Reported medical, physical, or emotional neglect of a child.

(g) Any family in which one or more children have been pronounced dead on arrival at a hospital or other health care facility, or have been injured and later died, as a result of suspected abuse or neglect, where any sibling or other child remains in the home.

(h) Symptoms of serious emotional problems in a child where emotional or other abuse or neglect is suspected.

In all instances where a child protection team is providing certain services to abused or neglected children, other offices and units of the department shall avoid duplicating the provision of those services.

Section 10. Subsection (1) of section 415.508, Florida Statutes, is amended to read:

415.508 Appointment of guardian ad litem for abused or neglected child.—

(1) A guardian ad litem shall be appointed by the court to represent the child in any child abuse or neglect *civil or criminal* judicial proceeding. Any person participating in a *civil or criminal* judicial proceeding resulting from such appointment shall be presumed prima facie to be acting in good faith and in so doing shall be immune from any liability, civil or criminal, that otherwise might be incurred or imposed.

Section 11. The introductory paragraph and paragraph (a) of subsection (2) of section 415.51, Florida Statutes, are amended, a new subsection (5) is added to said section, and present subsection (5) is renumbered and amended, to read:

415.51 Confidentiality of reports and records in cases of child abuse or neglect.—

(2) Access to such records, excluding the name of the reporter which shall be released only as provided in subsection *(6)*~~(5)~~, shall be granted only to the following persons, officials, and agencies for the following purposes:

(a) Employees or agents of the department responsible for carrying out child protective investigations, ongoing child protective services, or licensure or approval of adoptive homes, foster homes, or other homes used *to provide* for the care *and welfare* of children.

(5) The department shall, with the written consent of a person applying to work with children as a volunteer or as a paid employee for a public or private nonprofit agency, search its abuse registry for the existence of an indicated report and shall advise such agency of any such report found and the results of the investigation conducted pursuant thereto.

(6)~~(5)~~ The name of any person reporting child abuse or neglect shall in no case be released to any person other than employees of the department responsible for child protective services, the abuse registry, or the appropriate state attorney without the written consent of the person reporting. This shall not prohibit the subpoenaing of a person reporting child abuse or neglect when deemed necessary by the state attorney or the department to protect a child who is the subject of a report, provided that the fact that such person made the report is not disclosed. *Any person who reports a case of child abuse or neglect may, at the time he makes the report, request that the department notify him that a child protective investigation occurred as a result of the report. The department shall mail such a notice to the reporter within 10 days of the completion of the child protective investigation.*

Section 12. The Inspector General of the Department of Health and Rehabilitative Services is hereby directed to conduct a study and review of the operation of the state's child protection teams and make a report thereon, which report shall be submitted to the Governor and the Legislature by March 1, 1985.

(Renumber subsequent sections.)

Amendment 2—In title, on page 1, line 2, strike "developmental disabilities" and insert: health and rehabilitative services; providing for issuance of injunction pending disposition of petition for detention or dependency; providing for reasonable cause; providing for notice; providing purpose; providing conditions; providing for dissolution or modification; providing for delivery; providing a penalty; providing for emergency injunction; amending s. 39.407, F.S., providing for psychological or psychiatric evaluation of parents or guardians or other person requesting custody in certain cases; amending s. 230.23, F.S., relating to powers and duties of the school board to post in each school a notice informing all employees or agents of the district school board of their responsibility to report actual and suspected child abuse cases and comply with child protection investigations; amending s. 395.005, F.S., relating to regulation of hospitals, to provide for the reporting by general and appropriate specialty hospitals and county public health units of child abuse or neglect and the designation, by same, of a staff physician as a liaison in child abuse or neglect cases; providing a penalty; amending s. 415.104, F.S., modifying notice requirements in cases of abuse, neglect, or exploitation of aged or disabled persons; amending s. 415.503, F.S., defining "child protection team," "guardian ad litem," and "sexual abuse of a child," and modifying definitions of "harm," "institutional child abuse or neglect," and "other person responsible for a child's welfare"; amending s. 415.504, F.S., relating to expungement of certain abuse or neglect records; amending s. 415.505, F.S., relating to child protective investigations and institutional child abuse or neglect investigations; modifying reporting and notice procedures; requiring state attorney to report his findings; providing for notification of human rights advocacy committees; creating s. 415.5055, F.S., expanding provisions relative to the development of child protection teams; specifying services which such teams shall be capable of providing; specifying cases eligible for referral thereto; providing for avoidance of duplication; amending s. 415.508, F.S., relating to appointment of guardian ad litem for an abused or neglected child, to clarify; amending s. 415.51, F.S., relating to access to child abuse or neglect records; providing for search of the abuse registry in certain cases; providing for notice to reporters of abuse or neglect; providing for a review of child protection teams by the department; providing for a report;

On motion by Senator D. Childers, by two-thirds vote CS for HB 988 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Malchon

CS for SB 875 was laid on the table.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Curtis Peterson, President

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

SB 336—A bill to be entitled An act relating to a surtax on documents; amending chapter 83-220, Laws of Florida; expanding the purposes for which certain charter counties may levy a discretionary surtax on certain documents to include providing financial assistance for constructing, rehabilitating, or purchasing housing for certain families; providing for future repeal of such tax; authorizing counties to levy a discretionary additional tax on sales, use, and other transactions for 2 years; creating a trust fund for deposit of proceeds; specifying the proceeds be used for indigent health care; providing a method of taxing certain services billed on a monthly cycle; providing for refund of additional tax paid by certain contractors; providing penalties; providing applicable tax formulas and for enforcement; providing effective and expiration dates.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 4, line 3, through page 10, line 22, strike: all of Section 2

(Renumber subsequent section.)

Amendment 2—On page 1 in the title, lines 10-20, strike: authorizing counties to levy a discretionary additional tax on sales, use, and other transactions for 2 years; creating a trust fund for deposit of proceeds; specifying the proceeds to be used for indigent health care; providing a method of taxing certain services billed on a monthly cycle; providing for refund of additional tax paid by certain contractors; providing applicable tax formulas and for enforcement;

Senators Meek and Castor offered the following amendment to Amendment 1 which was moved by Senator Meek and adopted:

Amendment 1—On page 1, strike all of lines 1-5 and insert: House Amendment 1. On page 5, lines 3-31 and on pages 6-9, lines 1-31, and on page 10, lines 1-22, strike all of said lines.

(Renumber subsequent section.)

On motions by Senator Meek, the Senate concurred in House Amendment 1 as amended and House Amendment 2. The House was requested to concur in the Senate amendment.

SB 336 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—35

Mr. President	Childers, D.	Fox	Grant
Barron	Childers, W. D.	Frank	Grizzle
Beard	Crawford	Gersten	Hair
Carlucci	Deratany	Girardeau	Hill
Castor	Dunn	Gordon	Jenne

Jennings	Malchon	Neal	Thomas
Johnston	Mann	Rehm	Thurman
Kirkpatrick	McPherson	Scott	Vogt
Langley	Meek	Stuart	

Nays—None

Vote after roll call:

Yea—Myers, Weinstein

On motion by Senator Barron, the following bills were added to the special order calendar: CS for SB 953, HB 953, SB 506, CS for CS for SB 601, SB 847, SB 827, HB 69, HB 191, CS for SB 231, SB 198, CS for SB 877, CS for SB 494 and CS for SB 767.

SPECIAL ORDER, continued

SB 896—A bill to be entitled An act relating to the Historic Boca Raton Preservation Board of Commissioners; amending s. 266.301, F.S., renaming the board as the Historic Palm Beach County Preservation Board of Trustees; providing expanded scope of authority; providing for transfer of assets, liabilities, and obligations; amending s. 266.302, F.S., modifying the definition of "board," to conform; amending s. 266.303, F.S., providing for appointment of additional members and for continuance of present members for the remainder of current terms; modifying nomination procedure; removing a residency requirement; modifying a bonding requirement; amending s. 266.306, F.S., modifying powers and duties; amending s. 266.307, F.S., relating to the establishment of historical districts, to authorize governing bodies of any of the municipalities in the county to establish such a district or districts; modifying membership requirements with respect to architectural review boards; amending s. 266.308, F.S., modifying powers and duties of the architectural review boards, to conform; providing effective dates.

—was read the second time by title. On motion by Senator D. Childers, by two-thirds vote SB 896 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—31

Barron	Girardeau	Johnston	Rehm
Beard	Grant	Kirkpatrick	Scott
Childers, D.	Grizzle	Langley	Stuart
Childers, W. D.	Hair	Malchon	Thomas
Crawford	Henderson	McPherson	Thurman
Deratany	Hill	Meek	Vogt
Fox	Jenne	Myers	Weinstein
Gersten	Jennings	Neal	

Nays—None

Vote after roll call:

Yea—Mann

Senator Johnston moved that the Senate take up Conference Committee Reports on HB 1300 and HB 1301 at 4:00 p.m. The motion was adopted.

HB 248—A bill to be entitled An act relating to elections; creating s. 106.1425, F.S., requiring specified political candidates to file statements with respect to the removal of political campaign advertisements; providing exemptions; authorizing political subdivisions to remove advertisements and assess costs for noncompliance; prohibiting the display of campaign advertisements at certain locations; providing an effective date.

—was read the second time by title.

The Committee on Judiciary-Civil recommended the following amendment which was moved by Senator Thomas and adopted:

Amendment 1—On page 1, strike all of lines 19-30 and insert:

(1) Each candidate, whether federal, state, county or district shall make a good faith effort to remove all of his political campaign advertisements within 30 days after:

(a) Withdrawal of his candidacy;

(b) Having been eliminated as a candidate; or

(c) Being elected to office.

However, the candidate shall not be expected to remove those political campaign advertisements which are in the form of signs used by an outdoor advertising business as provided in chapter 479. The provisions herein shall not apply to political campaign advertisements placed on motor vehicles, or campaign messages designed to be worn by a person.

The Committee on Judiciary-Civil recommended the following amendment which was moved by Senator Thomas:

Amendment 2—On page 2, strike all of lines 4-20 and insert: advertisements.

(3) Pursuant to s. 479.22, no political campaign advertisements shall be erected, posted, painted, tacked, nailed or otherwise displayed, placed or located on or above any state or county road right-of-way, except for signs used by an outdoor advertising business as provided in chapter 479.

(4) The officer before whom the candidate qualifies for office shall notify the candidate, in writing, of the provisions in this section.

Senator Fox moved the following substitute amendment which was adopted:

Amendment 3—On page 2, strike all of lines 8-17 and insert:

(3) Pursuant to chapter 479, no political campaign advertisements shall be erected, posted, painted, tacked, nailed or otherwise displayed, placed or located on or above any state or county road right-of-way.

(4) The officer before whom the candidate qualifies for office shall notify the candidate, in writing, of the provisions in this section.

(Renumber subsequent sections.)

The Committee on Judiciary-Civil recommended the following amendment which was moved by Senator Thomas and adopted:

Amendment 4—In title, on page 1, strike all of lines 4-10 and insert: candidates to make a good faith effort to remove certain political campaign advertisements within a certain time period; providing exceptions; prohibiting the display of political campaign advertisements at certain locations; requiring qualifying officers to provide candidates with certain information;

On motion by Senator Thomas, by two-thirds vote HB 248 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—30

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

Nays—None

Vote after roll call:

Yea—Hair

SB 763—A bill to be entitled An act relating to information technology resource planning; amending s. 282.309, F.S.; requiring state attorneys and public defenders to prepare information technology resource plans; providing guidelines for and authorizing the Information Resource Commission to prescribe plan format, content, and review criteria and to review plans; providing for distribution of plans; providing an effective date.

—was read the second time by title.

Senator Stuart moved the following amendments which were adopted:

Amendment 1—On page 1, before line 15, insert:

Section 1. Subsections (2) and (5) of section 43.16, Florida Statutes, are amended to read:

43.16 Judicial Administrative Commission; membership, powers and duties.—

(2) Members of the Judicial Administrative Commission shall serve for a period of 2 years, with the terms of each dating from July 1, *1984, except that initially, one state attorney member shall serve a one year term and one public defender member shall serve a one year term. Members shall* ~~1965, and will~~ be selected in the following manner:

~~(a) The Chief Justice of the Supreme Court of Florida, or a justice of the Supreme Court of Florida designated by him, shall be a member.~~

~~(b) One judge of the district courts of appeal, to be appointed by the chairman of the Conference of Appellate Judges.~~

~~(c) One judge of the circuit courts, to be appointed by the chairman of the Conference of Circuit Judges.~~

~~(d) One judge of the county courts, to be appointed by the president of the Conference of County Court Judges.~~

(a)~~(e)~~ *Two* ~~One~~ state *attorneys* ~~attorney~~, to be appointed by the chairman of the Florida Prosecuting Attorneys Association.

(b)~~(f)~~ *Two* ~~One~~ public *defenders* ~~defender~~, to be appointed by the president of the Florida Public Defenders Association.

(5) The duties of the commission shall include, but not be limited to, the following:

(a) The maintenance of a central state office for administrative services and assistance when possible to and on behalf of:

~~1. The Supreme Court of Florida.~~

~~2. The district courts of appeal of Florida.~~

~~3. The circuit courts of Florida.~~

~~4. The county courts of Florida.~~

1.~~5.~~ The state attorneys of Florida.

2.~~6.~~ The public defenders of Florida.

~~7. The official court reporters of Florida.~~

(b) ~~Unless otherwise provided herein,~~ Each *state attorney and each public defender shall* ~~enumerated court or official may~~ continue to prepare necessary budgets, vouchers which represent valid claims for reimbursement by the state for authorized expenses, and other things incidental to the proper administrative operation of the ~~court or~~ office, such as revenue transmittals to the treasurer, etc., but will forward same to the commission for recording and submission to the proper state officer. However, when requested by *a state attorney or a public defender* ~~an enumerated court or official~~, the commission will either assist in the preparation of budget requests, voucher schedules, and other forms and reports, or accomplish the entire project involved.

(c) Each state attorney and each public defender shall submit his information technology resource plan to the Judicial Administrative Commission no later than January 1 of each even-numbered year. The Judicial Administrative Commission shall review each plan and present one aggregate plan for the state attorneys and one aggregate plan for the public defenders to the Information Resource Commission with recommendations for modifications to each state attorney's and each public defender's plan. The aggregate plans shall comply with the requirements of s. 282.307. The aggregated plans shall be submitted to the Information Resource Commission no later than March 1 of each even-numbered year.

~~(c) All operating or legislative budget requests received by the commission from the Supreme Court, district courts of appeal, state attorneys, and public defenders, will be combined with the budgets of the circuit courts, county courts, and official court reporters, but segregated by divisions, and will be presented by the commission as one legislative budget request, or operating budget request.~~

Section 2. Section 282.309, Florida Statutes, is amended to read:

282.309 Judicial branch information technology resource plans.—

(1) The Supreme Court, district courts of appeal, and circuit courts shall prepare plans that reflect their projected 2-year information technology resource needs. The format, content, and review criteria of the plans shall be prescribed by the Supreme Court. However, at a minimum, the plans shall address the planning components described in s. 282.307(1). The Supreme Court shall develop instructions, in consultation with the commission, the Executive Office of the Governor, and the appropriations committees of the Legislature, that describe the planning components, specify format, and specify the criteria upon which the plans will be reviewed and evaluated. These instructions shall be transmitted to each court no later than November 1 of each odd-numbered year. The plans shall be submitted to the Supreme Court no later than March 1 of each even-numbered year. The Supreme Court shall review and approve or disapprove the plans of the courts no later than July 1 of each even-numbered year. A copy of each approved plan shall be provided to the commission and the Auditor General.

(2) Each state attorney and each public defender shall prepare a plan that reflects his projected 2-year information technology resource needs. The format, content, and review criteria of the plan shall be prescribed by the Information Resource Commission. The plan shall comply with the requirements of s. 282.307. The Information Resource Commission shall transmit its instructions to each state attorney and each public defender no later than November 1 of each odd-numbered year. Each state attorney and each public defender shall submit his plan to the Judicial Administrative Commission no later than January 1 of each even-numbered year. The Judicial Administrative Commission shall review each plan and present one aggregated plan for the state attorneys and one aggregated plan for the public defenders to the Information Resource Commission with recommendations for modifications to each state attorney's and public defender's plan. The aggregate plans shall comply with the requirements of s. 282.307. The aggregate plans shall be submitted to the Information Resource Commission no later than March 1 of each even-numbered year. The Information Resource Commission shall review and approve or disapprove each plan no later than July 1 of each even-numbered year. A copy of each approved plan shall be provided to the Supreme Court, the appropriations committees of the Legislature, the Executive Office of the Governor, and the Auditor General.

Section 3. This act shall take effect July 1, 1984 or upon becoming a law, whichever occurs later.

Amendment 2—In title, on page 1, strike all of lines 2-11 and insert: An act relating to the Judicial Administrative Commission; amending s. 43.16, F.S.; altering the composition and duties of the commission; requiring the commission to aggregate information resource plans submitted by state attorneys and public defenders; amending s. 282.309, F.S.; requiring state attorneys and public defenders to prepare information technology resource plans; providing guidelines for and authorizing the Information Resource Commission to prescribe plan format, content, and review criteria; providing for the Judicial Administrative Commission to review and present aggregate plans to the Information Resource Commission; providing for the Information Resource Commission to review and approve aggregate plans; providing for distribution of plans; providing an effective date.

On motion by Senator Stuart, by two-thirds vote SB 763 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Mann

Senator Peterson moved that the Senate reconsider the vote by which CS for HB 658 passed this day. The motion failed and the Senate refused to reconsider.

On motions by Senator Stuart, by two-thirds vote HB 531 was withdrawn from the Committees on Governmental Operations and Appropriations.

On motions by Senator Stuart—

HB 531—A bill to be entitled An act relating to the security of data and information technology resources; establishing the responsibilities of state agencies, the Board of Regents, the Supreme Court, the Information Resource Commission, and the Department of General Services; providing for confidentiality of certain information; providing exceptions; providing an effective date.

—a companion measure, was substituted for SB 339 and read the second time by title. On motion by Senator Stuart, by two-thirds vote HB 531 was read the third time by title, passed and certified to the House.

The vote on passage was:

Yeas—36

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

Nays—None

SB 339 was laid on the table.

The hour of 4:00 p.m. having arrived, the Senate took up for consideration conference committee reports on House Bills 1300 and 1301.

The President presiding

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

CONFERENCE COMMITTEE REPORT ON HB 1300

The Honorable Curtis Peterson
President of the Senate

The Honorable H. Lee Moffitt
Speaker, House of Representatives

Dear Sirs:

Your Conference Committee on the disagreeing votes of the two Houses on the Senate amendments to House Bill 1300 same being:

An Act making appropriations; providing moneys for the annual period beginning July 1, 1984, and ending June 30, 1985, to pay salaries, other expenses, capital outlay - buildings and improvements, and for other specified purposes of the various agencies of State government; providing an effective date.

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.

Herbert F. Morgan,	*Harry A. Johnston, II,*
Chairman	Vice-Chairman
Samuel P. Bell, III	*Betty Castor*
Beverly B. Burnsed	*Jack D. Gordon*
Betty Easley	*Mary R. Grizzle*
Tom Gallagher	*Mattox Hair*
Winston W. Gardner, Jr.	*Gwen Margolis*
Jon Mills	*Patrick K. Neal*
Fred Lippman	*James A. Scott*
Elaine Gordon	*Pat Thomas*
Steve Pajcic	*John W. Vogt*
Managers on the part of the House of Representatives	Managers on the part of the Senate

Conference Committee Amendment 1—Strike everything after the enacting clause and insert:

Section 1. The moneys in the following specific appropriations are appropriated from the named funds for the 1984-85 Fiscal Year to the state agency indicated, as the amounts to be used to pay the salaries and other operational expenditures of the named agencies, and are in lieu of all moneys appropriated for the purposes in other sections of the Florida Statutes.

ADMINISTERED FUNDS

SPECIFIC APPROPRIATION			
1	LUMP SUM ADJUSTMENT TO GROUP HEALTH/HMO INSURANCE PLANS		
	FROM GENERAL REVENUE FUND	4,936,465	
	FROM TRUST FUNDS		2,420,579
2	LUMP SUM CAREER SERVICE SYSTEM - CRITICAL CLASS ADJUSTMENTS		
	FROM GENERAL REVENUE FUND	2,445,377	
	FROM TRUST FUNDS		927,556
3	NOT USED		
4	LUMP SUM EDUCATIONAL PERSONNEL SALARY ADJUSTMENT		
	FROM GENERAL REVENUE FUND	268,973	
	FROM TRUST FUNDS		17,779
4A	LUMP SUM LAW ENFORCEMENT SPECIAL AGENT INCREASE		
	FROM GENERAL REVENUE FUND	513,174	
5	NOT USED		
6	NOT USED		
7	LUMP SUM PAY INCREASES FOR CORRECTIONAL OFFICERS		
	FROM GENERAL REVENUE FUND	2,316,493	
	FROM TRUST FUNDS		96,521
8	NOT USED		
8A	LUMP SUM CRITICAL CLASS ADJUSTMENTS-STATE COURT SYSTEM		
	FROM GENERAL REVENUE FUND	346,037	
8B	LUMP SUM STATE AWARDS PROGRAM REVITALIZATION		
	FROM GENERAL REVENUE FUND	80,000	
8C	LUMP SUM PROFESSIONAL HEALTH CARE EQUITY ADJUSTMENTS		
	FROM GENERAL REVENUE FUND	225,090	
	FROM TRUST FUNDS		38,790
9	LUMP SUM RETIREMENT CONTRIBUTION RATE ADJUSTMENT		
	FROM GENERAL REVENUE FUND	10,904,639	
	FROM TRUST FUNDS		4,771,149
10	LUMP SUM SALARY INCREASES		
	FROM GENERAL REVENUE FUND	43,688,357	
	FROM TRUST FUNDS		15,117,459
10A	LUMP SUM PAY EQUITY STUDY COMMISSION		
	FROM GENERAL REVENUE FUND	275,000	

Funds in Specific Appropriation 10A are contingent upon HB 671 or similar legislation becoming law.

11	NOT USED		
12	LUMP SUM TELECOMMUNICATIONS RATE CHANGE		
	FROM GENERAL REVENUE FUND	3,600,000	
	FROM TRUST FUNDS		4,353,168
13	LUMP SUM UNEMPLOYMENT COMPENSATION BENEFITS - STATE EMPLOYEES		
	FROM GENERAL REVENUE FUND	500,000	
14	NOT USED		
15	SPECIAL CATEGORIES AGRICULTURAL EMERGENCIES		
	FROM GENERAL REVENUE FUND	250,000	

Funds provided in Specific Appropriation 15 may be made available upon certification by the Commissioner of Agriculture that an agricultural emergency exists and that all other available state or federal agricultural funds are insufficient to eliminate the agricultural emergency. Agricultural emergency funds may be released by a majority vote of the Administration Commission. An agricultural emergency is defined as an unanticipated disease, insect infestation, emergency wild fire situation, or natural disaster which threatens a significant amount of the commercial or publicly-owned plants, livestock or forest and wild lands in the state. The allocation approved shall be transferred to general revenue accounts in the Department of Agriculture and Consumer Services.

SPECIFIC APPROPRIATION

16 SPECIAL CATEGORIES
COUNCIL OF STATE GOVERNMENTS
FROM GENERAL REVENUE FUND 98,200

17 SPECIAL CATEGORIES
DEFICIENCY
FROM GENERAL REVENUE FUND 400,000

18 SPECIAL CATEGORIES
EMERGENCY
FROM GENERAL REVENUE FUND 250,000

19 NOT USED

20 SPECIAL CATEGORIES
FLORIDA LAND AND WATER ADJUDICATORY COMMISSION - ADMINISTRATIVE APPEALS
FROM GENERAL REVENUE FUND 5,000

21 SPECIAL CATEGORIES
TRANSFER TO PLANNING AND BUDGETING SYSTEM TRUST FUND
FROM GENERAL REVENUE FUND 1,340,489

Funds provided in Specific Appropriation 21 shall be transferred to the Joint Legislative Management Committee for the purpose of contracting for the development and implementation of the LAS/PBS Appropriation System.

21A SPECIAL CATEGORIES
FLORIDA SCHOOL FOR THE DEAF AND BLIND
POSITION UPGRADES
FROM GENERAL REVENUE FUND 39,425

ADMINISTRATION, DEPARTMENT OF

OFFICE OF THE SECRETARY

Funds provided in Specific Appropriations 30 through 33 and 52 throughu 56 from the State Personnel System Trust Fund are based upon a personnel assessment of $50 per position in 1984-85.

22 SALARIES AND BENEFITS POSITIONS 42
FROM GENERAL REVENUE FUND 487,594
FROM ADMINISTRATIVE TRUST FUND 676,144

23 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 8,750
FROM ADMINISTRATIVE TRUST FUND 42,024

24 EXPENSES
FROM GENERAL REVENUE FUND 62,457
FROM ADMINISTRATIVE TRUST FUND 287,175

SPECIFIC APPROPRIATION

25 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 15,809
FROM ADMINISTRATIVE TRUST FUND 8,189

26 LUMP SUM
CONSTITUENCY FOR CHILDREN
FROM GENERAL REVENUE FUND 100,000

VETERANS' AFFAIRS, DIVISION OF

27 SALARIES AND BENEFITS POSITIONS 57
FROM GENERAL REVENUE FUND 985,361

28 EXPENSES
FROM GENERAL REVENUE FUND 66,112

29 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 7,783

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

In addition to funds in Specific Appropriation 29A, all departments shall, upon request of the Secretary of Administration, and within the agencies' existing budgets, provide assistance and support to the Department of Administration in the preparation of environmental impact studies, site plans, architectural plans and other studies required for completion of the application for a veterans' domiciliary care facility directed by Chapter 83-227, Laws of Florida.

PERSONNEL, DIVISION OF

30 SALARIES AND BENEFITS POSITIONS 58
FROM STATE EMPLOYEES LIFE INSURANCE TRUST FUND 12,291
FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND 436,981
FROM STATE PERSONNEL SYSTEM TRUST FUND . . 747,903

31 OTHER PERSONAL SERVICES
FROM STATE EMPLOYEES LIFE INSURANCE TRUST FUND 2,500
FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND 2,711,030
FROM STATE EMPLOYEES GROUP HEALTH INCENTIVE PLAN TRUST FUND 59,894
FROM STATE PERSONNEL SYSTEM TRUST FUND . . 15,000

32 EXPENSES
FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND 196,111
FROM STATE EMPLOYEES GROUP HEALTH INCENTIVE PLAN TRUST FUND 15,760
FROM STATE PERSONNEL SYSTEM TRUST FUND . . 190,001

SPECIFIC APPROPRIATION			
33	OPERATING CAPITAL OUTLAY		
	FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND		4,025
	FROM STATE PERSONNEL SYSTEM TRUST FUND		5,404
33A	LUMP SUM		
	HOSPITAL COST CONTAINMENT		
	POSITIONS	1	
	FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND		40,000
	The position appropriated in Specific Appropriation 33A shall be time limited.		
34	DATA PROCESSING SERVICES		
	FROM STATE EMPLOYEES LIFE INSURANCE TRUST FUND		5,600
	FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND		114,285
	FROM STATE EMPLOYEES GROUP HEALTH INCENTIVE PLAN TRUST FUND		6,000
RETIREMENT, DIVISION OF			
35	SALARIES AND BENEFITS POSITIONS	219	
	FROM GENERAL REVENUE FUND	177,494	
	FROM OPERATING TRUST FUND		4,179,304
36	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	12,000	
	FROM OPERATING TRUST FUND		90,703
37	EXPENSES		
	FROM GENERAL REVENUE FUND	39,200	
	FROM OPERATING TRUST FUND		2,664,420
38	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	100	
	FROM OPERATING TRUST FUND		60,055
39	SPECIAL CATEGORIES		
	ELECTED STATE OFFICERS - RETIREMENT CREDIT MATCHING		
	FROM GENERAL REVENUE FUND	70,000	
40	DATA PROCESSING SERVICES		
	FROM GENERAL REVENUE FUND	31,979	
	FROM OPERATING TRUST FUND		955,148
41	PENSIONS AND BENEFITS		
	CONFEDERATE PENSIONS		
	FROM GENERAL REVENUE FUND	8,800	
42	PENSIONS AND BENEFITS		
	DISABILITY BENEFITS TO JUSTICES AND JUDGES		
	FROM GENERAL REVENUE FUND	160,000	
43	PENSIONS AND BENEFITS		
	FLORIDA NATIONAL GUARD		
	FROM GENERAL REVENUE FUND	675,000	
44	PENSIONS AND BENEFITS		
	MEMBERS BENEFITS		
	FROM FLORIDA RETIREMENT SYSTEM TRUST FUND		420,000,000
45	PENSIONS AND BENEFITS		
	SPECIAL PENSIONS AND RELIEF ACTS		
	FROM GENERAL REVENUE FUND	12,000	
46	PENSIONS AND BENEFITS		
	STATE OFFICERS AND EMPLOYEES (NON-CONTRIBUTORY)		
	FROM GENERAL REVENUE FUND	2,582,000	
47	PENSIONS AND BENEFITS		
	TEACHER'S SPECIAL PENSIONS		
	FROM GENERAL REVENUE FUND	87,300	
COMMISSION ON HUMAN RELATIONS			
48	SALARIES AND BENEFITS POSITIONS	31	
	FROM GENERAL REVENUE FUND	552,600	
	FROM GRANTS AND DONATIONS TRUST FUND		106,527
49	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	50,400	
	FROM GRANTS AND DONATIONS TRUST FUND		7,500
50	EXPENSES		
	FROM GENERAL REVENUE FUND	119,954	
	FROM GRANTS AND DONATIONS TRUST FUND		29,454
51	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	2,583	
HUMAN RESOURCE MANAGEMENT, DIVISION OF			
52	SALARIES AND BENEFITS POSITIONS	76	
	FROM OTHER PERSONAL SERVICES ASSESSMENT TRUST FUND		22,535
	FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND		94,170
	FROM STATE PERSONNEL SYSTEM TRUST FUND		1,867,702
53	EXPENSES		
	FROM OTHER PERSONAL SERVICES ASSESSMENT TRUST FUND		2,446
	FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND		8,472
	FROM STATE PERSONNEL SYSTEM TRUST FUND		319,013
54	OPERATING CAPITAL OUTLAY		
	FROM STATE PERSONNEL SYSTEM TRUST FUND		12,792
55	NOT USED		

SPECIFIC APPROPRIATION			
56	DATA PROCESSING SERVICES		
	FROM OTHER PERSONAL SERVICES ASSESSMENT TRUST FUND		24,450
	FROM STATE PERSONNEL SYSTEM TRUST FUND		1,186,263
	ADMINISTRATIVE HEARINGS, DIVISION OF		
57	SALARIES AND BENEFITS POSITIONS	39	
	FROM GENERAL REVENUE FUND	839,965	
	FROM ADMINISTRATIVE TRUST FUND		486,889
58	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	30,200	
59	EXPENSES		
	FROM GENERAL REVENUE FUND	371,120	
60	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	41,933	
60A	LUMP SUM		
	HOSPITAL COST CONTAINMENT POSITIONS	3	
	FROM GENERAL REVENUE FUND	146,434	
	AGRICULTURE AND CONSUMER SERVICES, DEPARTMENT OF, AND COMMISSIONER OF AGRICULTURE		
	OFFICE OF THE COMMISSIONER AND DIVISION OF ADMINISTRATION		
61	SALARIES AND BENEFITS POSITIONS	200	
	FROM GENERAL REVENUE FUND	2,251,053	
	FROM ADMINISTRATIVE TRUST FUND		1,713,904
62	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	8,392	
	FROM ADMINISTRATIVE TRUST FUND		22,980
63	EXPENSES		
	FROM GENERAL REVENUE FUND	600,133	
	FROM ADMINISTRATIVE TRUST FUND		531,897
	FROM HARNESS HORSE RACING PROMOTION TRUST FUND		16,600
	FROM QUARTER HORSE RACING PROMOTION TRUST FUND		15,537
64	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	5,770	
	FROM ADMINISTRATIVE TRUST FUND		86,899
65	SPECIAL CATEGORIES		
	ACCELERATED SOIL SURVEY PROGRAM		
	FROM GENERAL REVENUE FUND	384,872	
	FROM CONTRACTS AND GRANTS TRUST FUND		665,128

SPECIFIC APPROPRIATION			
66	SPECIAL CATEGORIES		
	CONSTRUCTION GRANTS FOR AGRICULTURAL AND LIVESTOCK EXHIBIT BUILDINGS		
	FROM GENERAL REVENUE FUND	100,000	
	Funds provided in Specific Appropriation 66 may be expended in lump sum or otherwise and shall be expended only for public purposes.		
67	NOT USED		
68	SPECIAL CATEGORIES		
	PROMOTIONAL AWARDS		
	FROM GENERAL REVENUE FUND	220,000	
	FROM HARNESS HORSE RACING PROMOTION TRUST FUND		384,000
	FROM QUARTER HORSE RACING PROMOTION TRUST FUND		165,225
69	DATA PROCESSING SERVICES		
	FROM GENERAL REVENUE FUND	154,989	
	FROM ADMINISTRATIVE TRUST FUND		131,498
	Funds provided in Specific Appropriations 63 and 68 from Harness Horse Racing Promotion Trust Fund and from Quarter Horse Racing Promotion Trust Fund may be expended in lump sum or otherwise and shall be expended only for public purposes.		
	INSPECTION, DIVISION OF		
70	SALARIES AND BENEFITS POSITIONS	452	
	FROM GENERAL REVENUE FUND	6,417,335	
	FROM CONTRACTS AND GRANTS TRUST FUND		1,218,950
	FROM GENERAL INSPECTION TRUST FUND		539,535
71	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	970	
	FROM GENERAL INSPECTION TRUST FUND		3,194
72	EXPENSES		
	FROM GENERAL REVENUE FUND	874,381	
	FROM CONTRACTS AND GRANTS TRUST FUND		207,383
	FROM GENERAL INSPECTION TRUST FUND		279,940
73	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	58,633	
	FROM CONTRACTS AND GRANTS TRUST FUND		33,205
74	LUMP SUM		
	CONTINGENT - UNITED STATES DEPARTMENT OF AGRICULTURE GRADING SERVICE POSITIONS	7	
	FROM CONTRACTS AND GRANTS TRUST FUND		71,365
75	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	35,970	

SPECIFIC APPROPRIATION			
76	DATA PROCESSING SERVICES		
	FROM GENERAL REVENUE FUND	117,831	
	FROM CONTRACTS AND GRANTS TRUST FUND . . .		5,300
	FROM GENERAL INSPECTION TRUST FUND		125,353
	STANDARDS, DIVISION OF		
77	SALARIES AND BENEFITS POSITIONS	146	
	FROM GENERAL REVENUE FUND	883,124	
	FROM GENERAL INSPECTION TRUST FUND		1,929,479
78	OTHER PERSONAL SERVICES		
	FROM GENERAL INSPECTION TRUST FUND		23,131
79	EXPENSES		
	FROM GENERAL REVENUE FUND	339,520	
	FROM GENERAL INSPECTION TRUST FUND		711,699
80	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	79,500	
	FROM GENERAL INSPECTION TRUST FUND		107,310
81	DATA PROCESSING SERVICES		
	FROM GENERAL REVENUE FUND	44,657	
	FROM GENERAL INSPECTION TRUST FUND		129,757
	CHEMISTRY, DIVISION OF		
82	SALARIES AND BENEFITS POSITIONS	120	
	FROM GENERAL REVENUE FUND	1,361,869	
	FROM CONTRACTS AND GRANTS TRUST FUND . . .		255,378
	FROM GENERAL INSPECTION TRUST FUND		897,301
83	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	7,590	
	FROM CONTRACTS AND GRANTS TRUST FUND . . .		24,030
	FROM GENERAL INSPECTION TRUST FUND		11,480
84	EXPENSES		
	FROM GENERAL REVENUE FUND	409,604	
	FROM CONTRACTS AND GRANTS TRUST FUND . . .		111,590
	FROM GENERAL INSPECTION TRUST FUND		218,943
85	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	91,960	
	FROM CONTRACTS AND GRANTS TRUST FUND . . .		151,200
	FROM GENERAL INSPECTION TRUST FUND		58,421
86	DATA PROCESSING SERVICES		
	FROM GENERAL REVENUE FUND	72,654	
	FROM GENERAL INSPECTION TRUST FUND		39,750
	DAIRY INDUSTRY, DIVISION OF		
87	SALARIES AND BENEFITS POSITIONS	48	
	FROM GENERAL REVENUE FUND	1,091,723	

SPECIFIC APPROPRIATION			
88	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	4,725	
89	EXPENSES		
	FROM GENERAL REVENUE FUND	287,891	
90	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	27,711	
91	DATA PROCESSING SERVICES		
	FROM GENERAL REVENUE FUND	32,765	
	MARKETING, DIVISION OF		
92	SALARIES AND BENEFITS POSITIONS	154	
	FROM GENERAL REVENUE FUND	1,253,604	
	FROM CITRUS INSPECTION TRUST FUND		462,709
	FROM GENERAL INSPECTION TRUST FUND		152,424
	FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND		954,197
93	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	9,869	
	FROM CITRUS INSPECTION TRUST FUND		179,507
	FROM GENERAL INSPECTION TRUST FUND		1,038
	FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND		15,410
94	EXPENSES		
	FROM GENERAL REVENUE FUND	527,975	
	FROM CITRUS INSPECTION TRUST FUND		190,000
	FROM GENERAL INSPECTION TRUST FUND		338,432
	FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND		368,088
95	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	4,670	
	FROM CITRUS INSPECTION TRUST FUND		27,580
	FROM GENERAL INSPECTION TRUST FUND		1,254
	FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND		11,891
	Funds provided in Specific Appropriations 92 through 95 from the General Inspection Trust Fund for Marketing Orders may be expended in lump sum or otherwise and shall be expended only for public purposes.		
96	DATA PROCESSING SERVICES		
	FROM GENERAL REVENUE FUND	27,027	
	FROM GENERAL INSPECTION TRUST FUND		9,538
	FRUIT AND VEGETABLE INSPECTION, DIVISION OF		
97	SALARIES AND BENEFITS POSITIONS	522	
	FROM CITRUS INSPECTION TRUST FUND		8,017,501
	FROM GENERAL INSPECTION TRUST FUND		1,955,190

SPECIFIC APPROPRIATION			
98	OTHER PERSONAL SERVICES		
	FROM CITRUS INSPECTION TRUST FUND		41,000
	FROM GENERAL INSPECTION TRUST FUND		77,200
99	EXPENSES		
	FROM CITRUS INSPECTION TRUST FUND		1,022,617
	FROM GENERAL INSPECTION TRUST FUND		344,042
100	OPERATING CAPITAL OUTLAY		
	FROM CITRUS INSPECTION TRUST FUND		102,989
	FROM GENERAL INSPECTION TRUST FUND		18,425
101	SPECIAL CATEGORIES		
	AUTOMATED TESTING EQUIPMENT		
	FROM CITRUS INSPECTION TRUST FUND		330,462
102	DATA PROCESSING SERVICES		
	FROM CITRUS INSPECTION TRUST FUND		299,026
	FROM GENERAL INSPECTION TRUST FUND		69,212
PLANT INDUSTRY, DIVISION OF			
103	SALARIES AND BENEFITS POSITIONS	262	
	FROM GENERAL REVENUE FUND	4,608,212	
	FROM FIRE ANT CONTROL TRUST FUND		49,862
	FROM NURSERY INSPECTION TRUST FUND		656,331
104	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	150,995	
	FROM FIRE ANT CONTROL TRUST FUND		4,500
105	EXPENSES		
	FROM GENERAL REVENUE FUND	1,422,163	
	FROM FIRE ANT CONTROL TRUST FUND		981,947
	FROM NURSERY INSPECTION TRUST FUND		14,653

Of the funds provided in Specific Appropriation 105 from the Fire Ant Control Trust Fund, $75,000 shall be used by the Division of Plant Industry to contract with the Institute of Food and Agriculture Sciences at the University of Florida to fund research to find an adequate biological agent to control the imported fire ant. The institute shall submit through the division, to the 1985 Legislature a progress report on said research.

106	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	150,200	
	FROM FIRE ANT CONTROL TRUST FUND		3,000
	FROM NURSERY INSPECTION TRUST FUND		116,011
106A	LUMP SUM		
	OFFICE AUTOMATION		
	FROM GENERAL REVENUE FUND	35,740	
107	SPECIAL CATEGORIES		
	APIARIAN INDEMNITIES		
	FROM GENERAL REVENUE FUND	36,000	

SPECIFIC APPROPRIATION			
108	SPECIAL CATEGORIES		
	BLACKFLY CONTROL PROGRAM		
	FROM GENERAL REVENUE FUND	150,000	
109	DATA PROCESSING SERVICES		
	FROM GENERAL REVENUE FUND	13,481	
ANIMAL INDUSTRY, DIVISION OF			
110	SALARIES AND BENEFITS POSITIONS	529	
	FROM GENERAL REVENUE FUND	5,102,580	
	FROM CONTRACTS AND GRANTS TRUST FUND . . .		4,117,569
111	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	143,614	
	FROM CONTRACTS AND GRANTS TRUST FUND . . .		1,173
112	EXPENSES		
	FROM GENERAL REVENUE FUND	1,055,790	
	FROM CONTRACTS AND GRANTS TRUST FUND . . .		861,302
113	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	129,608	
	FROM CONTRACTS AND GRANTS TRUST FUND . . .		600
113A	SPECIAL CATEGORIES		
	PAYMENT OF INDEMNITIES		
	FROM GENERAL REVENUE FUND	952,828	
114	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	3,900	
115	DATA PROCESSING SERVICES		
	FROM GENERAL REVENUE FUND	106,350	
	FROM CONTRACTS AND GRANTS TRUST FUND . . .		296,998
CONSUMER SERVICES, DIVISION OF			
116	SALARIES AND BENEFITS POSITIONS	28	
	FROM GENERAL REVENUE FUND	535,688	
117	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	3,796	
	FROM CONTRACTS AND GRANTS TRUST FUND . . .		5,308
	FROM GENERAL INSPECTION TRUST FUND		2,152
118	EXPENSES		
	FROM GENERAL REVENUE FUND	96,589	
	FROM CONTRACTS AND GRANTS TRUST FUND . . .		44,950
119	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	3,200	
120	DATA PROCESSING SERVICES		
	FROM GENERAL REVENUE FUND	126,733	
	FROM GENERAL INSPECTION TRUST FUND		2,419

SPECIFIC APPROPRIATION			
	FORESTRY, DIVISION OF		
121	SALARIES AND BENEFITS POSITIONS	1,169	
	FROM GENERAL REVENUE FUND	16,383,884	
	FROM INCIDENTAL TRUST FUND		4,426,602
122	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	302,703	
	FROM CONTRACTS AND GRANTS TRUST FUND		114,027
	FROM INCIDENTAL TRUST FUND		24,975
123	EXPENSES		
	FROM GENERAL REVENUE FUND	3,327,513	
	FROM CONTRACTS AND GRANTS TRUST FUND		537,709
	FROM INCIDENTAL TRUST FUND		1,901,441
124	AID TO LOCAL GOVERNMENTS STATE FOREST RECEIPT DISTRIBUTION		
	FROM INCIDENTAL TRUST FUND		700,453
125	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	2,534,251	
	FROM INCIDENTAL TRUST FUND		737,512
126	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	6,264	
	FROM INCIDENTAL TRUST FUND		264
127	DATA PROCESSING SERVICES		
	FROM GENERAL REVENUE FUND	35,482	
	FROM INCIDENTAL TRUST FUND		8,760
	AGRICULTURE MANAGEMENT INFORMATION CENTER		
128	SALARIES AND BENEFITS POSITIONS	32	
	FROM WORKING CAPITAL TRUST FUND		725,084
129	EXPENSES		
	FROM WORKING CAPITAL TRUST FUND		862,451
130	OPERATING CAPITAL OUTLAY		
	FROM WORKING CAPITAL TRUST FUND		34,437
	BANKING AND FINANCE, DEPARTMENT OF, AND COMPTROLLER		
	OFFICE OF THE COMPTROLLER AND DIVISION OF ADMINISTRATION		
131	SALARIES AND BENEFITS POSITIONS	118	
	FROM GENERAL REVENUE FUND	1,571,701	
	FROM ADMINISTRATIVE TRUST FUND		1,388,086
132	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	6,100	
	FROM ADMINISTRATIVE TRUST FUND		6,100

SPECIFIC APPROPRIATION			
133	EXPENSES		
	FROM GENERAL REVENUE FUND	370,256	
	FROM ADMINISTRATIVE TRUST FUND		333,063
134	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	18,264	
	FROM ADMINISTRATIVE TRUST FUND		16,822
135	DATA PROCESSING SERVICES		
	FROM GENERAL REVENUE FUND	11,441	
	FROM ADMINISTRATIVE TRUST FUND		11,442
	ACCOUNTING AND AUDITING, DIVISION OF		
136	SALARIES AND BENEFITS POSITIONS	129	
	FROM GENERAL REVENUE FUND	2,527,287	
	FROM ADMINISTRATIVE TRUST FUND		12,970
137	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	33,391	
138	EXPENSES		
	FROM GENERAL REVENUE FUND	846,067	
	FROM ADMINISTRATIVE TRUST FUND		501
139	AID TO LOCAL GOVERNMENTS NATIONAL FOREST MONIES TO COUNTIES		
	FROM FLORIDA NATIONAL FOREST TRUST FUND		2,700,000
140	AID TO LOCAL GOVERNMENTS PROCEEDS FROM SALE OF TIMBER PRODUCTS		
	FROM U.S. MILITARY INSTALLATIONS TIMBER PRODUCTS TRUST FUND		85,000
141	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	27,747	
142	SPECIAL CATEGORIES GOVERNMENTAL ACCOUNTING STANDARDS BOARD		
	FROM GENERAL REVENUE FUND	31,600	
143	DATA PROCESSING SERVICES		
	FROM GENERAL REVENUE FUND	46,422	
	INFORMATION SYSTEMS, DIVISION OF		
144	SALARIES AND BENEFITS POSITIONS	103	
	FROM GENERAL REVENUE FUND	2,298,717	
145	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	22,261	
146	EXPENSES		
	FROM GENERAL REVENUE FUND	5,801,382	

Funds in Specific Appropriations 144 and 146 have been reduced by $48,000 and $4,000 respectively to delete 6 data entry positions effective January 1, 1985.

SPECIFIC APPROPRIATION			
147	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	2,481,658	
BANKING, DIVISION OF			
148	SALARIES AND BENEFITS POSITIONS 154 FROM FINANCIAL INSTITUTIONS REGULATORY TRUST FUND		3,544,654
149	OTHER PERSONAL SERVICES FROM FINANCIAL INSTITUTIONS REGULATORY TRUST FUND		60,400
150	EXPENSES FROM FINANCIAL INSTITUTIONS REGULATORY TRUST FUND		892,076
151	OPERATING CAPITAL OUTLAY FROM FINANCIAL INSTITUTIONS REGULATORY TRUST FUND		22,763
152	DATA PROCESSING SERVICES FROM FINANCIAL INSTITUTIONS REGULATORY TRUST FUND		71,272
FINANCE, DIVISION OF			
153	SALARIES AND BENEFITS POSITIONS 68 FROM REGULATORY TRUST FUND		1,562,714
154	OTHER PERSONAL SERVICES FROM REGULATORY TRUST FUND		38,000
155	EXPENSES FROM REGULATORY TRUST FUND		418,302
156	OPERATING CAPITAL OUTLAY FROM REGULATORY TRUST FUND		4,192
157	DATA PROCESSING SERVICES FROM REGULATORY TRUST FUND		46,787
SECURITIES, DIVISION OF			
158	SALARIES AND BENEFITS POSITIONS 24 FROM GENERAL REVENUE FUND	482,266	
159	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	8,250	
160	EXPENSES FROM GENERAL REVENUE FUND	200,378	
161	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	1,851	

SPECIFIC APPROPRIATION			
162	DATA PROCESSING SERVICES FROM GENERAL REVENUE FUND	94,731	
BUSINESS REGULATION, DEPARTMENT OF			
OFFICE OF THE SECRETARY			
163	SALARIES AND BENEFITS POSITIONS 57 FROM GENERAL REVENUE FUND . . . . . 617,389 FROM ADMINISTRATIVE TRUST FUND		726,151
164	OTHER PERSONAL SERVICES FROM ADMINISTRATIVE TRUST FUND		31,078
165	EXPENSES FROM ADMINISTRATIVE TRUST FUND		297,693
166	OPERATING CAPITAL OUTLAY FROM ADMINISTRATIVE TRUST FUND		12,945
166A	LUMP SUM STATE ATHLETIC COMMISSION POSITIONS 3 FROM STATE ATHLETIC COMMISSION OPERATING TRUST FUND		139,560
	Funds and positions provided in Specific Appropriation 166A are contingent upon CS/CS HB 8 or similar legislation becoming law.		
167	DATA PROCESSING SERVICES FROM ADMINISTRATIVE TRUST FUND		13,166
PARI-MUTUEL WAGERING, DIVISION OF			
168	SALARIES AND BENEFITS POSITIONS 103 FROM PARI-MUTUEL WAGERING TRUST FUND . . .		2,044,429
169	OTHER PERSONAL SERVICES FROM PARI-MUTUEL WAGERING TRUST FUND . . .		1,346,538
170	EXPENSES FROM PARI-MUTUEL WAGERING TRUST FUND . . .		488,419
171	AID TO LOCAL GOVERNMENTS RACING TAX TO COUNTIES FROM PARI-MUTUEL TAX COLLECTION TRUST FUND		29,915,500
172	OPERATING CAPITAL OUTLAY FROM PARI-MUTUEL WAGERING TRUST FUND . . .		93,829
173	PAYMENT OF AWARDS FROM FLORIDA THOROUGHBRED BREEDERS PROMOTIONAL TRUST FUND		3,459,000

SPECIFIC APPROPRIATION

174 DATA PROCESSING SERVICES
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 207,368

HOTELS AND RESTAURANTS, DIVISION OF

175 SALARIES AND BENEFITS POSITIONS 122
FROM HOTEL AND RESTAURANT TRUST FUND . . . 2,346,025

176 OTHER PERSONAL SERVICES
FROM HOTEL AND RESTAURANT TRUST FUND . . . 5,327

177 EXPENSES
FROM HOTEL AND RESTAURANT TRUST FUND . . . 487,394

178 OPERATING CAPITAL OUTLAY
FROM HOTEL AND RESTAURANT TRUST FUND . . . 84,886

179 SPECIAL CATEGORIES
CONTRACT WITH DEPARTMENT OF HEALTH AND REHABILITATIVE SERVICES FOR FOOD SERVICE INSPECTION
FROM HOTEL AND RESTAURANT TRUST FUND . . . 581,160

180 SPECIAL CATEGORIES
HOSPITALITY EDUCATION PROGRAM
FROM HOTEL AND RESTAURANT TRUST FUND . . . 210,000

181 DATA PROCESSING SERVICES
FROM HOTEL AND RESTAURANT TRUST FUND . . . 198,568

FLORIDA LAND SALES AND CONDOMINIUMS, DIVISION OF

182 SALARIES AND BENEFITS POSITIONS 86
FROM FLORIDA CONDOMINIUM TRUST FUND . . . 933,303
FROM FLORIDA LAND SALES TRUST FUND 435,634
FROM FLORIDA REAL ESTATE TIME SHARING TRUST FUND 301,126

183 OTHER PERSONAL SERVICES
FROM FLORIDA CONDOMINIUM TRUST FUND . . . 22,125

184 EXPENSES
FROM FLORIDA CONDOMINIUM TRUST FUND . . . 412,855
FROM FLORIDA LAND SALES TRUST FUND 108,896
FROM FLORIDA REAL ESTATE TIME SHARING TRUST FUND 78,184

185 OPERATING CAPITAL OUTLAY
FROM FLORIDA CONDOMINIUM TRUST FUND . . . 13,111
FROM FLORIDA LAND SALES TRUST FUND 3,819
FROM FLORIDA REAL ESTATE TIME SHARING TRUST FUND 2,679

185A LUMP SUM
REGULATION OF MOBILE HOMES CS/HB 1126
POSITIONS 31
FROM MOBILE HOME TRUST FUND 717,428

Funds and positions provided in Specific Appropriation 185A are contingent upon CS/HB 1126 or similar legislation becoming law.

SPECIFIC APPROPRIATION

185B LUMP SUM
RESIDENTIAL PLANNED DEVELOPMENT STUDY COMMISSION/HB 888
FROM FLORIDA CONDOMINIUM TRUST FUND . . . 35,148
FROM FLORIDA LAND SALES TRUST FUND 13,505
FROM FLORIDA REAL ESTATE TIME SHARING TRUST FUND 4,747

Funds provided in Specific Appropriation 185B are contingent upon HB 888 or similar legislation becoming law.

186 DATA PROCESSING SERVICES
FROM FLORIDA CONDOMINIUM TRUST FUND . . . 59,501
FROM FLORIDA LAND SALES TRUST FUND 20,614
FROM FLORIDA REAL ESTATE TIME SHARING TRUST FUND 8,733

ALCOHOLIC BEVERAGES AND TOBACCO, DIVISION OF

187 SALARIES AND BENEFITS POSITIONS 253
FROM GENERAL REVENUE FUND 5,735,028

188 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 15,592

189 EXPENSES
FROM GENERAL REVENUE FUND 1,248,750

190 AID TO LOCAL GOVERNMENTS
BEVERAGE LICENSE TO CITIES AND COUNTIES
FROM BEVERAGE LICENSE TRUST FUND 9,500,000

191 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 85,782

191A LUMP SUM
TEMPORARY BEVERAGE LICENSE/HB 387
POSITIONS 13
FROM GENERAL REVENUE FUND 231,394

Funds and positions provided in Specific Appropriation 191A are contingent upon HB 387 or similar legislation becoming law.

191B SPECIAL CATEGORIES
ACQUISITION AND REPLACEMENT OF PATROL VEHICLES
FROM GENERAL REVENUE FUND 165,528

191C SPECIAL CATEGORIES
OPERATION AND MAINTENANCE OF PATROL VEHICLES
FROM GENERAL REVENUE FUND 243,308

192 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 136,680

SPECIFIC APPROPRIATION			
193	DATA PROCESSING SERVICES FROM GENERAL REVENUE FUND	220,417	
CITRUS, DEPARTMENT OF			
194	SALARIES AND BENEFITS POSITIONS 217 FROM CITRUS ADVERTISING TRUST FUND		5,486,811
195	OTHER PERSONAL SERVICES FROM CITRUS ADVERTISING TRUST FUND		381,812
196	EXPENSES FROM CITRUS ADVERTISING TRUST FUND		45,708,771
	From the funds provided in Specific Appropriation 196, the Department of Citrus shall contract to reimburse the Department of Commerce for 75%, but not to exceed $100,000, of the cost of citrus juice purchased from funds provided in Specific Appropriation 213 and dispensed at the Florida Welcome Stations.		
197	OPERATING CAPITAL OUTLAY FROM CITRUS ADVERTISING TRUST FUND		230,000
198	SPECIAL CATEGORIES ADVERTISING REBATES FROM CITRUS ADVERTISING TRUST FUND		10,429,000
199	SPECIAL CATEGORIES LEASING OF AUTOMOBILES FROM CITRUS ADVERTISING TRUST FUND		231,170
200	DATA PROCESSING SERVICES FROM CITRUS ADVERTISING TRUST FUND		88,667
COMMERCE, DEPARTMENT OF			
OFFICES OF THE SECRETARY AND ADMINISTRATIVE SERVICES			
201	SALARIES AND BENEFITS POSITIONS 56 FROM GENERAL REVENUE FUND	1,099,451	
	FROM ADMINISTRATIVE TRUST FUND		6,303
202	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	35,790	
203	EXPENSES FROM GENERAL REVENUE FUND	261,218	
204	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	23,381	
205	LUMP SUM WORD PROCESSING SYSTEM FROM GENERAL REVENUE FUND	145,000	

SPECIFIC APPROPRIATION			
TOURISM, DIVISION OF			
206	SALARIES AND BENEFITS POSITIONS 114 FROM GENERAL REVENUE FUND	2,021,686	
207	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	430,593	
208	EXPENSES FROM GENERAL REVENUE FUND	1,079,455	
	FROM TOURISM PROMOTION TRUST FUND		98,753
209	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	28,179	
210	SPECIAL CATEGORIES ADVERTISING PAMPHLETS AND MATERIALS FROM GENERAL REVENUE FUND	475,300	
211	SPECIAL CATEGORIES PAID ADVERTISING FROM GENERAL REVENUE FUND	4,362,176	
212	SPECIAL CATEGORIES PRODUCTION AND DISPLAY OF FILMS AND EXHIBITS FROM GENERAL REVENUE FUND	43,000	
213	SPECIAL CATEGORIES PROMOTION FROM GENERAL REVENUE FUND	819,000	
ECONOMIC DEVELOPMENT, DIVISION OF			
214	SALARIES AND BENEFITS POSITIONS 146 FROM GENERAL REVENUE FUND	3,401,358	
	FROM COMMUNITY DEVELOPMENT BLOCK GRANT TRUST FUND		44,040
	FROM GRANTS AND DONATIONS TRUST FUND . . .		36,472
215	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	307,717	
	FROM COMMUNITY DEVELOPMENT BLOCK GRANT TRUST FUND		1,237
216	EXPENSES FROM GENERAL REVENUE FUND	1,686,300	
	FROM COMMUNITY DEVELOPMENT BLOCK GRANT TRUST FUND		12,598
216A	AID TO LOCAL GOVERNMENTS PORTABLE BLEACHERS FOR VARIOUS PROJECTS - DADE COUNTY FROM GENERAL REVENUE FUND	500,000	
216B	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS FROM GENERAL REVENUE FUND	250,000	

SPECIFIC APPROPRIATION

216C AID TO LOCAL GOVERNMENTS
LAKELAND CIRCUMFERENTIAL ROUTE
FROM GRANTS AND DONATIONS TRUST FUND . . . 500,000

Funds in Specific Appropriation 216C are appropriated to Polk County for the purposes of paying for the removal of material from Kells parcel A and B for placement and use on the Lakeland circumferential route and to make usable 76 acres for City of Lakeland parks.

217 AID TO LOCAL GOVERNMENTS
SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANTS
FROM COMMUNITY DEVELOPMENT BLOCK GRANT TRUST FUND 7,712,037

218 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 43,118

219 LUMP SUM
DEVELOPMENT OF PUBLIC ACCESS TOURISM DATA BASE
POSITIONS 1
FROM GENERAL REVENUE FUND 68,044

220 SPECIAL CATEGORIES
ECONOMIC DEVELOPMENT - TRANSPORTATION PROJECTS
FROM ECONOMIC DEVELOPMENT TRANSPORATION TRUST FUND 10,000,000

Funds in Specific Appropriation 220 may be disbursed in advance, and shall be expended pursuant to s. 288.063, F.S., only upon direction of the Department of Commerce, Division of Economic Development, to defray the expenses of those economic development transportation projects approved and prioritized by said division. Said projects may include county or municipal economic development transportation projects if the local governing body agrees by appropriate resolution to accept future maintenance and all attendant costs of the project. For the purpose of this appropriation, transportation projects shall include right-of-way acquisition, engineering and consultant costs, construction costs, signalization, and any other expenses necessary for the improvement of existing, or initiation of, new transportation projects. Funds are to be used only as consideration to attract new employment opportunities to this state or expanded employment opportunities from existing companies, and the funds used are not to be construed as a grant program to be distributed after the fact to industries or facilities to whom commitments have not been made as consideration for their site selection in this state.

SPECIFIC APPROPRIATION

221 SPECIAL CATEGORIES
FLORIDA MOTION PICTURE, TELEVISION, AND MUSIC ON-THE-JOB TRAINING PROGRAM
FROM GENERAL REVENUE FUND 198,850

221A SPECIAL CATEGORIES
GRANTS & AIDS - MISS USA
FROM GENERAL REVENUE FUND 250,000

221B SPECIAL CATEGORIES
GRANTS AND AIDS - HIALEAH TRADE CENTER
FROM GENERAL REVENUE FUND 300,000

State funds appropriated for the Hialeah Trade Center from Specific Appropriation 221B shall be provided for project planning. These funds shall not be released until an agreement between the Department of Commerce and the City of Hialeah has been entered into stating that no state funds will be requested for project construction.

222 SPECIAL CATEGORIES
PAID ADVERTISING AND PROMOTION
FROM GENERAL REVENUE FUND 1,451,843

$45,000 in Specific Appropriation 222 may be advanced to local economic development councils for Latin American Trade Mission expenditures, inclusive of travel, if the department finds such missions serve a legitimate state purpose.

223 NOT USED

COMMISSIONERS FOR THE PROMOTION OF UNIFORMITY OF LEGISLATION IN THE UNITED STATES

224 EXPENSES
FROM GENERAL REVENUE FUND 26,616

COMMUNITY AFFAIRS, DEPARTMENT OF

OFFICE OF THE SECRETARY

Using funds in Specific Appropriations 233 through 246, 253 through 259, and 261 through 266, the Department of Community Affairs is authorized to continue advances for program start-up or periodic advance payments for contracted services during 1984-85.

225 SALARIES AND BENEFITS POSITIONS 53
FROM GENERAL REVENUE FUND 546,172
FROM ADMINISTRATIVE TRUST FUND 718,799

226 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND 34,676

SPECIFIC APPROPRIATION			
227	EXPENSES		
	FROM GENERAL REVENUE FUND	190,965	
	FROM ADMINISTRATIVE TRUST FUND		65,809
228	OPERATING CAPITAL OUTLAY		
	FROM ADMINISTRATIVE TRUST FUND		7,157
229	DATA PROCESSING SERVICES		
	FROM GENERAL REVENUE FUND	16,400	
PUBLIC SAFETY PLANNING AND ASSISTANCE, DIVISION OF			
230	SALARIES AND BENEFITS POSITIONS	86	
	FROM GENERAL REVENUE FUND	651,705	
	FROM BLOCK GRANT MATCHING TRUST FUND . . .		111,869
	FROM GOVERNOR'S COUNCIL ON CRIMINAL JUSTICE TRUST FUND		66,428
	FROM GOVERNOR'S HIGHWAY SAFETY COMMISSION TRUST FUND		206,527
	FROM GRANTS AND DONATIONS TRUST FUND . . .		198,537
	FROM PERSONNEL AND ADMINISTRATION TRUST FUND		348,663
	FROM U.S. CONTRIBUTIONS TRUST FUND		313,638
231	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	6,412	
	FROM GOVERNOR'S HIGHWAY SAFETY COMMISSION TRUST FUND		300,000
	FROM GRANTS AND DONATIONS TRUST FUND . . .		52,000
	FROM PERSONNEL AND ADMINISTRATION TRUST FUND		6,412
	FROM U.S. CONTRIBUTIONS TRUST FUND		12,924
232	EXPENSES		
	FROM GENERAL REVENUE FUND	228,020	
	FROM BLOCK GRANT MATCHING TRUST FUND . . .		26,899
	FROM GOVERNOR'S COUNCIL ON CRIMINAL JUSTICE TRUST FUND		21,105
	FROM GOVERNOR'S HIGHWAY SAFETY COMMISSION TRUST FUND		115,460
	FROM GRANTS AND DONATIONS TRUST FUND . . .		600,524
	FROM PERSONNEL AND ADMINISTRATION TRUST FUND		115,403
	FROM U.S. CONTRIBUTIONS TRUST FUND		231,715
233	AID TO LOCAL GOVERNMENTS CUBAN/HAITIAN ENTRANT IMPACT AID PROGRAM FROM GRANTS AND DONATIONS TRUST FUND . . .		1,121,250
234	AID TO LOCAL GOVERNMENTS DISASTER PREPAREDNESS PLANNING AND ADMINISTRATION FROM PERSONNEL AND ADMINISTRATION TRUST FUND		950,000
235	AID TO LOCAL GOVERNMENTS DISASTER RELIEF PAYMENTS FROM DISASTER RELIEF U.S. TRUST FUND . . .		1,000,000

SPECIFIC APPROPRIATION			
236	AID TO LOCAL GOVERNMENTS EMERGENCY COMMUNICATIONS SYSTEM MAINTENANCE AND SERVICE FROM PERSONNEL AND ADMINISTRATION TRUST FUND		131,200
237	AID TO LOCAL GOVERNMENTS EVACUATION PLAN FROM GENERAL REVENUE FUND	186,000	

Funds in Specific Appropriation 237 shall be used to develop a comprehensive, integrated evacuation plan for the State of Florida. This plan should incorporate at least the following elements: natural disasters, hazardous materials spills, nuclear power plant incidents and development of identification and removal plans for the disabled and handicapped citizens of Florida. The department shall submit to the Governor, Senate and House of Representatives quarterly progress reports on the development of the evacuation plan. Funds for the succeeding quarter shall not be released to the department or Regional Planning Councils until the report is submitted.

238	AID TO LOCAL GOVERNMENTS HIGHWAY SAFETY GRANTS FROM GOVERNOR'S HIGHWAY SAFETY COMMISSION TRUST FUND		3,605,863
239	AID TO LOCAL GOVERNMENTS JUVENILE JUSTICE DELINQUENCY PROGRAM ADMINISTRATIVE MATCH FOR METROPOLITAN PLANNING UNITS (MPU) FROM BLOCK GRANT MATCHING TRUST FUND . . .		79,992
240	AID TO LOCAL GOVERNMENTS LAW ENFORCEMENT ASSISTANCE ACT FROM GOVERNOR'S COUNCIL ON CRIMINAL JUSTICE TRUST FUND		1,779,942
241	NOT USED		
242	AID TO LOCAL GOVERNMENTS LOCAL SUPPORT MATERIALS FROM GRANTS AND DONATIONS TRUST FUND . . .		961,830
243	AID TO LOCAL GOVERNMENTS NUCLEAR POWER EMERGENCY PLANNING FROM GRANTS AND DONATIONS TRUST FUND . . .		1,453,711
244	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	6,231	
	FROM GOVERNOR'S HIGHWAY SAFETY COMMISSION TRUST FUND		750
	FROM GRANTS AND DONATIONS TRUST FUND . . .		1,018
	FROM PERSONNEL AND ADMINISTRATION TRUST FUND		5,351
	FROM U.S. CONTRIBUTIONS TRUST FUND		6,623

SPECIFIC APPROPRIATION			
245	SPECIAL CATEGORIES		
	PAYMENT TO FLORIDA WING OF CIVIL AIR PATROL		
	FROM GENERAL REVENUE FUND	47,755	
245A	SPECIAL CATEGORIES		
	PROSECUTION MANAGEMENT INFORMATION SYSTEM		
	FROM BLOCK GRANT MATCHING TRUST FUND . . .		400,000
246	SPECIAL CATEGORIES		
	STATE AND FEDERAL DISASTER RELIEF OPERATIONS		
	FROM DISASTER RELIEF U.S. TRUST FUND . . .		2,000,000
247	DATA PROCESSING SERVICES		
	FROM GOVERNOR'S COUNCIL ON CRIMINAL JUSTICE TRUST FUND		500
	FROM GOVERNOR'S HIGHWAY SAFETY COMMISSION TRUST FUND		3,162
LOCAL RESOURCE MANAGEMENT, DIVISION OF			
248	SALARIES AND BENEFITS POSITIONS	118	
	FROM GENERAL REVENUE FUND	1,524,943	
	FROM COMMUNITY DEVELOPMENT BLOCK GRANT TRUST FUND		89,603
	FROM COMMUNITY SERVICES TRUST FUND		22,102
	FROM COMMUNITY SERVICES BLOCK GRANT TRUST FUND		214,096
	FROM ECONOMIC OPPORTUNITY TRUST FUND . . .		194,065
	FROM FACTORY-BUILT HOUSING TRUST FUND . .		66,773
	FROM GRANTS AND DONATIONS TRUST FUND . . .		105,040
	FROM HOUSING ASSISTANCE TRUST FUND		172,408
	FROM REVOLVING LAND ACQUISITION AND SITE DEVELOPMENT ASSISTANCE TRUST FUND		41,289
	FROM STATE PLANNING TRUST FUND		233,955
	With funds provided in Specific Appropriation 248 the department shall provide to the City of Callahan technical assistance and advice in the preparation of a grant proposal to apply for Community Development Small Cities Block Grant funds.		
249	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	342,500	
	FROM COMMUNITY SERVICES BLOCK GRANT TRUST FUND		5,000
	FROM GRANTS AND DONATIONS TRUST FUND . . .		9,072
	FROM STATE PLANNING TRUST FUND		14,581
250	EXPENSES		
	FROM GENERAL REVENUE FUND	429,855	
	FROM COMMUNITY DEVELOPMENT BLOCK GRANT TRUST FUND		82,886
	FROM COMMUNITY SERVICES TRUST FUND		4,098
	FROM COMMUNITY SERVICES BLOCK GRANT TRUST FUND		76,344
	FROM ECONOMIC OPPORTUNITY TRUST FUND . . .		106,562
	FROM FACTORY-BUILT HOUSING TRUST FUND . .		19,230
	FROM GRANTS AND DONATIONS TRUST FUND . . .		27,133
	FROM HOUSING ASSISTANCE TRUST FUND		28,543
	FROM REVOLVING LAND ACQUISITION AND SITE DEVELOPMENT ASSISTANCE TRUST FUND		15,500
	FROM STATE PLANNING TRUST FUND		75,279
251	AID TO LOCAL GOVERNMENTS		
	AREAS OF CRITICAL STATE CONCERN REQUIREMENTS		
	FROM AREAS OF CRITICAL STATE CONCERN TRUST FUND		50,000
252	NOT USED		
253	AID TO LOCAL GOVERNMENTS		
	COMMUNITY SERVICES BLOCK GRANTS		
	FROM COMMUNITY SERVICES BLOCK GRANT TRUST FUND		7,628,678
254	AID TO LOCAL GOVERNMENTS		
	COMMUNITY SERVICES TRUST FUND GRANTS TO COMMUNITIES		
	FROM COMMUNITY SERVICES TRUST FUND		980,000
255	AID TO LOCAL GOVERNMENTS		
	LAND ACQUISITION AND SITE DEVELOPMENT		
	FROM REVOLVING LAND ACQUISITION AND SITE DEVELOPMENT ASSISTANCE TRUST FUND		1,250,000
255A	AID TO LOCAL GOVERNMENTS		
	OIL PRICING SETTLEMENT		
	FROM ECONOMIC OPPORTUNITY TRUST FUND . . .		99,085
256	AID TO LOCAL GOVERNMENTS		
	REGIONAL PLANNING COUNCILS - STANDARDS DEVELOPMENT		
	FROM GENERAL REVENUE FUND	677,548	
257	AID TO LOCAL GOVERNMENTS		
	SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANTS		
	FROM COMMUNITY DEVELOPMENT BLOCK GRANT TRUST FUND		17,994,752
258	AID TO LOCAL GOVERNMENTS		
	SPECIAL PROJECT GRANTS		
	FROM ECONOMIC OPPORTUNITY TRUST FUND . . .		6,515,977
259	NOT USED		
260	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	23,122	
	FROM COMMUNITY SERVICES BLOCK GRANT TRUST FUND		1,884
	FROM ECONOMIC OPPORTUNITY TRUST FUND . . .		3,864
	FROM FACTORY-BUILT HOUSING TRUST FUND . .		214
	FROM HOUSING ASSISTANCE TRUST FUND		179
	FROM REVOLVING LAND ACQUISITION AND SITE DEVELOPMENT ASSISTANCE TRUST FUND		83
	FROM STATE PLANNING TRUST FUND		631

SPECIFIC APPROPRIATION

260A LUMP SUM
THERMAL EFFICIENCY CODE
FROM GRANTS AND DONATIONS TRUST FUND . . . 84,199

260B LUMP SUM
COMMUNITY DEVELOPMENT CORPORATION SUPPORT AND ASSISTANCE PROGRAM
POSITIONS 4
FROM COMMUNITY DEVELOPMENT SUPPORT AND ASSISTANCE TRUST FUND 2,900,000

Included in funds from Specific Appropriation 260B is the amount of $1,750,000 to fund no more than 16 Community Development Corporations and department administrative costs of not more than $150,000. The remaining funds of $1,150,000 shall be used by the department to fund Community Development Corporation venture capital loans.

260C LUMP SUM
STATE AND REGIONAL COMPREHENSIVE PLANNING
FROM GENERAL REVENUE FUND 1,125,107

Funds in Specific Appropriation 260C include $325,107 for transfer to the Grants and Donations Trust Fund in the Executive Office of the Governor to carry out the applicable provisions of HB 1153 or similar legislation. In addition, $500,000 is to be used to contract with the Regional Planning Councils for policy plan analysis.

260D LUMP SUM
SUPPORT COSTS FOR RESOURCE PLANNING AND MANAGEMENT COMMITTEES
FROM GENERAL REVENUE FUND 10,000

The funds in Specific Appropriation 260D shall be used to reimburse the department for the actual cost of support to the Resource Planning and Management Committees. These funds shall not be used to reimburse local governments for their participation in such committees.

261 SPECIAL CATEGORIES
COASTAL ENERGY IMPACT GRANTS
FROM STATE PLANNING TRUST FUND 750,000

262 SPECIAL CATEGORIES
GRANTS AND AIDS
FROM GENERAL REVENUE FUND 40,000

263 SPECIAL CATEGORIES
MONROE COUNTY LAND USE PLAN
FROM GENERAL REVENUE FUND 234,073

Funds in Specific Appropriation 263 shall be utilized by the department for the revision of the Monroe County comprehensive plan and implementing regulations. Revision of the plan may include but not be limited to development of a capital services plan and development of a land use inventory and map. The funds may be expended in lump sum or otherwise by the department to Monroe County.

SPECIFIC APPROPRIATION

264 SPECIAL CATEGORIES
RENTAL PAYMENTS
FROM HOUSING ASSISTANCE TRUST FUND 1,915,974

265 SPECIAL CATEGORIES
TRANSFER TO AREAS OF CRITICAL STATE CONCERN TRUST FUND
FROM GENERAL REVENUE FUND 50,000

266 SPECIAL CATEGORIES
TRANSFER TO COMMUNITY DEVELOPMENT CORPORATION SUPPORT ASSISTANCE TRUST FUND
FROM GENERAL REVENUE FUND 1,700,000

266A SPECIAL CATEGORIES
TRANSFER TO COMMUNITY SERVICES TRUST FUND
FROM GENERAL REVENUE FUND 981,560

267 DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 11,419

HOUSING FINANCE AGENCY

268 SALARIES AND BENEFITS POSITIONS 6
FROM HOUSING FINANCE AGENCY TRUST FUND . . 191,000

269 OTHER PERSONAL SERVICES
FROM HOUSING FINANCE AGENCY TRUST FUND . . 29,000

270 EXPENSES
FROM HOUSING FINANCE AGENCY TRUST FUND . . 110,779

271 OPERATING CAPITAL OUTLAY
FROM HOUSING FINANCE AGENCY TRUST FUND . . 243

272 SPECIAL CATEGORIES
HOUSING ASSISTANCE PAYMENTS
FROM HOUSING FINANCE AGENCY TRUST FUND . . 8,804,540

273 NOT USED

274 SPECIAL CATEGORIES
SERVICING AND TRUSTEE FEES
FROM HOUSING FINANCE AGENCY TRUST FUND . . 111,050

275 NOT USED

CORRECTIONS, DEPARTMENT OF

OFFICE OF THE SECRETARY AND OFFICE OF MANAGEMENT AND BUDGET

276 SALARIES AND BENEFITS POSITIONS 162
FROM GENERAL REVENUE FUND 3,776,981
FROM GRANTS AND DONATIONS TRUST FUND . . . 104,493

SPECIFIC APPROPRIATION

277 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 70,870

278 EXPENSES
FROM GENERAL REVENUE FUND 968,295
FROM GRANTS AND DONATIONS TRUST FUND . . . 8,305

279 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 60,709

280 SPECIAL CATEGORIES
RETURN OF PAROLE VIOLATORS
FROM GENERAL REVENUE FUND 131,292

281 FINANCIAL ASSISTANCE PAYMENTS
DISCHARGE AND TRAVEL PAY
FROM GENERAL REVENUE FUND 668,746

282 DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 3,242,463

Of the funds provided in Specific Appropriation 282, up to $221,000 shall be used to develop an office automation system for the department's central office. The funds shall be used first to implement word processing capability and then other office automation needs as long as the annualized cost for both systems does not exceed the total amount of $221,000. The department shall work with the Information Resource Commission in developing either automated systems.

OFFICE OF THE ASSISTANT SECRETARY FOR PROGRAMS

283 SALARIES AND BENEFITS POSITIONS 105
FROM GENERAL REVENUE FUND 2,379,619
FROM GRANTS AND DONATIONS TRUST FUND . . . 39,423

284 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 171,045

Of the funds in Specific Appropriation 284, $115,607 shall be used to contract with the Florida Mental Health Institute for the provision of educational materials, training programs and assistance to Department of Corrections mental health staff.

285 EXPENSES
FROM GENERAL REVENUE FUND 534,625
FROM GRANTS AND DONATIONS TRUST FUND . . . 11,414

286 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 21,928

SPECIFIC APPROPRIATION

OFFICE OF THE ASSISTANT SECRETARY FOR OPERATIONS

OFFICE OF ASSISTANT SECRETARY AND REGIONAL ADMINISTRATION

287 SALARIES AND BENEFITS POSITIONS 103
FROM GENERAL REVENUE FUND 2,443,078
FROM GRANTS AND DONATIONS TRUST FUND . . . 98,441

288 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 2,784

289 EXPENSES
FROM GENERAL REVENUE FUND 706,038
FROM GRANTS AND DONATIONS TRUST FUND . . . 23,898

290 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 50,181

291 SPECIAL CATEGORIES
STATE INSTITUTIONAL CLAIMS
FROM GENERAL REVENUE FUND 2,000

292 SPECIAL CATEGORIES
TUITION PAYMENTS
FROM GENERAL REVENUE FUND 355,360

MAJOR INSTITUTIONS

Funds provided in Specific Appropriations 293 through 308 for the operation of correctional facilities scheduled to open during the 1984-85 fiscal year shall be initially placed in reserve and released only in accordance with the actual commencement date of the facility for which funds are specifically designated. These funds shall not be used for any other purpose without prior legislative consultation. Any funds remaining at the end of the fiscal year shall revert to general revenue unallocated.

293 SALARIES AND BENEFITS POSITIONS 8,243
FROM GENERAL REVENUE FUND 148,857,867
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,121,866

294 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 1,245,933

The amount of $41,000 in Specific Appropriation 294 shall be used to contract with the project Growth Orientation Training for Inmates.

Of the funds in Specific Appropriation 294, $10,000 is provided for the purpose of developing in conjunction with the Department of Education, a plan to contract for all academic and vocational education for inmates beginning July 1, 1986. The plan shall be submitted to the Chairmen of the Legislative Appropriations Committees no later than March 1, 1985.

SPECIFIC APPROPRIATION

295 EXPENSES
FROM GENERAL REVENUE FUND 42,931,715
FROM GRANTS AND DONATIONS TRUST FUND . . . 112,730

296 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 2,718,120

297 FOOD PRODUCTS
FROM GENERAL REVENUE FUND 17,471,090

298 LUMP SUM
NEW BEDS
POSITIONS 132
FROM GENERAL REVENUE FUND 528,000

298A SPECIAL CATEGORIES
CONTRACTED MANAGEMENT SERVICES FOR DEPARTMENT OF CORRECTIONS RECEPTION AND MEDICAL CENTER HOSPITAL
FROM GENERAL REVENUE FUND 200,000

Funds provided in Specific Appropriation 298A shall be used to contract for the management of the hospital at the Department of Corrections Reception and Medical Center by a private management firm.

298B SPECIAL CATEGORIES
CONTRACT EDUCATION
FROM GENERAL REVENUE FUND 2,921,458

The funds in Specific Appropriation 298B are provided only for the purpose of contracting for educational services above the FY 1983-84 level of services provided by the school districts and community colleges in adult basic and high school, and adult vocational education. The Department of Corrections shall obtain these educational services at the lowest practical price from a Florida educational institution accredited by a member of the Council on Postsecondary Accreditation. In no case shall the contract cost exceed $1,400 per FTE. The department shall contract for a service level equivalent to at least 1,011 FTE's in addition to the FY 1983-84 level. In the event that no approved educational institution submits an acceptable bid for inmate educational services for an individual correctional facility, the regional coordinating council shall designate a school district or community college to offer the services at $1,400 per FTE.

298C SPECIAL CATEGORIES
CONTRACT MENTAL HEALTH FACILITY SERVICES
FROM GENERAL REVENUE FUND 1,221,221

299 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 793,848
FROM OPERATING TRUST FUND 44,046

SPECIFIC APPROPRIATION

PROBATION AND PAROLE SERVICES

300 SALARIES AND BENEFITS POSITIONS 2,117
FROM GENERAL REVENUE FUND 39,211,387

300A OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 401,011

301 EXPENSES
FROM GENERAL REVENUE FUND 6,085,057

302 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 169,390

303 SPECIAL CATEGORIES
COST OF SUPERVISION PAYMENTS
FROM GENERAL REVENUE FUND 895,054

Funds in Specific Appropriation 303 shall be used to contract for misdemeanor probation supervision services. The Department of Corrections shall renegotiate all misdemeanor probation supervision contracts on a yearly basis to include all eligible recipients who apply prior to August 1 of each year.

Funds in Specific Appropriation 303 shall be limited to cases involving first degree misdemeanor offenses and those second degree misdemeanor offenses of petty theft and worthless checks. Funding for supervision of these cases is provided for no longer than 180 days.

COMMUNITY FACILITIES AND ROAD PRISONS

Funding for the probation and restitution centers as provided in Specific Appropriations 304 through 308 shall be used for supervision of only felony probationers.

304 SALARIES AND BENEFITS POSITIONS 1,049
FROM GENERAL REVENUE FUND 13,527,814
FROM GRANTS AND DONATIONS TRUST FUND . . . 691,395
FROM OPERATING TRUST FUND 4,827,704

305 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 93,500
FROM OPERATING TRUST FUND 77,761

306 EXPENSES
FROM GENERAL REVENUE FUND 5,842,523
FROM OPERATING TRUST FUND 1,165,474

307 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 368,145
FROM OPERATING TRUST FUND 83,129

SPECIFIC APPROPRIATION

308 FOOD PRODUCTS
FROM GENERAL REVENUE FUND 2,957,082
FROM OPERATING TRUST FUND 521,950

CORRECTIONAL WORK PROGRAMS

309 SALARIES AND BENEFITS POSITIONS 73
FROM CORRECTIONAL WORK PROGRAMS TRUST FUND 1,469,383

309A OTHER PERSONAL SERVICES
FROM CORRECTIONAL WORK PROGRAMS TRUST FUND 10,000

310 EXPENSES
FROM CORRECTIONAL WORK PROGRAMS TRUST FUND 4,776,349

311 OPERATING CAPITAL OUTLAY
FROM CORRECTIONAL WORK PROGRAMS TRUST FUND 295,000

312 SPECIAL CATEGORIES
PAYMENT FOR TRANSFER OF CORRECTIONAL INDUSTRIES TO P.R.I.D.E. (PRISON REHABILITATIVE INDUSTRIES AND DIVERSIFIED ENTERPRISES)
FROM GENERAL REVENUE FUND 2,000,000

Funds in Specific Appropriation 312 are provided a single one-time payment of general revenue to P.R.I.D.E.

EDUCATION, DEPARTMENT OF, AND COMMISSIONER OF EDUCATION

Funds appropriated from the General Trust Fund, including additional appropriations approved by the Executive Office of the Governor, may be transferred by the Department of Education to the appropriate trust fund for disbursement purposes. Such transfers shall be made to categories of appropriations similar in purpose to the category of appropriations from which transferred.

OFFICE OF DEPUTY COMMISSIONER FOR EDUCATIONAL MANAGEMENT

313 SALARIES AND BENEFITS POSITIONS 132
FROM GENERAL REVENUE FUND 1,983,005
FROM GENERAL TRUST FUND 1,788,494
FROM PHOSPHATE RESEARCH TRUST FUND 340,953

314 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 81,943
FROM GENERAL TRUST FUND 65,898
FROM PHOSPHATE RESEARCH TRUST FUND 44,500

SPECIFIC APPROPRIATION

315 EXPENSES
FROM GENERAL REVENUE FUND 787,677
FROM GENERAL TRUST FUND 525,035
FROM PHOSPHATE RESEARCH TRUST FUND 120,915

315A AID TO LOCAL GOVERNMENTS
REGIONAL COORDINATING COUNCILS
FROM GENERAL REVENUE FUND 633,233

316 AID TO LOCAL GOVERNMENTS
SCHOOL DISTRICT AND COMMUNITY COLLEGE - FIXED CAPITAL OUTLAY
FROM SCHOOL DISTRICT AND COMMUNITY COLLEGE DISTRICT CAPITAL OUTLAY AND DEBT SERVICE TRUST FUND 17,749,884

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 provided in Specific Appropriation 316.

317 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 39,771
FROM GENERAL TRUST FUND 3,252
FROM PHOSPHATE RESEARCH TRUST FUND 252,550

318 NOT USED

319 NOT USED

320 SPECIAL CATEGORIES
AUXILIARY LEARNING AIDS FOR POSTSECONDARY HANDICAPPED STUDENTS
FROM GENERAL REVENUE FUND 978,978

Funds provided in Specific Appropriation 320 shall be used for auxiliary learning aid assistance for handicapped students who are attending a state university or public community college in Florida and shall be administered under rules adopted by the State Board of Education. Such rules shall include standards of eligibility providing that auxiliary aids will be restricted to students who are handicapped within the definition of Section 504 of the Rehabilitation Act of 1973, as amended, and who are not able to obtain auxiliary aid assistance under state or federal vocational rehabilitation programs or other governmental programs. Such rules shall provide for reimbursement to the institutions by the Department of Education for auxiliary aid assistance provided under this program. Any funds herein appropriated and unencumbered as of the end of the fiscal year shall revert to the General Revenue Fund unallocated.

Upon request by the institution, an amount equal to 20% of an institution's allocation may be distributed at the time of allocation. Any funds provided in advance shall be deducted from the total amount the institution is eligible to be reimbursed

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for actual expenditures under its plan. At least once during each year the allocation, expenditures,and needs of all institutions shall be reviewed. If this review shows that any institution is not spending this allocation at a rate that would exhaust the allocation by the end of the year, the commissioner may adjust allocations between and among institutions.

None of the appropriations for auxiliary learning aids shall be expended for salaried positions except for interpretors for the deaf, with prior approval, and upon the reasonable expectation of a full-time interpretor workload.

321 NOT USED

322 SPECIAL CATEGORIES
COLLEGE REACH OUT PROGRAM
FROM GENERAL REVENUE FUND 370,000

Funds provided in Specific Appropriation 322 shall be used to support "College Reach-Out" programs in which the resources of postsecondary education institutions are used to strengthen the educational motivation and preparation of low income or educationally disadvantaged high school students. The purpose of the programs shall be to increase the numbers of such students desiring and able to profit from a college education after high school.

These programs may include on-campus and off-campus teaching and advising activities for high school students during their summer vacation, or the regular academic year, including residential experiences.

Institutions wishing to participate in this program shall present a proposed institutional program to the Department of Education. A review panel designated by the Commissioner of Education shall review all proposals and recommend to the commissioner the proposals which should receive funding.

From the funds provided in Specific Appropriation 322, $25,000 shall be allocated to the Governor's Council on Indian Affairs for the Florida Indian Youth Summer Program at Florida State University.

From the funds provided in Specific Appropriation 322, $100,000 shall be allocated to the University of Miami Medical School Minority Affairs Office.

322A SPECIAL CATEGORIES
COLLEGE OF CHIROPRACTIC
FROM GENERAL REVENUE FUND 150,000

Funds provided in Specific Appropriation 322A are a one-time appropriation solely for the purpose of assisting the cooperative efforts of the National Chiropractic College in establishing a joint chiropractic program with a college or university in Florida. Matching funds shall be provided prior to the receipt of any state funds.

322B SPECIAL CATEGORIES
COMPUTERIZED ACCESS TO FINANCIAL AID INFORMATION
FROM GENERAL REVENUE FUND 209,000

323 SPECIAL CATEGORIES
COMMUNITY HOSPITAL EDUCATION PROGRAM
FROM GENERAL REVENUE FUND 5,291,440

323A SPECIAL CATEGORIES
EDUCATION PRODUCTIVITY PILOT PROJECT
FROM GENERAL REVENUE FUND 150,000

Funds provided in Specific Appropriation 323A shall be used to adapt and implement in selected school districts an educational evaluation process, using Data Envelopment Analysis, to measure the productivity of individual schools through an analysis of their use of resources, such as time allocated for instruction, staffing patterns, expenditures, etc., that relate to student achievement. The purpose of this pilot project is to evaluate the extent to which this analysis provides information useful to school personnel about the relationship between efficient operation and increased student learning.

324 SPECIAL CATEGORIES
DGS CONTRACT FLEET
FROM FACILITIES CONSTRUCTION ADMINISTRATION TRUST FUND 85,500

325 SPECIAL CATEGORIES
DISTINGUISHED PERFORMANCE AWARDS
FROM GENERAL REVENUE FUND 73,194

Funds provided in Specific Appropriation 325 shall be used to implement a program to recognize outstanding performance in education in Florida. The Commissioner of Education shall identify outstanding performance in education meriting recognition. When deemed appropriate by the Commissioner, the recognition award shall be presented by the State Board of Education. Each recognition award shall be appropriate for the performance being recognized as determined by the Commissioner (e.g., cash awards, certificates and plaques).

326 SPECIAL CATEGORIES
EDUCATIONAL LEADERSHIP FUND
FROM GENERAL REVENUE FUND 14,326

Funds provided in Specific Appropriation 326 shall be used by the Commissioner of Education to stimulate unique activities which, in the opinion of

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the Commissioner, would demonstrate leadership consistent with the state's goals for education.

326A SPECIAL CATEGORIES
ED-POLICE PROCEDURES
FROM GENERAL REVENUE FUND 46,000

327 NOT USED

328 SPECIAL CATEGORIES
FLORIDA INSTITUTE OF TECHNOLOGY - SCIENCE EDUCATION
FROM GENERAL REVENUE FUND 76,176

329 SPECIAL CATEGORIES
UNIVERSITY OF MIAMI - INDUSTRIAL ENGINEERING
FROM GENERAL REVENUE FUND 99,697

330 SPECIAL CATEGORIES
FIRST ACCREDITED MEDICAL SCHOOL
FROM GENERAL REVENUE FUND 9,268,084

Funds provided in Specific Appropriation 330 are to provide $16,943.48 for 547 Florida residents attending the University of Miami Medical School.

331 SPECIAL CATEGORIES
FLORIDA INSTITUTE OF TECHNOLOGY - ENGINEERING CONTRACT
FROM GENERAL REVENUE FUND 325,759

332 SPECIAL CATEGORIES
FLORIDA ENDOWMENT FOR THE HUMANITIES
FROM GENERAL REVENUE FUND 150,000

333 SPECIAL CATEGORIES
FLORIDA INSTITUTE OF PHOSPHATE RESEARCH
FROM PHOSPHATE RESEARCH TRUST FUND 4,492,658

Researchers employed to conduct specific in-house research projects approved by the board and funded from Specific Appropriation 333 may be employed in Other Personal Services status for the duration of the specific research activity.

334 SPECIAL CATEGORIES
FLORIDA COUNCIL ON ECONOMIC EDUCATION
FROM GENERAL REVENUE FUND 348,700

Funds provided in Specific Appropriation 334 may be used by the Council to disseminate information about its activities but it shall not provide funds to any university for the publication and distribution costs of any other newsletter or related publication.

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335 SPECIAL CATEGORIES
FLORIDA INFORMATION RESOURCE NETWORK
FROM GENERAL REVENUE FUND 4,396,415

The funds provided in Specific Appropriation 335 shall be used to complete the Florida Information Resources Network (FIRN). The goals of the network are the implementation of a statewide interactive network and the reduction of the data burden on teachers and other personnel. The department shall continue the development and refinement of automated program cost reporting and Vocational Education Data Reporting for Occupational Students (VEDOS). A principal emphasis shall continue to be the automation of Student Information Systems. An additional special emphasis for 1984-85 shall be enhancement of the teacher certification data base. Districts shall submit FTE student membership reports in machine readable form. If a district does not submit its reports in machine readable form, the district school board shall be directed by the Commissioner of Education, pursuant to the provisions of s. 230.23(11)(b), F.S., to withhold further payment of salary to the district superintendent until such time as automated FTE reporting is accomplished.

335A SPECIAL CATEGORIES
FLORIDA SCHOOL OF THE ARTS
FROM GENERAL REVENUE FUND 200,000

335B SPECIAL CATEGORIES
GOVERNMENT CLOSE-UP PROGRAM
FROM GENERAL REVENUE FUND 40,000

Funds provided in Specific Appropriation 335B are to be used to establish a pilot state Government Close-up Program to be administered by the Commissioner of Education in cooperation with Florida Close-up, Inc. Districts shall submit a proposal developed with the assistance of Florida Close-up, Inc.; funds shall be awarded by the commissioner and shall be matched by an equal amount of local funds. Proposals shall include provisions for instruction in the organization and operation of state government and citizenship education that includes a visit to and observation of the Legislature in session.

336 SPECIAL CATEGORIES
HOT WATER CONSUMPTION STUDY
FROM FACILITIES CONSTRUCTION ADMINISTRATION TRUST FUND 37,500

337 SPECIAL CATEGORIES
IMPROVEMENT PROJECT
FROM GENERAL REVENUE FUND 355,000

Funds provided in Specific Appropriation 337 are to be used by the Commissioner of Education to contract with the Florida Institute of Education to support

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the Gadsden Demonstration Models Program. Such contract may provide for services which begin in one fiscal year and continue into the next one which are paid from the appropriations of either or both fiscal years.

337A SPECIAL CATEGORIES
OCCUPATIONAL IDENTIFIERS - PILOT PROJECT
FROM GENERAL REVENUE FUND 60,000

Funds provided in Specific Appropriation 337A shall be used to conduct a study of the feasibility of implementing an automated system that matches the social security numbers of persons completing vocational programs with wage, geographic, and occupational title data available through the Unemployment Insurance Wage Report and the workers' compensation system. The study shall be conducted by the Department of Education, in cooperation with the Department of Labor and Employment Security, the Florida State Advisory Council for Vocational Education and the State Job Training and Coordinating Council. By March 1, 1985, the Department of Education shall submit a report to the State Board for Vocational Education and the presiding officers of the Legislature concerning progress made in implementing this system and any technical and fiscal constraints identified.

338 SPECIAL CATEGORIES
MANAGEMENT TRAINING ACT
FROM GENERAL REVENUE FUND 1,451,011

339 NOT USED

340 NOT USED

340A SPECIAL CATEGORIES
MT SINAI RADIOLOGIC TECH CONTRACT
FROM GENERAL REVENUE FUND 95,000

341 SPECIAL CATEGORIES
NURSING CONTRACT - UNIVERSITY OF MIAMI
FROM GENERAL REVENUE FUND 323,604

342 SPECIAL CATEGORIES
POSTSECONDARY PROGRAMS OF EXCELLENCE
FROM GENERAL REVENUE FUND 2,000,000

343 SPECIAL CATEGORIES
POSTSECONDARY COOPERATION
FROM GENERAL REVENUE FUND 335,000

Funds provided in Specific Appropriation 343 shall be used to fund postsecondary cooperation projects. Proposals shall be submitted to and reviewed by the Department of Education to determine the extent to which proposed activities demonstrate efficient use of existing resources of the cooperating institutions. The funding approved by the commissioner for each proposal shall be used to facilitate and to increase cooperative efficient use of resources among postsecondary institutions.

344 SPECIAL CATEGORIES
REGIONAL CENTERS OF EXCELLENCE
FROM GENERAL REVENUE FUND 200,000

345 SPECIAL CATEGORIES
REGIONAL EDUCATION
FROM GENERAL REVENUE FUND 462,200

346 SPECIAL CATEGORIES
SCHOOL PRINCIPALS INSERVICE TRAINING
FROM GENERAL REVENUE FUND 400,000

Funds provided in Specific Appropriation 346 shall be used to conduct a week-long summer seminar attended by all secondary school principals. The purpose of the seminar is to provide school administrators the information and training necessary for successful implementation of education initiatives enacted by the Legislature. The department shall negotiate a contract price for lodging, meals, and conference facilities for the total number of conference participants. The contract price for facilities shall include the cost of conference equipment, conference meeting refreshments, and other related conference costs. Funds may also be used by the department to plan and conduct the Leadership Seminar.

347 SPECIAL CATEGORIES
SOUTHEASTERN COLLEGE OF OSTEOPATHIC MEDICINE
FROM GENERAL REVENUE FUND 800,000

Funds in Specific Appropriation 347 are for 200 students at $4,000 per Florida resident.

348 SPECIAL CATEGORIES
SOCIAL WORK CONTRACT - BARRY UNIVERSITY
FROM GENERAL REVENUE FUND 212,393

349 SPECIAL CATEGORIES
STATE BOARD OF EDUCATION ADVISORY COMMITTEE/EDUCATION OF BLACKS IN FLORIDA
FROM GENERAL REVENUE FUND 95,000

349A SPECIAL CATEGORIES
SUNSHINE STATE GAMES
FROM GENERAL REVENUE FUND 161,000

Funds in Specific Appropriation 349A shall be provided to the Sunshine State Games Foundation, Inc. effective July 1, 1984, for the purpose of conducting the Sunshine State Games as provided in s. 14.22, F.S.

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350 SPECIAL CATEGORIES
UNIVERSITY OF MIAMI - BIOMEDICAL ENGINEERING CONTRACT
FROM GENERAL REVENUE FUND 40,680

351 NOT USED

352 SPECIAL CATEGORIES
UNIVERSITY OF MIAMI - ELECTRICAL ENGINEERING CONTRACT
FROM GENERAL REVENUE FUND 386,089

353 NOT USED

353A SPECIAL CATEGORIES
UNIV. OF MIAMI RESEARCH - AIDS
FROM GENERAL REVENUE FUND 250,000

354 DEBT SERVICE
FROM PUBLIC EDUCATION CAPITAL OUTLAY AND DEBT SERVICE TRUST FUND 129,061,962
FROM SCHOOL DISTRICT AND COMMUNITY COLLEGE DISTRICT CAPITAL OUTLAY AND DEBT SERVICE TRUST FUND 48,411,130

OFFICE OF DEPUTY COMMISSIONER FOR ADMINISTRATION

355 SALARIES AND BENEFITS POSITIONS 171
FROM GENERAL REVENUE FUND 2,757,963
FROM STUDENT FINANCIAL AID TRUST FUND . . 673,871

The positions and funds provided in Specific Appropriation 355 for the Office of Student Financial Aid are provided to ensure adequate processing of guaranteed student loan claims as required under the Guaranteed Student Loan Agreement with the federal government.

The 171 positions in Specific Appropriation 355 include ten positions in the Office of Student Financial Aid which are deleted effective June 30, 1985.

356 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 19,783
FROM EDUCATIONAL AIDS TRUST FUND 81,228
FROM STUDENT FINANCIAL AID TRUST FUND . . 2,258,605

357 EXPENSES
FROM GENERAL REVENUE FUND 735,708
FROM COLLEGE CAREER WORK EXPERIENCE TRUST FUND 26,165
FROM EDUCATIONAL AIDS TRUST FUND 8,122
FROM STUDENT FINANCIAL AID TRUST FUND . . 445,863

358 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 24,835
FROM STUDENT FINANCIAL AID TRUST FUND . . 5,383

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359 SPECIAL CATEGORIES
CLAIM PAYMENTS FOR GUARANTEED STUDENT LOAN PROGRAM
FROM STUDENT LOAN GUARANTY RESERVE TRUST FUND 16,611,916

Funds provided in Specific Appropriation 359 shall be used to pay claims under the Guaranteed Student Loan Program. A report shall be made to the Executive Office of the Governor and the Legislature on the use of these funds for each fiscal year. The report shall include the amounts of all claims payments for the Guaranteed Student Loan Program and the source from which those claims payments are drawn.

360 SPECIAL CATEGORIES
LITIGATION EXPENSES
FROM GENERAL REVENUE FUND 29,102
FROM EDUCATIONAL AIDS TRUST FUND 20,000

360A SPECIAL CATEGORIES
VIRGIL HAWKINS FELLOWS SCHOLARSHIP
FROM GENERAL REVENUE FUND 170,000

Funds provided in Specific Appropriation 360A are to provide scholarships of $5,000 to ten minority students each at Florida State University and the University of Florida Law Schools, and to provide renewal of scholarships for students continuing from 1983-84.

361 FINANCIAL ASSISTANCE PAYMENTS
CHILDREN OF DECEASED AND DISABLED VETERANS SCHOLARSHIPS
FROM GENERAL REVENUE FUND 47,755

362 FINANCIAL ASSISTANCE PAYMENTS
CONFEDERATE MEMORIAL SCHOLARSHIPS
FROM EX-CONFEDERATE SOLDIERS AND SAILORS ENDOWMENT TRUST FUND 3,200

363 FINANCIAL ASSISTANCE PAYMENTS
CRITICAL TEACHER SHORTAGE
FROM GENERAL REVENUE FUND 2,000,000
FROM CRITICAL TEACHER SHORTAGE TRUST FUND 2,500,000

364 FINANCIAL ASSISTANCE PAYMENTS
EXCEPTIONAL CHILD SCHOLARSHIPS
FROM GENERAL REVENUE FUND 49,000

365 FINANCIAL ASSISTANCE PAYMENTS
STUDENT REGENT SCHOLARSHIP
FROM GENERAL REVENUE FUND 5,000

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366 FINANCIAL ASSISTANCE PAYMENTS
FLORIDA ACADEMIC SCHOLARS FUND
FROM GENERAL REVENUE FUND 2,100,000

367 FINANCIAL ASSISTANCE PAYMENTS
FLORIDA STUDENT ASSISTANCE GRANTS
FROM GENERAL REVENUE FUND 10,876,452
FROM EDUCATIONAL AIDS TRUST FUND 2,304,544
FROM FLORIDA INSURED STUDENT LOAN TRUST FUND 1,586,863

367A FINANCIAL ASSISTANCE PAYMENTS
LATIN AMERICAN AND CARIBBEAN BASIN SCHOLARSHIP PROGRAM
FROM GENERAL REVENUE FUND 150,000

368 FINANCIAL ASSISTANCE PAYMENTS
PRIVATE TUITION ASSISTANCE
FROM GENERAL REVENUE FUND 11,900,000

Funds provided in Specific Appropriation 368 shall be used to provide tuition assistance to students. The maximum amount of the tuition voucher for 1984-85 shall be $835. If the amount in Specific Appropriation 368 is not sufficient to provide $835 to each eligible student, the Department shall prorate the amount among all eligible students. Students enrolled in state contracted programs at private institutions whose tuition is equivalent to the tuition in the State University System shall not be eligible to receive funds under the State Tuition Voucher Fund. The Commissioner shall establish a cutoff date for the submission of vouchers for each registration period. No funds provided in Specific Appropriation 368 for 1984-85 shall be used to pay any voucher submitted for 1983-84 enrollment. Handicapped students who complete a total of 24 semester hours of instruction during a twelve month period that begins at the start of the school year shall be eligible to receive a tuition voucher.

369 FINANCIAL ASSISTANCE PAYMENTS
PUBLIC SERVICE WORK STUDY PROGRAM
FROM GENERAL REVENUE FUND 1,000,000
FROM COLLEGE CAREER WORK EXPERIENCE TRUST FUND 970,000

From the funds appropriated in Specific Appropriation 369, a maximum amount equal to 1.5% of the total appropriation may be used for administration of this program.

No less than 50% of the amount appropriated in Specific Appropriation 369 shall be restricted to science laboratory assistants, teacher aides or college mentors without respect to the student's academic major.

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370 FINANCIAL ASSISTANCE PAYMENTS
SEMINOLE/MICCOSUKEE INDIAN SCHOLARSHIPS
FROM GENERAL REVENUE FUND 32,928
FROM SEMINOLE/MICCOSUKEE INDIAN TRUST FUND 35,000

Funds provided in Specific Appropriation 370 shall be expended through the Seminole/Miccosukee Indian Trust Fund. The amount of each scholarship shall be determined by the Seminole Tribe of Florida and the Miccosukee Tribe of Florida. Both undergraduate students and graduate students shall be eligible for these scholarships.

371 DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 1,357,625
FROM EDUCATIONAL AIDS TRUST FUND 744,526

OFFICE OF DEPUTY COMMISSIONER FOR SPECIAL PROGRAMS

372 SALARIES AND BENEFITS POSITIONS 117
FROM GENERAL REVENUE FUND 1,611,306
FROM GENERAL TRUST FUND 879,602

373 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 233,884
FROM GENERAL TRUST FUND 19,170

374 EXPENSES
FROM GENERAL REVENUE FUND 947,545
FROM GENERAL TRUST FUND 250,814

From the funds in Specific Appropriation 374, $20,000 is provided contingent upon the passage of CS/SB's 1069 and 906, or similar legislation, to pay the cost of travel and per diem for four new members appointed to the Education Standards Commission.

374A AID TO LOCAL GOVERNMENTS
PROFESSIONAL PRACTICES - SUBSTITUTES
FROM GENERAL REVENUE FUND 11,556

375 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 119,749
FROM GENERAL TRUST FUND 630

376 NOT USED

376A SPECIAL CATEGORIES
BROADCAST OF PUBLIC SERVICE COMMISSION MEETINGS
FROM GENERAL TRUST FUND 27,650

377 SPECIAL CATEGORIES
CAPITAL TECHNICAL CENTER
FROM GENERAL REVENUE FUND 204,383

Funds provided in Specific Appropriation 377 may be used to purchase equipment for the Capital Technical Center's radio and television facilities.

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378 SPECIAL CATEGORIES
INSTRUCTIONAL TELEVISION - PROGRAM ACQUISITION
FROM GENERAL REVENUE FUND 374,734

379 SPECIAL CATEGORIES
PUBLIC BROADCASTING
FROM GENERAL REVENUE FUND 6,734,993

The allocation of funds appropriated in Specific Appropriation 379 shall be as follows: $465,465 for statewide governmental and cultural affairs programming; $6,269,528 for programming support grants for public television and radio stations.

Radio stations to share the grants are WKGC-FM, Panama City; WFSU-FM, Tallahassee; WJCT-FM, Jacksonville; WUSF-FM, Tampa, WHRS-FM, Boynton Beach; WLRN-FM, Miami, WMFE-FM, Orlando, WUNF-FM, Pensacola; WUFT-FM, Gainesville, and WQCS-FM, Ft. Pierce.

The Department of Eduation is authorized to advance the funds provided in Specific Appropriation 379 for the operation of the public radio and television stations, whether they are public entities or not-for-profit corporations.

379A SPECIAL CATEGORIES
RADIO READING SERVICE FOR THE BLIND
FROM GENERAL REVENUE FUND 88,555

380 SPECIAL CATEGORIES
SUMMER INSERVICE INSTITUTES
FROM GENERAL REVENUE FUND 9,200,000

Funds provided in Specific Appropriation 380 shall be used to pay the cost of salaries and employee benefits to teacher-participants and to pay the cost of instruction for an intensive subject matter content summer in-service training program for classroom teachers and for summer camps; provided, however, that the salary paid to any participant shall not exceed the regular salary rate of the participant. Each school district shall include in its master plan for in-service staff development submitted to the Department of Eduation pursuant to s. 236.0811, F.S., provisions for an intensive subject matter content summer in-service training program, the emphasis of which for the summer of 1985 shall be math and science content instruction for elementary and secondary teachers, especially for those who are out-of-field math and science teachers, teachers as advisors, computer education, textbook selection and foreign languages. School districts which use university faculty for the summer in-service institutes shall give first consideration to faculty in colleges of arts and sciences to provide instruction in intensive subject matter content. The department shall establish an equitable method to determine the distribution of these funds based on the number of full-time equivalent classroom teachers participating in the districts' approved subject matter content summer in-service training programs. Districts may use a maximum of five percent of the total amount of their allocation for summer in-service planning activities.

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

381 SPECIAL CATEGORIES
SOPHOMORE LEVEL TEST
FROM GENERAL REVENUE FUND 901,900
FROM SOPHOMORE LEVEL TEST TRUST FUND . . . 89,270

Funds provided in Specific Appropriation 381 shall be used for the development and administration of the sophomore level test. The Commissioner shall maintain statewide responsibility for the administration of all tests and other assessment procedures in the college-level academic skills program and may assign administrative responsibilities for such tests to any public university or community college. The state board, upon recommendation of the Commissioner, is authorized to enter into contracts for such services which begin in one fiscal year and continue into the next, and which are paid from the appropriation of either or both fiscal years.

382 SPECIAL CATEGORIES
TEACHER EDUCATION CENTERS
FROM GENERAL REVENUE FUND 2,470,971

Funds provided in Specific Appropriation 382 shall be released to a university after it has filed with the Commissioner of Education copies of agreements with district officials to provide Teacher Education Center activities.

382A SPECIAL CATEGORIES
TEACHER INTERN PROGRAMS OF EXCELLENCE
FROM GENERAL REVENUE FUND 500,000

Funds provided in Specific Appropriation 382A shall be used by the Department of Education for the evaluation, continuation, expansion, and dissemination of projects designed to improve the internship component of approved teacher education programs in public institutions,according to guidelines established by the department. Specific projects to be completed through this appropriation include: (1) develop a formula for appropriate funding of clinical education, (2) establish a coordinated statewide effort for research on clinical education, (3) design, implement and evaluate a comprehensive faculty inservice model for clinical supervisors, (4) design, implement and

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evaluate a certification model for district personnel who assist in clinical components of teacher education, and (5) develop a model for a faculty evaluation and reward system that reflects the unique requirements of the clinical components of teacher education.

382B SPECIAL CATEGORIES
TEACHER CERTIFICATION TRAINING AUTOMATION
FROM GENERAL REVENUE FUND 50,000

382C SPECIAL CATEGORIES
TEACHER CERTIFICATION PRODUCTIVITY PLAN
FROM GENERAL REVENUE FUND 65,000

Funds provided in Specific Appropriation 382C shall be used by the Commissioner of Education to conduct a comprehensive review of the entire teacher certification function to identify ways to increase the productivity of the office of teacher certification both through a more effective and efficient use of existing resources and through the introduction of new office automation technology. The results of this review shall be reported to the Legislature in the form of a detailed implementation plan that shall include both an implementation schedule and a thorough analysis of the ways each component of the plan will contribute to increased productivity.

Maximum use shall be made of existing resources within the department; however, specialized expertise of persons from outside the Department of Education shall be used in conducting the study and developing the implementation plan. In addition, the Division of Personnel, Department of Administration, shall conduct a detailed study of the position classification of each position in the Teacher Certification Section and recommend any changes needed to provide the appropriate personnel to perform the duties of that office in a timely and effective manner. The Department of General Services shall conduct a study of the telephone system in the Teacher Certification Section and recommend any changes which are found to be necessary for providing appropriate and reasonable telephone service to applicants. The commissioner shall submit a progress report to the Governor and the Chairmen of the House and Senate Appropriations Committees, not less than once each 60 days, concerning all activities related to the above studies and the department's response to each of the recommendations in the performance audit of the Teacher Certification Program conducted by the Auditor General.

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BLIND SERVICES, DIVISION OF

383	SALARIES AND BENEFITS POSITIONS	325	
	FROM GENERAL REVENUE FUND	1,790,011	
	FROM FEDERAL REHABILITATION TRUST FUND . .		3,149,542
	FROM GRANTS AND DONATIONS TRUST FUND . . .		58,095
	FROM U.S. TRUST FUND		499,152
384	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	22,923	
	FROM FEDERAL REHABILITATION TRUST FUND . .		28,064
	FROM GRANTS AND DONATIONS TRUST FUND . . .		24,429
	FROM U.S. TRUST FUND		4,015
385	EXPENSES		
	FROM GENERAL REVENUE FUND	567,436	
	FROM FEDERAL REHABILITATION TRUST FUND . .		893,004
	FROM GRANTS AND DONATIONS TRUST FUND . . .		49,916
	FROM U.S. TRUST FUND		139,425
386	AID TO LOCAL GOVERNMENTS		
	COMMUNITY REHABILITATION FACILITIES		
	FROM GRANTS AND DONATIONS TRUST FUND . . .		238,807
	FROM WORKSHOP AND FACILITIES TRUST FUND .		525,000
387	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	17,328	
	FROM FEDERAL REHABILITATION TRUST FUND . .		66,452
	FROM GRANTS AND DONATIONS TRUST FUND . . .		35,893
	FROM U.S. TRUST FUND		13,811
388	FOOD PRODUCTS		
	FROM FEDERAL REHABILITATION TRUST FUND . .		54,102
389	SPECIAL CATEGORIES		
	CLIENT SERVICES - MEDICAL AND SOCIAL SERVICES		
	FROM GENERAL REVENUE FUND	515,607	
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		1,403,676
390	SPECIAL CATEGORIES		
	CLIENT SERVICES - VOCATIONAL REHABILITATION		
	FROM GENERAL REVENUE FUND	1,748,089	
	FROM FEDERAL REHABILITATION TRUST FUND . .		1,902,052
391	NOT USED		
392	SPECIAL CATEGORIES		
	VENDING STANDS		
	FROM GENERAL REVENUE FUND	374,462	

Funds provided in Specific Appropriation 392 shall be used to pay state retirement contributions for vending stand operators.

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393	SPECIAL CATEGORIES		
	VENDING STANDS - EQUIPMENT AND SUPPLIES		
	FROM TRAINING AND OPERATING TRUST FUND . .		345,375
	FROM U.S. TRUST FUND		848,458
394	DATA PROCESSING SERVICES		
	FROM GENERAL REVENUE FUND	17,197	
	FROM FEDERAL REHABILITATION TRUST FUND . .		64,739
	FROM U.S. TRUST FUND		9,012
	PROJECTS, CONTRACTS AND GRANTS		
395	SALARIES AND BENEFITS POSITIONS	126	
	FROM PROJECTS, CONTRACTS, AND GRANTS TRUST FUND		3,211,114
396	OTHER PERSONAL SERVICES		
	FROM PROJECTS, CONTRACTS, AND GRANTS TRUST FUND		176,156
397	EXPENSES		
	FROM PROJECTS, CONTRACTS, AND GRANTS TRUST FUND		2,583,011
398	AID TO LOCAL GOVERNMENTS		
	JOINT TRAINING PARTNERSHIP PROGRAM		
	FROM PROJECTS, CONTRACTS, AND GRANTS TRUST FUND		6,000,000
399	AID TO LOCAL GOVERNMENTS		
	PROJECTS, CONTRACTS AND GRANTS		
	FROM PROJECTS, CONTRACTS, AND GRANTS TRUST FUND		5,696,117
400	SPECIAL CATEGORIES		
	BUILDING CONSTRUCTION INDUSTRY RESEARCH PROJECTS		
	FROM PROJECTS, CONTRACTS, AND GRANTS TRUST FUND		327,963
401	SPECIAL CATEGORIES		
	PRIVATE GIFTS FOR RECOGNITION AWARDS		
	FROM PROJECTS, CONTRACTS, AND GRANTS TRUST FUND		33,000
	PUBLIC SCHOOLS, DIVISION OF		
402	SALARIES AND BENEFITS POSITIONS	245	
	FROM GENERAL REVENUE FUND	4,543,972	
	FROM GENERAL TRUST FUND		2,047,251
403	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	51,035	
	FROM GENERAL TRUST FUND		157,601
404	EXPENSES		
	FROM GENERAL REVENUE FUND	1,561,351	
	FROM GENERAL TRUST FUND		1,590,106

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405	AID TO LOCAL GOVERNMENTS	
	CHALLENGE GRANT PROGRAM FOR THE GIFTED	
	FROM GENERAL REVENUE FUND	500,000
406	AID TO LOCAL GOVERNMENTS	
	COMPREHENSIVE HEALTH EDUCATION PROGRAM	
	FROM GENERAL REVENUE FUND	1,391,792
407	AID TO LOCAL GOVERNMENTS	
	DISTRICT ENVIRONMENTAL EDUCATION PROGRAM	
	FROM GENERAL REVENUE FUND	338,187
408	AID TO LOCAL GOVERNMENTS	
	DISTRICT SPARSITY SUPPLEMENT	
	FROM GENERAL REVENUE FUND	4,726,287

If the number of dollars generated by using the formula as provided in s. 236.081(f)(1) and (2), F.S., exceed the funds provided in Specific Appropriation 408, the department shall prorate each district's share of the appropriation. Only districts with 14,000 or fewer full time equivalent students shall be eligible to receive funds provided in Specific Appropriation 408.

409	AID TO LOCAL GOVERNMENTS	
	EDUCATIONAL IMPROVEMENT GRANTS	
	FROM GENERAL REVENUE FUND	469,673

From the funds provided in Specific Appropriation 409, the Department of Education shall award grants to selected school districts for the purpose of planning, developing, and implementing programs of school-based management, as provided by s. 229.555(1)(b), F.S. 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 department in the form of grants ranging from $500 to $5,000 for the support of projects at the district or school level that emphasize district and school advisory committee improvement and any other educational activity that would be improved through a closer working relationship between school and community. The $5,000 limit shall not be applicable to district-wide projects for school based management. All projects shall be developed and implemented with the assistance of district and school advisory committees. The department shall provide the Legislature with a progress report annually on the use of the grants. Specific Appropriation 409 does not include funds for school volunteer programs.

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410 AID TO LOCAL GOVERNMENTS
ELEMENTARY SCHOOL FOREIGN LANGUAGE
FROM EDUCATIONAL AIDS TRUST FUND 1,265,113

Funds provided in Specific Appropriation 410 shall be used to establish programs of foreign language instruction in elementary schools. Districts shall develop an implementation plan for these programs and shall apply to the department for funds for the plan. The department shall develop criteria for the evaluation of these applications and for the equitable distribution of funds, which shall be used for the salary of teachers and for appropriate instructional materials. Districts shall match in an equal amount from local funds whatever amount of state funds they receive for this program. Funds used for the state portion of the match shall be that amount of funds received by the state pursuant to the provisions of Chapter II of the Education Consolidation and Improvement Act of 1981 and dedicated to state priorities.

411 AID TO LOCAL GOVERNMENTS
FEDERAL GRANTS AND AIDS
FROM EDUCATIONAL AIDS TRUST FUND 163,403,513

Funds provided in Specific Appropriation 411 that are received by the state pursuant to the provisions of Chapter II of the Education Consolidation and Improvement Act of 1981 shall be allocated in the following manner: 80% of the total amount of funds received shall be allocated to local education agencies according to a formula recommended by the Chapter II Advisory Council to the Commissioner and approved by the U. S. Commissioner of Education; 7 1/2% of the total shall be allocated to those districts that have, in their application of funds, demonstrated an intended use of those funds that is most consistent with state priorities for education; 12 1/2% of the total shall be retained by the department for administrative purposes.

412 AID TO LOCAL GOVERNMENTS
FLORIDA EDUCATIONAL FINANCE PROGRAM
FROM GENERAL REVENUE FUND 2365,271,289
FROM PRINCIPAL STATE SCHOOL TRUST FUND . . 8,000,000

From the amount generated through the FEFP for vocational students in Specific Appropriation 412, districts shall spend no less than 2.78% of the total for the replacement, updating, and maintenance contracts or repair of vocational equipment.

The allocation of funds provided in Specific Appropriation 412 shall be consistent with the common definitions, uniform program structure, and comparable placement and follow-up information contained in "A Plan for A Uniform Coordinated System of Vocational Education."
The department's monthly distribution of FEFP funds provided in Specific Appropriation 412 shall be made in equal payments on the 10th and 23rd of each month, except for funds for the extended day and seventh period which shall be distributed quarterly.

The Department of Education shall have the authority to use funds provided in Specific Appropriation 412 for the operation of the Florida School for Boys at Okeechobee in Okeechobee County either directly or through grants or contractual agreements with other duly accredited education agencies.

In the event that a residential care facility as provided for in s. 230.23(4)(n), F.S., is phased down or phased out during the 1984-85 fiscal year, the school district or agency awarded the grant or contractual agreement to operate the educational program shall be held harmless for any reduction in FTE from the FTE included in the consensus Enrollment Estimating Conference Report for that facility.

Pursuant to s. 236.0811, F.S., districts shall develop inservice training plans which they shall submit to the department. The department shall review districts' master plans and annual updates of those plans to ensure they are consistent with the goals and objectives of the beginning teacher program, the Teacher Education Center Act, and the Management Training Act. To maintain ongoing inservice education activities, the department shall, from the funds provided in Specific Appropriation 412, including the funds provided in s. 236.081(3), F.S., allocate to each district that has submitted a satisfactaory plan an amount equal to $4.30 times the district's established 1984-85 FTE student count. To implement the beginning teacher program, an additional $1.70 per FTE will be allocated to each district.

During fourth and fifth calculation of the FEFP funds provided in Specific Appropriation 412, including the funds provided in s. 236.081(3), F.S., the department shall subtract from the district's allocation for each district which has not submitted a satisfactory plan, an amount equal to $6.00 times the district's 1984-85 FTE.

Funds provided in Specific Appropriation 412 are based upon a base student allocation of $1,614.06. The required local effort in ad valorem taxes shall be $1,135,901,999. The millage developed based on the above figure shall be adjusted as provided in s. 236.081(4)(b), F.S., and an amount of $200 in 1984-85 for each postsecondary vocational FTE is to be added to and made a part of the local required effort for each district.

The funds provided in Specific Appropriation 412 are to be allocated by comparing the FTE's in 1984-85 to the FTE's of the prior year. In those districts

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where there is a decline in the FTE's, 50% of the decline is to be multiplied by the prior year calculated FEFP Program per FTE and added to the allocation of that district. For this purpose, the calculated FEFP program is computed by multiplying the WFTE by the Base Student Allocation and then by the district cost differential. Eighty-five (85) percent of the FTE decline that results from the transfer of programs from school districts to other institutions shall not be counted in the calculation of a district's declining enrollment allocation.

For fiscal year 1984-85, in addition to the limitations on non-voted millage for operating purposes as set forth in Chapter 80-274, Laws of Florida, each district is limited to a discretionary millage of 1.1 mills.

Funds provided in Specific Appropriation 412 are based upon program cost factors for 1984-85 as follows:

1. Basic Programs	
A. K-3	1.234
B. 4-8	1.000
C. 9-12	1.180
D. Educational Alternatives and Intensive English	1.676
E. K-3 Mainstream	2.468
F. 4-8 Mainstream	2.000
G. 9-12 Mainstream	2.360
H. Educational Alternatives and Intensive English Mainstream	3.352
2. Special Programs for Exceptional Students	
A. Educable Mentally Retarded	2.172
B. Trainable Mentally Retarded	2.887
C. Physically Handicapped	3.718
D. Physical & Occupational Therapy Part-Time	7.698
E. Speech, Language & Hearing Part-Time	6.379
F. Speech, Language & Hearing	3.888
G. Visually Handicapped Part-Time	12.452
H. Visually Handicapped	4.587
I. Emotionally Disturbed Part-Time	4.473
J. Emotionally Disturbed	3.100
K. Specific Learning Disability Part-Time	3.950
L. Specific Learning Disability	2.286
M. Gifted Part-Time	2.242
N. Hospital & Homebound Part-Time	11.610
O. Profoundly Handicapped	5.330
3. K-12 Vocational Programs	
A. Agriculture	1.860
B. Business & Office	1.321
C. Distributive	1.351
D. Diversified	1.382
E. Health	1.833
F. Public Service	1.865

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G. Home Economics	1.516
H. Industrial	1.906
I. Explanatory	1.360
4. Adult Preparatory Vocational Programs	
A. Agriculture	1.735
B. Business & Office	1.346
C. Distributive	1.400
D. Diversified	1.222
E. Health	1.840
F. Public Service	1.530
G. Home Economics	1.531
H. Industrial	1.595
5. Adult Supplemental Vocational Programs	
A. Agriculture	1.583
B. Business & Office	1.180
C. Distributive	1.152
D. Health	1.248
E. Public Health	1.192
F. Home Economics	1.045
G. Industrial	1.390
6. Adult Basic & High School	.946

No district shall receive funds provided in Specific Appropriation 412 for any vocational or adult general FTE's as prescribed in s. 228.076, Florida Statutes, without the approval of the Regional Coordinating Council.

Students in public schools served with funds provided in Specific Appropriation 412 and for community colleges in Specific Appropriation 468 for the Adult Basic and High School Program shall be served in the following priority order:

1. Students without a high school diploma who demonstrate skills at or below the eighth grade level and are studying to achieve literacy;

2. Students earning credit required for a high school diploma or preparing for the General Education Development (GED) test;

3. Students who have a high school diploma but require additional specific literacy skills to obtain employment;

4. Students who have a high school diploma and are employed but desire to maintain or enhance their professional competencies;

5. Participants in non-credit courses and activities principally concerned with community problems in the areas of health, safety, human relations, government, child rearing, consumer economics and the environment;

6. Participants in recreation and leisure skill activities.

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Priorities 1-4 shall be served with funds provided for the Adult Basic and High School Program; provided, however, that no individual in a lower priority shall be served by a district until all students in a higher priority have been served. No fees shall be charged to students served under priorities 1 or 2. An amount for each priority 3 and 4 FTE, equal to the minimum amount charged for postsecondary adult vocational students, shall be added to and made a part of the local required effort for each district. Priority 5 activities shall be supported with funds provided in Specific Appropriation 457 for Community Instructional Services, and with fees that may be charged to participants; participants in priority 6 activities shall be charged fees sufficient to make the activities self-supporting.

The department shall collect from districts both a total FTE count for the Adult Basic and High School Program and subtotal counts that correspond to priorities 1-4. Participants in priorities 5 and 6 activities shall not be included in FTE counts reported for FEFP funding purposes.

From the amount provided in Specific Appropriation 412, funds shall be provided as partial equalization of districts' discretionary levy. Equalization funds shall be calculated in the following manner. An amount shall be calculated that is the state average amount per FTE generated with a one mill levy. This average shall be the sum of the value of a one mill levy per FTE student for each district divided by the state total FTE. Each district's equalization entitlement shall be calculated by multiplying (A) the amount of the actual discretionary millage levied by the district above 0.6 mills by (B) the difference between the state average value of one mill per FTE student and the district value of one mill per FTE student, and by (C) the district's FTE student count.

Provided, however, this figure shall be adjusted by the difference between the 1983-84 allocation for discretionary tax equalizaton and a revised 1983-84 allocation for discretionary tax equalization calculated by multiplying (A) the amount of the actual discretionary millage levied by the district that is in the last .5 mill allowable discretionary millage, (B) the difference between the state average value of one mill per FTE student and the district value of one mill per FTE student calculated on tax rolls adjusted by an assessment ratio equalization factor as prescribed in s. 236.081(4)(b), F.S., and by (C) the district's FTE student count.

The State Board of Education shall use a maximum of $10,000,000 from the Working Capital Fund to maintain the base student allocation in 1984-85 if funds provided in Specific Appropriation 412 are

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insufficient to maintain this level when the insufficiency is caused by unexpected fluctuations in either enrollments or tax rolls. This $10,000,000 may also be used to guarantee the seventh period, extended day program in the event this program costs more than $67,000,000.

From the funds in Specific Approprition 412, $33,077,013 is provided to guarantee a 7.56% per FTE increase in funding. The determination of the percent increase shall be that one used in the prior fiscal year. If for any calculation of the FEFP the total amount of the 7.56% guarantee exceeds $33,077,013, the department shall prorate each district's allocation.

From the funds provided in Specific Appropriation 412, area vocational technical centers certified by the Criminal Justice Standards and Training Commission shall provide training and education for correctional officers on the regular fee paying basis. These enrollments shall be reported and projected separately from other enrollments.

Districts in 1984-85 shall report separately all FTE's generated through inmate educational programs in the state correctional system, county jails and/or city jails.

In the event that no approved educational institution submits an acceptable bid for inmate educational services for an individual correctional facility, the regional coordinating council shall designate the most appropriate school district or community college in the region to offer this service. The school district or community college so designated shall provide the services at no more than $1,400 per FTE.

The school boards and community colleges shall give priority to hiring qualified adversely affected Department of Corrections educational employees in order to provide for the additional FTE's contracted for by the Department of Corrections.

Public school districts providing inmate education in 1983-84 and 1984-85 shall report by federal, state, county, and municipal inmates; discipline; FTE; expenditure; and revenue source to include the Florida Education Finance Program, Department of Corrections contract, or in-kind contract.

A student in grades kindergarten through grade 12 and pre-kindergarten exceptional students, excluding provisions of s. 236.013(2)2a, F.S., may earn up to a maximum value of one full-time equivalent student membership for a school year or equivalent as defined in s. 228.041(16), F.S.

Any course provided by a district to satisfy the one-half credit life management skills training

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graduation requirement defined by s. 232.246(1)(b), F.S., shall be funded at the appropriate level for a basic education program course.

Funds provided in Specific Appropriation 412 include $67,000,000 for extended day and seventh period. Districts have three options: (a) Anything less than 6-60 minute periods or 7-50 minute periods; (b) 6-60 minute periods; or (c) 7-50 minute periods. Funding for the three options is as follows:

(a) No extra funding,

(b) Funded at $112.95 per student who is full-time in this program. However, this program is capped at a statewide total of $20,000,000. If the amount earned under this option exceeds $20,000,000, that amount shall be prorated based on the number of qualified students.

(c) Funded at $162.85 per student who is full-time in this program.

In the event the funding required for the combination of (b) and (c) is less than $67,000,000, the remainder shall be allocated to all districts based on the total district WFTE.

In the event (b) and (c) requires more than $67,000,000, up to $10,000,000 from the Working Capital Fund shall be used for this program. If the funds available for this program are not sufficient to provide the authorized amount per student, the funds shall be prorated.

These funds shall be allocated in quarterly payments. The department shall query each district as to the number of students expected to participate in catgories (b) and (c). The first quarter payment shall be based on this estimate and adjusted in later payments based on actual data.

413 NOT USED

414 NOT USED

415 NOT USED

416 AID TO LOCAL GOVERNMENTS
INSTRUCTIONAL MATERIALS
FROM GENERAL REVENUE FUND 44,588,998

From the funds provided in Specific Appropriation 416, the Department of Education is directed to reimburse community colleges or universities for instructional materials used for the instruction of public school high school students who are earning credit toward high school graduation under the dual enrollment program as provided in s. 236.081(1)(h), F.S.

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The growth allocation per FTE student is $90.00 in 1984-85. If the funds provided in Specific Appropriation 416 are insufficient to pay in full the allocation for growth and maintenance, the growth allocation shall be paid in full and the allocation for the maintenance allocation shall be prorated among all eligible FTE.

From the funds provided in Specific Appropriation 416, $55,000 shall be to provide instructional materials for partially sighted pupils as provided in s. 233.49, F.S.

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

From the funds provided in Specific Appropriation 416, the Commissioner is authorized to purchase, upon the requisition by 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.

Of the funds in Specific Appropriation 416, $4,302,680 is to be allocated by FTE for library media materials and equipment. The Commissioner shall ensure that every district receiving any of the above allocation shall expend an amount equal to the lesser of the average full amount spent in the prior three fiscal years or the prior year expenditures for library media materials plus the amount of increase in funding provided for library media materials for 1984-85 above the amount provided in 1983-84. Said funds are to be distributed based on district's percent of the prior year's FTE.

417 AID TO LOCAL GOVERNMENTS
GRADES K - 3 IMPROVEMENT PROGRAM
FROM GENERAL REVENUE FUND 85,538,865

Funds provided in Specific Appropriation 417 shall be distributed by the percent of each district of the state total full-time equivalent students in grades K-3. A district may apply to the Commissioner of Education for approval to update or amend an approved Prep Plan.

The Commissioner of Education shall report to the Legislature prior to December 1, 1984, concerning the progress districts have made in reducing class size in grades K-3 during the period s. 230.2312, F.S., has been law.

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418 AID TO LOCAL GOVERNMENTS
LAW EDUCATION PROGRAMS
FROM GENERAL REVENUE FUND 192,447

419 AID TO LOCAL GOVERNMENTS
RESIDENTIAL SCHOOL - EXCEPTIONAL EDUCATION REIMBURSEMENT
FROM GENERAL REVENUE FUND 109,892

420 AID TO LOCAL GOVERNMENTS
SAFE SCHOOLS
FROM GENERAL REVENUE FUND 10,000,000

Funds provided in Specific Appropriation 420 shall be distributed using a method of calculation based on Part I offense data compiled by the Florida Department of Law Enforcement. Districts eligible to receive safe schools funds are those with 20,000 or more Part I offenses. The department shall (1) divide each eligible district's number of crimes by the total number of crimes for all eligible districts, and (2) divide each eligible district's total full-time equivalent student count by the total full-time equivalent student counts of all eligible districts. Those two quotients shall be added together and the sum shall be divided by two. This quotient, which is the average of the crime and student ratios, shall then be multiplied by the appropriation amount for safe schools.

The use of funds provided in Specific Appropriation 420 shall be restricted to security improvements on school facilities and to security services for school operations.

421 AID TO LOCAL GOVERNMENTS
SCHOOL LUNCH PROGRAM
FROM GENERAL REVENUE FUND 9,059,471
FROM FOOD AND NUTRITION SERVICES TRUST FUND 208,730,240

422 AID TO LOCAL GOVERNMENTS
SCHOOL VOLUNTEER PROGRAM
FROM GENERAL REVENUE FUND 380,929

From the funds provided in Specific Appropriation 422, $2,000 shall be allocated to each district that submits a school volunteer plan. Districts with six or more school volunteer programs shall receive an additional $1,000. Except for $50,000 which shall be used to match $100,000 contributed by private industry for the Senior Mentor Program, the remainder of the appropriation shall be prorated among elementary and secondary schools offering basic programs that have a school volunteer program.

SPECIFIC APPROPRIATION

423 AID TO LOCAL GOVERNMENTS
STATE COMPENSATORY EDUCATION SUPPLEMENT
FROM GENERAL REVENUE FUND 34,440,500

424 AID TO LOCAL GOVERNMENTS
STUDENT DEVELOPMENT SERVICES
FROM GENERAL REVENUE FUND 23,488,012

From the funds appropriated in Specific Appropriation 424, $1,500,000 shall be allocated for additional high school guidance counselors. The requirements of SB 923 or similar legislation shall apply to this appropriation.

No school district receiving state appropriations for student development services shall expend less from all fund sources in 1984-85 than was expended in 1983-84 on each of the following categories of employment: elementary guidance counselors, middle and junior high school guidance counselors, high school guidance counselors, and occupational and placement specialists.

425 AID TO LOCAL GOVERNMENTS
STUDENT TRANSPORTATION
FROM GENERAL REVENUE FUND 86,000,000

Pursuant to s. 236.083, F.S., school centers are defined to include community colleges.

425A AID TO LOCAL GOVERNMENTS
TEACHERS AS ADVISORS
FROM GENERAL REVENUE FUND 2,000,000

Funds provided in Specific Appropriation 425A shall be expended for model programs as provided in SB 923 or similar legislation.

426 AID TO LOCAL GOVERNMENTS
WRITING SKILLS ENHANCEMENT
FROM GENERAL REVENUE FUND 21,622,906

Each school district having satisfied the requirements of s. 236.1223, F.S., for grades 10-12 is authorized to expend the funds provided in Specific Appropriation 426 for the purpose of providing writing skills instructional services to grades lower than 10 in a descending order to the extent funds are available. If sufficient funds are not provided for grades 10-12, the department shall prorate the appropriation.

427 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 49,042
FROM FOOD AND NUTRITION SERVICES TRUST FUND 37,809
FROM GENERAL TRUST FUND 39,900

SPECIFIC APPROPRIATION

428 SPECIAL CATEGORIES
ADDITIONAL FUNDS FOR SCIENCE LABORATORIES
FROM GENERAL REVENUE FUND 2,075,000

Funds provided in Specific Appropriation 428 shall be used to provide additional funding for high-cost high school science laboratory classes. The department shall establish an equitable method to determine the distribution of these funds based on the number of full-time equivalent students in each school district in grades 9-12 who are enrolled in science classes with a high-cost laboratory component.

From the funds in Specific Appropriation 428, $75,000 shall be used for the Pilot Science Laboratory Project in the Palm Beach School District.

429 SPECIAL CATEGORIES
NETWORK OF CENTERS FOR SEVERELY EMOTIONALLY DISTURBED
FROM EDUCATIONAL AIDS TRUST FUND 1,300,000

429A SPECIAL CATEGORIES
ALTERNATIVE EDUCATION STUDY
FROM GENERAL REVENUE FUND 50,000

430 SPECIAL CATEGORIES
ASSESSMENT AND EVALUATION
FROM GENERAL REVENUE FUND 2,164,579
FROM TEACHER CERTIFICATION EXAMINATION TRUST FUND 426,588

Funds provided in Specific Appropriation 430 shall be used by the State Board of Education in 1984-85 upon the recommendation of the Commissioner of Education, to enter into contracts for continuing administration of the State Assessment and Teacher Certification Examination Programs to be paid from the funds appropriated for state assessment by the Legislature in 1985-86. It is the intent that the State Assessment Program be continued.

431 NOT USED

432 SPECIAL CATEGORIES
VISITING SCHOOL SCHOLARS
FROM GENERAL REVENUE FUND 100,000

433 SPECIAL CATEGORIES
FLORIDA DIAGNOSTIC AND LEARNING RESOURCES CENTERS
FROM GENERAL REVENUE FUND 2,140,398

Included in Specific Appropriation 433 are funds to operate four programs located at University of Florida, University of South Florida, Florida State University, and University of Miami. The purpose of these programs is to provide multidisciplinary evaluation services to districts for exceptional students who are not adequately evaluated through the standard district procedures.

SPECIFIC APPROPRIATION

433A SPECIAL CATEGORIES
DROPOUT PREVENTION
FROM GENERAL REVENUE FUND 1,000,000

Funds provided in Specific Appropriation 433A shall be allocated and expended as provided in SB 923 or similar legislation. An amount not to exceed $150,200 shall be allocated to the Polk County School Board for a pilot model program to provide academic, vocational and life skills to students whose educational needs are not otherwise met in the basic grades 7 through 9 program and an amount not to exceed $170,000 should be allocated to the Dade County School Board for a pilot model program to provide academic, vocational and life skills to students whose educational needs are not otherwise met in the basic grades 10 through 12 program.

433B SPECIAL CATEGORIES
EDUCATIONAL PERFORMANCE EVALUATION
FROM GENERAL REVENUE FUND 1,000,000

From the funds provided in Specific Appropriations 433B and 440C, a total of $1,500,000 shall be allocated to the Board of Regents to fund the Institute for Instructional Research and Practice and Student Educational Evaluation and Performance. From the funds provided, the Board of Regents shall allocate to: (a) the University of South Florida $750,000 to fund research, development and evaluation of subject area knowledge of instructional personnel; (b) the University of South Florida $309,000 to fund research, development and evaluation of effective performance of teachers; and (c) the University of Florida $441,000 to fund research, development and evaluation of student performance.

434 NOT USED

434A SPECIAL CATEGORIES
GIFTED AND TALENTED PROGRAM STUDY
FROM GENERAL REVENUE FUND 25,000

Funds provided in Specific Appropriation 434A shall be used by the Commissioner of Education to develop systematic screening procedures, a checklist of gifted characteristics, and a multiple criteria matrix to be used by all school districts, and shall design a field test to obtain data for establishing a scoring system for identifying eligible gifted students.

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435 SPECIAL CATEGORIES
GOVERNOR'S SUMMER PROGRAM FOR THE GIFTED
FROM GENERAL REVENUE FUND 213,465

Funds provided in Specific Appropriation 435 shall be allocated to postsecondary education institutions for non-year-round programs for gifted students at the 7-11 grade level. The Commissioner of Education and the Governor shall determine the criteria for program selection and the distribution of these funds. Such grants may provide for services which begin in one fiscal year and continue into the next one which are paid from the appropriation of either or both fiscal years.

436 SPECIAL CATEGORIES
HEARING COUNCIL
FROM GENERAL REVENUE FUND 10,000

437 SPECIAL CATEGORIES
INSTRUCTIONAL MATERIALS MANAGEMENT
FROM GENERAL REVENUE FUND 138,442

437A SPECIAL CATEGORIES
MIDDLE CHILDHOOD
FROM GENERAL REVENUE FUND 2,000,000

Funds provided in Specific Appropriation 438A shall be used for the following: $322,500 for model prevention programs; $60,000 for research/validation projects to establish a data base and instruments to identify target students, construct profiles, and determine incidence; $80,000 for inter-agency student support services pilot projects; $167,500 for district multi-agency coordinating councils; $150,000 for a Center for Middle Grades Education; $500,000 for grades 4 and 5 enhancement programs; $500,000 for grades 6-8 enhancement programs; $20,000 for curriculum frameworks for each course in the basic subject areas of mathematics, communications, science, and social studies in grades 6, 7, and 8; $200,000 for contracting with one or more state universities to develop comprehensive evaluation design alternatives to assess on a continuous basis the implementation and impact of major public school education reforms.

438 SPECIAL CATEGORIES
MIGRANT EDUCATION PROGRAM (THREE AND FOUR YEAR OLDS)
FROM GENERAL REVENUE FUND 2,167,600

439 SPECIAL CATEGORIES
MISSING CHILDREN PROGRAM
FROM GENERAL REVENUE FUND 19,884

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440 SPECIAL CATEGORIES
MANAGEMENT INFORMATION SYSTEMS COUNCIL
FROM GENERAL REVENUE FUND 49,039

440A SPECIAL CATEGORIES
MICCOSUKEE INDIAN EDUCATION PROGRAM
FROM GENERAL REVENUE FUND 60,000

Funds provided in Specific Appropriation 440A shall be allocated to the Miccosukee Tribe of Florida to incorporate RAISE bill standards into their educational program.

440B SPECIAL CATEGORIES
INSTRUCTIONAL MATERIALS INSERVICE TRAINGIN
FROM GENERAL REVENUE FUND 136,000

440C SPECIAL CATEGORIES
MERIT PAY
FROM GENERAL REVENUE FUND 30,000,000

Funds provided in Specific Appropriation 440C includes $10,000,000 for the state level merit program and $20,000,000 for the school based district plan. $500,000 of the state level merit program is allocated to the department for administration of the merit pay programs. $500,000 of the school based district plan is allocated to educational performance evaluation in Specific Appropration 433B.

440D SPECIAL CATEGORIES
OUT-OF-SCHOOL LEARNING ACTIVITIES
FROM GENERAL REVENUE FUND 25,000

Funds provided in Specific Appropriation 440D shall be used by the Commissioner of Education to promote academic out-of-school learning activities to provide recognition of significant accomplishments for such learning through soliciting the cooperation of schools and civic and other community organizations which may act as volunteer sponsors of such activities. The focus of such activities shall be academic areas, with an emphasis on mathematics and science and their applications.

440E SPECIAL CATEGORIES
PILOT PROJECT - DRUG EDUCATION AND SCHOLASTIC APTITUDE IMPROVEMENT
FROM GENERAL REVENUE FUND 100,000

Funds provided in Specific Appropriation 440E are for two pilot projects in the Duval School District, one involving drug education and the other involving scholastic aptitude improvement.

441 NOT USED

SPECIFIC APPROPRIATION

442 SPECIAL CATEGORIES
READING RESOURCE SPECIALISTS
FROM GENERAL REVENUE FUND 4,600,000

From the funds provided in Specific Appropriation 442, the Commissioner of Education shall authorize payment to school districts for each public high school which employs at least one reading resource specialist who meets the requirements set forth in s. 233.057, F.S., or a teacher assigned full time to special reading classes or a reading laboratory, and which submits an application for such funds.

A reading resource teacher may be used in a 9th grade school that is not a high school provided the total reading resource teachers allocated to a district does not exceed the number of high schools in the district.

443 SPECIAL CATEGORIES
RESOURCE MATERIALS FOR THE HEARING IMPAIRED
FROM GENERAL REVENUE FUND 74,501

444 SPECIAL CATEGORIES
SCHOOL BUS REPLACEMENT FOR PUBLIC SCHOOLS
FROM GENERAL REVENUE FUND 7,000,000

From the funds provided in Specific Appropriation 444, an amount sufficient to purchase one 65 passenger school bus (type C chassis for handicapped students) shall be allocated to the Florida School for the Deaf and the Blind.

Each district shall commit sufficient numbers and types of buses to the state pool purchase bid as provided for in s. 229.79, F.S. to equal the district's annual bus replacement allocation and any prior years carryover funds, unless otherwise provided for in s. 236.0835, F.S. or the Commissioner of Education approves the funds to be carried over to the next year because funds are insufficient to purchase the type of buses needed or for other justifiable reasons.

445 SPECIAL CATEGORIES
SCHOOL VOLUNTEERS ADVISORY COUNCIL
FROM EDUCATIONAL AIDS TRUST FUND 45,275

446 SPECIAL CATEGORIES
SEMINOLE INDIAN EDUCATION PROGRAM
FROM GENERAL REVENUE FUND 61,291

Funds provided in Specific Appropriation 446 shall be allocated to the Seminole Tribe of Florida for the improvement of their educational programs.

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447 SPECIAL CATEGORIES
SUMMER CAMPS
FROM GENERAL REVENUE FUND 1,000,000

447A SPECIAL CATEGORIES
SUMMER MATH/SCIENCE WORKSHOPS
FROM GENERAL REVENUE FUND 286,530

448 SPECIAL CATEGORIES
STATE SCIENCE FAIR
FROM GENERAL REVENUE FUND 15,000
FROM EDUCATIONAL AIDS TRUST FUND 5,000

448A SPECIAL CATEGORIES
INTERNATIONAL SCIENCE FAIR
FROM GENERAL REVENUE FUND 70,000

The funds in Specific Appropriation 448A shall be transferred to the direct-support organization authorized by HB 1138 or similar legislation no later than August 1, 1984. These funds are for the express purpose of conducting the International Science Fair in Florida in 1989. If the fair is not conducted in 1989, the appropriation plus all accrued interest shall revert to the General Revenue Fund. The Department of Education shall seek and solicit additional funds from all private and public sources to complement and enhance this appropriation for the International Science Fair.

449 NOT USED

450 SPECIAL CATEGORIES
TEACHER OF THE YEAR
FROM GENERAL REVENUE FUND 38,250

451 SPECIAL CATEGORIES
STUDENT PERFORMANCE STANDARDS AND STANDARDS OF EXCELLENCE
FROM GENERAL REVENUE FUND 200,000

452 SPECIAL CATEGORIES
VISUALLY HANDICAPPED RESOURCES
FROM GENERAL REVENUE FUND 165,069

Funds provided in Specific Appropriation 452 may be used by the Florida Instructional Materials Center for the Visually Handicapped and Hearing Impaired to include services to visually handicapped public school teachers for braille and large print textbooks of the same editions as those used by the students in their classes.

453 SPECIAL CATEGORIES
YOUTH ART SYMPOSIUM
FROM GENERAL REVENUE FUND 23,878

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453A SPECIAL CATEGORIES
YOUTH EMPLOYMENT
FROM GENERAL REVENUE FUND 100,000

Funds provided in Specific Appropriation 453A are for a pilot program of early intervention to reduce minority dropout and unemployment rates in the Orange County school district.

VOCATIONAL EDUCATION, DIVISION OF

454 SALARIES AND BENEFITS POSITIONS 145
FROM GENERAL REVENUE FUND 1,965,039
FROM EDUCATIONAL AIDS TRUST FUND 2,092,270

455 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 14,019
FROM EDUCATIONAL AIDS TRUST FUND 305,088

456 EXPENSES
FROM GENERAL REVENUE FUND 688,878
FROM EDUCATIONAL AIDS TRUST FUND 1,061,595
FROM EDUCATIONAL MEDIA AND TECHNOLOGY TRUST FUND 194,485

457 AID TO LOCAL GOVERNMENTS
COMMUNITY INSTRUCTIONAL SERVICES
FROM GENERAL REVENUE FUND 4,670,406

Funds provided in Specific Appropriation 457 shall be allocated among regions according to each region's proportion of the state total of population 18 or over to be distributed to school districts and community colleges as determined by the Regional Coordinating Councils.

458 AID TO LOCAL GOVERNMENTS
COMMUNITY SCHOOLS
FROM GENERAL REVENUE FUND 2,249,491

From the funds provided in Specific Appropriation 458, up to $25,000 shall be used by the Community Education Foundation whose function is to raise private funds for community education grants.

459 AID TO LOCAL GOVERNMENTS
FEDERAL FLOW-THROUGH FUNDS
FROM EDUCATIONAL AIDS TRUST FUND 30,919,518

Funds provided in Specific Appropriation 459 are intended for the use of local education agencies. The use of federal flow through funds to augment the division budget is not intended. To ensure compliance with this proviso and other proviso relating to the use of federal flow through funds, the Commissioner of Education shall, within 30 days of receiving the findings of the Auditor General's performance audit of the division of Vocational Education relating to compliance with legislative proviso, submit to the Governor and the Chairmen of the Senate and House Appropriations Committees a report on the preliminary actions he has taken in response to those findings. Within 90 days after receipt of the audit, the commissioner shall submit a report describing actions he has taken together with time lines for implementing and completing each action. A status report on implementing the commissioner's actions shall be submitted not less than once each 60 days.

Funds provided in Specific Appropriation 459 shall be used for vocational education programs as described in the State Plan for Vocational Education under Public Law 94-482. The state plan shall provide for the expenditure of at least $6,200,000 for the replacement and updating of vocational education program equipment and for purchase of supplies and materials for on-going programs; and for $150,000 to be allocated to community colleges for follow-up and evaluation projects. In developing the state plan, the department shall make provision to give priority to funding and excess cost of providing services to IMTS and handicapped students enrolled in vocational education programs. Initial instructions to school districts and community colleges for the development of local applicants for funds appropriated in Specific Appropriation 459 shall emphasize this priority. From the funds provided in Specific Appropriation 459, the department may allocate as much as $337,837 for new job development in commercial vehicle driver training programs. Training women and minorities for law enforcement careers shall be a principal emphasis of vocational education. From the funds appropriated in Specific Appropriation 459, as much as $500,000 may be allocated to institutions and district boards that wish to implement the Florida Choices portion of the Florida Career Information Delivery System (FCIDS).

From the funds appropriated in Specific Appropriation 459, not more than $80,000 shall be used to produce and distribute the Florida Vocational Journal. It is the intent of the Legislature that the Journal staff will begin to solicit advertising to determine the feasibility of making the Journal financially self-supporting.

From the funds provided in Specific Appropriation 459, districts shall provide office space and support services and shall pay all expenses of regional coordinating council members and staff except for the salary and related benefits of the professional staff person for each council. The vocational state plan shall include provisions for funding coordinating council activities.

From the funds provided in Specific Appropriation 459, the Division of Vocational Education and the Florida School for the Deaf and the Blind shall work cooperatively to maximize the allocation of federal vocational education funds available to provide

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vocational education for students enrolled in grades 9-12 at the school.

From the funds provided in Specific Appropriation 459, the State Plan for Vocational Education under Public Law 94-482 shall provide for $2,000,000 to be used to purchase equipment necessary to provide computer instruction.

Of the funds provided in Specific Appropriation 459, $45,000 shall be used by the Postsecondary Education Planning Commission to conduct a study of the certification and preparation of vocational education teachers. The study shall include:

(1) An analysis of the extent to which certification requirements contribute to the shortage of qualified vocational teachers.

(2) An analysis of the differences in teaching ability between certified and noncertified vocational educators.

(3) A determination of the adequacy of funding for preservice and inservice training for vocational educators.

(4) A determination of the adequacy of preservice and inservice training for vocational teachers in terms of availability and content validity.

(5) A determination of appropriate criteria related to excellence in teaching through which vocational educators may participate in a state merit pay plan, including the role of educational degrees in such criteria.

460 AID TO LOCAL GOVERNMENTS
FEDERAL FLOW-THROUGH FUNDS/UNIFORM VOCATIONAL EDUCATION PLAN
FROM EDUCATIONAL AIDS TRUST FUND 160,000

461 NOT USED

461A AID TO LOCAL GOVERNMENTS
CENTER FOR INDUSTRIAL EXCELLENCE
FROM GENERAL REVENUE FUND 188,000

462 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 12,777
FROM EDUCATIONAL AIDS TRUST FUND 12,601

463 SPECIAL CATEGORIES
CAREER INFORMATION DELIVERY SYSTEM
FROM GENERAL REVENUE FUND 525,305

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464 SPECIAL CATEGORIES
INDUSTRY SERVICES
FROM GENERAL REVENUE FUND 752,790
FROM EDUCATIONAL AIDS TRUST FUND 369,000

Funds provided in Specific Appropriation 464 are designated for use with specific programs to be identified by the Department of Commerce, Division of Economic Development. The Division of Vocational Education shall carry out its assigned responsibility in accordance with guidelines provided by the Division of Economic Development pursuant to s. 230.66, F.S.

COMMUNITY COLLEGES, DIVISION OF

The funds in Specific Appropriation 468 shall be used to serve the following assigned FTE enrollments:

	1984-85
Advanced and Professional	71,938
Postsecondary Vocational	38,823
Postsecondary Adult Vocational	9,148
Supplemental Vocational	3,502
Compensatory	5,190
Adult Basic & High School	11,316
Total	139,917

FTE enrollment counts for funding purposes will be based only on fee-paying students, except as provided by law. Furthermore, enrollment projections, the annual cost analysis, and CO&DS instructional unit determinations shall only include such students. Enrollments of non-fee paying students shall be reported and projected separately. Except for dual enrolled students, students in advanced and professional programs or related compensatory programs who have acquired a high school certificate of completion or attendance and do not have a high school diploma or general equivalency diploma shall not earn FTE's for funding purposes. All enrollment estimating conference FTE reports shall reflect by college all fee paying FTE for the following programs: advanced and professional, postsecondary vocational, postsecondary adult vocational, supplemental vocational, compensatory, and adult basic and high school. There shall be a direct correlation with the six programs in reporting actual, assigned, estimated, and projected FTE. Included in the allocation of Specific Appropriation 468 are funds such that each community college currently serving correctional inmates shall continue to serve Corrections Postsecondary Adult Vocational and Adult Basic and High School FTE in 1984-85 at the same level as 1983-84. All inmate education provided by community colleges in 1983-84 and 1984-85 shall be reported by federal, state, county, and municipal inmates; programs; FTE; expenditures; and revenue

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source to include the Community College Program Fund or in-kind contracts. These enrollments and expenditures shall be reported and projected separately. Funds in this appropriation shall not be used to offer college level courses to inmates who do not pay their own fees.

The funds in Specific Appropriations 468, 470 and 472A shall be allocated as provided in the Letter of Intent.

The Division of Community Colleges shall have the authority to distribute the funds provided in Specific Appropriations 468, 470 and 472A in 12 unequal installments as may be necessary to provide for the resolution of any cash flow problems in the community college system.

No funds shall be expended from Specific Appropriation 468 for the operation of the Community Instructional Services Program.

Funds provided in Specific Appropriation 468 contemplate that, except for CO&DS instructional unit calculation, the enrollment projections, estimates, and actual FTE for advanced and professional, and postsecondary vocational programs will be a year-round average based on total student semester hours divided by 40 with the credit hour equivalent being 30. Except for CO&DS instructional unit calculation, a full-time equivalent enrollment in the developmental program, and postsecondary adult and supplemental disciplines in the vocational program shall be defined as 900 membership hours per year. Furthermore, the annual cost analysis and all data elements required for the allocation process and legislative analysis shall reflect these definitions and be reported in the following order: summer, fall, spring terms. In reporting estimated and actual FTE enrollment for 1984-85, enrollments shall be determined by the following methods: (1) the current practice; (2) the end of term enrollment; and (3) the average of the current practice and the end of term enrollment.

The funds in Specific Appropriation 468 for vocational education shall be expended consistent with the common definitions, uniform program structure, and comparable placement and follow-up information contained in the plan for a uniform coordinated system of vocational education.

Funds provided in Specific Appropriation 468 contemplate that the State Board of Education shall continue the community college fees at the level currently established in State Board of Education Rule 6A-14.54.

From the funds provided in Specific Appropriation 470, each college's share of the first $3,000,000 is to be expended only for credit programs. Such funds

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shall continue to be used to the extent possible to reduce the class size of English and mathematics courses to an average of 22 students. The remaining $4,000,000 of the 1983-84 amount shall be expended for quality improvements in disciplines within the advanced and professional, postsecondary-vocational and compensatory programs. No funds shall be used for pay increases.

In order to receive the additional $3,000,000 provided for 1984-85 by the Legislature, each college board of trustees shall submit a plan to the State Board of Community Colleges which must be approved before funds shall be released. The expenditure plan must include specific quality improvement objectives to be addressed, and a detailed budget for the expenditures planned to achieve each objective. The first priority shall be the reduction of class size in English and mathematics courses to an average of 22 students. Second priority shall be to implement the CLAST objectives of CS/SB 1081 or similar legislation. Third priority shall be reducing compensatory courses to an average of 22 students. If funds remain after the first three priority goals are achieved, the State Board of Community Colleges may establish other priorities for the use of these funds. The State Board of Community Colleges shall report the approved planned expenditures to the Legislature and the State Board of Eduation. No funds may be used for salary increases.

Included in the funds in Specific Appropriation 468 is the sum of $11,449,987 which is provided for the improvement of instruction, the enhancement of the finance and management information reporting systems, salary increases for community college employees and other program quality improvements. Of this amount, priority for the expenditure of $2.1 million shall be additional salary increases and associated benefits for full-time teaching faculty beyond the salary increases and associated benefits provided for all community college employees. No state funds shall be used to provide salary increases prior to September 15, 1984. Each community college shall submit a report to the State Board of Community Colleges by February 1, 1985, detailing the relative salary increases for full-time teaching faculty, administrators, and other employees provided from funds in Specific Appropriation 468.

465 SALARIES AND BENEFITS POSITIONS 36
FROM GENERAL REVENUE FUND 1,063,680

Funds provided in Specific Appropriation 468 contemplate that, beginning with the 1985-87 legislative budget request, the prior year June 30 salary rate and adjusted expenditure data base for salaries and benefits shall be included in the budget request for the Community College Program

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Fund within the following categories: instructional with subcategories including faculty, nonfaculty, faculty other personal services, and nonfaculty other personal services; and noninstructional with subcategories including administrative, professional, nonprofessional and noninstructional other personal services. Within the above categories and subcategories, the following shall be reported: salaries; and employer contributions for retirement, social security, health insurance, life insurance, and other employer paid personnel benefits.

Included in Specific Appropriation 468 are funds such that community colleges which are certified by the Criminal Justice Standards and Training Commission shall provide training and education for correctional officers on the regular fee paying basis. These enrollments shall be reported and projected separately.

466 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 17,514
FROM COMMUNITY COLLEGE CONFERENCE TRUST FUND 2,500

467 EXPENSES
FROM GENERAL REVENUE FUND 419,559

468 AID TO LOCAL GOVERNMENTS
COMMUNITY COLLEGES PROGRAM FUND
FROM GENERAL REVENUE FUND 322,525,678

From funds provided in Specific Appropriations 468 and 468A for Miami-Dade Community College, the college may expend up to $100,000 for the Downtown Indigent Aged Program.

468A AID TO LOCAL GOVERNMENTS
MIAMI-DADE ARTS STUDY
FROM GENERAL REVENUE FUND 50,000

Funds in Specific Appropriation 468A are to be used by Miami-Dade Community College in cooperation with the Dade County School Board and Florida International University to conduct a feasibility study on the location of the South Florida School of the Arts.

469 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 10,510

469A LUMP SUM
REORGANIZATION OF DIVISION
POSITIONS 2
FROM GENERAL REVENUE FUND 125,000

Included in Specific Appropriation 469A is funding for a salary rate increase for the position of the bureau chief of the finance and accounting section. No other existing positions are authorized to be

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increased in rate from these funds. Funding is also provided for the State Board of Community Colleges to adopt and implement a new finance accounting manual, improve the existing management information system, and to monitor the uniform implementation of both by the individual colleges. In addition, funds are included to implement program review as approved by the State Board of Community Colleges.

470 SPECIAL CATEGORIES
COLLEGE LEVEL ACADEMIC SKILLS TEST/GORDON RULE IMPACT
FROM GENERAL REVENUE FUND 10,000,000

471 SPECIAL CATEGORIES
COMMUNITY COLLEGE ENDOWMENT MATCHING FUND
FROM GENERAL REVENUE FUND 1,000,000
FROM FLORIDA ACADEMIC IMPROVEMENT TRUST FUND 1,000,000

Funds provided in Specific Appropriation 471 are to be matched and deposited with local funds in accounts used to create endowments as approved by the State Board of Community Colleges pursuant to s. 240.36, F.S., and the following provisions:

1. The two colleges which received only a partial match for their efforts in 1983-84 as a result of the complete utilization of the dollars in the Academic Improvement Trust Fund may receive the balance of their match for uses approved by the State Board of Community Colleges from these funds.

2. Endowed scholarships are a low priority for use of these funds. If a college's plan includes endowed scholarships in its request, such endowed scholarships must be program specific and require high academic achievement for students to qualify for or retain the scholarship. Minority recruitment is an acceptable endowed scholarship program but may not be used for athletic participants. The college board of trustees must also have designated the program as a program of emphasis for quality improvement. This designation should be for a limited number of programs in the college. In addition, the local board of trustees must adopt a specific plan detailing how the college will improve the quality of the program designated for emphasis. The plan must include quality measures and outcome measures. Over time, the college operating budget should reflect additional financial commitment to the program of emphasis above and beyond the average increases to other programs offered by the college. Fund raising must be specifically identified as being for the program of emphasis and/or scholarship money. Finally, the college must fully levy the 5% increase for scholarship and loan funds on top of the tuition and matriculation fee before any endowed scholarship funds are awarded to the college as part of its approved request.

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472 NOT USED

472A SPECIAL CATEGORIES
LIBRARY BOOKS AND INSTRUCTIONAL EQUIPMENT
FROM GENERAL REVENUE FUND 900,000

473 NOT USED

474 NOT USED

475 NOT USED

476 NOT USED

FLORIDA SCHOOL FOR THE DEAF AND THE BLIND

477 SALARIES AND BENEFITS POSITIONS 594
FROM GENERAL REVENUE FUND 8,920,398
FROM GRANTS AND DONATIONS TRUST FUND . . . 412,970

478 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 136,045
FROM GRANTS AND DONATIONS TRUST FUND . . . 84,950

479 EXPENSES
FROM GENERAL REVENUE FUND 1,600,348
FROM GRANTS AND DONATIONS TRUST FUND . . . 188,527

Funds provided in Specific Appropriation 479 for outreach services to school districts shall be released based on a written agreement with the Division of Public Schools designating the services as a component of the system of diagnostic and learning resource centers authorized in s. 229.832 - 229.834, F.S.

480 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 408,086
FROM GRANTS AND DONATIONS TRUST FUND . . . 129,900

The President of the Florida School for the Deaf and the Blind shall develop and submit to the Division of Vocational Education, Department of Education, proposed vocational education programs for students in grades 9-12 which will meet the needs of the students and maximize the use of federal vocational education available for allocation to the School.

481 FOOD PRODUCTS
FROM GENERAL REVENUE FUND 330,140
FROM GRANTS AND DONATIONS TRUST FUND . . . 176,214

481A LUMP SUM
COMPUTER RESOURCE CENTER FOR DEAF & BLIND
POSITIONS 2
FROM GENERAL REVENUE FUND 150,000

Before release of total funds provided in Specific Appropriation 481A for the Computer Resource Center for the Deaf and the Blind, a plan shall be developed by the school, submitted to and approved by the Commissioner of Education. Prior to approval of the above plan, funds sufficient to hire authorized personnel to develop the plan may be released.

482 NOT USED

483 NOT USED

484 SPECIAL CATEGORIES
OVERTIME
FROM GENERAL REVENUE FUND 61,148
FROM GRANTS AND DONATIONS TRUST FUND . . . 2,500

485 SPECIAL CATEGORIES
STUDENTS HOME ON WEEKENDS PROGRAM
FROM GENERAL REVENUE FUND 249,244

486 SPECIAL CATEGORIES
TALLADEGA DEAF/BLIND PROGRAM
FROM GENERAL REVENUE FUND 132,407

487 SPECIAL CATEGORIES
TEACHER EDUCATION
FROM GENERAL REVENUE FUND 8,052

Funds provided in Specific Appropriation 487 shall be used for the direct support of non-credit teacher education activities.

KNOTT DATA CENTER

488 SALARIES AND BENEFITS POSITIONS 56
FROM WORKING CAPITAL TRUST FUND 1,181,118

489 OTHER PERSONAL SERVICES
FROM WORKING CAPITAL TRUST FUND 2,995

490 EXPENSES
FROM WORKING CAPITAL TRUST FUND 472,830

490A OPERATING CAPITAL OUTLAY
FROM WORKING CAPITAL TRUST FUND 4,883

491 SPECIAL CATEGORIES
OVERTIME
FROM WORKING CAPITAL TRUST FUND 10,000

POSTSECONDARY EDUCATION PLANNING COMMISSION

492 SALARIES AND BENEFITS POSITIONS 7
FROM GENERAL REVENUE FUND 269,774

493 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 52,250

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494 EXPENSES
FROM GENERAL REVENUE FUND 112,248

495 NOT USED

496 SPECIAL CATEGORIES
COMPREHENSIVE HEALTH PROFESSIONS EDUCATION PLAN
FROM GENERAL REVENUE FUND 40,000

496A SPECIAL CATEGORIES
POSTSECONDARY EDUCATION INFORMATION SYSTEM
FROM GENERAL REVENUE FUND 100,000

496B SPECIAL CATEGORIES
POSTSECONDARY EDUCATION ACCREDITATION STUDY
FROM GENERAL REVENUE FUND 30,000

Funds in Specific Appropriations 492 through 494 shall be used to study the concept and current procedures related to the planning, construction and use of joint-use facilities.

Funds in Specific Appropriations 492 through 494 shall be used to study the feasibility of the Florida Community College Satellite Network. The commission shall submit a report by March 1, 1985.

Funds provided in Specific Appropriation 492 shall be used to adjust the salaries of the Executive Director and the Assistant Executive Director of the Postsecondary Education Planning Commission.

Funds in Specific Appropriation 496 shall be used by the Postsecondary Education Planning Commission to develop a comprehensive health professional education plan for the state. During the 1983-85 biennium, priority shall be given to determining the needs in the undergraduate and graduate medical and dental education programs. Planning for medical education shall include consideration of medicine and osteopathy. In the area of graduate medical education, the plan shall address a planning and funding process which will optimize the use of state funds to meet needs in specific specialities. The review shall include an analysis of the type and size of programs needed to meet the state's needs, the geographic location of such programs, the funding and tuition policies, and the state's responsibility to provide an opportunity for its residents to participate in these educational programs. The commission shall provide a report to the Legislature no later than March 1, 1984 on dental education and no later than January 10, 1985 on medical education. These reports will address both immediate and long-range plans to meet the needs of these two programs and a method of maintaining these plans up-to-date.

Funds in Specific Appropriation 496A shall be used by the Postsecondary Education Planning Commission to conduct a study of the feasibility of creating a postsecondary education information clearinghouse, under the direction of the commission, which would be responsive to the management information needs of both the legislative and executive branches of government. The study should address the following points:

1. Commission resource needs to maintain such a comparable system for use by both branches;

2. Commission personnel and equipment needs;

3. Initial tasks to be performed to create such a clearinghouse. Current management information systems personnel in the Department of Education and the institutions should be consulted in this regard;

4. Links between demographic and labor market data with postsecondary education management information;

5. Inclusion of proprietary school and independent college data in such a comparable system;

6. Identification of the postsecondary education management information needs of the legislative and executive branches; and

7. The need for such a common set of information for program review purposes, and for use by the Enrollment Estimating Conference.

The commission should examine similar systems in other states and involve individuals with experience in such systems in the conduct of the feasibility study. The study results and recommendations should be provided to the Legislature by November 1, 1984. If the study concludes that such a system is feasible, the commission is authorized up to two positions to begin the implementation of the process.

497 NOT USED

UNIVERSITIES, DIVISION OF

Funds provided in Specific Appropriations 498 through 599A may be transferred, upon request of the Division of Universities to the State Comptroller, to accounts established for each university within each budget entity for disbursement purposes, and upon release of said appropriations by the Executive Office of the Governor. Such transfers may only be made to accounts similar to the category of appropriation from which transferred. However, Special Category appropriations may be transferred to traditional expenditure accounts provided a technique is established to track the expenditures back to the initial appropriation.

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Funds provided in Specific Appropriations 560, 561, 565 and 566 contemplate that 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.

The academic and faculty positions included in Specific Appropriations 498 through 599 in the Division of Universities represent man-years and are to be utilized by the Board of Regents to maximize the services rendered during each academic term. Within each budget entity within the Division of Universities, there may be no transfer of rate or positions from the Faculty Pay Plan to the A&P or Career Service Pay Plans. The Board of Regents may transfer up to 5% of the authorized positions and rate between the A&P and Career Service Pay Plans provided that the transfer is on a dollar for dollar basis. The 5% transfer maximum is to be based on the smaller category; i.e., positions or rate, and A&P or Career Service Pay Plan.

EDUCATIONAL AND GENERAL ACTIVITIES

498	SALARIES AND BENEFITS	POSITIONS	6,022	
	FROM GENERAL REVENUE FUND		116,732,837	
	FROM INCIDENTAL TRUST FUND			179,067
499	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND		6,416,231	
500	EXPENSES			
	FROM GENERAL REVENUE FUND		57,138,429	
501	OPERATING CAPITAL OUTLAY			
	FROM GENERAL REVENUE FUND		1,977,262	
501A	LUMP SUM			
	BUSINESS INSTITUTE-FSU			
		POSITIONS	3	
	FROM GENERAL REVENUE FUND		150,000	
501B	LUMP SUM			
	BASIC ACADEMIC SKILLS-FAMU			
		POSITIONS	20	
	FROM GENERAL REVENUE FUND		500,000	
502	LUMP SUM			
	BIOMEDICAL AND TOXICOLOGICAL RESEARCH - FLORIDA STATE UNIVERSITY			
		POSITIONS	3	
	FROM GENERAL REVENUE FUND		117,000	

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503	LUMP SUM			
	ENGINEERING ENHANCEMENT AND GROWTH			
		POSITIONS	113	
	FROM GENERAL REVENUE FUND		10,317,063	
504	LUMP SUM			
	ENHANCE UNIVERSITY SUPPORT			
	FROM GENERAL REVENUE FUND		12,000,000	
505	LUMP SUM			
	FLORIDA AGRICULTURAL AND MECHANICAL ACADEMIC ENHANCEMENT			
	FROM GENERAL REVENUE FUND		600,000	
505A	LUMP SUM			
	FLORIDA CENTER OF TRANSPORTATION-TECHNOLOGY RESEARCH			
		POSITIONS	5	
	FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND			450,000
506	LUMP SUM			
	FLORIDA INTERNATIONAL UNIVERSITY NURSING PROGRAM			
		POSITIONS	6	
	FROM GENERAL REVENUE FUND		219,092	
507	LUMP SUM			
	FLORIDA STATE UNIVERSITY COMPUTER PROJECT			
		POSITIONS	18	
	FROM GENERAL REVENUE FUND		1,000,000	
507A	LUMP SUM			
	INSTRUCTION AND RESEARCH			
		POSITIONS	7,153	
	FROM GENERAL REVENUE FUND		228,072,919	
	FROM INCIDENTAL TRUST FUND			92,274,609
507B	LUMP SUM			
	LIBRARY RESOURCES			
	FROM GENERAL REVENUE FUND		3,154,454	
507C	LUMP SUM			
	NEW LOWER DIVISION IMPLEMENTATION			
	FROM GENERAL REVENUE FUND		2,012,640	
	FROM INCIDENTAL TRUST FUND			387,360
507D	LUMP SUM			
	NEW PROGRAM DEVELOPMENT - HOSPITALITY - UCF			
		POSITIONS	2	
	FROM GENERAL REVENUE FUND		87,000	
508	LUMP SUM			
	LAW SCHOOL QUALITY IMPROVEMENT PROGRAM			
	FROM GENERAL REVENUE FUND		2,000,000	
509	NOT USED			
510	NOT USED			

SPECIFIC APPROPRIATION

511 LUMP SUM
SOUTHEAST FLORIDA PROGRAM DEVELOPMENT
POSITIONS 37
FROM GENERAL REVENUE FUND 2,267,114
FROM INCIDENTAL TRUST FUND 68,071

511A LUMP SUM
RED TIDE RESEARCH - MOTE MARINE LAB
FROM GENERAL REVENUE FUND 50,000

512 LUMP SUM
UNIVERSITY OF WEST FLORIDA/OKALOOSA-WALTON JUNIOR COLLEGE
POSITIONS 5
FROM GENERAL REVENUE FUND 372,549

513 LUMP SUM
UNMET NEEDS BROWARD COUNTY/FLORIDA ATLANTIC UNIVERSITY - FLORIDA INTERNATIONAL UNIVERSITY
POSITIONS 28
FROM GENERAL REVENUE FUND 1,049,549

514 LUMP SUM
UNDERGRADUATE IMPROVEMENT
FROM GENERAL REVENUE FUND 5,500,000

514A LUMP SUM
POSTSECONDARY ARTICULATION PROJECT - UNF INSTITUTE OF EDUCATION
POSITIONS 1
FROM GENERAL REVENUE FUND 47,000

514B SPECIAL CATEGORIES
ARCHAEOLOGICAL RESEARCH- WARM MINERAL SPRINGS
FROM GENERAL REVENUE FUND 100,000

514C SPECIAL CATEGORIES
ARCHAEOLOGICAL RESEARCH- WINDOVER SITE
FROM GENERAL REVENUE FUND 200,000

515 SPECIAL CATEGORIES
FLORIDA SEA GRANT - UNIVERSITY OF FLORIDA
FROM GENERAL REVENUE FUND 100,000

516 NOT USED

517 SPECIAL CATEGORIES
INSTITUTE OF GOVERNMENT
FROM GENERAL REVENUE FUND 1,400,000

518 NOT USED

518A SPECIAL CATEGORIES
LIBRARY BOOKS
FROM GENERAL REVENUE FUND 12,000,000

519 NOT USED

520 NOT USED

SPECIFIC APPROPRIATION

521 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 270,195

522 SPECIAL CATEGORIES
SCIENTIFIC AND TECHNICAL INSTRUCTIONAL EQUIPMENT
FROM GENERAL REVENUE FUND 2,000,000

522A SPECIAL CATEGORIES
DEPARTMENT OF COMMUNICATIONS - UNIVERSITY OF WEST FLORIDA
FROM GENERAL REVENUE FUND 40,000

523 SPECIAL CATEGORIES
SALVADOR DALI RESEARCH FOUNDATION AND MUSEUM - CITY OF ST. PETERSBURG
FROM GENERAL REVENUE FUND 200,000

524 SPECIAL CATEGORIES
WOMEN'S INTERCOLLEGIATE ATHLETICS
FROM GENERAL REVENUE FUND 132,635

525 DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 2,749,982

The allocation of the funds provided in Specific Appropriations 498 through 525 by the Division of Universities for the Educational and General activities shall be to the following universities: University of Florida, Florida State University, Florida A&M University, University of South Florida, Florida Atlantic University, University of West Florida, University of Central Florida, Florida International University, and University of North Florida. This allocation shall be in accordance with the systemwide and institutional master plans.

The Board of Regents shall study the methodology and results of the current allocation process used for distribution of resources to the Educational and General budgets of the individual universities to determine if there is an equity problem. The Board of Regents shall also consider the effect of the existence of separate budget entities at various universities on the equity issue. The Board of Regents shall submit to the Governor and the Legislature prior to October 1, 1984, a report of the findings of the study. Based on this study, the Board of Regents is authorized to use up to $2,000,000 of the funds in Specific Appropriation 507A provided for the enrollment workload issue to make adjustments, as necessary, which address the funding of universities in the Instruction and Research Program Component relative to the system average. The remainder of the funds provided for enrollment workload shall be allocated to the universities based on the planned enrollment as assigned by the Board of Regents. Included in workload is a planned lower division increase of 125 FTE at FIU. The adjusted planned enrollment shall

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be established as a part of the allocation document for the 1984-85 operating budgets. Section 240.271(5), F.S. shall apply to the adjusted enrollment as approved by the Board of Regents. The Board shall not exceed the maximum enrollment by level set by the Legislature as follows:

	1984-85
Lower Level	23,378
Upper Level	50,402
Graduate Classroom	12,613
Thesis/Dissertation	786
Total	87,179

The following are additional planned enrollment associated with special issues and are not included in the above planned enrollment:

503	Engineering Enhancement and Growth - 1984-85	
	Lower Level	2
	Upper Level	73
	Graduate Classroom	5
	Graduate Thesis/Diss.	1
507A	UCF-BCC Lifelong Learning Center - 1984-85	
	Upper Level	161
	Graduate Classroom	57
507C	Implementation Funds for Lower Divisions at FAU, UNF & UWF	
	Lower Level	600
511	Southeast Florida Program Development - 1984-85	
	Graduate Classroom	73

In reporting estimated and actual 1984-85 FTE enrollment provided for in Specific Appropriations 498 through 525, enrollment shall be determined by the following methods: (1) the current practice; (2) the end of term enrollment; and (3) the average of the current practice and the end of term enrollment.

The planned enrollment for the lower division as allocated to each university shall be an enrollment cap and shall not be exceeded by any university. The Board of Regents shall not allocate nor shall the Executive Office of the Governor release allocated funds for enrollments in excess of this cap, unless otherwise provided by law, nor shall the planned enrollment in future years exceed this cap unless otherwise specified by the Legislature.

The purpose of the planned enrollment required in s. 240.209, F.S., is to implement state educational

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policy. The enrollment plan shall be submitted as part of the legislative budget request. The plan shall display the full-time equivalent enrollment by course level within discipline category within university for all main campuses, branch campuses, centers, and special units for a five-year period. Any other information required to implement the budgeting process shall be provided by the Board of Regents on a timely basis.

From the funds included in Specific Appropriations 498 through 525, no less than current year funding, plus related salary and inflationary adjustments, shall be used to continue the program of the Center for Labor Research and Studies at FIU. From the funds included in Specific Appropriations 498 through 525, the Institute of Education, UNF, shall be allocated $90,000 above its 1983-84 operating budget.

From the funds provided in Specific Appropriations 498 through 525, the Board of Regents shall allocate to the University of Florida Law School and to the Florida State University Law School the estimated expenditures for 1983-84 as reflected in the University Educational and General operating budgets plus salary increases and other inflationary adjustments. Each university is free to add to said funding base from funds otherwise allocated and not restricted as to purpose.

From the funds included in Specific Appropriations 498 through 525, 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 1984-85 University Educational and General operating budgets. 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 purpose.

Funds provided in Specific Appropriation 500 include no more than $.60 per 1,000 gallons for payment to the City of Gainesville for water provided to the University of Florida.

Funds in Specific Appropriation 501B are for further development of a Basic Academic Skills Program at FAMU. These funds are to be used to assist students in the acquisition of basic computation and communicative skills and the mastery of test-taking skills. These funds are to support undergraduate instruction and are not to support any research or administrative activities. FAMU shall report to the Legislature by March 1, 1985, the programs implemented with these funds and a progress report on student achievement in these programs.

Funds in Specific Appropriation 503 are provided to

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State University System institutions to increase the production of engineers, to enhance engineering education, and to provide practicing engineers the opportunity to pursue a graduate education.

Funds in Specific Appropriation 503 are allocated as follows: UF $250,000 operating funds, $2,025,000 scientific and technical equipment; FAMU/FSU $2,323,252 operating funds, $1,059,000 scientific and technical equipment; USF $516,801 operating funds, $550,000 scientific and technical equipment; FIU $1,074,260 operating funds, $228,750 scientific and technical equipment; FAU $250,000 operating funds, $500,000 scientific and technical equipment; UCF $250,000 operating funds, $500,000 scientific and technical equipment; UWF $100,000 operating funds; UNF $100,000 operating funds; and $590,000 for developing engineering continuing education centers in Lakeland and Sarasota. Positions established in 1983-84 are to be continued and 57 additional positions may be established; included in the 57 positions are eight additional positions for USF to address accreditation problems, six positions for the engineering continuing education centers in Lakeland and Sarasota, and eight additional positions for FAMU/FSU.

Specific Appropriation 503 does not imply the approval of the procurement of information technology resources. Standard procedures such as procurement, planning, and certification are required.

Funds in Specific Appropriation 504 shall be used to enhance University Support activities within each university. Priority for the use of these funds shall be placed upon enhancing academic advising, libraries, student services, administrative services including implementation of SAMAS, and physical plant support activities. In addition, each university with a laboratory school shall allocate additional funds from this, or any other funds, as necessary to assure that these entities receive an increase per student which is equal to the percentage increase provided in the Florida Education Finance Program (FEFP) for 1984-85. The positions established associated with this appropriation in 1983-84 are continued.

Funds in Specific Appropriation 505 include $500,000 for the continued implementation of the State University System plan as submitted to the Office of Civil Rights for FAMU and $100,000 for the verbal communications laboratory. Including the positions established in 1983-84, a total of ten positions are provided to implement the Civil Rights plan.

The Center for Transportation Technology Research, University of South Florida, Specific Appropriation 505A, shall have as its major objectives: (1) evaluation of technical policies, management

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policies, plans, programs, methodologies, equipment, and materials; (2) prevention of future crises through timely identification of problems and development of solutions; (3) research to solve state transportation problems using current technology and developing new technology. The studies shall be completely independent of all Florida Department of Transportation directed research efforts. No instruction shall be undertaken by the Center.

Funds and positions provided in Specific Appropriation 507 shall be released contingent upon receipt of federal dollars associated with the establishment of a Super Computer Facility for Research and Software Development at Florida State University. If federal funds are not committed to the project by January 1, 1985, funds and positions in Specific Appropriation 507 shall be allocated among the nine universities for undergraduate enhancement.

The positions and amounts in Specific Appropriation 507A plus related salary increase amounts shall be the minimum resources expended for instruction and research activities.

Funds provided in Specific Appropriation 507A contemplate that the 1985 summer school matriculation and tuition fees shall not be expended in the 1984-85 fiscal year. Funds provided in Specific Appropriation 507A contemplate that in raising student fees to generate the amount appropriated, the Board of Regents may increase out-of-state fees waived proportionate to the increase of out-of-state fees.

If, in the 1984-85 fiscal year, Incidental Trust Fund collections exceed the amount provided in Specific Appropriation 507A for such funds, then General Revenue funds equal to such excess shall be reserved by the Executive Office of the Governor. If, in the 1984-85 fiscal year, Incidental Trust Fund collections are less than the amount provided in Specific Appropriation 507A, the Board of Regents shall reduce expenditures equal to any anticipated shortfall in the Incidental Trust Fund during the 1984-85 fiscal year with each university to share in any such shortfall on the basis of its anticipated shortage.

Each state university in the university system may withhold transmittal of up to 20% of its Incidental Revenue Trust Funds provided in Specific Appropriation 507A, not to exceed $250,000, per institution, for a maximum of 90 days for the purpose of funding cost reimbursable contracts and grants. Each university shall transfer to a working capital trust fund within the Contracts and Grants Trust Fund not less than 10% of its retained contract and grant overhead, in the total amount it

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deems appropriate, to fund such cost reimbursable contracts.

Funds in Specific Appropriation 507B for developing an automated library system shall be expended based on a plan to be approved by the Division of Library Services of the Department of State. The plan shall include the State University System, private institutions, community colleges, public libraries and other library resources available within the state and by interstate cooperative agreements. Provided further that all university libraries will be supported by single software systems for principal library functions, that files will be available through FIRN for other educational units of the state, and that required computer systems will be located with and operated by the State University System Regional Data Centers and be an integral part of the FIRN. Up to nine positions may be established associated with this appropriation; however, no funds shall be used for salary adjustments for existing positions. Funds in this appropriation may be used for Research Libraries Group memberships.

Funds provided in Specific Appropriation 507C shall be used to implement new lower divisions at FAU, UNF, and UWF. The funds provided are in excess of the cost per student normally provided for enrollment growth and thus represents funds for instruction, research, public service, academic advisement, academic administration, as well as costs of support programs. These funds will support 295 FTE students each at FAU, UNF, and UWF although the planned enrollment was set as a different level. There shall be no enrollment workload provided by the Legislature until the number of FTE funded herein is exceeded. Up to 60 positions may be established associated with this appropriation; however, no funds shall be used for salary adjustments for existing positions.

Funds in Specific Appropriation 508 are for the enhancement of law education at FSU and UF Colleges of Law. These funds are for the purpose of decreasing class size, improving libraries and faculty salaries, and increasing support staff. Positions created in 1983-84 are continued and up to 20 additional positions may be created with these funds.

Included in Specific Appropriation 511 is $48,000 for University of Miami for the affiliated program in developmental psychology and $150,000 for the affiliated program in public health. Funds in Specific Appropriation 511 are provided to develop programs requested for Southeast Florida Program Development, excluding the Doctorate in Business Administration. The funding provided supports 110 FTE, graduate classroom, at FAU and 90 FTE, graduate classroom, at FIU. Enrollment workload shall not be

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requested until these enrollments are achieved. Within funds provided, FIU may plan affiliated masters programs in architecture and landscape architecture with UF. No funds associated with this Specific Appropriation shall be used for salary adjustments for existing positions.

Up to 50% of the funds provided in Specific Appropriation 514 may be used by the Board of Regents to provide discretionary salary increases pursuant to section 5(6)(b) of this act. The remainder of the funds provided in Specific Appropriation 514 shall be used to improve undergraduate education by reducing class size in English, mathematics, and foreign languages to a ratio of one teacher for each 22 students; by enhancing academic advisement; by increasing academic standards in English, mathematics, science, social science, and foreign languages; and by implementing a reward system for excellence in undergraduate teaching. The universities shall submit a plan to the Board of Regents which addresses each of these objectives and provides specific measurable criteria to be used in evaluating the achievement of these objectives. Each university plan must be approved by the Board of Regents prior to the release of funds to the university. The Board of Regents shall conduct a follow-up study to evaluate this program and report the findings to the Legislature prior to April 1, 1985. The universities shall ensure that these funds are budgeted and accounted for separately so that they can be identified in the Board's follow-up study. Up to 50 positions may be established associated with this appropriation; however, no funds shall be used for salary adjustments for existing positions except for discretionary salary increases as authorized above.

In addition to funds in Specific Appropriation 511A for the Red Tide Research Program at the Mote Marine Laboratory, $25,000 shall be allocated from funds in Specific Appropriations 498 through 525.

Funds in Specific Appropriation 514A shall be used by the Institute of Education at the University of North Florida to conduct phase two of the Cooperative Agreements Study Between Community Colleges and Local School Boards. The Institute is directed to:

1. Review the data collected during 1983-84 covering the cooperative agreements that existed between kindergarten through twelfth grade public education and community and junior colleges presently existing throughout the state.

2. Revise or update the listing of agreements which were identified during the 1983-84 study;

3. Conduct a special review and analysis of those

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agreements which were identified in the Cooperative Agreement Study Report. Review additional agreements which may now be considered worthy of special consideration;

4. Publish and disseminate those cooperative agreements that have been determined to be outstanding in order to encourage the local school districts and community or junior colleges to form and join in similar innovative programs which will carry out the major goals of stimulating articulation between these two levels of education;

5. Analyze those issues identified in the course of the study which hinder such cooperative efforts and provide recommendations for resolving those problems;

6. Conduct the project in cooperation with the Florida School Boards Association, Brevard Community College, the State Board of Community Colleges, and the Postsecondary Education Planning Commission. The Institute shall provide a report to the Legislature and the State Board of Education on the policy issues and the analysis of existing agreements by March 1, 1985. Information sharing activities with the school districts and community colleges shall be completed by July 1, 1985.

The archaeological research project at Warm Mineral Springs provided for in Specific Appropriation 514B shall be conducted jointly with the Manatee Junior College, Venice Campus, and shall encourage qualified student volunteer participation.

Not more than 10% of the amount in Specific Appropriation 517 may be used for administrative costs. Community College institutions may participate in projects funded by the Institute of Government. This program shall support research, training, and technical assistance which responds to solving problems of state and local governments.

Upon approval of projects related to the funds appropriated in Specific Appropriation 517 for mission-oriented research, training, and technical assistance, the Institute of Government 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.

Included in Specific Appropriation 518A 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. The Board of Regents shall update and replicate the State of Washington study used as the basis for the 1984-85 revised budget request for library acquisitions, binding and

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staffing. The Board shall provide a report of this study to the Legislature no later than January 10, 1985.

From funds in Specific Appropriations 498 through 525, which are allocated to UF and FSU, up to $250,000 at each institution may be used to support graduate research in the fabrication of new materials through molecular and atomic manipulation.

From funds in Specific Appropriations 498 through 525, which are allocated to the University of South Florida, $75,000 may be used to plan a program in architecture at the University of South Florida in cooperation with Florida A&M University, as approved by the Board of Regents.

From funds in Specific Appropriations 498 through 525, the Board of Regents shall allocate to the Solar Energy Center at Cape Canaveral at least the level of funds budgeted in 1983-84, including salary and inflationary adjustments, to be allocated to the funded projects, as appropriated by the Legislature.

None of the funds in Specific Appropriations 498 through 525 may be used in connection with the operation of a child care center or for planning, design or implementation for a School of Optometry.

INSTITUTE OF FOOD AND AGRICULTURAL SCIENCES

526	SALARIES AND BENEFITS POSITIONS	2,173	
	FROM GENERAL REVENUE FUND	49,954,419	
	FROM EXPERIMENT STATION FEDERAL GRANT TRUST FUND		1,635,686
	FROM EXTENSION SERVICE FEDERAL GRANT TRUST FUND		2,302,270
527	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	2,339,006	
	FROM EXPERIMENT STATION FEDERAL GRANT TRUST FUND		218,850
	FROM EXTENSION SERVICE FEDERAL GRANT TRUST FUND		70,192
	FROM EXTENSION SERVICE INCIDENTAL TRUST FUND		112,353
528	EXPENSES		
	FROM GENERAL REVENUE FUND	10,163,924	
	FROM EXPERIMENT STATION FEDERAL GRANT TRUST FUND		669,735
	FROM EXPERIMENT STATION INCIDENTAL TRUST FUND		1,500,000
	FROM EXTENSION SERVICE FEDERAL GRANT TRUST FUND		323,359
	FROM EXTENSION SERVICE INCIDENTAL TRUST FUND		361,868

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529 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 1,477,886
FROM EXPERIMENT STATION FEDERAL GRANT TRUST FUND 235,000
FROM EXTENSION SERVICE FEDERAL GRANT TRUST FUND 35,000
FROM EXTENSION SERVICE INCIDENTAL TRUST FUND 32,680

530 LUMP SUM
ANIMAL FEED LOT PROGRAM
POSITIONS 8
FROM GENERAL REVENUE FUND 200,000

530A LUMP SUM
DIRECTED RESEARCH
POSITIONS 6
FROM GENERAL REVENUE FUND 200,000

531 NOT USED

532 LUMP SUM
QUALITY IMPROVEMENT PROGRAM
FROM GENERAL REVENUE FUND 795,000

533 NOT USED

534 NOT USED

535 NOT USED

536 SPECIAL CATEGORIES
SCIENTIFIC AND TECHNICAL INSTRUCTIONAL EQUIPMENT
FROM GENERAL REVENUE FUND 425,000

537 DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 354,337

Funds in Specific Appropriations 526 through 537 shall be used in preparing a detailed operating budget report and related information as requested by the Legislature in order to continue the development of the budgeting process.

Funds in Specific Appropriation 530A shall be used in the following research areas: toxicology; biological control (specifically, Formosan termite); and Dover-strawberries.

Funds provided in Specific Appropriation 532 shall be used to improve the quality of services provided by IFAS. Positions established in 1984-85 may be continued and up to 6 additional positions may be established from funds provided in this appropriation item; however, no funds shall be used for salary adjustments for existing positions.

Funds in Specific Appropriation 536 shall be used to purchase requested scientific and technical operating capital outlay. IFAS shall advise the Legislature by March 1, 1985, of the specific equipment to be purchased.

From funds in Specific Appropriations 526 through 529 and 537, at least $50,000 shall be expended for fire ant control research.

Funds in Specific Appropriations 526 through 537 for data processing contemplate that technical data processing support in the Gainesville center shall be provided by existing NERDC or CIRCA staff. The FIRN Pilot Network shall be utilized for statewide telecommunications using international standard protocol. The Gainesville computing facility may not be upgraded beyond Level II until it is demonstrated through actual operation of major statewide applications that the upgrade is justified. Funds from other state sources may not be used to circumvent this proviso.

Included in Specific Appropriations 526 through 529 and 537 are funds to operate a center for aquatic weed research as a functional element of the UF - Institute of Food and Agricultural Sciences. 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 s. 372.925, F.S.

From the funds and positions in Specific Appropriations 526 through 529 and 537, the current level of expenditures plus salary increases and other inflationary adjustment shall be used for Sand Hill Decline Research.

ENGINEERING INDUSTRIAL EXPERIMENT STATION

538 SALARIES AND BENEFITS POSITIONS 378
FROM ENGINEERING INDUSTRIAL EXPERIMENT STATION TRUST FUND 7,919,573

539 OTHER PERSONAL SERVICES
FROM ENGINEERING INDUSTRIAL EXPERIMENT STATION TRUST FUND 3,618,038

540 EXPENSES
FROM ENGINEERING INDUSTRIAL EXPERIMENT STATION TRUST FUND 3,766,122

541 OPERATING CAPITAL OUTLAY
FROM ENGINEERING INDUSTRIAL EXPERIMENT STATION TRUST FUND 1,513,390

542 NOT USED

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543 SPECIAL CATEGORIES
COASTAL AND OCEANOGRAPHIC ENGINEERING RESEARCH LABORATORY
FROM GENERAL REVENUE FUND 515,747

544 SPECIAL CATEGORIES
ENERGY CONSERVATION AND CONVERSION LABORATORY
FROM GENERAL REVENUE FUND 178,415

545 SPECIAL CATEGORIES
NATIONAL AERONAUTICS AND SPACE ADMINISTRATION STATE TECHNOLOGY APPLICATION CENTER
FROM GENERAL REVENUE FUND 80,315

546 SPECIAL CATEGORIES
PROJECT DEVELOPMENT FUNDS
FROM GENERAL REVENUE FUND 1,155,873

547 SPECIAL CATEGORIES
WATER CONSERVATION LABORATORY
FROM GENERAL REVENUE FUND 117,873

UNIVERSITY OF SOUTH FLORIDA MEDICAL CENTER

548 SALARIES AND BENEFITS POSITIONS 617
FROM GENERAL REVENUE FUND 19,344,161
FROM OPERATION AND MAINTENANCE TRUST FUND 75,687

549 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 1,259,506
FROM MEDICAL CENTER - PROFESSIONAL MEDICAL LIABILITY SELF INSURANCE TRUST FUND 25,875
FROM OPERATION AND MAINTENANCE TRUST FUND 40,826

550 EXPENSES
FROM GENERAL REVENUE FUND 3,154,209
FROM MEDICAL CENTER - PROFESSIONAL MEDICAL LIABILITY SELF INSURANCE TRUST FUND 204,193
FROM OPERATION AND MAINTENANCE TRUST FUND 987,444

551 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 874,152
FROM OPERATION AND MAINTENANCE TRUST FUND 119,466

552 NOT USED

553 LUMP SUM
QUALITY IMPROVEMENT PROGRAM
FROM GENERAL REVENUE FUND 425,000

554 NOT USED

555 NOT USED

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556 SPECIAL CATEGORIES
CANCER CENTER OPERATIONS
FROM GENERAL REVENUE FUND 3,182,000

557 SPECIAL CATEGORIES
LIBRARY BOOKS
FROM GENERAL REVENUE FUND 226,332

558 SPECIAL CATEGORIES
SCIENTIFIC AND TECHNICAL INSTRUCTIONAL EQUIPMENT
FROM GENERAL REVENUE FUND 150,000

559 DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 98,926

Funds in Specific Appropriations 548 through 559 shall be used in preparing a detailed operating budget report and related information as requested by the Legislature in order to continue the development of the budgeting process.

Funds in Specific Appropriation 553 shall be used to improve the quality of instructional services provided by the Medical Center. Positions established in 1983-84 may be continued and up to three additional positions may be established from funds provided in this appropriation item; however, no funds shall be used for salary adjustments for existing positions.

Funds in Specific Appropriation 556 may be disbursed in advance to the contractor on a quarterly basis.

Funds in Specific Appropriations 548 through 559 for the public health program represent full funding and no issues will be annualized.

CONTRACTS AND GRANTS

560 SALARIES AND BENEFITS POSITIONS 3,446
FROM GENERAL TRUST FUND 83,338,290

561 OTHER PERSONAL SERVICES
FROM GENERAL TRUST FUND 19,293,924

562 EXPENSES
FROM GENERAL TRUST FUND 16,850,525

563 OPERATING CAPITAL OUTLAY
FROM GENERAL TRUST FUND 7,823,328

564 DATA PROCESSING SERVICES
FROM GENERAL TRUST FUND 596,341

Funds in Specific Appropriations 560 through 564 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

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University, University of South Florida, University of South Florida Medical Center, Florida Mental Health Institute, Florida Atlantic University, University of West Florida, University of Central Florida, Florida International University, and the University of North Florida. The Board of Regents is authorized to establish additional positions as needed to implement new contracts and grants.

AUXILIARY ENTERPRISES

565 SALARIES AND BENEFITS POSITIONS 3,117
FROM GENERAL TRUST FUND 53,672,223

566 OTHER PERSONAL SERVICES
FROM GENERAL TRUST FUND 10,188,215

567 EXPENSES
FROM GENERAL TRUST FUND 81,414,040

568 OPERATING CAPITAL OUTLAY
FROM GENERAL TRUST FUND 11,799,825

569 NOT USED

570 NOT USED

571 DEBT SERVICE
FROM GENERAL TRUST FUND 4,077,398

Funds in Specific Appropriations 565 through 571 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, University of Central Florida, Florida International University and University of North Florida. Expenditure of funds appropriated herein for the four SUS regional data centers and the FSU computing center is subject to review and approval by the Commissioner of Education of the budget of those centers and the rates to be charged for their services.

BOARD OF REGENTS GENERAL OFFICE

572 SALARIES AND BENEFITS POSITIONS 136
FROM GENERAL REVENUE FUND 3,498,810
FROM FACILITIES CONSTRUCTION ADMINISTRATION TRUST FUND 424,236

573 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 230,891
FROM FACILITIES CONSTRUCTION ADMINISTRATION TRUST FUND 21,907

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574 EXPENSES
FROM GENERAL REVENUE FUND 850,210
FROM FACILITIES CONSTRUCTION ADMINISTRATION TRUST FUND 121,055

575 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 28,651
FROM FACILITIES CONSTRUCTION ADMINISTRATION TRUST FUND 6,000

576 NOT USED

577 NOT USED

578 SPECIAL CATEGORIES
CHALLENGE GRANTS
FROM EMINENT SCHOLARS TRUST FUND 5,200,000

579 SPECIAL CATEGORIES
DISTRIBUTION TO UNIVERSITIES
FROM RACING SCHOLARSHIP TRUST FUND 400,000

580 DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 380,060

From funds provided in Specific Appropriation 572, two positions and $100,000 shall be used for improvement of program reviews, with an emphasis on programs in science and technology.

From funds in Specific Appropriations 572 through 580, the Board of Regents shall conduct a comprehensive review of the Personnel Classification Systems and pay plans administered by the Board. The results of this review together with recommendations for modification of current practices shall be submitted to the Legislature by February 1, 1985. This review shall include all budget entities and shall include, but not be limited to, the following issues: the transfer of positions between pay plans; rate control by pay plan; collective bargaining; the relationship of A&P Pay Plan positions to Career Service Pay Plan positions, exempt and non-exempt; the classification of positions in the personnel system and pay plans.

From funds provided in Specific Appropriations 572 through 580, the Board of Regents in consultation with the Postsecondary Education Planning Commission, FAU, and FIU shall review the present and future mission of FAU and FIU in providing postsecondary education in Southeast Florida, giving full consideration to current cooperative agreements for educational services and to the need for the creation of a public, comprehensive university presence in Southeast Florida. The Board shall make specific recommendations to the Legislature by January 15, 1985.

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UNIVERSITY OF FLORIDA HEALTH CENTER - EDUCATIONAL AND GENERAL

581	SALARIES AND BENEFITS POSITIONS	1,656	
	FROM GENERAL REVENUE FUND	40,945,904	
	FROM INCIDENTAL TRUST FUND		1,651,472
	FROM LIABILITY INSURANCE TRUST FUND		173,705
582	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	1,788,487	
	FROM INCIDENTAL TRUST FUND		5,051,825
	FROM LIABILITY INSURANCE TRUST FUND		346,952
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		427,108
583	EXPENSES		
	FROM GENERAL REVENUE FUND	8,476,426	
	FROM INCIDENTAL TRUST FUND		1,481,799
	FROM LIABILITY INSURANCE TRUST FUND		2,814,223
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		1,263,523
584	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	3,431,469	
	FROM INCIDENTAL TRUST FUND		204,444
	FROM LIABILITY INSURANCE TRUST FUND		7,759
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		153,223
585	LUMP SUM BONE MARROW TRANSPLANT PROGRAM POSITIONS	2	
	FROM GENERAL REVENUE FUND	145,000	
586	NOT USED		
587	LUMP SUM QUALITY IMPROVEMENT PROGRAM		
	FROM GENERAL REVENUE FUND	875,000	
588	NOT USED		
589	NOT USED		
590	SPECIAL CATEGORIES SCIENTIFIC AND TECHNICAL INSTRUCTIONAL EQUIPMENT		
	FROM GENERAL REVENUE FUND	200,000	
591	SPECIAL CATEGORIES SHANDS HOSPITAL CONTRACT		
	FROM GENERAL REVENUE FUND	9,433,419	
592	DATA PROCESSING SERVICES		
	FROM GENERAL REVENUE FUND	115,186	
	FROM INCIDENTAL TRUST FUND		2,701
	FROM LIABILITY INSURANCE TRUST FUND		130

Funds in Specific Appropriations 581 through 592 shall be used in preparing a detailed operating budget report and related information as requested by the Legislature in order to continue the development of the budgeting process.

Positions established in 1983-84 and funded in Specific Appropriation 581 for the Physician's Assistants Program are to be continued.

Funds in Specific Appropriation 587 shall be used to improve the quality of instructional services provided by the Health Center. Positions created in 1983-84 may be continued and up to seven additional positions may be established from funds provided in this appropriation item; however, no funds shall be used for salary adjustments for existing positions. Included in Specific Appropriation 587 is $375,000 to support teaching costs incurred in the medical out-patient clinics.

Funds in Specific Appropriation 591 include $8,742,657 for patient services, including indigent patients, and $690,762 for non-reimbursable teaching costs. Expenditure of funds for patient services shall be included in the legislative request budget in the following categories: underfunded state programs, mandated state programs, and indigent patient care.

SPECIFIC APPROPRIATION

FLORIDA MENTAL HEALTH INSTITUTE

593	SALARIES AND BENEFITS POSITIONS	354	
	FROM GENERAL REVENUE FUND	6,391,772	
	FROM OPERATION AND MAINTENANCE TRUST FUND		17,076
594	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	168,257	
595	EXPENSES		
	FROM GENERAL REVENUE FUND	1,131,088	
	FROM OPERATION AND MAINTENANCE TRUST FUND		52,924
596	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	141,787	
597	FOOD PRODUCTS		
	FROM GENERAL REVENUE FUND	143,325	
598	LUMP SUM ENHANCE UNIVERSITY SUPPORT POSITIONS	3	
	FROM GENERAL REVENUE FUND	35,436	
599	LUMP SUM QUALITY IMPROVEMENT PROGRAM POSITIONS	4	
	FROM GENERAL REVENUE FUND	146,441	

SPECIFIC APPROPRIATION			
599A	DATA PROCESSING SERVICES		
	FROM GENERAL REVENUE FUND	5,800	

From the funds in Specific Appropriations 593, 594, and 595, the Institute shall designate sufficient funds to conduct a one year planning study to make recommendations as to how the needs of the autistic can best be met.

From funds in Specific Appropriation 593, the University of South Florida may convert up to nine positions at the Florida Mental Health Institute from the Career Service Pay Plan to the Faculty Pay Plan. No additional rate shall be provided.

From funds in Specific Appropriation 599, the Florida Mental Health Institute shall develop educational packages and training needs for mental health problems in the field of corrections. The Institute shall develop a number of staff training programs and conferences to address laws and issues relevant to the mental health profession. No funds shall be used for salary adjustments to existing positions.

ENVIRONMENTAL REGULATION, DEPARTMENT OF

600	SALARIES AND BENEFITS POSITIONS 891		
	FROM GENERAL REVENUE FUND	13,522,084	
	FROM COASTAL ZONE MANAGEMENT TRUST FUND .		41,259
	FROM GRANTS AND DONATIONS TRUST FUND . . .		25,100
	FROM OPERATING TRUST FUND		5,385,313
	FROM PERMIT FEE TRUST FUND		195,467
	FROM POLLUTION RECOVERY TRUST FUND		138,971
	FROM WATER QUALITY ASSURANCE TRUST FUND .		1,418,513
	FROM WATER RESOURCE RESTORATION AND PRESERVATION TRUST FUND		205,167
601	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	22,300	
	FROM COASTAL ZONE MANAGEMENT TRUST FUND .		42,349
	FROM OPERATING TRUST FUND		239,587
	FROM PERMIT FEE TRUST FUND		50,000
	FROM WATER QUALITY ASSURANCE TRUST FUND .		2,490,000
602	EXPENSES		
	FROM GENERAL REVENUE FUND	2,899,447	
	FROM COASTAL ZONE MANAGEMENT TRUST FUND .		18,755
	FROM GRANTS AND DONATIONS TRUST FUND . . .		24,276
	FROM LICENSING AND PERMITTING TRUST FUND .		30,300
	FROM OPERATING TRUST FUND		1,366,889
	FROM PERMIT FEE TRUST FUND		34,496
	FROM POLLUTION RECOVERY TRUST FUND		32,182
	FROM WATER QUALITY ASSURANCE TRUST FUND .		497,198
	FROM WATER RESOURCE RESTORATION AND PRESERVATION TRUST FUND		10,592

SPECIFIC APPROPRIATION			
603	AID TO LOCAL GOVERNMENTS AID TO WATER MANAGEMENT DISTRICTS - FIXED CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	575,000	
603A	AID TO LOCAL GOVERNMENTS DEAD LAKES WATER RESTORATION PROJECT		
	FROM WATER RESOURCE RESTORATION AND PRESERVATION TRUST FUND		50,000

Funds in Specific Appropriation 603A are to be provided to the Northwest Florida Water Management District, with no matching requirements, for the purpose of implementing this project.

603B	AID TO LOCAL GOVERNMENTS DESTIN LAGOON RESTORATION		
	FROM WATER RESOURCE RESTORATION AND PRESERVATION TRUST FUND		375,000

Funds provided in Specific Appropriation 603B shall be used by the Northwest Florida Water Management District to begin construction or plan development on the Destin Lagoon restoration project, and shall not require matching funds.

604	AID TO LOCAL GOVERNMENTS SEWAGE TREATMENT CONSTRUCTION GRANT PROGRAM		
	FROM SMALL COMMUNITIES SEWER CONSTRUCTION ASSISTANCE TRUST FUND . . .		44,100,000
	FROM STATE WATER POLLUTION CONTROL TRUST FUND		53,900,000
605	AID TO LOCAL GOVERNMENTS TRANSFER TO REGIONAL PLANNING COUNCILS		
	FROM WATER QUALITY ASSURANCE TRUST FUND .		508,810
606	AID TO LOCAL GOVERNMENTS AID TO WATER MANAGEMENT DISTRICTS - OPERATIONS		
	FROM GENERAL REVENUE FUND	1,671,150	
607	OPERATING CAPITAL OUTLAY		
	FROM GRANTS AND DONATIONS TRUST FUND . . .		133,704
	FROM OPERATING TRUST FUND		548,405
	FROM PERMIT FEE TRUST FUND		3,600
	FROM WATER QUALITY ASSURANCE TRUST FUND .		60,000
608	LUMP SUM AIR QUALITY PROGRAM POSITIONS 53		
	FROM AIR POLLUTION CONTROL TRUST FUND . .		4,550,000

Up to $50,000 of the funds in Specific Appropriation 608 may be used by the department to contract with nationally recognized technical experts in the field of acid deposition to serve as a peer review panel for the Florida Acid Deposition Study being conducted by the Florida Electric Power Coordinating Group, Inc. and to use the remainder of such funds

SPECIFIC APPROPRIATION

to conduct other pertinent studies of acid rain.

609 LUMP SUM
SEWAGE TREATMENT CONSTRUCTION GRANT PROGRAM
FROM STATE WATER POLLUTION CONTROL TRUST FUND 500,000

609A LUMP SUM
TRANSFER TO DEPARTMENT OF AGRICULTURE FOR PESTICIDE ACTIVITIES
FROM WATER QUALITY ASSURANCE TRUST FUND . 504,044

609B LUMP SUM
WETLANDS PROTECTION
POSITIONS 18
FROM GENERAL REVENUE FUND 1,114,000

Funds and positions in Specific Appropriation 609B are contingent upon CS/CS HB 1187 or similar legislation becoming law. Of the funds provided, $500,000 shall be used equally by the Northwest Florida and Suwannee River Water Management Districts to assist in or implement the permitting of agricultural activities in waters or agricultural water management systems. Such permitting shall be carried out in a manner consistent with the standards established in the Warren S. Henderson Wetland Protection Act of 1984 and with the jurisdiction and authority of the districts as established by Chapter 373, F.S. Further, $50,000 shall be used by the Department of Environmental Regulation to develop water quality standards and $50,000 shall be used for wetlands monitoring utilizing landsat. The Department of Environmental Regulation is directed to assign an adequate number of positions both in the agency headquarters and the district offices, within existing resources, to the task of reviewing water management district rules and orders and to facilitate the timely filing of requests for review pursuant to s. 373.114, F.S., in the event that said rules and orders of the districts are not consistent with the provisions of Chapter 373, F.S., CS/CS/HB 1187, or the water policy rule adopted by the department as Chapter 17-40, Florida Administrative Code.

610 SPECIAL CATEGORIES
HAZARDOUS WASTE CLEANUP
FROM WATER QUALITY ASSURANCE TRUST FUND 11,277,646

610A SPECIAL CATEGORIES
HAZARDOUS WASTE SITES RESTORATION
FROM HAZARDOUS WASTE MANAGEMENT TRUST FUND 10,000,000

SPECIFIC APPROPRIATION

610B SPECIAL CATEGORIES
LANDFILL CLOSURE
FROM GENERAL REVENUE FUND 40,000

Should CS/SB 986 or similar legislation providing an appropriation for landfill closure become law, the funds provided in Specific Appropriation 610B shall be placed in reserve and shall revert to the General Revenue Fund unallocated.

611 SPECIAL CATEGORIES
POLLUTION RESTORATION CONTRACTS
FROM POLLUTION RECOVERY TRUST FUND 26,870

611A SPECIAL CATEGORIES
SURFACE WATER IMPOUNDMENT STUDY
FROM WATER RESOURCE RESTORATION AND PRESERVATION TRUST FUND 125,000

Funds provided in Specific Appropriation 611A shall be used by the Department of Environmental Regulation to study the impoundment of surface waters in the North Florida area, to determine the biological effects of various pond sizes and depths, and those effects on water quality.

612 NOT USED

612A SPECIAL CATEGORIES
SUWANNEE RIVER DREDGING BY SUWANNEE RIVER WATER MANAGEMENT DISTRICT
FROM GENERAL REVENUE FUND 200,000

613 SPECIAL CATEGORIES
U.S. GEOLOGIC SURVEY COOPERATIVE AGREEMENT
FROM GENERAL REVENUE FUND 356,252
FROM U.S. COOPERATIVE TRUST FUND 34,500

614 SPECIAL CATEGORIES
WATER ATLAS
FROM GENERAL REVENUE FUND 40,000

Funds in Specific Appropriation 614 are appropriated to the Department of Environmental Regulation to contract with the Florida Resources and Environmental Center, at Florida State University, for the purchase and distribution of the Florida Water Atlas.

615 SPECIAL CATEGORIES
WATER RESOURCE MANAGEMENT
FROM GENERAL REVENUE FUND 330,000

616 SPECIAL CATEGORIES
WATER WELL CLEAN-UP
FROM GENERAL REVENUE FUND 3,100,000

Funds in Specific Appropriation 616 are contingent upon CS/SB 986 or similar legislation becoming law. Funds provided in Specific Appropriation 616 shall be expended, for those wells which have been

SPECIFIC APPROPRIATION

contaminated by state application of EDB, to filter contaminated wells, drill new wells or connect affected parties to accessible water supplies, using the most cost-effective method available. The funds shall first be used for the City of Lake Wales, the City of Lake Alfred and privately owned wells whose water, when ready for distribution is contaminated in violation of the maximum contaminent level for EDB. Funds shall also be used to maintain these filter systems.

The Department of Environmental Regulation or other administrative agency shall, prior to the distribution of funds provided for in Specific Appropriation 616, require the recipient to release the state and its agencies absolutely from liability as to damage to real and personal property caused by the past application or use by the state or its agencies of EDB or the installation, maintenance, and disposal by the state or its agencies of filter systems. The balance of the funds appropriated shall be allocated for community water systems.

617	DATA PROCESSING SERVICES		
	FROM GENERAL REVENUE FUND	772,908	
	FROM OPERATING TRUST FUND		21,820
	FROM WATER QUALITY ASSURANCE TRUST FUND .		75,000

ETHICS, COMMISSION ON

618	LUMP SUM POSITIONS	9	
	FROM GENERAL REVENUE FUND	381,650	

GAME AND FRESH WATER FISH COMMISSION, FLORIDA

OFFICE OF THE EXECUTIVE DIRECTOR AND DIVISION OF ADMINISTRATIVE SERVICES

619	SALARIES AND BENEFITS POSITIONS	138	
	FROM GENERAL REVENUE FUND	424,591	
	FROM STATE GAME TRUST FUND		2,535,389
620	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	4,500	
	FROM STATE GAME TRUST FUND		188,529
621	EXPENSES		
	FROM GENERAL REVENUE FUND	80,486	
	FROM STATE GAME TRUST FUND		1,429,604
622	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	44,060	
	FROM STATE GAME TRUST FUND		180,924
623	SPECIAL CATEGORIES		
	PAYMENT OF REWARDS		
	FROM ENDANGERED AND THREATENED SPECIES REWARD TRUST FUND		5,000

SPECIFIC APPROPRIATION

624	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM STATE GAME TRUST FUND		7,744
625	DATA PROCESSING SERVICES		
	FROM STATE GAME TRUST FUND		94,009

LAW ENFORCEMENT, DIVISION OF

626	SALARIES AND BENEFITS POSITIONS	389	
	FROM GENERAL REVENUE FUND	7,966,403	
	FROM STATE GAME TRUST FUND		644,632
627	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	15,451	
628	EXPENSES		
	FROM GENERAL REVENUE FUND	802,666	
	FROM STATE GAME TRUST FUND		231,201
629	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	32,062	
	FROM STATE GAME TRUST FUND		35,662
630	SPECIAL CATEGORIES		
	ACQUISITION AND REPLACEMENT OF PATROL VEHICLES		
	FROM GENERAL REVENUE FUND	1,029,515	
	FROM STATE GAME TRUST FUND		27,919
631	SPECIAL CATEGORIES		
	OPERATION AND MAINTENANCE OF PATROL VEHICLES		
	FROM GENERAL REVENUE FUND	886,312	
	FROM STATE GAME TRUST FUND		607,069

One position and $26,776 provided in Specific Appropriations 626 through 631, from the State Game Trust Fund, shall be assigned to the security of Eleven Mile Road, and shall be contingent upon full reimbursement by Exxon Corporation.

632	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	185,000	
633	DATA PROCESSING SERVICES		
	FROM GENERAL REVENUE FUND	74,370	

WILDLIFE, DIVISION OF

634	SALARIES AND BENEFITS POSITIONS	117	
	FROM GENERAL REVENUE FUND	104,433	
	FROM STATE GAME TRUST FUND		2,279,929
635	OTHER PERSONAL SERVICES		
	FROM GRANTS AND DONATIONS TRUST FUND . . .		19,000
	FROM STATE GAME TRUST FUND		305,805

SPECIFIC APPROPRIATION

636 EXPENSES
FROM GENERAL REVENUE FUND 28,545
FROM GRANTS AND DONATIONS TRUST FUND . . . 22,120
FROM STATE GAME TRUST FUND 1,162,926

637 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 16,861
FROM STATE GAME TRUST FUND 279,857

637A LUMP SUM
NONGAME WILDLIFE PROGRAM
POSITIONS 9
FROM NON-GAME WILDLIFE TRUST FUND 548,746

Nine positions and $548,746 provided in Specific Appropriation 637A for the Nongame Wildlife Program are contingent upon SB 329 or similar legislation becoming law.

638 SPECIAL CATEGORIES
MANAGEMENT AREA LEASE PAYMENTS
FROM STATE GAME TRUST FUND 500,000

639 NOT USED

640 DATA PROCESSING SERVICES
FROM STATE GAME TRUST FUND 59,933

FISHERIES, DIVISION OF

641 SALARIES AND BENEFITS POSITIONS 124
FROM STATE GAME TRUST FUND 2,640,542

642 OTHER PERSONAL SERVICES
FROM STATE GAME TRUST FUND 59,369

643 EXPENSES
FROM STATE GAME TRUST FUND 1,035,129

644 OPERATING CAPITAL OUTLAY
FROM STATE GAME TRUST FUND 275,420

644A LUMP SUM
PHOSPHATE FISHING PROGRAM
FROM STATE GAME TRUST FUND 75,000

645 DATA PROCESSING SERVICES
FROM STATE GAME TRUST FUND 2,572

GENERAL SERVICES, DEPARTMENT OF

OFFICE OF THE EXECUTIVE DIRECTOR AND DIVISION OF ADMINISTRATION

646 SALARIES AND BENEFITS POSITIONS 82
FROM GENERAL REVENUE FUND 1,815,245

SPECIFIC APPROPRIATION

647 EXPENSES
FROM GENERAL REVENUE FUND 278,955

648 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 29,382

649 DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 116,843

Using funds provided in Specific Appropriations 646 thru 649, the division shall undertake an in-house cost/benefit study of contracting maintenance, groundskeeping, custodial and security services with outside providers. Development of the scope of study will be made in consultation with the House and Senate Appropriations Committees and the Executive Office of the Governor. A report of these findings shall be presented to the Executive Office of the Governor, President of the Senate and Speaker of the House of Representatives no later than December 15, 1984.

PURCHASING, DIVISION OF

650 SALARIES AND BENEFITS POSITIONS 50
FROM GENERAL REVENUE FUND 1,135,899

651 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 6,040

652 EXPENSES
FROM GENERAL REVENUE FUND 314,027

653 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 15,837

653A LUMP SUM
MINORITY BUSINESS ASSISTANCE
POSITIONS 1
FROM GENERAL REVENUE FUND 27,500

Funds and the position in Specific Appropriation 653A shall be used to develop a guide to state procurement procedures for small and minority business. This shall include procedures for responding to bid notices as well as registering minority businesses on the various vendor lists used by state agencies. The division shall also implement activities designed to increase the utilization of small and minority businesses in the states procurement process. The department shall coordinate these activities with the Governor's Advisory Council on Minority Enterprise Development.

654 SPECIAL CATEGORIES
LABORATORY CONTRACT
FROM GENERAL REVENUE FUND 140,096

		SPECIFIC APPROPRIATION		
655	DATA PROCESSING SERVICES			
	FROM GENERAL REVENUE FUND	557,831		
	INFORMATION SERVICES, DIVISION OF			
656	SALARIES AND BENEFITS POSITIONS	103		
	FROM WORKING CAPITAL TRUST FUND		2,125,822	
657	OTHER PERSONAL SERVICES			
	FROM WORKING CAPITAL TRUST FUND		215,560	
658	EXPENSES			
	FROM WORKING CAPITAL TRUST FUND		3,240,116	
659	OPERATING CAPITAL OUTLAY			
	FROM WORKING CAPITAL TRUST FUND		968,579	
	BUILDING CONSTRUCTION AND PROPERTY MANAGEMENT, DIVISION OF			
660	SALARIES AND BENEFITS POSITIONS	508		
	FROM GENERAL REVENUE FUND	67,418		
	FROM ARCHITECTS INCIDENTAL TRUST FUND . .		1,340,929	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		43,536	
	FROM SUPERVISION TRUST FUND		6,332,369	
661	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND	10,000		
	FROM ARCHITECTS INCIDENTAL TRUST FUND . .		50,000	
	FROM SUPERVISION TRUST FUND		45,603	

Funds from the Architects Incidental Trust Fund in the amount of $27,909 in Specific Appropriation 660, $2,015 in Specific Appropriation 662, $29,500 in Specific Appropriation 664, $3,513 in Specific Appropriation 668 and $50,000 in Specific Appropriation 661 shall be used to maintain and to upgrade the FLEET program, provided that the Division of Building Construction and Property Management shall adopt by rule a three-year pilot program to permit the use of alternate energy evaluation programs in lieu of FLEET, as established in s. 255.255, F.S., and that any alternate energy evaluation program used shall meet the standards required in s. 255.255, F.S.

662	EXPENSES			
	FROM GENERAL REVENUE FUND	63,318		
	FROM ARCHITECTS INCIDENTAL TRUST FUND . .		272,397	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		3,976	
	FROM SUPERVISION TRUST FUND		2,142,788	
663	OPERATING CAPITAL OUTLAY			
	FROM GENERAL REVENUE FUND	7,500		
	FROM ARCHITECTS INCIDENTAL TRUST FUND . .		8,146	
	FROM SUPERVISION TRUST FUND		128,859	
663A	LUMP SUM			
	CONSTRUCTION MANAGEMENT INFORMATION SYSTEM			
	FROM ARCHITECTS INCIDENTAL TRUST FUND . .			120,000
664	LUMP SUM			
	DEVELOPMENT AND IMPLEMENTATION OF STATE ENERGY MANAGEMENT PLAN			
	FROM ARCHITECTS INCIDENTAL TRUST FUND . .			29,500
664A	LUMP SUM			
	TALLAHASSEE PARKWAY MAINTENANCE			
	POSITIONS	1		
	FROM SUPERVISION TRUST FUND			15,000
665	SPECIAL CATEGORIES			
	STATE UTILITY PAYMENTS			
	FROM GENERAL REVENUE FUND	3,560		
	FROM SUPERVISION TRUST FUND			7,039,903
666	SPECIAL CATEGORIES			
	TRANSFER TO SUPERVISION TRUST FUND FOR NONRECOVERABLE SERVICES			
	FROM GENERAL REVENUE FUND	104,071		
667	NOT USED			
668	DATA PROCESSING SERVICES			
	FROM ARCHITECTS INCIDENTAL TRUST FUND . .			31,880
	FROM GRANTS AND DONATIONS TRUST FUND . . .			20,000
	FROM SUPERVISION TRUST FUND			24,086

Funds from the Architects Incidental Trust Fund in Specific Appropriations 660 through 663A, and 668, are provided from a 1.5% rate of assessment charged by the Bureau of Construction against fixed capital outlay appropriations in which the bureau serves as owner representative on behalf of the state.

	SECURITY, DIVISION OF			
669	SALARIES AND BENEFITS POSITIONS	118		
	FROM SUPERVISION TRUST FUND			1,570,721
670	NOT USED			
671	EXPENSES			
	FROM SUPERVISION TRUST FUND			169,710
672	OPERATING CAPITAL OUTLAY			
	FROM SUPERVISION TRUST FUND			17,817
672A	LUMP SUM			
	SECURITY PERSONNEL FOR CAPITOL COMPLEX			
	POSITIONS	5		
	FROM SUPERVISION TRUST FUND			60,000

SPECIFIC APPROPRIATION			
673	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM SUPERVISION TRUST FUND		16,337
MOTOR POOL, DIVISION OF			
674	SALARIES AND BENEFITS POSITIONS	43	
	FROM GENERAL REVENUE FUND	251,968	
	FROM BUREAU OF AIRCRAFT TRUST FUND		320,369
	FROM MOTOR VEHICLE OPERATING TRUST FUND .		386,173
675	OTHER PERSONAL SERVICES		
	FROM BUREAU OF AIRCRAFT TRUST FUND		20,856
	FROM MOTOR VEHICLE OPERATING TRUST FUND .		13,764
676	EXPENSES		
	FROM GENERAL REVENUE FUND	35,531	
	FROM BUREAU OF AIRCRAFT TRUST FUND		1,065,383
	FROM MOTOR VEHICLE OPERATING TRUST FUND .		1,144,964
677	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	1,900	
	FROM BUREAU OF AIRCRAFT TRUST FUND		9,750
	FROM MOTOR VEHICLE OPERATING TRUST FUND .		208,775
678	SPECIAL CATEGORIES		
	TRANSFER TO BUREAU OF AIRCRAFT TRUST FUND		
	FROM GENERAL REVENUE FUND	979,930	
679	DATA PROCESSING SERVICES		
	FROM GENERAL REVENUE FUND	34	
	FROM BUREAU OF AIRCRAFT TRUST FUND		7,279
	FROM MOTOR VEHICLE OPERATING TRUST FUND .		153,201
SURPLUS PROPERTY, DIVISION OF			
680	SALARIES AND BENEFITS POSITIONS	56	
	FROM STATE SURPLUS PROPERTY WORKING CAPITAL TRUST FUND		130,377
	FROM SURPLUS PROPERTY REVOLVING TRUST FUND		712,240
681	OTHER PERSONAL SERVICES		
	FROM STATE SURPLUS PROPERTY WORKING CAPITAL TRUST FUND		2,500
	FROM SURPLUS PROPERTY REVOLVING TRUST FUND		12,000
682	EXPENSES		
	FROM STATE SURPLUS PROPERTY WORKING CAPITAL TRUST FUND		84,887
	FROM SURPLUS PROPERTY REVOLVING TRUST FUND		283,449
683	OPERATING CAPITAL OUTLAY		
	FROM STATE SURPLUS PROPERTY WORKING CAPITAL TRUST FUND		20,948
	FROM SURPLUS PROPERTY REVOLVING TRUST FUND		8,000

SPECIFIC APPROPRIATION			
BOND FINANCE, DIVISION OF			
684	SALARIES AND BENEFITS POSITIONS	16	
	FROM GENERAL REVENUE FUND	144,610	
	FROM REVENUE BOND FEE REVOLVING TRUST FUND		288,999
685	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	15,000	
	FROM REVENUE BOND FEE REVOLVING TRUST FUND		323,480
686	EXPENSES		
	FROM GENERAL REVENUE FUND	51,643	
	FROM REVENUE BOND FEE REVOLVING TRUST FUND		250,330
687	OPERATING CAPITAL OUTLAY		
	FROM REVENUE BOND FEE REVOLVING TRUST FUND		4,073
COMMUNICATIONS, DIVISION OF			
688	SALARIES AND BENEFITS POSITIONS	95	
	FROM GENERAL REVENUE FUND	641,123	
	FROM COMMUNICATIONS SURVEY TRUST FUND . .		24,415
	FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND		1,640,018
689	OTHER PERSONAL SERVICES		
	FROM COMMUNICATIONS SURVEY TRUST FUND . .		3,752
	FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND		21,383
690	EXPENSES		
	FROM GENERAL REVENUE FUND	73,963	
	FROM COMMUNICATIONS SURVEY TRUST FUND . .		15,763
	FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND		334,241
691	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	7,272	
	FROM COMMUNICATIONS SURVEY TRUST FUND . .		4,851
	FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND		17,006

All costs associated with positions authorized to the Division of Communications in Specific Appropriations 688 thru 691, funded from the Communications Working Capital Trust Fund, and engaged in providing services of a direct cost recoverable nature are to be paid from the retained earnings of the trust fund during the 1984-85 fiscal year. Provided however, during the 1984-85 fiscal year, the division shall develop a method of recovering these costs and shall begin recovering such costs effective July 1, 1985. The division shall consult with the Executive Office of the Governor and the House and Senate Appropriations Committees on the development of the funding plan, and report its findings to the Executive Office of

SPECIFIC APPROPRIATION

the Governor, President of the Senate and Speaker of the House of Representatives no later than November 30, 1984.

691A LUMP SUM
CAPITOL CENTER FIRE SAFETY AND SECURITY/HB 184
POSITIONS 1
FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND 49,943

Funds and the position in Specific Appropriation 691A are contingent upon HB 184 or similar legislation becoming law.

692 SPECIAL CATEGORIES
CENTREX AND SUNCOM PAYMENTS
FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND 30,330,780

Funds provided in Specific Appropriation 692 shall be used to lease or acquire, (through purchase or lease purchase) those items that are consistant with the "Phase II Telephone Deregulation Technical Plan", and coordinate these activities with the Executive Office of the Governor, the House and Senate Appropriations Committees and the Information Resource Commission.

693 DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 15,471
FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND 177,846

GOVERNOR, EXECUTIVE OFFICE OF THE

GENERAL OFFICE

694 SALARIES AND BENEFITS POSITIONS 261
FROM GENERAL REVENUE FUND 5,865,843
FROM GRANTS AND DONATIONS TRUST FUND . . . 958,069
FROM PLANNING AND BUDGETING SYSTEM TRUST FUND 728,359

695 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 220,729
FROM GRANTS AND DONATIONS TRUST FUND . . . 346,077
FROM PLANNING AND BUDGETING SYSTEM TRUST FUND 29,000

696 EXPENSES
FROM GENERAL REVENUE FUND 1,604,623
FROM GRANTS AND DONATIONS TRUST FUND . . . 349,322
FROM PLANNING AND BUDGETING SYSTEM TRUST FUND 107,118

697 NOT USED

698 NOT USED

SPECIFIC APPROPRIATION

699 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 44,398
FROM GRANTS AND DONATIONS TRUST FUND . . . 5,647
FROM PLANNING AND BUDGETING SYSTEM TRUST FUND 4,176

Using funds provided in Specific Appropriations 694, 696, and 699 the Governor's Advisory Council on Minority Enterprise Development shall assume the role of advocate for minority businesses including monitoring the development and performance by state agencies of minority enterprise development activities.

699A LUMP SUM
FLORIDA COMMISSION ON VETERANS' AFFAIRS
FROM GENERAL REVENUE FUND 69,000

699B LUMP SUM
FLORIDA DRUG AND ALCOHOL COMMISSION
POSITIONS 3
FROM GENERAL REVENUE FUND 175,097

699C LUMP SUM
MEDICAL MALPRACTICE STUDY
FROM GRANTS AND DONATIONS TRUST FUND . . . 200,000

699D SPECIAL CATEGORIES
BUSINESS ADVISORY COUNCIL ON EDUCATION
FROM GENERAL REVENUE FUND 50,000

Funds provided in Specific Appropriation 699D shall be for the operation of the council which shall be established by executive order of the Governor. The council shall be advisory to the Governor, State Board of Education, and the Legislature, and shall recommend strategies and programs for the improvement of public education.

700 SPECIAL CATEGORIES
COST-OF-LIVING PRICE SURVEY
FROM GENERAL REVENUE FUND 195,700

701 SPECIAL CATEGORIES
CONTINGENT - DISCRETIONARY
FROM GENERAL REVENUE FUND 30,000

702 SPECIAL CATEGORIES
GOVERNOR'S COUNCIL ON INDIAN AFFAIRS
FROM GENERAL REVENUE FUND 134,465

Funds in the amount of $36,800, included in Specific Appropriation 702, shall be allocated to the Northwest Florida Creek Indian Council and the balance of $97,665 to the Florida Governor's Council on Indian Affairs.

SPECIFIC APPROPRIATION

703 SPECIAL CATEGORIES
MUNICIPAL AND COUNTY POPULATION ESTIMATES
FROM GENERAL REVENUE FUND 80,960

704 SPECIAL CATEGORIES
NATIONAL GOVERNORS' ASSOCIATION
FROM GENERAL REVENUE FUND 83,200

704A SPECIAL CATEGORIES
SCHOOLS AND HOSPITALS PROGRAM
FROM GRANTS AND DONATIONS TRUST FUND . . . 3,189,518

704B SPECIAL CATEGORIES
STATE ENERGY CONSERVATION PLAN
FROM GRANTS AND DONATIONS TRUST FUND . . . 529,008

704C SPECIAL CATEGORIES
THEATER INC.
FROM GENERAL REVENUE FUND 1,000,000

The funds in Specific Appropriation 704C are for planning, constructing and equipping a theatre, television and film training center in Sarasota to be managed and operated by the Theatre, Inc., a non-profit corporation. The appropriated amount may be advanced to the Theatre, Inc., and shall be held by it until needed for the purposes for which it was appropriated. Any earnings made from the investment of such money shall be used for the same purpose as the original appropriation.

There is hereby obligated from the Working Capital Fund, $4,000,000 for the project and purposes outlined above. The Executive Office of the Governor shall advance the funds to the Theatre, Inc. when the Executive Office of the Governor determines that it is appropriate to proceed beyond the planning stages of the project. Further, the Executive Office of the Governor shall transfer funds from the Working Capital Fund or utilize unobligated general revenue reserve for the purpose of disbursing the funds obligated by this proviso once the Executive Office of the Governor it is determined the additional funds are needed.

705 DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 16,694
FROM GRANTS AND DONATIONS TRUST FUND . . . 18,400
FROM PLANNING AND BUDGETING SYSTEM TRUST FUND 471,836

OPERATION OF THE GOVERNOR'S MANSION

706 SALARIES AND BENEFITS POSITIONS 9
FROM GENERAL REVENUE FUND 145,284

SPECIFIC APPROPRIATION

707 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 1,200

708 EXPENSES
FROM GENERAL REVENUE FUND 95,012

709 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 300

INFORMATION RESOURCE COMMISSION

710 SALARIES AND BENEFITS POSITIONS 19
FROM GENERAL REVENUE FUND 662,073

711 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 46,000

712 EXPENSES
FROM GENERAL REVENUE FUND 150,318

713 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 1,086

713A LUMP SUM
SECURITY PROCEDURES
POSITIONS 1
FROM GENERAL REVENUE FUND 33,790

Funds and the position in Specific Appropriation 713A are contingent upon HB 531 or similar legislation becoming law.

OFFICE OF PROSECUTION COORDINATION AND THE COUNCIL FOR THE PROSECUTION OF ORGANIZED CRIME

714 SALARIES AND BENEFITS POSITIONS 14
FROM GENERAL REVENUE FUND 446,003

715 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 22,500

716 EXPENSES
FROM GENERAL REVENUE FUND 121,175

717 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 4,382

HEALTH AND REHABILITATIVE SERVICES, DEPARTMENT OF

The department is authorized to make advances from Specific Appropriations 737 through 944 for program start-up or periodic advance payments for contracted services during Fiscal Year 1984-85. Such payments shall be made pursuant to a plan submitted by the department by July 1, 1984, and upon approval by the Executive Office of the Governor.

The department is prohibited from expending funds from any specific appropriation or from any other source except Specific Appropriation 806 for the purchase of "Fuel, Wood, Refined and Densified"

SPECIFIC APPROPRIATION

(woodpellets). The department is specifically limited to an expenditure level of $2,312,640 which is sufficient to acquire 36,500 tons of wood pellets at a FY 1984-85 price of $63.36 per ton. The department shall not supplement these funds from any source in the absence of express legislative authority.

OFFICE OF THE SECRETARY

718	SALARIES AND BENEFITS	POSITIONS	85	
	FROM GENERAL REVENUE FUND		2,011,825	
	FROM ADMINISTRATIVE TRUST FUND			331,957
719	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND		38,006	
	FROM ADMINISTRATIVE TRUST FUND			106,646
720	EXPENSES			
	FROM GENERAL REVENUE FUND		417,358	
	FROM ADMINISTRATIVE TRUST FUND			121,918
721	OPERATING CAPITAL OUTLAY			
	FROM GENERAL REVENUE FUND		22,743	
722	SPECIAL CATEGORIES			
	STATEWIDE HUMAN RIGHTS ADVOCACY COMMITTEE			
	FROM GENERAL REVENUE FUND		15,158	

OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

723	SALARIES AND BENEFITS	POSITIONS	703	
	FROM GENERAL REVENUE FUND		8,832,631	
	FROM ADMINISTRATIVE TRUST FUND			1,610,348
	FROM WORKING CAPITAL TRUST FUND			4,396,143
724	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND		102,913	
	FROM WORKING CAPITAL TRUST FUND			124,800

Of the funds in Specific Appropriation 724, $20,000 is provided to conduct property appraisals of the following parcels: the Alyce D. McPherson Training School in Marion County and a parcel of commercially feasible highway frontage on the ground of South Florida State Hospital in Broward County that will not negatively impact on the operation of that facility. These appraisals shall be reviewed by the Division of State Lands in the Department of Natural Resources. Additional property shall be appraised with any remaining funds.

725	EXPENSES		
	FROM GENERAL REVENUE FUND	3,128,423	
	FROM ADMINISTRATIVE TRUST FUND		505,924
	FROM WORKING CAPITAL TRUST FUND		1,778,857

SPECIFIC APPROPRIATION

726	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	106,022	
	FROM WORKING CAPITAL TRUST FUND		24,791
726A	LUMP SUM		
	LUMP SUM - BUILDING LEASES DEFICIT		
	FROM GENERAL REVENUE FUND	1,984,049	
	FROM ADMINISTRATIVE TRUST FUND		1,322,700
727	LUMP SUM		
	DEPARTMENTAL STAFF DEVELOPMENT AND TRAINING		
	FROM GENERAL REVENUE FUND	750,000	
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		12,000
728	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM GENERAL REVENUE FUND	436,611	
729	SPECIAL CATEGORIES		
	COMPUTER RELATED EXPENSES		
	FROM WORKING CAPITAL TRUST FUND		5,954,473
730	SPECIAL CATEGORIES		
	CONTRACT NURSING HOME AUDIT PROGRAM		
	FROM GENERAL REVENUE FUND	504,000	
	FROM ADMINISTRATIVE TRUST FUND		504,000
731	SPECIAL CATEGORIES		
	STATE INSTITUTIONAL CLAIMS		
	FROM GENERAL REVENUE FUND	15,000	
732	SPECIAL CATEGORIES		
	UNIVERSITY EDUCATION AND TRAINING		
	FROM GENERAL REVENUE FUND	595,349	

Funds in Specific Appropriation 732 shall be used to continue the Education/Training Program at Florida State University, the University of Central Florida, Barry College, Florida A & M University, and the University of West Florida.

733	DATA PROCESSING SERVICES		
	FROM GENERAL REVENUE FUND	1,437,227	
	FROM ADMINISTRATIVE TRUST FUND		1,050,017

OFFICE OF THE ASSISTANT SECRETARY FOR PROGRAM PLANNING

From the Administrative Trust Fund in Specific Appropriations 734, 735, and 736, the department is authorized to use up to $90,698 in cash recoveries, resulting from Medicaid fraud and abuse investigations, to fund three additional Medicaid cost reimbursement analysis staff in order to eliminate unallowable provider costs, as long as cash recoveries exceed the additional staff costs.

From the funds in Specific Appropriation 734 and 736, the Developmental Services Program Office is

SPECIFIC APPROPRIATION

directed to update the Residential Services Plan which was presented to the Legislature in March, 1984. This update, which shall be available by December 1, 1984, shall include identification of a single-floor Sunland Center to be phased out during the 1985-87 biennium and the siting of community facilities within the same approximate geographic area of the Sunland.

734	SALARIES AND BENEFITS POSITIONS	647	
	FROM GENERAL REVENUE FUND	10,933,954	
	FROM ADMINISTRATIVE TRUST FUND		2,726,574
	FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		67,845
	FROM DRUGS, DEVICES AND COSMETIC TRUST FUND		34,288
	FROM EMERGENCY MEDICAL SERVICES TRUST FUND		132,506
	FROM FEDERAL GRANTS TRUST FUND		745,629
	FROM FEDERAL REHABILITATION TRUST FUND		1,062,529
	FROM GRANTS AND DONATIONS TRUST FUND		667,807
	FROM LOW INCOME HOME ENERGY ASSISTANCE PROGRAM BLOCK GRANT TRUST FUND		95,340
	FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND		18,556
	FROM PLANNING AND EVALUATION TRUST FUND		685,563
	FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		188,607
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		53,435
735	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	720,408	
	FROM ADMINISTRATIVE TRUST FUND		5,025,547
	FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		42,000
	FROM DRUGS, DEVICES AND COSMETIC TRUST FUND		5,880
	FROM EMERGENCY MEDICAL SERVICES TRUST FUND		91,795
	FROM FEDERAL GRANTS TRUST FUND		148,983
	FROM FEDERAL REHABILITATION TRUST FUND		11,875
	FROM GRANTS AND DONATIONS TRUST FUND		195,108
	FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND		65,000
	FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		12,152
736	EXPENSES		
	FROM GENERAL REVENUE FUND	3,132,542	
	FROM ADMINISTRATIVE TRUST FUND		757,302
	FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		36,360
	FROM DRUGS, DEVICES AND COSMETIC TRUST FUND		38,792
	FROM EMERGENCY MEDICAL SERVICES TRUST FUND		140,055
	FROM FEDERAL GRANTS TRUST FUND		273,570
	FROM FEDERAL REHABILITATION TRUST FUND		272,096
	FROM GRANTS AND DONATIONS TRUST FUND		503,547

SPECIFIC APPROPRIATION

	FROM LOW INCOME HOME ENERGY ASSISTANCE PROGRAM BLOCK GRANT TRUST FUND		35,304
	FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND		23,097
	FROM PLANNING AND EVALUATION TRUST FUND		330,969
	FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		220,881
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		31,370

The Secretary of the Department is empowered to appoint an appropriate advisory council on organ transplants which will formulate guidelines, indications and standards for transplants, members of which shall serve without pay, but may be reimbursed from Specific Appropriation 736 for necessary expenses in accordance with s. 112.061, F.S. The total amount of reimbursement for the council shall not exceed $5,000.

From funds in Specific Appropriation 736 up to $15,000 shall be used to conduct a cost/benefit analysis for locating a licensed hospital on the grounds of the Gainesville Sunland. The analysis shall consider renovation of an existing facility and new construction.

737	AID TO LOCAL GOVERNMENTS FLUORIDATION PROJECT		
	FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		200,000
738	AID TO LOCAL GOVERNMENTS LOCAL HEALTH COUNCILS		
	FROM LOCAL HEALTH PLANNING TRUST FUND		1,750,000
739	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	71,843	
	FROM ADMINISTRATIVE TRUST FUND		12,876
	FROM FEDERAL GRANTS TRUST FUND		4,599
	FROM FEDERAL REHABILITATION TRUST FUND		3,967
	FROM PLANNING AND EVALUATION TRUST FUND		4,513
739A	LUMP SUM MULTIPLE SCLEROSIS		
	POSITIONS	2	
	FROM GENERAL REVENUE FUND	41,272	
740	SPECIAL CATEGORIES AGING AND ADULT SERVICES TRAINING AND EDUCATION		
	FROM FEDERAL GRANTS TRUST FUND		149,144
741	SPECIAL CATEGORIES CHILD WELFARE TRAINING		
	FROM GRANTS AND DONATIONS TRUST FUND		110,000

SPECIFIC APPROPRIATION			
741A	SPECIAL CATEGORIES DEVELOPMENTALLY DISABLED/MENTALLY ILL UMBRELLA TRUST FROM GENERAL REVENUE FUND	100,000	
	FROM ADMINISTRATIVE TRUST FUND		100,000
	The funds in Specific Appropriation 741A are contingent upon passage of HB 107 or similar legislation becoming law.		
742	SPECIAL CATEGORIES HEALTH MANPOWER CLEARINGHOUSE FROM GENERAL REVENUE FUND	40,000	
743	SPECIAL CATEGORIES HOSPITAL REIMBURSEMENT FROM GENERAL REVENUE FUND	472,500	
744	SPECIAL CATEGORIES MEDICAID FEDERAL FINANCIAL PARTICIPATION CHANGE FROM GENERAL REVENUE FUND	201,000	
	The funds in Specific Appropriation 744 shall be allocated only after receiving written notification from the Health Care Financing Administration that the level of federal financial participation has been reduced. The funds allocated shall be only that amount necessary to meet the federal funding requirements.		
745	SPECIAL CATEGORIES MEDICAID PEER REVIEW FROM GENERAL REVENUE FUND	174,608	
	FROM ADMINISTRATIVE TRUST FUND		159,571
745A	SPECIAL CATEGORIES SOUTHEAST FLORIDA CENTER ON AGING FROM GENERAL REVENUE FUND	300,000	
745B	SPECIAL CATEGORIES TASK FORCE/RESIDENCY PROGRAM FOR PUBLIC PSYCHIATRY FROM GENERAL REVENUE FUND	150,000	
746	SPECIAL CATEGORIES UNIVERSITY HOSPITAL DEMONSTRATION PROJECT FROM ADMINISTRATIVE TRUST FUND		269,869
747	DATA PROCESSING SERVICES FROM GENERAL REVENUE FUND	5,564,585	
	FROM ADMINISTRATIVE TRUST FUND		1,665,081

SPECIFIC APPROPRIATION			
	OFFICE OF THE ASSISTANT SECRETARY FOR OPERATIONS		
	OFFICE OF THE ASSISTANT SECRETARY		
748	SALARIES AND BENEFITS POSITIONS 1,506 FROM GENERAL REVENUE FUND	10,145,146	
	FROM ADMINISTRATIVE TRUST FUND		7,032,256
	FROM HEARING AIDS AND DEVICES TRUST FUND .		42,515
	FROM LOW LEVEL RADIOACTIVE WASTE TRUST FUND		54,976
	FROM LICENSURE FEES TRUST FUND		3,040
	FROM PEST CONTROL TRUST FUND		385,677
	FROM RADIATION PROTECTION TRUST FUND . . .		680,491
	FROM U.S. TRUST FUND		12,620,150
749	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	115,569	
	FROM ADMINISTRATIVE TRUST FUND		916,095
	FROM LICENSURE FEES TRUST FUND		45,678
	FROM PEST CONTROL TRUST FUND		8,024
	FROM RADIATION PROTECTION TRUST FUND . . .		5,309
750	EXPENSES FROM GENERAL REVENUE FUND	4,117,508	
	FROM ADMINISTRATIVE TRUST FUND		3,820,969
	FROM HEARING AIDS AND DEVICES TRUST FUND .		10,360
	FROM LOW LEVEL RADIOACTIVE WASTE TRUST FUND		25,336
	FROM LICENSURE FEES TRUST FUND		62,122
	FROM PEST CONTROL TRUST FUND		66,841
	FROM RADIATION PROTECTION TRUST FUND . . .		287,754
	FROM U.S. TRUST FUND		11,127,054
751	AID TO LOCAL GOVERNMENTS MOSQUITO CONTROL PROGRAM FROM GENERAL REVENUE FUND	3,043,712	
	Funds provided in Specific Appropriation 751 shall be utilized in an amount not to exceed $50,000, to match revenue from other state agencies to contract with Harbour Branch Foundation for research on the effect of aerial applications of mosquitocides on marine resources.		
752	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	482,133	
	FROM ADMINISTRATIVE TRUST FUND		32,517
	FROM LICENSURE FEES TRUST FUND		1,115
	FROM RADIATION PROTECTION TRUST FUND . . .		56,147
	FROM U.S. TRUST FUND		1,533,163
753	SPECIAL CATEGORIES EMERGENCY ALTERNATIVE PLACEMENT FROM RESIDENT PROTECTION TRUST FUND . . .		388,133

SPECIFIC APPROPRIATION			
754	SPECIAL CATEGORIES		
	PURCHASE OF SERVICES - CHILD SUPPORT ENFORCEMENT		
	FROM GENERAL REVENUE FUND	388,570	
	FROM ADMINISTRATIVE TRUST FUND		8,580,003
755	DATA PROCESSING SERVICES		
	FROM GENERAL REVENUE FUND	820,741	
	FROM ADMINISTRATIVE TRUST FUND		681,928
	FROM RADIATION PROTECTION TRUST FUND		3,683
DISTRICT ADMINISTRATION			
756	SALARIES AND BENEFITS POSITIONS	1,619	
	FROM GENERAL REVENUE FUND	20,972,550	
	FROM ADMINISTRATIVE TRUST FUND		10,693,560
	FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		19,384
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		440,164
757	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	282,898	
	FROM ADMINISTRATIVE TRUST FUND		96,800
758	EXPENSES		
	FROM GENERAL REVENUE FUND	4,407,600	
	FROM ADMINISTRATIVE TRUST FUND		2,392,003
	FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		3,146
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		8,039
759	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	172,874	
	FROM ADMINISTRATIVE TRUST FUND		12,163
760	SPECIAL CATEGORIES		
	CITIZEN ADVOCACY COMMITTEES AND ADVISORY COUNCILS - EXPENSES		
	FROM GENERAL REVENUE FUND	128,874	
761	SPECIAL CATEGORIES		
	PURCHASED CLIENT SERVICES		
	FROM GENERAL REVENUE FUND	76,858	
ECONOMIC SERVICES			
	Funds provided in Specific Appropriations 772 and 776 shall be utilized to increase the maximum provider rates of ACLF to $441, for Foster Home Care (normal care) to $357, and for Foster Home Care (moderate care) to $387 effective October 1, 1984.		
762	SALARIES AND BENEFITS POSITIONS	5,054	
	FROM GENERAL REVENUE FUND	36,667,795	
	FROM ADMINISTRATIVE TRUST FUND		36,554,042
	FROM LOW INCOME HOME ENERGY ASSISTANCE PROGRAM BLOCK GRANT TRUST FUND		394,976
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		122,199
	FROM SPECIAL GRANTS TRUST FUND		1,676,657
763	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	573,536	
	FROM ADMINISTRATIVE TRUST FUND		5,803,601
	FROM LOW INCOME HOME ENERGY ASSISTANCE PROGRAM BLOCK GRANT TRUST FUND		742,002
764	EXPENSES		
	FROM GENERAL REVENUE FUND	7,397,263	
	FROM ADMINISTRATIVE TRUST FUND		7,398,262
	FROM LOW INCOME HOME ENERGY ASSISTANCE PROGRAM BLOCK GRANT TRUST FUND		233,402
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		53,875
	FROM SPECIAL GRANTS TRUST FUND		855,828
	Of the funds in Specific Appropriation 764, up to $200,000 from the General Revenue Fund shall be used to continue or establish workfare projects in two counties for recipients of food stamps.		
765	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	186,754	
	FROM ADMINISTRATIVE TRUST FUND		159,176
765A	LUMP SUM		
	ELIGIBILITY DETERMINATION STAFF FOR EXPANDED MEDICAID COVERAGE POSITIONS	1,350	
	FROM PUBLIC MEDICAL ASSISTANCE TRUST FUND		7,447,329
766	SPECIAL CATEGORIES		
	IMPACT AID - CRIMINAL JUSTICE		
	FROM SPECIAL GRANTS TRUST FUND		2,300,000
767	SPECIAL CATEGORIES		
	IMPACT AID - EMPLOYMENT AND TRAINING		
	FROM SPECIAL GRANTS TRUST FUND		9,576,919
768	SPECIAL CATEGORIES		
	PUBLIC ASSISTANCE FRAUD CONTRACT		
	FROM ADMINISTRATIVE TRUST FUND		2,173,023
769	SPECIAL CATEGORIES		
	PURCHASED CLIENT SERVICES - EMPLOYMENT AND TRAINING		
	FROM GENERAL REVENUE FUND	997,733	
	FROM DIRECT ASSISTANCE TRUST FUND		1,092,267
770	SPECIAL CATEGORIES		
	REFUGEE/ENTRANT SERVICES		
	FROM SPECIAL GRANTS TRUST FUND		25,752,578

SPECIFIC APPROPRIATION			
771	SPECIAL CATEGORIES		
	WORK INCENTIVE PROGRAM - SUPPORT SERVICES		
	FROM GENERAL REVENUE FUND	387,661	
	FROM ADMINISTRATIVE TRUST FUND		988,858
	FROM SERVICES TRUST FUND		988,891
772	FINANCIAL ASSISTANCE PAYMENTS		
	ADULT CONGREGATE LIVING FACILITY CARE SUPPLEMENT		
	FROM GENERAL REVENUE FUND	6,275,160	
773	FINANCIAL ASSISTANCE PAYMENTS		
	AID TO FAMILIES WITH DEPENDENT CHILDREN		
	FROM GENERAL REVENUE FUND	105,892,697	
	FROM DIRECT ASSISTANCE TRUST FUND		168,656,762
	FROM SPECIAL GRANTS TRUST FUND		279,738
	Funds are provided in Specific Appropriation 773 to increase the AFDC payment level by 4.2% on December 1, 1984.		
	Funds are provided in Specific Appropriation 773 to implement a policy, effective October 1, 1984, setting the date of entitlement for payment of eligible AFDC applicants as the date of application.		
774	FINANCIAL ASSISTANCE PAYMENTS		
	CHILD SUPPORT INCENTIVE PAYMENTS - POLITICAL SUBDIVISIONS		
	FROM DIRECT ASSISTANCE TRUST FUND		1,608,365
775	FINANCIAL ASSISTANCE PAYMENTS		
	CHILD SUPPORT FOR NON-AFDC FAMILIES		
	FROM DIRECT ASSISTANCE TRUST FUND		8,707,957
776	FINANCIAL ASSISTANCE PAYMENTS		
	FOSTER HOME CARE SUPPLEMENT		
	FROM GENERAL REVENUE FUND	1,026,526	
777	FINANCIAL ASSISTANCE PAYMENTS		
	HOME ENERGY ASSISTANCE		
	FROM LOW INCOME HOME ENERGY ASSISTANCE PROGRAM BLOCK GRANT TRUST FUND		20,857,576
778	FINANCIAL ASSISTANCE PAYMENTS		
	MANDATORY SUPPLEMENTATION		
	FROM GENERAL REVENUE FUND	7,445	
779	FINANCIAL ASSISTANCE PAYMENTS		
	PERSONAL CARE ALLOWANCE		
	FROM GENERAL REVENUE FUND	300,804	
780	FINANCIAL ASSISTANCE PAYMENTS		
	REFUGEE/ENTRANT ASSISTANCE		
	FROM SPECIAL GRANTS TRUST FUND		790,621

SPECIFIC APPROPRIATION			
781	FINANCIAL ASSISTANCE PAYMENTS		
	SUPPORTIVE WORK ASSISTANCE PROGRAM WAGE POOL		
	FROM GENERAL REVENUE FUND	12,624	
	FROM DIRECT ASSISTANCE TRUST FUND		17,367
	AGING AND ADULT SERVICES		
	From the funds in Specific Appropriations 785 and 790, the department shall ensure that within the total allocation to District III an equitable level of funding will be provided to Putnam County.		
782	SALARIES AND BENEFITS POSITIONS 617		
	FROM GENERAL REVENUE FUND	1,531,995	
	FROM ADMINISTRATIVE TRUST FUND		847,600
	FROM LICENSURE FEES TRUST FUND		187,175
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		7,485,439
783	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	39,868	
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		1,540
784	EXPENSES		
	FROM GENERAL REVENUE FUND	806,354	
	FROM ADMINISTRATIVE TRUST FUND		161,247
	FROM FEDERAL GRANTS TRUST FUND		46,308
	FROM LICENSURE FEES TRUST FUND		12,976
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		713,294
785	AID TO LOCAL GOVERNMENTS		
	COMMUNITY SERVICE GRANTS		
	FROM GENERAL REVENUE FUND	387,347	
	FROM FEDERAL GRANTS TRUST FUND		49,906,897
786	AID TO LOCAL GOVERNMENTS		
	DISPLACED HOMEMAKERS PROGRAM		
	FROM GENERAL REVENUE FUND	1,167,242	
787	AID TO LOCAL GOVERNMENTS		
	SPOUSE ABUSE PROGRAM		
	FROM MARRIAGE LICENSE FEES TRUST FUND		1,593,258
788	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	17,108	
789	SPECIAL CATEGORIES		
	COMMUNITY CARE FOR THE ELDERLY - CHANNELING PROJECT		
	FROM GENERAL REVENUE FUND	328,746	
	FROM ADMINISTRATIVE TRUST FUND		452,535
	FROM FEDERAL GRANTS TRUST FUND		443,047

SPECIFIC APPROPRIATION

790 SPECIAL CATEGORIES
COMMUNITY CARE FOR THE ELDERLY - CORE SERVICES
FROM GENERAL REVENUE FUND 20,284,357
FROM OPERATIONS AND MAINTENANCE TRUST FUND 1,608,754
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 844,160

From the funds in Specific Appropriation 790, the department shall provide $891,984 to continue the services to persons in Districts VI and XI aged 60 and older who otherwise would have been served through the Local Services Program. These funds shall not be included in the base allocation for Community Care for the Elderly-Core Services.

791 SPECIAL CATEGORIES
COMMUNITY CARE FOR THE ELDERLY - HOME PLACEMENTS
FROM GENERAL REVENUE FUND 5,019,172

From the increased funds in Specific Appropriations 790 and 791, the department shall target community care services to persons diverted from nursing homes through Nursing Home Pre-Admission Screening (CARES).

792 SPECIAL CATEGORIES
LOCAL SERVICES PROGRAMS
FROM GENERAL REVENUE FUND 2,887,947
FROM OPERATIONS AND MAINTENANCE TRUST FUND 1,364,666

From the funds in Specific Appropriation 792, the department shall provide $212,140 to continue social group services in District XI. These funds shall not be included in the base allocation services for the Local Services Program.

793 SPECIAL CATEGORIES
TEMPORARY EMERGENCY SHELTER
FROM GENERAL REVENUE FUND 196,423

ALCOHOL, DRUG ABUSE AND MENTAL HEALTH SERVICES

If a deficit occurs in Specific Appropriations 803A or 803B as a result of Medicaid earnings in excess of the amounts appropriated, the department shall transfer the necessary general revenue from Specific Appropriations 797 or 799.

From the funds in Specific Appropriations 797 and 799, effective July 1, 1984 and contingent upon CS/HB 1273 or similar legislation becoming law, each district mental health board is required to submit a final close-out audit within 90 days. Liabilities assessed against a board as a result of the audit shall be made payable to the department in accordance with Chapter 10E-14, F.A.C. The boards shall have the right to request an administrative hearing pursuant to Chapter 120.57, F.S. The request for a hearing shall not unreasonably delay the repayment of any liability. Any portion of the liability attributable to a subcontractor shall become the responsibility of the subcontractor for all fiscal years up to and including the fiscal year ending June 30, 1984.

Funds in Specific Appropriations 797, 798 and 799 shall require as a condition of the contract with any service provider that the provider agree to contract for an independent audit. In the event that the provider's assets are held in total or in part by a holding company, the provider shall agree as a condition of the contract to furnish an independent audit of the holding company.

Funds in Specific Appropriations 797 and 799 shall be transferred to Specific Appropriations 794 and 796 to establish 11 positions. This transfer is contingent upon passage of HB 1273 or similar legislation becoming law.

794 SALARIES AND BENEFITS POSITIONS 57
FROM GENERAL REVENUE FUND 991,425
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND 167,309
FROM GRANTS AND DONATIONS TRUST FUND . . . 147,859

795 OTHER PERSONAL SERVICES
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND 132,724
FROM GRANTS AND DONATIONS TRUST FUND . . . 409,571

Funds in Specific Appropriation 795 for the Client Management Intake System include $30,000 for continuing an evaluation and program assessment.

796 EXPENSES
FROM GENERAL REVENUE FUND 159,922
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND 697,134
FROM GRANTS AND DONATIONS TRUST FUND . . . 28,625

797 AID TO LOCAL GOVERNMENTS
COMMUNITY ALCOHOLIC SERVICES
FROM GENERAL REVENUE FUND 12,348,784
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND 7,873,573
FROM OPERATIONS AND MAINTENANCE TRUST FUND 600,000

798 AID TO LOCAL GOVERNMENTS
COMMUNITY DRUG ABUSE SERVICES
FROM GENERAL REVENUE FUND 9,187,118
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND 6,716,940
FROM BLOCK GRANT MATCHING TRUST FUND . . . 333,724

From the funds in Specific Appropriation 798, $332,360 shall be allocated equally to Subdistrict

SPECIFIC APPROPRIATION

IV-B and District IX for residential drug abuse treatment for adolescents.

799 AID TO LOCAL GOVERNMENTS
COMMUNITY MENTAL HEALTH SERVICES
FROM GENERAL REVENUE FUND 45,566,895
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND 17,566,772

From the funds in Specific Appropriation 799, $1,296,498 shall be used to establish community forensic programs in Districts III-A, IV, V, VII-B, IX, and XI

From the funds in Specific Appropriation 799 up to $30,000 shall be used to contract for the establishment of the Project Return Program in local communities with emphasis on services to the homeless and those persons discharged from state hospitals.

From the funds in Specific Appropriation 799, $3,366,153 shall be used to annualize and continue the phase-in of Deinstitutionalization Projects in Districts I (Okaloosa County), II, IV, VI, VII, IX, and X.

800 AID TO LOCAL GOVERNMENTS
INDIGENT PSYCHIATRIC MEDICATION PROGRAM
FROM GENERAL REVENUE FUND 1,809,390

801 AID TO LOCAL GOVERNMENTS
PURCHASED CLIENT SERVICES - BAKER ACT
FROM GENERAL REVENUE FUND 20,598,773

From the funds in Specific Appropriation 801, $150,000 shall be used to provide a workload increase to Okaloosa County for Baker Act services.

802 AID TO LOCAL GOVERNMENTS
PURCHASED CLIENT SERVICES - DRUG ABUSE - BAUMGARTNER ACT
FROM GENERAL REVENUE FUND 998,096

803 OPERATING CAPITAL OUTLAY
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND 2,451
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,151

803A SPECIAL CATEGORIES
PURCHASE OF SERVICES - COMMUNITY MENTAL HEALTH SERVICES
FROM GENERAL REVENUE FUND 2,801,587
FROM MEDICAL CARE TRUST FUND 3,490,269

803B SPECIAL CATEGORIES
PURCHASE OF SERVICES-ALCOHOL
FROM GENERAL REVENUE FUND 42,147
FROM MEDICAL CARE TRUST FUND 53,166

SPECIFIC APPROPRIATION

MENTAL HEALTH - INSTITUTIONS

From the funds in Specific Appropriations 804, 806, and 809, up to 29 positions and the associated funds may be transferred to the District Mental Health Program Offices to plan and implement client management services with emphasis on those persons discharged from a state hospital.

804 SALARIES AND BENEFITS POSITIONS 6,640
FROM GENERAL REVENUE FUND 99,903,252
FROM GRANTS AND DONATIONS TRUST FUND . . . 202
FROM OPERATIONS AND MAINTENANCE TRUST FUND 12,753,915

805 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 2,199,251

806 EXPENSES
FROM GENERAL REVENUE FUND 20,207,049
FROM GRANTS AND DONATIONS TRUST FUND . . . 183,653
FROM OPERATIONS AND MAINTENANCE TRUST FUND 2,027,561

807 AID TO LOCAL GOVERNMENTS
COMMUNITY RESIDENTIAL SERVICES
FROM GENERAL REVENUE FUND 1,267,122
FROM OPERATIONS AND MAINTENANCE TRUST FUND 900,000

808 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 1,520,190

809 FOOD PRODUCTS
FROM GENERAL REVENUE FUND 3,181,466
FROM GRANTS AND DONATIONS TRUST FUND . . . 84,612
FROM OPERATIONS AND MAINTENANCE TRUST FUND 53,317

810 LUMP SUM
EVALUATION AND TREATMENT CENTER
POSITIONS 398
FROM GENERAL REVENUE FUND 4,584,619

811 NOT USED

812 SPECIAL CATEGORIES
CONTRACTUAL MANAGEMENT SERVICES
FROM GENERAL REVENUE FUND 413,000

CHILDREN, YOUTH AND FAMILY SERVICES

Funds in Specific Appropriations 824 and 831 which were provided through the Mental Health Services budget entity prior to being transferred to the Children, Youth and Family Services budget entity shall continue to be matched with 25 percent local funds with the exception of Purchased Residential Treatment funds utilized on a case-by-case basis.

SPECIFIC APPROPRIATION			
813	SALARIES AND BENEFITS POSITIONS 4,705		
	FROM GENERAL REVENUE FUND	37,266,637	
	FROM GRANTS AND DONATIONS TRUST FUND		1,102,382
	FROM SERVICES TRUST FUND		3,298,762
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		33,058,119
814	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	671,770	
	FROM GRANTS AND DONATIONS TRUST FUND		64,078
	FROM SERVICES TRUST FUND		187,020
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		95,980
815	EXPENSES		
	FROM GENERAL REVENUE FUND	10,827,025	
	FROM GRANTS AND DONATIONS TRUST FUND		331,079
	FROM SERVICES TRUST FUND		872,965
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		5,204,661
816	AID TO LOCAL GOVERNMENTS COMMUNITY DRUG ABUSE SERVICES		
	FROM GENERAL REVENUE FUND	683,005	
817	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	327,020	
818	FOOD PRODUCTS		
	FROM GENERAL REVENUE FUND	1,654,336	
	FROM GRANTS AND DONATIONS TRUST FUND		401,086
818A	LUMP SUM ALTERNATIVES TO TRAINING SCHOOLS POSITIONS 79		
	FROM GENERAL REVENUE FUND	2,950,000	

Funds provided in Specific Appropriation 818A are to expand existing community based juvenile commitment programs, implement a placement management system, expand existing services for special need children, upgrade staffing at new community based facilities administered by the department, and expand intensive group counseling programs. Funds in Specific Appropriation 818A are to provide community services for children to replace programs at the Alyce D. McPherson School which shall be closed by December 31, 1984. Funds shall be released upon approval of the Executive Office of the Governor in consultation with the Chairmen of the Legislative Appropriations Committees.

818B	LUMP SUM SINGLE INTAKE POSITIONS 31		
	FROM GENERAL REVENUE FUND	500,000	

SPECIFIC APPROPRIATION			
819	SPECIAL CATEGORIES CHILD ABUSE PROGRAM		
	FROM GENERAL REVENUE FUND	2,302,437	
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		1,100,000
820	SPECIAL CATEGORIES CHILD DAY CARE		
	FROM GENERAL REVENUE FUND	4,102,564	
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		29,889,985

Funds in Specific Appropriation 820 shall require a 12.5 percent match from local sources. In-kind match is allowable provided there is no reduction in the number of slots or level of services due to accepting in-kind match.

Of the funds provided in Specific Appropriation 820, $1,047,382 shall be used to increase the infant care rate up to a negotiated maximum of $60 per week.

Of the Specific Appropriation 820, $1,125,000 of the additional funds provided shall be distributed on the equity index developed by the department. The remaining $375,000 shall be distributed on a prorata share to all districts once the equity funds have been distributed.

821	NOT USED		
822	SPECIAL CATEGORIES CLIENT TRANSPORTATION		
	FROM GENERAL REVENUE FUND	334,550	
823	SPECIAL CATEGORIES CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	9,164,426	
	FROM GRANTS AND DONATIONS TRUST FUND		36,300
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		114,428

Of the funds in Specific Appropriation 823, up to $40,000 from the Social Services Block Grant Trust Fund are provided for Parents Anonymous for the purpose of statewide program development and maintenance.

824	SPECIAL CATEGORIES DAY TREATMENT SERVICES FOR EMOTIONALLY DISTURBED CHILDREN AND YOUTH		
	FROM GENERAL REVENUE FUND	3,269,971	
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		1,160,770
825	SPECIAL CATEGORIES EMERGENCY SHELTER FOR CHILDREN		
	FROM GENERAL REVENUE FUND	1,998,528	
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		1,959,749

SPECIFIC APPROPRIATION

825A SPECIAL CATEGORIES
FOSTER HOME CARE FOR CHILDREN
FROM GENERAL REVENUE FUND 8,440,414
FROM DIRECT ASSISTANCE TRUST FUND 1,897,239
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,455,024
FROM SERVICES TRUST FUND 1,885,122

Of the funds in Specific Appropriations 825A and 832A, up to $322,880 are to be used to provide a $100 once-a-year school clothing allowance for all departmental foster care children ages 12 to 18 who have been in foster care for six months or longer. The funds to purchase school clothes for these children will be provided directly to their foster parents and not to one or more clothing stores. If the children are in residential group care, the funds will be provided to their caregiver.

826 SPECIAL CATEGORIES
HOUSEKEEPER SERVICES FOR CHILDREN
FROM GENERAL REVENUE FUND 276,046
FROM SERVICES TRUST FUND 241,258

827 SPECIAL CATEGORIES
INTENSIVE CRISIS COUNSELING
FROM GENERAL REVENUE FUND 618,378
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 520,000

828 SPECIAL CATEGORIES
LOCAL SERVICES PROGRAMS
FROM GENERAL REVENUE FUND 46,876
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 1,154,286

Funds in Specific Appropriation 828 shall require a 25 percent match from local sources. In-kind match is allowable provided there is no reduction in the number of slots or level of services due to accepting in-kind match.

828A SPECIAL CATEGORIES
MAINTENANCE ADOPTION SUBSIDY
FROM GENERAL REVENUE FUND 3,060,803
FROM DIRECT ASSISTANCE TRUST FUND 283,152

829 SPECIAL CATEGORIES
MEDICAL COST OF SUBSIDIZED ADOPTIONS
FROM GENERAL REVENUE FUND 50,667
FROM SERVICES TRUST FUND 57,885

830 SPECIAL CATEGORIES
OPERATION INVOLVEMENT
FROM GENERAL REVENUE FUND 245,650

831 SPECIAL CATEGORIES
PURCHASED RESIDENTIAL TREATMENT SERVICES - EMOTIONALLY DISTURBED CHILDREN AND YOUTH
FROM GENERAL REVENUE FUND 9,862,249

SPECIFIC APPROPRIATION

FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 5,646,172

Up to $520,000 of Specific Appropriation 831 shall be used for establishing crisis stabilization units for children and youth in Districts IV and XI.

From the funds in Specific Appropriation 831, the department may contract for programs in Districts VI-B and XI to serve emotionally disturbed children identified by the department and may advance up to $80,000 for start-up costs for each program.

832 SPECIAL CATEGORIES
PURCHASE OF ADOPTION SERVICES
FROM GENERAL REVENUE FUND 220,922

Using funds provided in Specific Appropriation 832, the department may contract at a rate up to $2,250 per placement.

832A SPECIAL CATEGORIES
PURCHASE OF RESIDENTIAL GROUP CARE
FROM GENERAL REVENUE FUND 5,643,034
FROM DIRECT ASSISTANCE TRUST FUND 317,048

833 SPECIAL CATEGORIES
PURCHASE OF SUPPORT SERVICES
FROM GENERAL REVENUE FUND 467,021
FROM SERVICES TRUST FUND 998,778

834 SPECIAL CATEGORIES
RUNAWAY SHELTER PROGRAM
FROM GENERAL REVENUE FUND 1,371,999

835 SPECIAL CATEGORIES
SPECIALIZED PROGRAMS FOR STATUS OFFENDERS
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 789,415

836 SPECIAL CATEGORIES
TRANSPORTATION OF RUNAWAYS
FROM GENERAL REVENUE FUND 89,578

837 SPECIAL CATEGORIES
WILDERNESS THERAPEUTIC CARE SERVICES
FROM GENERAL REVENUE FUND 3,147,871

CHILDREN AND YOUTH - INSTITUTIONS

838 SALARIES AND BENEFITS POSITIONS 422
FROM GENERAL REVENUE FUND 3,640,406
FROM GRANTS AND DONATIONS TRUST FUND . . . 41,526
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 1,734,297

From the funds in Specific Appropriation 838, any employee of the department whose position is abolished as a result of the implementation of this act shall be retained at the same level of compensation for 30 days after notification of such

SPECIFIC APPROPRIATION

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 other positions vacant in state government.

839 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 43,621

840 EXPENSES
FROM GENERAL REVENUE FUND 1,226,149

841 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 96,377

842 FOOD PRODUCTS
FROM GENERAL REVENUE FUND 440,809
FROM GRANTS AND DONATIONS TRUST FUND . . . 81,156

843 SPECIAL CATEGORIES
CONTRACTED SERVICES - TRAINING SCHOOLS
FROM GENERAL REVENUE FUND 3,747,455
FROM GRANTS AND DONATIONS TRUST FUND . . . 30,677
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 2,145,859

DEVELOPMENTAL SERVICES

The department may transfer funds from Specific Appropriations 844, 845, 846, and 850 to Specific Appropriation 859 for the purpose of contracting for the operation of the Martin County and Quail Roost Clusters. If these two clusters become vendor operated, the 92 FTE's authorized for these clusters shall be held in reserve by the Executive Office of the Governor, except that 8 FTE's may be reassigned to provide adequate staffing at the Bartow Cluster.

844 SALARIES AND BENEFITS POSITIONS 600
FROM GENERAL REVENUE FUND 6,337,764
FROM GRANTS AND DONATIONS TRUST FUND . . . 250,989
FROM OPERATIONS AND MAINTENANCE TRUST FUND 1,634,503
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 1,628,434

845 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 736,812
FROM OPERATIONS AND MAINTENANCE TRUST FUND 257,982

846 EXPENSES
FROM GENERAL REVENUE FUND 1,678,321
FROM GRANTS AND DONATIONS TRUST FUND . . . 492,077
FROM OPERATIONS AND MAINTENANCE TRUST FUND 341,511
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 272,623

SPECIFIC APPROPRIATION

847 AID TO LOCAL GOVERNMENTS
COMMUNITY RETARDATION SERVICES
FROM GENERAL REVENUE FUND 613,280
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,253,817

848 AID TO LOCAL GOVERNMENTS
FLORIDA SPECIAL OLYMPICS
FROM GENERAL REVENUE FUND 92,115

849 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 106,959

850 FOOD PRODUCTS
FROM GENERAL REVENUE FUND 98,618
FROM OPERATIONS AND MAINTENANCE TRUST FUND 13,484

851 NOT USED

852 SPECIAL CATEGORIES
COMMUNITY RESIDENTIAL TRAINING
FROM GENERAL REVENUE FUND 22,789,222
FROM OPERATIONS AND MAINTENANCE TRUST FUND 5,841,140
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 6,154,389

Funds in Specific Appropriation 852 for developmental training programs shall require a 12 1/2 percent match from local sources. In-kind match is allowable provided there is no reduction in the number of slots or level of services due to accepting in-kind match.

853 SPECIAL CATEGORIES
CONTRACTED CASEWORK SERVICES
FROM GENERAL REVENUE FUND 392,388

854 SPECIAL CATEGORIES
DEVELOPMENTAL DISABILITIES
FROM GENERAL REVENUE FUND 2,199,965
FROM OPERATIONS AND MAINTENANCE TRUST FUND 197,867

855 SPECIAL CATEGORIES
EXTENDED EMPLOYMENT FOR THE DEVELOPMENTALLY DISABLED
FROM GENERAL REVENUE FUND 336,430

856 SPECIAL CATEGORIES
INTERMEDIATE CARE FACILITIES/MENTALLY RETARDED - COMMUNITY
FROM GENERAL REVENUE FUND 19,826,980
FROM OPERATIONS AND MAINTENANCE TRUST FUND 25,025,176

SPECIFIC APPROPRIATION			
857	SPECIAL CATEGORIES		
	INDEPENDENT/FAMILY LIVING		
	FROM GENERAL REVENUE FUND	11,745,642	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		3,271,624
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		6,361,334
858	NOT USED		
858A	SPECIAL CATEGORIES		
	PURCHASED CLIENT SERVICES-SPINA BIFIDA		
	FROM GENERAL REVENUE FUND	75,000	
	From the funds in Specific Appropriation 858A, the department shall provide for incidental, nonmedical expenditures incurred by persons with spina bifida. The department shall establish client eligibility, service eligibility, an allocation formula and levels of reimbursement.		
859	SPECIAL CATEGORIES		
	PURCHASED CLUSTER SERVICES		
	FROM GENERAL REVENUE FUND	11,460,342	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		11,457,817
860	SPECIAL CATEGORIES		
	START-UP FUNDS/GROUP HOMES		
	FROM GENERAL REVENUE FUND	80,000	
861	SPECIAL CATEGORIES		
	TEMPORARY LOANS - INTERMEDIATE CARE FACILITIES/MENTALLY RETARDED		
	FROM INTERMEDIATE CARE FACILITIES/MENTALLY RETARDED/GROUP LIVING HOME REVOLVING TRUST FUND		100,000
DEVELOPMENTAL SERVICES - INSTITUTIONS			
862	SALARIES AND BENEFITS POSITIONS	4,812	
	FROM GENERAL REVENUE FUND	38,395,460	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		182,565
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		26,280,391
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		3,140,333
863	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	1,790,817	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		327,604
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		222,985
864	EXPENSES		
	FROM GENERAL REVENUE FUND	8,941,397	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		19,185
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		1,214,136
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		644,212
865	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	552,679	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		2,800
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		22,600
866	FOOD PRODUCTS		
	FROM GENERAL REVENUE FUND	1,941,112	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		341,914
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		72,613
867	LUMP SUM		
	SERVICE ENHANCEMENTS FOR ORLANDO SUNLAND		
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		242,277
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		2,627,247
HEALTH SERVICES			
868	SALARIES AND BENEFITS POSITIONS	246	
	FROM GENERAL REVENUE FUND	4,807,831	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		844,128
	FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND		147,874
	FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		48,495
869	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	140,509	
	FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND		35,000
870	EXPENSES		
	FROM GENERAL REVENUE FUND	1,680,412	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		1,425,717
	FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND		1,053,004
	FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		9,942
870A	AID TO LOCAL GOVERNMENTS		
	CONSTRUCTION/RENOVATION COUNTY HEALTH UNIT FACILITIES		
	FROM GENERAL REVENUE FUND	2,150,000	
	From the funds in Specific Appropriation 870A and contingent upon an equal county contribution, $1,300,000 shall be allocated to Dade County to expand maternity care services to indigent women and $500,000 shall be allocated to Hillsborough County to replace the Lee Davis Clinic. The remaining $350,000 shall be used to correct the life and safety deficiencies recently identified in the department's statewide assessment of county health units.		

SPECIFIC APPROPRIATION			
871	AID TO LOCAL GOVERNMENTS		
	CONTRIBUTION TO COUNTY HEALTH UNITS		
	FROM GENERAL REVENUE FUND	55,002,089	
	FROM COUNTY HEALTH UNIT TRUST FUND		53,131,994
872	AID TO LOCAL GOVERNMENTS		
	FAMILY PLANNING SERVICES		
	FROM GENERAL REVENUE FUND	852,491	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		2,633,755
873	AID TO LOCAL GOVERNMENTS		
	IMPROVED PREGNANCY OUTCOME PROGRAM		
	FROM GENERAL REVENUE FUND	3,347,479	
	FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND		1,840,744
874	AID TO LOCAL GOVERNMENTS		
	MATERNAL AND CHILD HEALTH SERVICES		
	FROM GENERAL REVENUE FUND	647,730	
	FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND		4,585,356
875	AID TO LOCAL GOVERNMENTS		
	SCHOOL HEALTH SERVICES		
	FROM GENERAL REVENUE FUND	4,237,190	
876	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	14,396	
	FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND		7,666
877	SPECIAL CATEGORIES		
	CHRONIC DISEASE CONTROL PROJECT		
	FROM GENERAL REVENUE FUND	195,617	
	From the funds in Specific Appropriation 877, $59,927 shall be used to contract with the Florida Panhandle Health Education Resource Center to provide a comprehensive health education program in Districts I and II.		
878	SPECIAL CATEGORIES		
	DRUGS, VACCINES AND OTHER BIOLOGICALS		
	FROM GENERAL REVENUE FUND	3,773,246	
879	SPECIAL CATEGORIES		
	HEALTH EDUCATION RISK REDUCTION PROJECT		
	FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		493,954
880	SPECIAL CATEGORIES		
	KIDNEY DISEASE PROGRAM		
	FROM GENERAL REVENUE FUND	578,316	
881	SPECIAL CATEGORIES		
	PURCHASED CLIENT SERVICES		
	FROM GENERAL REVENUE FUND	264,168	
882	SPECIAL CATEGORIES		
	REGIONAL DIABETES CENTERS		
	FROM GENERAL REVENUE FUND	1,007,025	
883	SPECIAL CATEGORIES		
	WOMEN, INFANTS AND CHILDREN (WIC)		
	FROM GRANTS AND DONATIONS TRUST FUND . . .		34,617,036
HEALTH - TUBERCULOSIS HOSPITAL			
884	SALARIES AND BENEFITS POSITIONS	245	
	FROM GENERAL REVENUE FUND	2,620,837	
	FROM HOSPITAL MAINTENANCE TRUST FUND . . .		1,305,941
885	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	20,593	
	FROM HOSPITAL MAINTENANCE TRUST FUND . . .		21,307
886	EXPENSES		
	FROM GENERAL REVENUE FUND	1,035,569	
	FROM HOSPITAL MAINTENANCE TRUST FUND . . .		341,432
887	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	37,564	
888	FOOD PRODUCTS		
	FROM GENERAL REVENUE FUND	80,732	
	FROM HOSPITAL MAINTENANCE TRUST FUND . . .		365,050
VOCATIONAL REHABILITATION SERVICES			
889	SALARIES AND BENEFITS POSITIONS	850	
	FROM GENERAL REVENUE FUND	3,305,381	
	FROM FEDERAL REHABILITATION TRUST FUND . .		11,275,851
890	EXPENSES		
	FROM GENERAL REVENUE FUND	565,010	
	FROM FEDERAL REHABILITATION TRUST FUND . .		1,990,061
891	AID TO LOCAL GOVERNMENTS		
	HOUSING FOR HANDICAPPED PERSONS		
	FROM GENERAL REVENUE FUND	42,724	
892	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	10,474	
	FROM FEDERAL REHABILITATION TRUST FUND . .		41,896
893	SPECIAL CATEGORIES		
	INDEPENDENT LIVING SERVICES		
	FROM GENERAL REVENUE FUND	155,022	
	FROM FEDERAL REHABILITATION TRUST FUND . .		588,006
894	SPECIAL CATEGORIES		
	PATIENT SERVICES		
	FROM FEDERAL REHABILITATION TRUST FUND . .		616,605

SPECIFIC APPROPRIATION			
895	SPECIAL CATEGORIES		
	PURCHASED CLIENT SERVICES		
	FROM GENERAL REVENUE FUND	4,689,903	
	FROM FEDERAL REHABILITATION TRUST FUND . .		20,834,695
896	SPECIAL CATEGORIES		
	SPINAL CORD INJURY PROGRAM		
	FROM GENERAL REVENUE FUND	834,478	
CHILDREN'S MEDICAL SERVICES			
897	SALARIES AND BENEFITS POSITIONS	398	
	FROM GENERAL REVENUE FUND	3,904,833	
	FROM DONATIONS TRUST FUND		1,063,545
	FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND		384,686
	FROM OPERATION AND MAINTENANCE TRUST FUND		127,855
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		1,723,345
	FROM U.S. TRUST FUND		26,023
898	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	100,533	
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		123,356
899	EXPENSES		
	FROM GENERAL REVENUE FUND	541,587	
	FROM DONATIONS TRUST FUND		262,842
	FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND		88,066
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		451,869
900	AID TO LOCAL GOVERNMENTS		
	PERINATAL PROGRAM		
	FROM GENERAL REVENUE FUND	25,919,358	

Funds in Specific Appropriation 900 are contingent upon all facilities providing Neonatal Level III and/or Level II services preparing cost reports (Hospital Statement of Reimburseable Costs, HCFA-2552) that identify the costs of neonatal care services provided to Children's Medical Service's clients for each grant. The cost report shall be based on the grant contract period for all centers regardless of their fiscal year. All reports shall apportion Neonatal Level III and/or Level II costs using the same methodologies as are used to allocate Title XIX (Medicaid) costs. To facilitate the preparation of such cost reports, each center shall maintain an NICU log to accumulate only the charges to grant sponsored patients. Charges to insurance eligible and Medicaid NICU patients shall not be included. This information shall be provided to the President of the Senate, the Speaker of the House of Representatives, and the Executive Office of the Governor. This information shall be provided no later than November 1, 1984.

SPECIFIC APPROPRIATION			
	The inclusion of increased dollars in Specific Appropriation 900 is contingent upon the development of a uniform cost related prospective reimbursement system for the neonatal program based on diagnosis and intensity of care with the goal of the control of costs and the allocation of funds in the program. Such plan shall be developed by the Department of Health and Rehabilitative Services and provided to the Chairmen of the House and Senate Appropriations Committees and the Chairmen of the House and Senate Health and Rehabilitative Services Committees by December 31, 1984.		
901	AID TO LOCAL GOVERNMENTS		
	REGIONAL GENETICS PROGRAM		
	FROM GENERAL REVENUE FUND	663,583	
	FROM DONATIONS TRUST FUND		175,000
	FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND		40,000
902	AID TO LOCAL GOVERNMENTS		
	SICKLE CELL - EDUCATION AND SCREENING		
	FROM GENERAL REVENUE FUND	215,772	
903	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	33,987	
	FROM DONATIONS TRUST FUND		72,115
904	SPECIAL CATEGORIES		
	CHILD ASSESSMENT AND MANAGEMENT PLANNING		
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		97,943
905	SPECIAL CATEGORIES		
	CLEFT LIP, CLEFT PALATE AND CRANIO-FACIAL ANOMALY PROGRAM		
	FROM GENERAL REVENUE FUND	104,604	
906	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	19,820	
	FROM DONATIONS TRUST FUND		431,957
	FROM OPERATION AND MAINTENANCE TRUST FUND		53,586
907	SPECIAL CATEGORIES		
	CYSTIC FIBROSIS		
	FROM GENERAL REVENUE FUND	62,758	
908	SPECIAL CATEGORIES		
	INFANT HEARING SCREENING		
	FROM GENERAL REVENUE FUND	283,899	
	FROM DONATIONS TRUST FUND		300,000
909	SPECIAL CATEGORIES		
	KIDNEY DISEASE PROGRAM FOR CHILDREN		
	FROM GENERAL REVENUE FUND	736,911	
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		78,311

SPECIFIC APPROPRIATION

910 SPECIAL CATEGORIES
MEDICAL SERVICES FOR ABUSED AND NEGLECTED CHILDREN
FROM GENERAL REVENUE FUND 4,213,951
FROM U.S. TRUST FUND 216,789

911 SPECIAL CATEGORIES
PURCHASED CLIENT SERVICES
FROM GENERAL REVENUE FUND 22,752,530
FROM DONATIONS TRUST FUND 2,156,264
FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND 1,653,426
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 2,153,037

Up to $2,000,000 of the funds in Specific Appropriation 911 shall be retained by the department in a reserve account to provide services for catastrophic conditions, including, but not limited to, spinal cord injury and liver and other organ transplants. These funds shall be utilized when the estimated expenditure to provide services to a client exceed $25,000 in any one fiscal year.

Up to $5,000 of the funds in Specific Appropriation 911 may be used by the department to develop a statewide plan which addresses how current appropriations may be directed and coordinated to provide a program for poison control centers, transportation to centers, and the designation of pediatric intensive care units and trauma centers. The report is to be submitted to the Executive Office of the Governor and the Legislature by January 15, 1985.

912 SPECIAL CATEGORIES
RHEUMATIC FEVER
FROM GENERAL REVENUE FUND 86,291

913 SPECIAL CATEGORIES
TITLE V - COURT SETTLEMENT
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 271,539

Funds in Specific Appropriation 913 are for final payment to All Children's Hospital and Variety Children's Hospital in the amounts of $169,854 and $101,685, respectively, for the court ordered reimbursement settlement.

913A SPECIAL CATEGORIES
PRIMARY CARE PROGRAM
FROM DONATIONS TRUST FUND 100,000

Funds in Specific Appropriation 913A shall be used to implement a pediatric primary health care pilot program in District II. This pilot program shall compliment and shall not duplicate any primary care programs established through the county public health units pursuant to CS for CS/SB 176 and 697.

SPECIFIC APPROPRIATION

MEDICAID SERVICES

From the funds in Specific Appropriations 923 through 941, newborns whose mothers are Medicaid recipients and whose mothers state intention to apply for AFDC benefits for the newborn, shall, at birth, be immediately covered by Medicaid under their mother's Medicaid number for a period not to exceed two months. The department shall ensure, by every appropriate measure, that during this period the Medicaid application on the child is completed. If the child is determined ineligible for Medicaid, benefits shall cease immediately.

Funds within Specific Appropriations 921 through 944 may be used as contract for service funds for health maintenance organizations or prepaid health plans for services provided to Medicaid eligible clients.

914 SALARIES AND BENEFITS POSITIONS 290
FROM GENERAL REVENUE FUND 1,277,910
FROM ADMINISTRATIVE TRUST FUND 3,342,370

915 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 1,077,646
FROM ADMINISTRATIVE TRUST FUND 829,174

From the funds in Specific Appropriation 915, $250,000 is provided for the initial implementation of the Gulf Coast Jewish Family Services Group Alternative Living Plan. These funds are contingent upon the approval of a home and community-based waiver by the Department of Health and Human Services for delivery of these services. The department shall provide to the Legislature and the Executive Office of the Governor by April 15, 1985, an evaluation report on the status and the relationship of the costs to the benefits associated with this program as an alternative to nursing home care.

916 EXPENSES
FROM GENERAL REVENUE FUND 483,863
FROM ADMINISTRATIVE TRUST FUND 575,007

917 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 34,516
FROM ADMINISTRATIVE TRUST FUND 67,521

918 NOT USED

919 NOT USED

920 NOT USED

921 SPECIAL CATEGORIES
ADULT DENTAL, VISUAL AND HEARING SERVICES
FROM GENERAL REVENUE FUND 2,681,894
FROM MEDICAL CARE TRUST FUND 3,496,312
FROM SPECIAL GRANTS TRUST FUND 21,574

SPECIFIC APPROPRIATION			
922	SPECIAL CATEGORIES		
	COMMUNITY MENTAL HEALTH SERVICES		
	FROM MEDICAL CARE TRUST FUND		3,986,163
	FROM SPECIAL GRANTS TRUST FUND		132,657
923	SPECIAL CATEGORIES		
	EARLY AND PERIODIC SCREENING OF CHILDREN		
	FROM GENERAL REVENUE FUND	4,177,748	
	FROM MEDICAL CARE TRUST FUND		5,524,405
	FROM SPECIAL GRANTS TRUST FUND		61,728
924	SPECIAL CATEGORIES		
	FAMILY PLANNING		
	FROM GENERAL REVENUE FUND	155,511	
	FROM MEDICAL CARE TRUST FUND		951,334
	FROM SPECIAL GRANTS TRUST FUND		2,076
925	SPECIAL CATEGORIES		
	HOME AND COMMUNITY BASED SERVICES		
	FROM MEDICAL CARE TRUST FUND		22,567,516
	FROM SPECIAL GRANTS TRUST FUND		3,392
926	SPECIAL CATEGORIES		
	HOME HEALTH SERVICES		
	FROM GENERAL REVENUE FUND	4,424,193	
	FROM MEDICAL CARE TRUST FUND		5,765,193
	FROM SPECIAL GRANTS TRUST FUND		68
927	SPECIAL CATEGORIES		
	HOSPITAL INPATIENT SERVICES		
	FROM GENERAL REVENUE FUND	104,202,025	
	FROM MEDICAL CARE TRUST FUND		143,534,548
	FROM SPECIAL GRANTS TRUST FUND		414,918
928	SPECIAL CATEGORIES		
	HOSPITAL INSURANCE BENEFITS		
	FROM GENERAL REVENUE FUND	7,591,909	
	FROM MEDICAL CARE TRUST FUND		9,892,942
	FROM SPECIAL GRANTS TRUST FUND		23
929	SPECIAL CATEGORIES		
	HOSPITAL OUTPATIENT SERVICES		
	FROM GENERAL REVENUE FUND	15,086,427	
	FROM MEDICAL CARE TRUST FUND		19,677,066
	FROM SPECIAL GRANTS TRUST FUND		58,068
930	SPECIAL CATEGORIES		
	INTERMEDIATE CARE FACILITIES/MENTALLY		
	RETARDED - COMMUNITY		
	FROM MEDICAL CARE TRUST FUND		120,211,820
	FROM SPECIAL GRANTS TRUST FUND		31,397
931	SPECIAL CATEGORIES		
	MEDICAID FISCAL CONTRACT		
	FROM GENERAL REVENUE FUND	1,782,812	
	FROM ADMINISTRATIVE TRUST FUND		6,662,364
	FROM SPECIAL GRANTS TRUST FUND		172,344

SPECIFIC APPROPRIATION			
932	SPECIAL CATEGORIES		
	MEDICAID SURVEILLANCE		
	FROM GENERAL REVENUE FUND	451,621	
	FROM ADMINISTRATIVE TRUST FUND		1,076,780
933	SPECIAL CATEGORIES		
	MEDICAL ADULT DAY CARE		
	FROM GENERAL REVENUE FUND	714,546	
	FROM MEDICAL CARE TRUST FUND		942,754
	FROM SPECIAL GRANTS TRUST FUND		8,932
934	SPECIAL CATEGORIES		
	NURSE PRACTITIONER SERVICES		
	FROM GENERAL REVENUE FUND	62,712	
	FROM MEDICAL CARE TRUST FUND		81,738
	FROM SPECIAL GRANTS TRUST FUND		116
935	SPECIAL CATEGORIES		
	NURSING HOME CARE		
	FROM GENERAL REVENUE FUND	132,217,545	
	FROM ADMINISTRATIVE TRUST FUND		901,633
	FROM MEDICAL CARE TRUST FUND		172,420,059
	FROM SPECIAL GRANTS TRUST FUND		99,157
	From Specific Appropriation 935, funds are provided for the purpose of increasing the maximum income eligibility standard for the institutional care program as established pursuant to Section 409.266, F.S., at the same rate as the Social Security cost of living adjustments.		
936	SPECIAL CATEGORIES		
	OTHER LAB AND X-RAY SERVICES		
	FROM GENERAL REVENUE FUND	1,089,598	
	FROM MEDICAL CARE TRUST FUND		1,421,405
	FROM SPECIAL GRANTS TRUST FUND		3,814
937	SPECIAL CATEGORIES		
	PATIENT TRANSPORTATION		
	FROM GENERAL REVENUE FUND	3,345,356	
	FROM ADMINISTRATIVE TRUST FUND		58,629
	FROM MEDICAL CARE TRUST FUND		4,274,199
	FROM SPECIAL GRANTS TRUST FUND		6,627
938	SPECIAL CATEGORIES		
	PHYSICIAN SERVICES		
	FROM GENERAL REVENUE FUND	21,145,495	
	FROM MEDICAL CARE TRUST FUND		27,618,244
	FROM SPECIAL GRANTS TRUST FUND		152,915
939	SPECIAL CATEGORIES		
	PREPAID HEALTH PLANS/HEALTH MAINTENANCE		
	ORGANIZATION		
	FROM GENERAL REVENUE FUND	984,190	
	FROM MEDICAL CARE TRUST FUND		2,315,601
	FROM SPECIAL GRANTS TRUST FUND		5,185

SPECIFIC APPROPRIATION			
940	SPECIAL CATEGORIES		
	PRESCRIBED MEDICINE/DRUGS		
	FROM GENERAL REVENUE FUND	35,912,095	
	FROM MEDICAL CARE TRUST FUND		46,854,860
	FROM SPECIAL GRANTS TRUST FUND		139,207
941	SPECIAL CATEGORIES		
	RURAL HEALTH SERVICES		
	FROM GENERAL REVENUE FUND	174,552	
	FROM MEDICAL CARE TRUST FUND		227,460
	FROM SPECIAL GRANTS TRUST FUND		300
942	SPECIAL CATEGORIES		
	STATE MENTAL HEALTH HOSPITAL PROGRAM		
	FROM MEDICAL CARE TRUST FUND		9,396,216
943	SPECIAL CATEGORIES		
	STATE TUBERCULOSIS HOSPITAL PROGRAM		
	FROM MEDICAL CARE TRUST FUND		168,000
944	SPECIAL CATEGORIES		
	SUPPLEMENTAL MEDICAL INSURANCE		
	FROM GENERAL REVENUE FUND	12,780,174	
	FROM MEDICAL CARE TRUST FUND		13,719,365
	FROM SPECIAL GRANTS TRUST FUND		25

HIGHWAY SAFETY AND MOTOR VEHICLES, DEPARTMENT OF

OFFICE OF EXECUTIVE DIRECTOR AND DIVISION OF ADMINISTRATIVE SERVICES

945	SALARIES AND BENEFITS POSITIONS	289	
	FROM GENERAL REVENUE FUND	4,763,361	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		47,896
946	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	29,927	
947	EXPENSES		
	FROM GENERAL REVENUE FUND	1,034,239	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		12,987
948	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	191,513	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		4,000
948A	LUMP SUM		
	REVIEW OF DRIVERS LICENSE SYSTEM		
	FROM GENERAL REVENUE FUND	100,000	

Funds are provided in Specific Appropriation 948A for an independent study of the department's drivers license issuance system. At a minimum, the study shall include: an analysis of Florida's projected driver population through the year 2000; an evaluation of the appointment system; alternatives for issuing licenses, including lengthening the renewal period for good drivers, using different renewal periods according to driver age, the possible elimination of vision testing for some applicants, and contracting with the private sector for the administration of the entire system. The report shall be submitted to the President of the Senate and the Speaker of the House of Representatives by January 15, 1985.

SPECIFIC APPROPRIATION			
948B	LUMP SUM		
	REVIEW FHP ON ROAD TIME		
	FROM GENERAL REVENUE FUND	50,000	

Funds provided in Specific Appropriation 948B are for a study of methods available to maximize utilization of the department resources by streamlining and reducing the administrative workload of Florida Highway Patrol including scheduling of court dates and working with state attorneys to establish uniform paperwork requirements.

949	SPECIAL CATEGORIES		
	PAYMENT OF DEATH AND DISMEMBERMENT CLAIMS		
	FROM HIGHWAY PATROL INSURANCE TRUST FUND .		40,000
950	NOT USED		
951	DATA PROCESSING SERVICES		
	FROM GENERAL REVENUE FUND	268,088	

FLORIDA HIGHWAY PATROL, DIVISION OF

952	SALARIES AND BENEFITS POSITIONS	2,030	
	FROM GENERAL REVENUE FUND	40,553,963	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		449,703
	FROM REIMBURSEMENT TRUST FUND		3,450,248
953	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	139,014	
954	EXPENSES		
	FROM GENERAL REVENUE FUND	3,714,012	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		29,200
	FROM REIMBURSEMENT TRUST FUND		281,138
955	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	2,158,819	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		200,000
	FROM REIMBURSEMENT TRUST FUND		49,918
956	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM GENERAL REVENUE FUND	3,823,257	
	FROM REIMBURSEMENT TRUST FUND		715,392
957	SPECIAL CATEGORIES		
	OPERATION OF MOTOR VEHICLES		
	FROM GENERAL REVENUE FUND	5,446,202	
	FROM REIMBURSEMENT TRUST FUND		627,894

SPECIFIC APPROPRIATION			
958	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	1,100,095	
	FROM REIMBURSEMENT TRUST FUND		85,637
959	DATA PROCESSING SERVICES		
	FROM GENERAL REVENUE FUND	333,487	
	FROM REIMBURSEMENT TRUST FUND		68,645
DRIVER LICENSES, DIVISION OF			
960	SALARIES AND BENEFITS POSITIONS 1,170		
	FROM GENERAL REVENUE FUND	9,418,818	
	FROM ACCIDENT REPORTS TRUST FUND		8,462,097
961	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	579,363	
962	EXPENSES		
	FROM GENERAL REVENUE FUND	4,737,225	
	$281,000 of funds provided in Specific Appropriation 962 for certified mailing of driver license suspension notices are to be held in reserve by the Office of the Governor if SB 130 or similar legislation becomes law.		
963	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	216,492	
964	SPECIAL CATEGORIES		
	PURCHASE OF DRIVER LICENSES		
	FROM GENERAL REVENUE FUND	1,798,167	
965	DATA PROCESSING SERVICES		
	FROM GENERAL REVENUE FUND	4,619,338	
MOTOR VEHICLES, DIVISION OF			
966	SALARIES AND BENEFITS POSITIONS 498		
	FROM GENERAL REVENUE FUND	7,364,993	
967	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	112,016	
968	EXPENSES		
	FROM GENERAL REVENUE FUND	2,852,374	
969	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	222,490	
970	SPECIAL CATEGORIES		
	PURCHASE OF LICENSE PLATES		
	FROM GENERAL REVENUE FUND	3,994,578	
971	DATA PROCESSING SERVICES		
	FROM GENERAL REVENUE FUND	3,815,122	
	FROM FLORIDA REAL TIME VEHICLE INFORMATION SYSTEM TRUST FUND		6,000,000

SPECIFIC APPROPRIATION			
KIRKMAN DATA CENTER			
	Funds provided in Specific Appropriation 972 anticipate the deletion of 24 data entry operator positions by December 31, 1984, due to the workload reduction resulting from the implementation of the FRVIS System.		
972	SALARIES AND BENEFITS POSITIONS 267		
	FROM WORKING CAPITAL TRUST FUND		4,425,984
973	NOT USED		
974	EXPENSES		
	FROM WORKING CAPITAL TRUST FUND		4,272,697
975	OPERATING CAPITAL OUTLAY		
	FROM WORKING CAPITAL TRUST FUND		2,696,262
976	SPECIAL CATEGORIES		
	CONTRACTUAL DATA ENTRY SERVICES		
	FROM WORKING CAPITAL TRUST FUND		62,608
977	SPECIAL CATEGORIES		
	TAX COLLECTOR NETWORK - COUNTY SYSTEMS		
	FROM WORKING CAPITAL TRUST FUND		4,439,730
INSURANCE, DEPARTMENT OF, AND TREASURER			
OFFICE OF THE TREASURER AND DIVISION OF ADMINISTRATION			
978	SALARIES AND BENEFITS POSITIONS 131		
	FROM GENERAL REVENUE FUND	274,408	
	FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND		2,847,352
979	OTHER PERSONAL SERVICES		
	FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND		39,000
980	EXPENSES		
	FROM GENERAL REVENUE FUND	59,129	
	FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND		654,901
980A	AID TO LOCAL GOVERNMENTS		
	TWO PERCENT PREMIUM TAX TO CITIES		
	FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND		25,000,000
981	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	4,785	
	FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND		35,240

SPECIFIC APPROPRIATION

981A LUMP SUM
BAIL BOND REGULATORY BOARD - CS/HB 526
POSITIONS 2
FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND 99,743

Funds and positions in Specific Appropriation 981A are contingent upon CS/HB 526 or similar legislation becoming law.

982 DATA PROCESSING SERVICES
FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND 267,554

TREASURY, DIVISION OF

983 SALARIES AND BENEFITS POSITIONS 50
FROM GENERAL REVENUE FUND 755,626
FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND 190,994

984 OTHER PERSONAL SERVICES
FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND 6,500

985 EXPENSES
FROM GENERAL REVENUE FUND 309,124
FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND 100,567

986 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 20,600
FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND 8,779

987 DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 217,853
FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND 42,995

INSURANCE RATING, DIVISION OF

988 SALARIES AND BENEFITS POSITIONS 93
FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND 2,334,186

989 NOT USED

990 EXPENSES
FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND 633,204

991 OPERATING CAPITAL OUTLAY
FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND 10,372

SPECIFIC APPROPRIATION

991A LUMP SUM
HEALTH CARE COST CONTAINMENT-CS/CS/HB 506 & 965
POSITIONS 2
FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND 40,827

992 DATA PROCESSING SERVICES
FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND 169,333

INSURANCE COMPANY REGULATION, DIVISION OF

993 SALARIES AND BENEFITS POSITIONS 97
FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND 2,351,272

994 NOT USED

995 EXPENSES
FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND 1,215,250

996 OPERATING CAPITAL OUTLAY
FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND 6,436

997 DATA PROCESSING SERVICES
FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND 123,599

REHABILITATION AND LIQUIDATION, DIVISION OF

998 SALARIES AND BENEFITS POSITIONS 38
FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND 890,310

999 EXPENSES
FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND 270,211

1000 OPERATING CAPITAL OUTLAY
FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND 8,007

1001 DATA PROCESSING SERVICES
FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND 52,041

INSURANCE CONSUMER SERVICES, DIVISION OF

1002 SALARIES AND BENEFITS POSITIONS 196
FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND 3,618,106

1003 OTHER PERSONAL SERVICES
FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND 147,000

SPECIFIC APPROPRIATION

1004 EXPENSES
FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND 1,065,086

1004A AID TO LOCAL GOVERNMENTS
INSURANCE LICENSE TAX TO COUNTIES
FROM AGENTS AND SOLICITORS COUNTY LICENSE TAX TRUST FUND 1,000,000

1005 OPERATING CAPITAL OUTLAY
FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND 28,035

1006 NOT USED

1007 DATA PROCESSING SERVICES
FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND 669,498

Funds provided in Specific Appropriations 1004, 1005, and 1007 include a non-recurring amount of $200,000 to continue the activities initiated through the 1983-84 Specific Appropriation 920A, Chapter 83-300, Laws of Florida, for automating the field office activities and maintaining WATS lines for handling complaints. Within the aforementioned funding constraints the agency shall place priority emphasis on continued automation and centralization of complaint handling functions in its 1985-86 budget request.

Of the funds provided in Specific Appropriations 1003 and 1004 no more than $143,000 shall be used to contract with a reputable testing firm to change all insurance license exams except the general lines test from essay format to objective testing with a machine readable format for grading and processing. The Division shall reduce field office staff by 10 F.T.E. and related expenses by October 1, 1984, and modify test administration to provide outside of Tallahassee five designated testing centers providing testing services bi-weekly at each center.

Funding in Specific Appropriations 1002, 1004, and 1007 contemplate a further reduction of 12 field office staff and related expenses, and elimination of all regional offices including 8 F.T.E. and related expenses by January 1, 1985.

Funds in Specific Appropriation 1004 are not available to the department to operate and maintain any field and regional offices closed on the aforementioned dates as a result of personal reductions specified in proviso following Specific Appropriation 1007.

SPECIFIC APPROPRIATION

STATE FIRE MARSHAL, DIVISION OF

1008 SALARIES AND BENEFITS POSITIONS 108
FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND 2,294,130

1009 OTHER PERSONAL SERVICES
FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND 24,000

1010 EXPENSES
FROM FIRE COLLEGE PUBLICATION REVOLVING TRUST FUND 60,000
FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND 655,879

1011 OPERATING CAPITAL OUTLAY
FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND 254,268

1011A LUMP SUM
CONSTRUCTION PLAN REVIEW/HB 184
POSITIONS 2
FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND 60,100

Funds and positions provided in Specific Appropriation 1011A are contingent on HB 184 or similar legislation becoming law.

1012 SPECIAL CATEGORIES
ON CALL FEES
FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND 59,138

1013 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND 11,000

1014 DATA PROCESSING SERVICES
FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND 193,606

RISK MANAGEMENT, DIVISION OF

1015 SALARIES AND BENEFITS POSITIONS 44
FROM CASUALTY INSURANCE TRUST FUND 909,481
FROM FIRE INSURANCE TRUST FUND 111,117

1016 OTHER PERSONAL SERVICES
FROM CASUALTY INSURANCE TRUST FUND 14,750

1017 EXPENSES
FROM CASUALTY INSURANCE TRUST FUND 231,850
FROM FIRE INSURANCE TRUST FUND 18,185

SPECIFIC APPROPRIATION

1018 OPERATING CAPITAL OUTLAY
FROM CASUALTY INSURANCE TRUST FUND 5,445
FROM FIRE INSURANCE TRUST FUND 215

1019 SPECIAL CATEGORIES
EXCESS INSURANCE AND CLAIM SERVICE
FROM CASUALTY INSURANCE TRUST FUND 801,796
FROM FIRE INSURANCE TRUST FUND 350,000

1020 DATA PROCESSING SERVICES
FROM CASUALTY INSURANCE TRUST FUND 3,922
FROM FIRE INSURANCE TRUST FUND 6,702

INSURANCE FRAUD, DIVISION OF

1021 SALARIES AND BENEFITS POSITIONS 31
FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND 769,814

1022 EXPENSES
FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND 255,063

1023 OPERATING CAPITAL OUTLAY
FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND 24,000

1024 DATA PROCESSING SERVICES
FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND 49,031

LIQUEFIED PETROLEUM GAS, DIVISION OF

1025 SALARIES AND BENEFITS POSITIONS 16
FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND 333,003

1026 NOT USED

1027 EXPENSES
FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND 126,403

1028 OPERATING CAPITAL OUTLAY
FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND 14,103

1029 DATA PROCESSING SERVICES
FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND 16,945

HOSPITAL COST CONTAINMENT BOARD

1030 SALARIES AND BENEFITS POSITIONS 25
FROM HOSPITAL COST CONTAINMENT TRUST FUND 636,554

SPECIFIC APPROPRIATION

1031 OTHER PERSONAL SERVICES
FROM HOSPITAL COST CONTAINMENT TRUST FUND 53,850

1032 EXPENSES
FROM HOSPITAL COST CONTAINMENT TRUST FUND 208,844

1033 OPERATING CAPITAL OUTLAY
FROM HOSPITAL COST CONTAINMENT TRUST FUND 6,589

1033A LUMP SUM
HEALTH CARE COST CONTAINMENT-CS/CS/HB 506 & 965
POSITIONS 15
FROM HOSPITAL COST CONTAINMENT TRUST FUND 717,146

1033B LUMP SUM
IMPLEMENTATION OF 83-269
POSITIONS 2
FROM HOSPITAL COST CONTAINMENT TRUST FUND 137,470

1033C LUMP SUM
TRANSFER TO EOG FOR MEDICAL MALPRACTICE STUDY
FROM HOSPITAL COST CONTAINMENT TRUST FUND 200,000

1034 NOT USED

1035 DATA PROCESSING SERVICES
FROM HOSPITAL COST CONTAINMENT TRUST FUND 274,619

TREASURER'S MANAGEMENT INFORMATION CENTER

1036 SALARIES AND BENEFITS POSITIONS 39
FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND 50,768
FROM WORKING CAPITAL TRUST FUND 759,137

1037 EXPENSES
FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND 93,358
FROM WORKING CAPITAL TRUST FUND 1,153,862

1038 OPERATING CAPITAL OUTLAY
FROM INSURANCE COMMISSIONER'S REGULATORY TRUST FUND 3,092
FROM WORKING CAPITAL TRUST FUND 1,425

SPECIFIC APPROPRIATION

JUDICIAL BRANCH

Funds provided in appropriation categories "Expenses" and "Operating Capital Outlay" to the State Courts System shall only be expended for purchases in conformance with the purchasing rules adopted by the Supreme Court during Fiscal Year 1982-83.

SUPREME COURT

1039 SALARIES AND BENEFITS POSITIONS 118
FROM GENERAL REVENUE FUND 3,103,470
FROM COURT EDUCATION TRUST FUND 68,065
FROM DWI SCHOOLS COORDINATION TRUST FUND . 46,841

1040 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 74,757
FROM COURT EDUCATION TRUST FUND 34,650
FROM DWI SCHOOLS COORDINATION TRUST FUND . 52,000

1041 EXPENSES
FROM GENERAL REVENUE FUND 529,420
FROM COURT EDUCATION TRUST FUND 456,159
FROM DWI SCHOOLS COORDINATION TRUST FUND . 60,707

No General Revenue in Specific Appropriation 1041 shall be used for out-of-state judicial education programs.

From the Court Education Trust Fund moneys in Specific Appropriations 1039 through 1041, the Supreme Court shall include training at court conferences on child abuse issues.

1042 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 80,287

1043 NOT USED

1044 SPECIAL CATEGORIES
DISCRETIONARY FUNDS OF THE CHIEF JUSTICE
FROM GENERAL REVENUE FUND 5,000

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

1045 SPECIAL CATEGORIES
SUPREME COURT LAW LIBRARY
FROM GENERAL REVENUE FUND 151,382

1046 NOT USED

SPECIFIC APPROPRIATION

1047 DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 402,953

ADMINISTERED FUNDS - JUDICIAL

In the event of a General Revenue shortfall, as provided in Chapter 216, F.S., funds in Specific Appropriations 1054, and 1062 shall not be reserved in excess of the amount obtained by multiplying the overall percentage reduction factor required times the amounts in Specific Appropriations 1054, and 1062, unless all other General Revenue in Specific Appropriations 1039 through 1094 has been exhausted.

1048 LUMP SUM
JUDICIAL CERTIFICATIONS
POSITIONS 34
FROM GENERAL REVENUE FUND 1,025,832

1049 SPECIAL CATEGORIES
COMPENSATION TO RETIRED JUDGES
FROM GENERAL REVENUE FUND 450,000

The amount of $150,000 in Specific Appropriation 1049 is contingent upon SB 159 or similar legislation becoming law.

1050 SPECIAL CATEGORIES
COMPENSATION AND EXPENSES OF COURT REPORTERS
FROM GENERAL REVENUE FUND 1,067,503

1051 NOT USED

1052 SPECIAL CATEGORIES
JUDICIAL NOMINATING COMMISSION - EXPENSES
FROM GENERAL REVENUE FUND 15,000

1052A SPECIAL CATEGORIES
JUDICIAL CLERK INTERN PROGRAM
FROM GENERAL REVENUE FUND 50,000

Funds in Specific Appropriation 1052A shall be used to provide stipends and relocation expenses to a minimum of 20 participants in the Florida Bar Judicial Clerk Scholarship Program.

1053 NOT USED

1054 SPECIAL CATEGORIES
PAYMENT TO JURORS AND WITNESSES
FROM GENERAL REVENUE FUND 6,400,000

Funds in Specific Appropriation 1054 shall be used solely for the payment of jurors and witnesses.

1055 NOT USED

SPECIFIC APPROPRIATION

1056 SPECIAL CATEGORIES
MEALS AND LODGING FOR JURORS
FROM GENERAL REVENUE FUND 265,825

1057 SPECIAL CATEGORIES
PRINTING REPORTS
FROM GENERAL REVENUE FUND 158,423

1058 NOT USED

1059 NOT USED

1060 NOT USED

1061 SPECIAL CATEGORIES
STATEWIDE GRAND JURY - EXPENSES
FROM GENERAL REVENUE FUND 142,100

1062 SPECIAL CATEGORIES
WITNESS FEES
FROM GENERAL REVENUE FUND 4,000,000

Funds in Specific Appropriation 1062 are contingent upon the matching contribution by each county with sufficient personnel and funds to establish a witness coordination office for all witnesses. These offices shall follow the procedures designed by the State Court Administrator's Office. All payments with these funds shall be made on a reimbursement basis with sufficient documentation to support them. If expenditure projections for the fiscal year exceed the amount appropriated, the State Courts Administrator's Office shall submit a plan for approval to the Administration Commission, with prior consultation with the legislative appropriations committees, for the proportional distribution to the counties within funds appropriated. Of the funds provided in Specific Appropriation 1062, $25,000 may be used by the State Court Administrator's Office for appropriate part-time personnel, and expenses of the management and statistical reporting associated with witness coordination offices.

JUSTICE DATA CENTER

1063 SALARIES AND BENEFITS POSITIONS 15
FROM WORKING CAPITAL TRUST FUND 363,070

1064 OTHER PERSONAL SERVICES
FROM WORKING CAPITAL TRUST FUND 670

1065 EXPENSES
FROM WORKING CAPITAL TRUST FUND 2,109,475

1066 OPERATING CAPITAL OUTLAY
FROM WORKING CAPITAL TRUST FUND 1,017,895

SPECIFIC APPROPRIATION

DISTRICT COURTS OF APPEAL

FIRST DISTRICT COURT OF APPEAL

1067 SALARIES AND BENEFITS POSITIONS 81
FROM GENERAL REVENUE FUND 2,461,815

1068 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 7,860

1069 EXPENSES
FROM GENERAL REVENUE FUND 408,207

Of the funds in Specific Appropriation 1068 and 1069, $3000 and $125,206 are provided respectively to only implement a word processing system for the First District Court of Appeal, and to test a system of data processing and casetracking as a prototype for the remaining districts. This system shall be compatible with the Justice Data Center, and its design shall contemplate the needs of, and compatibility with, future implementation in the remaining districts. A report of project status and an updated plan of statewide implementation shall be submitted to the chairmen of the House and Senate Appropriations Committees on or before February 1, 1985.

1070 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 46,854

SECOND DISTRICT COURT OF APPEAL

1071 SALARIES AND BENEFITS POSITIONS 59
FROM GENERAL REVENUE FUND 1,937,855

1072 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 3,960

1073 EXPENSES
FROM GENERAL REVENUE FUND 341,964

1074 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 25,400

THIRD DISTRICT COURT OF APPEAL

1075 SALARIES AND BENEFITS POSITIONS 58
FROM GENERAL REVENUE FUND 1,899,351

1076 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 19,496

1077 EXPENSES
FROM GENERAL REVENUE FUND 226,305

SPECIFIC APPROPRIATION

1078 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 54,706

FOURTH DISTRICT COURT OF APPEAL

1079 SALARIES AND BENEFITS POSITIONS 56
FROM GENERAL REVENUE FUND 1,845,657

1080 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 51,971

1081 EXPENSES
FROM GENERAL REVENUE FUND 210,482

1082 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 104,926

FIFTH DISTRICT COURT OF APPEAL

1083 SALARIES AND BENEFITS POSITIONS 41
FROM GENERAL REVENUE FUND 1,282,061

1084 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 3,240

1085 EXPENSES
FROM GENERAL REVENUE FUND 180,297

1086 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 50,366

CIRCUIT COURTS

1087 SALARIES AND BENEFITS POSITIONS 899
FROM GENERAL REVENUE FUND 35,229,374

1088 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 66,328

1089 EXPENSES
FROM GENERAL REVENUE FUND 518,110

No funds in Specific Appropriation 1089 shall be used for out-of-state judicial education programs.

1090 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 23,425

COUNTY COURTS

1091 SALARIES AND BENEFITS POSITIONS 412
FROM GENERAL REVENUE FUND 18,061,440

1092 NOT USED

1093 EXPENSES
FROM GENERAL REVENUE FUND 110,249

No funds in Specific Appropriation 1093 shall be used for out-of-state judicial education programs.

SPECIFIC APPROPRIATION

1094 SPECIAL CATEGORIES
ADDITIONAL COMPENSATION FOR COUNTY JUDGES
FROM GENERAL REVENUE FUND 35,000

JUDICIAL ADMINISTRATIVE COMMISSION

1095 SALARIES AND BENEFITS POSITIONS 21
FROM GENERAL REVENUE FUND 441,146

1096 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 25,408

1097 EXPENSES
FROM GENERAL REVENUE FUND 52,325

1098 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 15,214

1098A SPECIAL CATEGORIES
CONFLICT CASES
FROM GENERAL REVENUE FUND 2,000,000

The allocation of funds in Specific Appropriation 1098A for conflict cases shall be used solely for compensation of court appointed attorneys who are members of the Florida Bar and who have been approved by the circuit's conflict committee to handle such cases. Attorneys shall be appointed by the trial court for purposes of representation and compensated as provided in Sections 27.53, 925.035, and 925.036, F.S. In each judicial circuit, a circuit conflict committee shall be established consisting of the following members: (a) the chief judge of the judiciai circuit or his designated representative; (b) one representative of each board of county commissioners located within the judicial circuit, such representative to be designated by resolution of each board; and (c) the public defender of the judicial circuit. The public defender of each judicial circuit shall submit an annual report for Fiscal Year 1983-84 in writing to the chairmen of the Senate and House Appropriations Committees. The report shall indicate by county how the funds for conflict cases were expended and the number of cases and associated costs of those cases that the public defenders were unable to accept as a result of a stated lack of resources. This report shall be submitted no later than February 28, 1985.

The allocation of funds in Specific Appropriation 1098A shall be provided in the Letter of Intent. These funds shall be used to reimburse the counties for fees paid to only those attorneys who were approved by the circuit conflict committee prior to appointment. Requests for reimbursement shall be prepared by each county and certified by the public defender that the claim fully complies with the provisions of s. 925.036, F.S. Each circuit conflict committee shall allocate the funds for conflict cases among the respective counties within each circuit. Each circuit conflict committee shall

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APPROPRIATION

request the clerk of the circuit court to provide all expenditure data to each public defender. These funds shall not be transferred or used for any other purpose than for the payment of attorney fees for conflict cases. No funds shall be transferred to increase the amount allocated for this purpose. Upon depletion of the funds allocated for this purpose, the responsibility for payment of conflict cases shall be that of each respective county. These funds may be reallocated among the circuits with the approval of the Executive Office of the Governor in consultation with the chairmen of the Senate and House Appropriations Committees.

There is hereby established a Conflict Case Cost Containment Committee. This committee shall be comprised of the following members: The Chief Justice of the Supreme Court of Florida or his designee; The Speaker of the House of Representatives or his designee; The President of the Senate or his designee; The Chairman of the Conference of Circuit Court Judges or his designee; two Public Defenders to be selected by the Florida Public Defenders Association, Inc.; the Executive Director of the Judicial Administrative Commission; the President of the Florida Bar or his designee; the Chairman of the State Association of County Commissioners or his designee. The responsibilities of the committee are: (1) to elect a chairman, (2) to work with each circuit's conflict committee to provide expertise on methods to reduce the cost for counsel appointed pursuant to s. 27.53, F.S.; and (3) to report to the chairmen of the Senate and House Appropriations Committees and the Executive Office of the Governor regarding its findings by March 1, 1985.

1098B SPECIAL CATEGORIES
CONTRACT WITH DOA FOR COPES
FROM GENERAL REVENUE FUND 40,000

1098C SPECIAL CATEGORIES
LAW INTERN PROGRAM
FROM GENERAL REVENUE FUND 177,878

1098D SPECIAL CATEGORIES
PROSECUTION MANAGEMENT INFORMATION SYSTEM
FROM BLOCK GRANT MATCHING TRUST FUND . . . 399,425

Funds in Specific Appropriation 1098D shall be contingent upon approval of a plan of expenditures by the Executive Office of the Governor in consultation with the chairmen of the legislative appropriations committees. Also, a report shall be submitted to the chairmen of the legislative appropriations committees on or before February 1, 1985, outlining a long-range plan for statewide implementation of PROMIS, or a similar automated system, including estimated costs and a feasible schedule for the remaining circuits to become operational.

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APPROPRIATION

1098E SPECIAL CATEGORIES
STATE ATTORNEYS ON EXECUTIVE ASSIGNMENT
FROM GENERAL REVENUE FUND 142,753

1098F SPECIAL CATEGORIES
STATE ATTORNEY AND PUBLIC DEFENDER
TRAINING
FROM GENERAL REVENUE FUND 76,658

JUDICIAL QUALIFICATIONS COMMISSION

1099 SALARIES AND BENEFITS POSITIONS 2
FROM GENERAL REVENUE FUND 38,824

1100 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 60,052

1101 EXPENSES
FROM GENERAL REVENUE FUND 19,873

1102 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 889

STATE ATTORNEYS

Funds provided in appropriation categories "Expenses" and "Operating Capital Outlay" to the State Attorneys shall only be expended for purchases made in conformance with the purchasing rules jointly adopted by the State Attorneys during Fiscal Year 1982-83.

The approved salary rate for positions provided in Specific Appropriations 1103 through 1202 shall be provided in accordance with subsections (4), (5), and (6) of s. 216.181, F.S.

General Revenue funds provided in Specific Appropriations 1103 through 1202 for the operation of the State Attorney's URESA Child Support Program are contingent upon the continuation of contractual agreements with the Department of Health and Rehabilitative Services for maximization of federal funding.

FIRST JUDICIAL CIRCUIT

1103 SALARIES AND BENEFITS POSITIONS 115
FROM GENERAL REVENUE FUND 2,894,218

1104 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 30,000

1105 EXPENSES
FROM GENERAL REVENUE FUND 250,314

SPECIFIC APPROPRIATION			
1106	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND		63,743
1107	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND		9,281
SECOND JUDICIAL CIRCUIT			
1108	SALARIES AND BENEFITS	POSITIONS	73
	FROM GENERAL REVENUE FUND		2,028,527
1109	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND		26,000
1110	EXPENSES		
	FROM GENERAL REVENUE FUND		186,770
1111	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND		30,982
1112	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND		8,195
THIRD JUDICIAL CIRCUIT			
1113	SALARIES AND BENEFITS	POSITIONS	38
	FROM GENERAL REVENUE FUND		1,179,003
1114	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND		17,586
1115	EXPENSES		
	FROM GENERAL REVENUE FUND		187,633
1116	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND		39,453
1117	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND		5,110
FOURTH JUDICIAL CIRCUIT			
1118	SALARIES AND BENEFITS	POSITIONS	204
	FROM GENERAL REVENUE FUND		4,888,517
1119	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND		198,225
1120	EXPENSES		
	FROM GENERAL REVENUE FUND		276,324
1121	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND		115,148
1122	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND		7,873
FIFTH JUDICIAL CIRCUIT			
1123	SALARIES AND BENEFITS	POSITIONS	72
	FROM GENERAL REVENUE FUND		2,023,814
1124	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND		7,000
1125	EXPENSES		
	FROM GENERAL REVENUE FUND		177,833
1126	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND		39,432
1127	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND		15,938
SIXTH JUDICIAL CIRCUIT			
1128	SALARIES AND BENEFITS	POSITIONS	246
	FROM GENERAL REVENUE FUND		6,097,393
1129	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND		34,391
1130	EXPENSES		
	FROM GENERAL REVENUE FUND		311,885
1131	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND		133,266
1132	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND		16,069
SEVENTH JUDICIAL CIRCUIT			
1133	SALARIES AND BENEFITS	POSITIONS	103
	FROM GENERAL REVENUE FUND		2,744,659
1134	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND		20,476
1135	EXPENSES		
	FROM GENERAL REVENUE FUND		161,731
1136	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND		60,089
1137	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND		7,105

SPECIFIC APPROPRIATION

EIGHTH JUDICIAL CIRCUIT

1138	SALARIES AND BENEFITS	POSITIONS	81
	FROM GENERAL REVENUE FUND		2,075,023
1139	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND		7,558
1140	EXPENSES		
	FROM GENERAL REVENUE FUND		185,280
1141	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND		26,453
1142	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND		8,197

NINTH JUDICIAL CIRCUIT

1143	SALARIES AND BENEFITS	POSITIONS	157
	FROM GENERAL REVENUE FUND		3,603,401
1144	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND		18,478
1145	EXPENSES		
	FROM GENERAL REVENUE FUND		214,040
1146	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND		67,267
1147	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND		11,972

TENTH JUDICIAL CIRCUIT

1148	SALARIES AND BENEFITS	POSITIONS	102
	FROM GENERAL REVENUE FUND		2,430,463
1149	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND		30,000
1150	EXPENSES		
	FROM GENERAL REVENUE FUND		112,176
1151	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND		33,165
1152	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND		8,001

SPECIFIC APPROPRIATION

ELEVENTH JUDICIAL CIRCUIT

1153	SALARIES AND BENEFITS	POSITIONS	521
	FROM GENERAL REVENUE FUND		12,897,498
1154	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND		217,125
1155	EXPENSES		
	FROM GENERAL REVENUE FUND		972,265
1156	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND		123,204
1157	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND		14,490

TWELFTH JUDICIAL CIRCUIT

1158	SALARIES AND BENEFITS	POSITIONS	104
	FROM GENERAL REVENUE FUND		2,400,482
1159	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND		15,000
1160	EXPENSES		
	FROM GENERAL REVENUE FUND		142,976
1161	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND		47,348
1162	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND		9,580

THIRTEENTH JUDICIAL CIRCUIT

1163	SALARIES AND BENEFITS	POSITIONS	164
	FROM GENERAL REVENUE FUND		4,181,828
1164	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND		93,000
1165	EXPENSES		
	FROM GENERAL REVENUE FUND		264,075
1166	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND		58,875
1167	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND		6,913

SPECIFIC APPROPRIATION			
	FOURTEENTH JUDICIAL CIRCUIT		
1168	SALARIES AND BENEFITS	POSITIONS	55
	FROM GENERAL REVENUE FUND		1,571,640
1169	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND		10,000
1170	EXPENSES		
	FROM GENERAL REVENUE FUND		220,405
1171	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND		45,415
1172	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND		7,169
	FIFTEENTH JUDICIAL CIRCUIT		
1173	SALARIES AND BENEFITS	POSITIONS	166
	FROM GENERAL REVENUE FUND		4,164,929
1174	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND		68,586
1175	EXPENSES		
	FROM GENERAL REVENUE FUND		397,981
1176	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND		36,823
1177	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND		14,702
	SIXTEENTH JUDICIAL CIRCUIT		
1178	SALARIES AND BENEFITS	POSITIONS	41
	FROM GENERAL REVENUE FUND		1,109,037
1179	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND		20,000
1180	EXPENSES		
	FROM GENERAL REVENUE FUND		104,336
1181	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND		8,167
1182	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND		4,129

SPECIFIC APPROPRIATION			
	SEVENTEENTH JUDICIAL CIRCUIT		
1183	SALARIES AND BENEFITS	POSITIONS	254
	FROM GENERAL REVENUE FUND		7,055,520
1184	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND		45,000
1185	EXPENSES		
	FROM GENERAL REVENUE FUND		438,595
1186	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND		74,098
1187	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND		12,292
	EIGHTEENTH JUDICIAL CIRCUIT		
1188	SALARIES AND BENEFITS	POSITIONS	112
	FROM GENERAL REVENUE FUND		2,888,133
1189	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND		22,000
1190	EXPENSES		
	FROM GENERAL REVENUE FUND		304,865
1191	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND		81,296
1192	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND		12,932
	NINETEENTH JUDICIAL CIRCUIT		
1193	SALARIES AND BENEFITS	POSITIONS	72
	FROM GENERAL REVENUE FUND		1,836,636
1194	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND		32,000
1195	EXPENSES		
	FROM GENERAL REVENUE FUND		172,351
1196	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND		36,721
1197	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND		7,874

SPECIFIC APPROPRIATION

TWENTIETH JUDICIAL CIRCUIT

1198 SALARIES AND BENEFITS POSITIONS 106
FROM GENERAL REVENUE FUND 2,524,894

1199 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 10,300

1200 EXPENSES
FROM GENERAL REVENUE FUND 173,296

1201 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 54,590

1202 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 20,288

PUBLIC DEFENDERS

The Public Defenders Coordination Office budgetary needs will be shared by each Public Defender's office within the funds provided in Specific Appropriations 1203 through 1282. The total funding for this office shall not exceed $156,000.

Funds provided in appropriation categories "Expenses" and "Operating Capital Outlay" to the Public Defenders shall only be expended for purchases made in conformance with the purchasing rules jointly adopted by the Public Defenders during Fiscal Year 1982-1983.

The approved salary rate for positions provided in Specific Appropriations 1203 through 1282 shall be provided in accordance with subsections (4), (5), and (6) of Section 216.181, FS.

FIRST JUDICIAL CIRCUIT

1203 SALARIES AND BENEFITS POSITIONS 57
FROM GENERAL REVENUE FUND 1,577,300

1204 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 10,000

1205 EXPENSES
FROM GENERAL REVENUE FUND 132,394

1206 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 18,201

SECOND JUDICIAL CIRCUIT

1207 SALARIES AND BENEFITS POSITIONS 56
FROM GENERAL REVENUE FUND 1,664,426

SPECIFIC APPROPRIATION

1208 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 24,000

1209 EXPENSES
FROM GENERAL REVENUE FUND 174,570

1210 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 10,689

THIRD JUDICIAL CIRCUIT

1211 SALARIES AND BENEFITS POSITIONS 19
FROM GENERAL REVENUE FUND 617,397

1212 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 6,000

1213 EXPENSES
FROM GENERAL REVENUE FUND 86,870

1214 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 4,484

FOURTH JUDICIAL CIRCUIT

1215 SALARIES AND BENEFITS POSITIONS 103
FROM GENERAL REVENUE FUND 2,673,665

1216 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 28,000

1217 EXPENSES
FROM GENERAL REVENUE FUND 175,993

1218 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 25,775

FIFTH JUDICIAL CIRCUIT

1219 SALARIES AND BENEFITS POSITIONS 40
FROM GENERAL REVENUE FUND 1,073,017

1220 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 10,000

1221 EXPENSES
FROM GENERAL REVENUE FUND 77,662

1222 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 20,160

SIXTH JUDICIAL CIRCUIT

1223 SALARIES AND BENEFITS POSITIONS 124
FROM GENERAL REVENUE FUND 3,180,085

SPECIFIC APPROPRIATION

1224 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 100,000

1225 EXPENSES
FROM GENERAL REVENUE FUND 197,041

1226 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 130,200

SEVENTH JUDICIAL CIRCUIT

1227 SALARIES AND BENEFITS POSITIONS 65
FROM GENERAL REVENUE FUND 1,970,693

1228 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 4,500

1229 EXPENSES
FROM GENERAL REVENUE FUND 150,744

1230 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 26,483

EIGHTH JUDICIAL CIRCUIT

1231 SALARIES AND BENEFITS POSITIONS 42
FROM GENERAL REVENUE FUND 1,076,725

1232 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 12,000

1233 EXPENSES
FROM GENERAL REVENUE FUND 92,899

1234 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 11,246

NINTH JUDICIAL CIRCUIT

1235 SALARIES AND BENEFITS POSITIONS 62
FROM GENERAL REVENUE FUND 1,566,517

1236 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 10,000

1237 EXPENSES
FROM GENERAL REVENUE FUND 136,683

1238 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 25,607

TENTH JUDICIAL CIRCUIT

1239 SALARIES AND BENEFITS POSITIONS 75
FROM GENERAL REVENUE FUND 1,807,954

SPECIFIC APPROPRIATION

1240 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 19,500

1241 EXPENSES
FROM GENERAL REVENUE FUND 145,353

1242 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 20,210

ELEVENTH JUDICIAL CIRCUIT

1243 SALARIES AND BENEFITS POSITIONS 196
FROM GENERAL REVENUE FUND 6,152,459

1244 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 130,000

1245 EXPENSES
FROM GENERAL REVENUE FUND 328,758

1246 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 56,851

TWELFTH JUDICIAL CIRCUIT

1247 SALARIES AND BENEFITS POSITIONS 53
FROM GENERAL REVENUE FUND 1,611,171

1248 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 36,000

1249 EXPENSES
FROM GENERAL REVENUE FUND 79,922

1250 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 14,740

THIRTEENTH JUDICIAL CIRCUIT

1251 SALARIES AND BENEFITS POSITIONS 102
FROM GENERAL REVENUE FUND 2,756,426

1252 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 51,000

1253 EXPENSES
FROM GENERAL REVENUE FUND 258,027

1254 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 23,389

FOURTEENTH JUDICIAL CIRCUIT

1255 SALARIES AND BENEFITS POSITIONS 21
FROM GENERAL REVENUE FUND 819,976

SPECIFIC APPROPRIATION			
1256	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND		6,000
1257	EXPENSES		
	FROM GENERAL REVENUE FUND		68,296
1258	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND		5,676
FIFTEENTH JUDICIAL CIRCUIT			
1259	SALARIES AND BENEFITS	POSITIONS 100	
	FROM GENERAL REVENUE FUND		2,796,914
1260	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND		206,100
1261	EXPENSES		
	FROM GENERAL REVENUE FUND		134,970
1262	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND		7,556
SIXTEENTH JUDICIAL CIRCUIT			
1263	SALARIES AND BENEFITS	POSITIONS 31	
	FROM GENERAL REVENUE FUND		748,491
1264	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND		7,000
1265	EXPENSES		
	FROM GENERAL REVENUE FUND		99,193
1266	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND		11,780
SEVENTEENTH JUDICIAL CIRCUIT			
1267	SALARIES AND BENEFITS	POSITIONS 88	
	FROM GENERAL REVENUE FUND		2,719,932
1268	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND		66,973
1269	EXPENSES		
	FROM GENERAL REVENUE FUND		198,547
1270	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND		18,788
EIGHTEENTH JUDICIAL CIRCUIT			
1271	SALARIES AND BENEFITS	POSITIONS 41	
	FROM GENERAL REVENUE FUND		1,149,531

SPECIFIC APPROPRIATION			
1272	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND		14,185
1273	EXPENSES		
	FROM GENERAL REVENUE FUND		112,603
1274	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND		8,891
NINETEENTH JUDICIAL CIRCUIT			
1275	SALARIES AND BENEFITS	POSITIONS 34	
	FROM GENERAL REVENUE FUND		920,394
1276	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND		6,525
1277	EXPENSES		
	FROM GENERAL REVENUE FUND		89,883
1278	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND		14,042
TWENTIETH JUDICIAL CIRCUIT			
1279	SALARIES AND BENEFITS	POSITIONS 45	
	FROM GENERAL REVENUE FUND		1,062,697
1280	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND		2,741
1281	EXPENSES		
	FROM GENERAL REVENUE FUND		67,341
1282	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND		16,521
LABOR AND EMPLOYMENT SECURITY, DEPARTMENT OF			
OFFICES OF THE SECRETARY AND ADMINISTRATIVE SERVICES			
1283	SALARIES AND BENEFITS	POSITIONS 224	
	FROM GENERAL REVENUE FUND		63,412
	FROM ADMINISTRATIVE TRUST FUND		3,779,419
	FROM REVOLVING TRUST FUND		432,563
	FROM WORKERS' COMPENSATION SPECIAL DISABILITY TRUST FUND		243,327
1284	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND		2,268
	FROM ADMINISTRATIVE TRUST FUND		267,605
	FROM REVOLVING TRUST FUND		169,264
	FROM WORKERS' COMPENSATION SPECIAL DISABILITY TRUST FUND		3,100

SPECIFIC APPROPRIATION			
1285	EXPENSES		
	FROM GENERAL REVENUE FUND	16,972	
	FROM ADMINISTRATIVE TRUST FUND		1,115,414
	FROM REVOLVING TRUST FUND		1,168,326
	FROM SPECIAL EMPLOYMENT SECURITY TRUST FUND		72,127
	FROM WORKERS' COMPENSATION SPECIAL DISABILITY TRUST FUND		56,669
1286	OPERATING CAPITAL OUTLAY		
	FROM ADMINISTRATIVE TRUST FUND		71,587
	FROM REVOLVING TRUST FUND		22,121
	FROM WORKERS' COMPENSATION SPECIAL DISABILITY TRUST FUND		4,172
1287	SPECIAL CATEGORIES		
	REIMBURSEMENT OF EMPLOYERS		
	FROM WORKERS' COMPENSATION SPECIAL DISABILITY TRUST FUND		14,000,000
1288	DEBT SERVICE		
	FROM ADMINISTRATIVE TRUST FUND		6,500
1289	DATA PROCESSING SERVICES		
	FROM ADMINISTRATIVE TRUST FUND		235,004
PUBLIC EMPLOYEES RELATIONS COMMISSION			
1290	SALARIES AND BENEFITS POSITIONS 42		
	FROM GENERAL REVENUE FUND	1,079,122	
1291	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	77,646	
1292	EXPENSES		
	FROM GENERAL REVENUE FUND	239,930	
	FROM PUBLIC EMPLOYEES RELATIONS COMMISSION TRUST FUND		30,171
1293	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	5,544	
OFFICE OF THE CHIEF COMMISSIONER OF WORKERS' COMPENSATION			
1294	SALARIES AND BENEFITS POSITIONS 70		
	FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND		2,326,547
1295	OTHER PERSONAL SERVICES		
	FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND		135,286
1296	EXPENSES		
	FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND		543,613

SPECIFIC APPROPRIATION			
1297	OPERATING CAPITAL OUTLAY		
	FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND		22,532
WORKERS' COMPENSATION, DIVISION OF			
1298	SALARIES AND BENEFITS POSITIONS 520		
	FROM CRIMES COMPENSATION TRUST FUND		304,254
	FROM GRANTS AND DONATIONS TRUST FUND		561,138
	FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND		8,456,009
1299	OTHER PERSONAL SERVICES		
	FROM CRIMES COMPENSATION TRUST FUND		20,800
	FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND		434,196
1300	EXPENSES		
	FROM CRIMES COMPENSATION TRUST FUND		135,597
	FROM GRANTS AND DONATIONS TRUST FUND		193,948
	FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND		2,162,702
1301	OPERATING CAPITAL OUTLAY		
	FROM CRIMES COMPENSATION TRUST FUND		1,209
	FROM GRANTS AND DONATIONS TRUST FUND		10,920
	FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND		41,887
1301A	LUMP SUM		
	TOXIC SUBSTANCES PROTECTION PROGRAM POSITIONS 3		
	FROM GENERAL REVENUE FUND	299,565	
	Funds and positions in Specific Appropriation 1301A are contingent on HB 426 or similar legislation becoming law.		
1302	SPECIAL CATEGORIES		
	AWARDS TO CLAIMANTS		
	FROM CRIMES COMPENSATION TRUST FUND		4,207,414
1303	FINANCIAL ASSISTANCE PAYMENTS		
	SUPPLEMENTAL WORKERS' COMPENSATION BENEFITS		
	FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND		6,938,400
1304	DATA PROCESSING SERVICES		
	FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND		906,984
LABOR, EMPLOYMENT AND TRAINING, DIVISION OF			
1305	SALARIES AND BENEFITS POSITIONS 1,443		
	FROM GENERAL REVENUE FUND	861,317	
	FROM CREW CHIEF REGISTRATION TRUST FUND		93,023
	FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND		24,297,199
	FROM GRANTS AND DONATIONS TRUST FUND		1,456

SPECIFIC APPROPRIATION

1306 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 4,160
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 2,496,304

1307 EXPENSES
FROM GENERAL REVENUE FUND 230,905
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 4,250,878
FROM SPECIAL EMPLOYMENT SECURITY TRUST FUND 85,330

1308 NOT USED

1308A AID TO LOCAL GOVERNMENTS
SUMMER YOUTH - TEMPORARY EMPLOYMENT
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 19,900,295

1309 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 3,442
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 308,787
FROM SPECIAL EMPLOYMENT SECURITY TRUST FUND 1,075,514

1310 SPECIAL CATEGORIES
CONTRACT PAYMENTS - COMPREHENSIVE EMPLOYMENT AND TRAINING ACT
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 74,071,611

1311 SPECIAL CATEGORIES
SPECIAL EMPLOYMENT PLACEMENT SERVICES
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 2,378,449

1312 FINANCIAL ASSISTANCE PAYMENTS
ALLOWANCES (COMPREHENSIVE EMPLOYMENT AND TRAINING ACT)
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 762,883

1313 DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 2,080
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 1,523,563

UNEMPLOYMENT COMPENSATION, DIVISION OF

1314 SALARIES AND BENEFITS POSITIONS 1,368
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 23,449,043

1315 OTHER PERSONAL SERVICES
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 881,580

SPECIFIC APPROPRIATION

1316 EXPENSES
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 3,714,241

1317 OPERATING CAPITAL OUTLAY
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 219,789

1318 FINANCIAL ASSISTANCE PAYMENTS
ALLOWANCES (COMPREHENSIVE EMPLOYMENT AND TRAINING ACT)
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 1,654,000

1319 FINANCIAL ASSISTANCE PAYMENTS
TRADE READJUSTMENT ALLOWANCES
FROM UNEMPLOYMENT COMPENSATION BENEFIT TRUST FUND 1,000,000

1320 FINANCIAL ASSISTANCE PAYMENTS
UNEMPLOYMENT COMPENSATION BENEFITS
FROM UNEMPLOYMENT COMPENSATION BENEFIT TRUST FUND 356,930,707

Contingent upon HB 831 or similar legislation becoming law, the department is authorized to disburse funds from Specific Appropriation 1320 to individuals made eligible for payments under the provisions of that act.

1321 DATA PROCESSING SERVICES
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 3,156,313

CALDWELL DATA CENTER

1322 SALARIES AND BENEFITS POSITIONS 163
FROM WORKING CAPITAL TRUST FUND 3,023,053

1323 OTHER PERSONAL SERVICES
FROM WORKING CAPITAL TRUST FUND 4,188

1324 EXPENSES
FROM WORKING CAPITAL TRUST FUND 1,421,699

1325 OPERATING CAPITAL OUTLAY
FROM WORKING CAPITAL TRUST FUND 1,073,207

UNEMPLOYMENT APPEALS COMMISSION

1326 SALARIES AND BENEFITS POSITIONS 30
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 721,893

1327 OTHER PERSONAL SERVICES
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 16,997

SPECIFIC APPROPRIATION			
1328	EXPENSES		
	FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND		112,858
1329	OPERATING CAPITAL OUTLAY		
	FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND		25,832
	LAW ENFORCEMENT, DEPARTMENT OF		
	OFFICE OF THE EXECUTIVE DIRECTOR AND DIVISION OF STAFF SERVICES		
1330	SALARIES AND BENEFITS POSITIONS	273	
	FROM GENERAL REVENUE FUND	6,956,934	
	FROM FLORIDA LAW ENFORCEMENT ACADEMY TRUST FUND		60,000
1331	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	38,731	
	FROM FLORIDA LAW ENFORCEMENT ACADEMY TRUST FUND		15,000
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		50,000
1332	EXPENSES		
	FROM GENERAL REVENUE FUND	1,702,090	
	FROM FLORIDA LAW ENFORCEMENT ACADEMY TRUST FUND		46,125
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		420,921
	FROM GRANTS AND DONATIONS TRUST FUND		15,332
1333	AID TO LOCAL GOVERNMENTS LOCAL LABORATORY SERVICES		
	FROM GENERAL REVENUE FUND	2,327,337	
1334	AID TO LOCAL GOVERNMENTS MEDICAL EXAMINER SERVICES		
	FROM GENERAL REVENUE FUND	1,578,154	
1335	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	756,731	
1336	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	35,553	
1337	DATA PROCESSING SERVICES		
	FROM GENERAL REVENUE FUND	69,449	
	CRIMINAL INVESTIGATIONS, DIVISION OF		
1338	SALARIES AND BENEFITS POSITIONS	319	
	FROM GENERAL REVENUE FUND	8,091,065	
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		199,019

SPECIFIC APPROPRIATION			
1339	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	4,932	
1340	EXPENSES		
	FROM GENERAL REVENUE FUND	3,222,620	
1341	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	964,418	
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		680,160
1342	NOT USED		
1343	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	202,177	
1344	DATA PROCESSING SERVICES		
	FROM GENERAL REVENUE FUND	213,862	
	CRIMINAL JUSTICE STANDARDS AND TRAINING, DIVISION OF		
	From the funds in Specific Appropriations 1345, 1347, and 1349, a total of 3 positions and $137,358 are contingent upon CS/HB 1206 or similar legislation becoming law.		
1345	SALARIES AND BENEFITS POSITIONS	46	
	FROM GENERAL REVENUE FUND	728,672	
	FROM CORRECTIONAL OFFICER TRAINING TRUST FUND		132,517
	FROM LAW ENFORCEMENT TRAINING TRUST FUND		170,227
1346	OTHER PERSONAL SERVICES		
	FROM CORRECTIONAL OFFICER TRAINING TRUST FUND		17,898
	FROM LAW ENFORCEMENT TRAINING TRUST FUND		18,279
1347	EXPENSES		
	FROM GENERAL REVENUE FUND	156,984	
	FROM CORRECTIONAL OFFICER TRAINING TRUST FUND		63,875
	FROM LAW ENFORCEMENT TRAINING TRUST FUND		62,999
1348	AID TO LOCAL GOVERNMENTS SPECIAL EDUCATION AND TECHNICAL TRAINING		
	FROM CORRECTIONAL OFFICER TRAINING TRUST FUND		1,080,000
	FROM LAW ENFORCEMENT TRAINING TRUST FUND		1,080,000
1349	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	3,191	
	FROM CORRECTIONAL OFFICER TRAINING TRUST FUND		7,103
	FROM LAW ENFORCEMENT TRAINING TRUST FUND		7,103

SPECIFIC APPROPRIATION

1349A LUMP SUM
STATEWIDE CENTER FOR EXCELLENCE - LIVELY VOCATIONALTECH. SCH.
FROM LAW ENFORCEMENT TRAINING TRUST FUND 250,000

1350 DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 64,369

CRIMINAL JUSTICE INFORMATION SYSTEMS, DIVISION OF

1351 SALARIES AND BENEFITS POSITIONS 152
FROM GENERAL REVENUE FUND 2,071,755
FROM OPERATING TRUST FUND 645,115

1352 EXPENSES
FROM GENERAL REVENUE FUND 402,119
FROM OPERATING TRUST FUND 73,216

1353 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 32,443
FROM OPERATING TRUST FUND 9,932

1354 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 672

1355 DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 3,974,529
FROM OPERATING TRUST FUND 307,843

From the funds in Specific Appropriation 1355, the department is directed to reallocate a minimum of 11 terminals from agencies which currently have high-speed computer interfaces with the Florida Crime Information Center and shall purchase an additional 23 terminals to be allocated based on a policy established by the department.

LAW ENFORCEMENT DATA CENTER

1356 SALARIES AND BENEFITS POSITIONS 79
FROM WORKING CAPITAL TRUST FUND 1,389,725

1357 EXPENSES
FROM WORKING CAPITAL TRUST FUND 2,094,379

1358 OPERATING CAPITAL OUTLAY
FROM WORKING CAPITAL TRUST FUND 1,320,483

LOCAL LAW ENFORCEMENT ASSISTANCE, DIVISION OF

1359 SALARIES AND BENEFITS POSITIONS 76
FROM GENERAL REVENUE FUND 1,832,831

1360 EXPENSES
FROM GENERAL REVENUE FUND 299,844

SPECIFIC APPROPRIATION

1361 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 74,040

1362 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 20,258

1363 DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 89,188

LEGAL AFFAIRS, DEPARTMENT OF, AND ATTORNEY GENERAL

From the funds in Specific Appropriations 1364 and 1366, state agencies contracting for legal services with the department are hereby authorized to make advanced payments on a quarterly basis for the fiscal year 1984-85.

1364 SALARIES AND BENEFITS POSITIONS 311
FROM GENERAL REVENUE FUND 7,347,470
FROM CONSUMER FRAUDS TRUST FUND 29,642
FROM LEGAL SERVICES TRUST FUND 547,186

1365 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 63,174
FROM CONSUMER FRAUDS TRUST FUND 17,600
FROM FLORIDA CRIME PREVENTION TRAINING INSTITUTE REVOLVING TRUST FUND 6,000

1366 EXPENSES
FROM GENERAL REVENUE FUND 1,184,775
FROM CONSUMER FRAUDS TRUST FUND 19,999
FROM FLORIDA CRIME PREVENTION TRAINING INSTITUTE REVOLVING TRUST FUND 8,210
FROM LEGAL SERVICES TRUST FUND 52,815

1367 AID TO LOCAL GOVERNMENTS
ASSISTANCE TO CITIZEN CRIME PREVENTION ORGANIZATIONS
FROM GENERAL REVENUE FUND 97,117

Funds in Specific Appropriation 1367 are solely for the purpose of contracting with Florida Citizens Against Crime to coordinate the statewide formation of local citizen groups to implement crime prevention programs. The contract shall include a financial audit by an independent CPA and a performance audit within the dollars appropriated.

1367A AID TO LOCAL GOVERNMENTS
ASSISTANCE FOR CRIME PREVENTION IN THE BLACK COMMUNITY
FROM GENERAL REVENUE FUND 165,050

The department is authorized to make advances from Specific Appropriations 1367 through 1367A for program start-up or periodic advance payments for contracted services during Fiscal Year 1984-85. Such payments shall be made pursuant to a plan submitted by the department by July 1, 1984, and upon approval by the Executive Office of the

SPECIFIC APPROPRIATION

Governor.

Funds in Specific Appropriations 1367A are solely for contracting with the Florida Consortium of Urban Leagues. Included in the contract shall be a provision for close coordination with local law enforcement in implementing crime prevention programs in black communities. The contract shall also include a financial audit by an independent CPA and a performance audit within dollars appropriated.

1368 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 120,821
FROM CONSUMER FRAUDS TRUST FUND 3,000
FROM LEGAL SERVICES TRUST FUND 4,014

1369 SPECIAL CATEGORIES
ANTITRUST INVESTIGATIONS
FROM LEGAL AFFAIRS REVOLVING TRUST FUND . 1,218,467

1370 SPECIAL CATEGORIES
LAWSUITS/SKYWAY BRIDGE
FROM GENERAL REVENUE FUND 150,000

Funds in Specific Appropriation 1370 are solely for the purpose of contracting with private counsel to assist the Attorney General in the defense or prosecution of any actions or claims by or against the state of Florida or any of its agencies as a result of the accident resulting in the collapse of the Sunshine Skyway Bridge.

1371 SPECIAL CATEGORIES
RICO INVESTIGATIONS
FROM LEGAL AFFAIRS REVOLVING TRUST FUND 319,999

1372 SPECIAL CATEGORIES
TRANSFER TO LEGAL AFFAIRS REVOLVING TRUST FUND FOR ANTITRUST INVESTIGATIONS
FROM GENERAL REVENUE FUND 721,013

1373 SPECIAL CATEGORIES
TRANSFER TO LEGAL AFFAIRS REVOLVING TRUST FUND FOR RICO INVESTIGATIONS
FROM GENERAL REVENUE FUND 192,661

LEGISLATIVE BRANCH

The amount of $40,000 per day is hereby appropriated from the General Revenue Fund to supplement the amounts provided in Specific Appropriations 1374 and 1375 for each day of any special, extended or extra session of the Legislature, pursuant to the provisions of Chapter 11, F.S.

Funds provided in Specific Appropriations 1374 and 1375 may be used pursuant to s. 11.12(1), F.S., to pay for legal expenses of members, former members, officers, and employees of the Legislature incurred in cases determined by the President of the Senate or the Speaker of the House of Representatives to involve significant legislative interests.

Funds provided in Specific Appropriations 1374 and 1375 contemplate that the Legislature shall review the certificate of need process during the interim with particular attention to the long range implications of the growing dependence of Florida's health care system on proprietary hospitals and nursing homes and the resulting impact on access to health care, the stability of facilities traditionally serving low income, high risk patients and the competitive disadvantage caused by increasing litigation.

SENATE

1374 LUMP SUM
FROM GENERAL REVENUE FUND 12,868,018

HOUSE OF REPRESENTATIVES

1375 LUMP SUM
FROM GENERAL REVENUE FUND 22,162,688

JOINT MANAGEMENT

1376 LUMP SUM
FROM GENERAL REVENUE FUND 8,450,295

1376A SPECIAL CATEGORIES
STUDY COMMISSION ON ALTERNATIVE DISPUTE RESOLUTION
FROM GENERAL REVENUE FUND 32,400

ADMINISTRATIVE PROCEDURES COMMITTEE

1377 LUMP SUM
FROM GENERAL REVENUE FUND 568,584

LEGISLATIVE INFORMATION TECHNOLOGY RESOURCE COMMITTEE

1377A LUMP SUM
FROM GENERAL REVENUE FUND 198,672

INTERGOVERNMENTAL RELATIONS, ADVISORY COUNCIL ON

1378 LUMP SUM
FROM GENERAL REVENUE FUND 312,651

OFFICE OF PUBLIC COUNSEL

1379 LUMP SUM
FROM GENERAL REVENUE FUND 1,215,113

1379A LUMP SUM
HOSPITAL COST CONTAINMENT
FROM GENERAL REVENUE FUND 324,783

SPECIFIC APPROPRIATION

AUDITOR GENERAL

Funds provided in Specific Appropriation 1380 contemplate that the Auditor General will, in the course of the annual audits of the community colleges, analyze the FTEs reported by each institution.

1380 LUMP SUM
FROM GENERAL REVENUE FUND 17,290,721
FROM FEDERAL REIMBURSEMENT TRUST FUND . . 3,278,133

AUDITING COMMITTEE

1381 LUMP SUM
FROM GENERAL REVENUE FUND 12,382

MILITARY AFFAIRS, DEPARTMENT OF

GENERAL ACTIVITIES

1382 SALARIES AND BENEFITS POSITIONS 119
FROM GENERAL REVENUE FUND 1,942,716
FROM ARMORY BOARD TRUST FUND 340,113

1383 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 24,246

1384 EXPENSES
FROM GENERAL REVENUE FUND 1,806,257
FROM ARMORY BOARD TRUST FUND 18,757

1385 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 91,422

CAMP BLANDING MANAGEMENT

1386 SALARIES AND BENEFITS POSITIONS 85
FROM CAMP BLANDING MANAGEMENT TRUST FUND . 1,278,340

1387 OTHER PERSONAL SERVICES
FROM CAMP BLANDING MANAGEMENT TRUST FUND . 31,692

1388 EXPENSES
FROM CAMP BLANDING MANAGEMENT TRUST FUND . 371,991

1389 OPERATING CAPITAL OUTLAY
FROM CAMP BLANDING MANAGEMENT TRUST FUND . 119,501

NATURAL RESOURCES, DEPARTMENT OF

OFFICE OF EXECUTIVE DIRECTOR AND DIVISION OF ADMINISTRATIVE SERVICES

1390 SALARIES AND BENEFITS POSITIONS 102
FROM GENERAL REVENUE FUND 688,807
FROM ADMINISTRATIVE TRUST FUND 1,525,034
FROM GRANTS AND DONATIONS TRUST FUND . . . 15,000
FROM STATE PARK TRUST FUND 57,257

SPECIFIC APPROPRIATION

1391 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 3,200
FROM ADMINISTRATIVE TRUST FUND 149,357
FROM STATE PARK TRUST FUND 9,486

1392 EXPENSES
FROM GENERAL REVENUE FUND 114,634
FROM ADMINISTRATIVE TRUST FUND 479,856
FROM STATE PARK TRUST FUND 80,066

1393 AID TO LOCAL GOVERNMENTS
SUWANNEE RIVER AUTHORITY
FROM GENERAL REVENUE FUND 21,250

1394 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 17,017
FROM ADMINISTRATIVE TRUST FUND 59,165

1395 NOT USED

1396 SPECIAL CATEGORIES
GULF STATES MARINE FISHERIES
FROM GENERAL REVENUE FUND 22,500

1397 SPECIAL CATEGORIES
TENNESSEE-TOMBIGBEE WATERWAY AUTHORITY
FROM GENERAL REVENUE FUND 8,500

1398 DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 46,162
FROM ADMINISTRATIVE TRUST FUND 88,262

STATE LANDS, DIVISION OF

1399 SALARIES AND BENEFITS POSITIONS 91
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 29,602
FROM INTERNAL IMPROVEMENT TRUST FUND . . . 2,084,341

1400 OTHER PERSONAL SERVICES
FROM INTERNAL IMPROVEMENT TRUST FUND . . . 424,734

Funds in an amount not to exceed $50,000, provided in Specific Appropriation 1400 shall be used to contract with the Florida Resources Environmental Analysis Center of Florida State University to develop a computerized land boundary information system.

1401 EXPENSES
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 20,879
FROM INTERNAL IMPROVEMENT TRUST FUND . . . 628,568

Funds in an amount not to exceed $50,000, provided in Specific Appropriation 1401, shall be used to contract with the Florida Resources Environmental Analysis Center of Florida State University to maintain and further develop the Public Lands Inventory.

SPECIFIC APPROPRIATION

1402 OPERATING CAPITAL OUTLAY
FROM INTERNAL IMPROVEMENT TRUST FUND . . . 47,454

1402A LUMP SUM
TRANSFER TO H.R.S. FOR TOXICITY LEVELS STUDY OF MOSQUITOCIDES ON SNOOK POPULATIONS
FROM INTERNAL IMPROVEMENT TRUST FUND . . . 50,000

1402B LUMP SUM
WETLANDS PROTECTION
POSITIONS 3
FROM INTERNAL IMPROVEMENT TRUST FUND . . . 67,210

Funds and positions in Specific Appropriation 1402B are contingent upon CS/CS/HB 1187 or similar legislation becoming law.

1403 SPECIAL CATEGORIES
NATIONAL OCEAN SURVEY
FROM INTERNAL IMPROVEMENT TRUST FUND . . . 50,000

1404 SPECIAL CATEGORIES
NATURAL AREAS INVENTORY
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 176,434

Funds provided in Specific Appropriation 1404 for the Natural Areas Inventory assume that the program will become the responsibility of the Department of Natural Resources beginning in Fiscal Year 1985-86.

1405 SPECIAL CATEGORIES
TOPOGRAPHIC MAPPING
FROM INTERNAL IMPROVEMENT TRUST FUND . . . 150,000

1406 NOT USED

1407 NOT USED

1408 DEBT SERVICE
FROM GENERAL REVENUE FUND 16,798,657

Funds in Specific Appropriation 1408 not required for payment of Debt Service on Environmentally Endangered Land Bonds shall be placed in reserve and revert to the General Revenue Fund unallocated.

1409 DATA PROCESSING SERVICES
FROM INTERNAL IMPROVEMENT TRUST FUND . . . 165,243

MARINE RESOURCES, DIVISION OF

1410 SALARIES AND BENEFITS POSITIONS 138
FROM GENERAL REVENUE FUND 2,234,595
FROM MARINE BIOLOGICAL RESEARCH TRUST FUND 209,651
FROM MOTORBOAT REVOLVING TRUST FUND . . . 25,727
FROM SALTWATER PRODUCTS PROMOTION TRUST FUND 409,140

SPECIFIC APPROPRIATION

1411 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 178,645
FROM COASTAL PROTECTION TRUST FUND 250,000
FROM MARINE BIOLOGICAL RESEARCH TRUST FUND 22,856
FROM MOTORBOAT REVOLVING TRUST FUND . . . 150,000
FROM SALTWATER PRODUCTS PROMOTION TRUST FUND 6,244

1412 EXPENSES
FROM GENERAL REVENUE FUND 1,031,801
FROM MARINE BIOLOGICAL RESEARCH TRUST FUND 37,866
FROM MOTORBOAT REVOLVING TRUST FUND . . . 22,800
FROM SALTWATER PRODUCTS PROMOTION TRUST FUND 239,282

1413 AID TO LOCAL GOVERNMENTS
ARTIFICIAL FISHING REEF CONSTRUCTION PROGRAM
FROM GENERAL REVENUE FUND 150,000

Of the funds provided in Specific Appropriation 1413, $25,000 shall be allocated to Pinellas County.

1414 NOT USED

1415 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 195,309
FROM MARINE BIOLOGICAL RESEARCH TRUST FUND 92,973
FROM MOTORBOAT REVOLVING TRUST FUND . . . 3,552
FROM SALTWATER PRODUCTS PROMOTION TRUST FUND 25,976

Two positions and $202,179 provided in Specific Appropriations 1410 through 1415 from the Motorboat Revolving Trust Fund for the Manatee Recovery Program, are contingent upon SB 304 or similar legislation becoming law.

1416 SPECIAL CATEGORIES
ATLANTIC STATES MARINE FISHERIES COMMISSION
FROM GENERAL REVENUE FUND 7,200

1417 SPECIAL CATEGORIES
OYSTER PLANTING
FROM GENERAL REVENUE FUND 300,000

1418 DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 111,236

SPECIFIC APPROPRIATION

BEACHES AND SHORES, DIVISION OF

1419 SALARIES AND BENEFITS POSITIONS 50
FROM GENERAL REVENUE FUND 1,109,110

1420 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 464,700

1421 EXPENSES
FROM GENERAL REVENUE FUND 225,962
FROM EROSION CONTROL TRUST FUND 48,500

1422 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 11,160

1423 DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 330,022

RESOURCE MANAGEMENT, DIVISION OF

1424 SALARIES AND BENEFITS POSITIONS 88
FROM GENERAL REVENUE FUND 798,216
FROM AQUATIC PLANT CONTROL TRUST FUND . . 580,630
FROM LAND RECLAMATION ADMINISTRATION TRUST FUND 655,909

1425 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 18,929
FROM LAND RECLAMATION ADMINISTRATION TRUST FUND 46,848

1426 EXPENSES
FROM GENERAL REVENUE FUND 237,014
FROM AQUATIC PLANT CONTROL TRUST FUND . . 529,563
FROM LAND RECLAMATION ADMINISTRATION TRUST FUND 190,873

1427 AID TO LOCAL GOVERNMENTS
AQUATIC PLANT CONTROL MATCHING GRANTS
FROM AQUATIC PLANT CONTROL TRUST FUND . . 7,314,055

1427A AID TO LOCAL GOVERNMENTS
TRANSFER TO DEPARTMENT OF COMMERCE - DIVISION OF ECONOMIC DEVELOPMENT
FROM NON-MANDATORY LAND RECLAMATION TRUST FUND 500,000

1427B AID TO LOCAL GOVERNMENTS
TRANSFER TO DIVISION OF FISHERIES - PHOSPHATE FISH PROJECT
FROM LAND RECLAMATION ADMINISTRATION TRUST FUND 75,000

1428 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 34,576
FROM AQUATIC PLANT CONTROL TRUST FUND . . 43,322
FROM LAND RECLAMATION ADMINISTRATION TRUST FUND 86,350

$61,270 and 2 positions in Specific Appropriations 1424 through 1428, from the Land Reclamation Administration Trust Fund, are contingent upon CS/SB 803 or similar legislation becoming law.

1429 SPECIAL CATEGORIES
TRANSFER TO GAME AND FRESH WATER FISH COMMISSION FOR ADMINISTRATIVE OVERHEAD
FROM AQUATIC PLANT CONTROL TRUST FUND . . 410,640

1430 SPECIAL CATEGORIES
TRANSFER TO UNIVERSITY OF FLORIDA INTERNATIONAL AQUATIC WEED INFORMATION AND RETRIEVAL CENTER
FROM AQUATIC PLANT CONTROL TRUST FUND . . 20,000

1431 DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 50,287
FROM LAND RECLAMATION ADMINISTRATION TRUST FUND 17,699

RECREATION AND PARKS, DIVISION OF

1432 SALARIES AND BENEFITS POSITIONS 818
FROM STATE PARK TRUST FUND 13,887,046

1433 OTHER PERSONAL SERVICES
FROM STATE PARK TRUST FUND 1,533,899

Funds in the amount of $128,857 provided in Specific Appropriation 1433 for the Keys Aquatic Preserves Management Plan are contingent upon CS/SB 1126 or similar legislation becoming law.

1434 EXPENSES
FROM STATE PARK TRUST FUND 5,109,390

1434A AID TO LOCAL GOVERNMENTS
FEDERAL LAND AND WATER CONSERVATION FUND GRANTS
FROM FEDERAL LAND AND WATER CONSERVATION TRUST FUND 5,000,000

1435 AID TO LOCAL GOVERNMENTS
FLORIDA RECREATION DEVELOPMENT ASSISTANCE GRANTS
FROM LAND ACQUISITION TRUST FUND 4,000,000

Funds in the amount of $500,000 in Specific Appropriation 1435 shall be used to match local funds for the Metropolitian Park Marina project in Jacksonville. Funds in the amount of $288,000 in Specific Appropriation 1435 shall be used to match local funds for a Washington County senior citizen recreational center project in Washington County. Funds in the amount of $200,000 in Specific Appropriation 1435 shall be used to match local funds for the Lummus Park project in the City of Miami Beach. Funds in the amount of $300,000 in Specific Appropriation 1435 shall be used to match local funds for the Jacksonville Boating Facility in Jacksonville. Funds in the amount of $250,000 in Specific Appropriation 1435 shall be used to match

SPECIFIC APPROPRIATION			
	local funds for the Snake Creek Canal Project in the City of North Miami Beach.		
1435A	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS		
	FROM GENERAL REVENUE FUND	400,000	
	FROM STATE PARK TRUST FUND		12,500
1436	OPERATING CAPITAL OUTLAY		
	FROM STATE PARK TRUST FUND		1,149,367
1436A	LUMP SUM TRANSFER TO DIVISION OF STATE LANDS FOR RICO LAND ACTIVITIES		
	FROM LAND ACQUISITION TRUST FUND		36,328
1437	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS		
	FROM STATE PARK TRUST FUND		60,810
1438	DEBT SERVICE		
	FROM LAND ACQUISITION TRUST FUND		15,724,805
	Funds provided in Specific Appropriation 1438 include debt service on series A, B and C "Save Our Coast" bonds, which may be used to refinance any or all series if it is in the best interest of the State as determined by the Division of Bond Finance. In addition, the first year's debt service for $25,000,000 series D and $25,000,000 series E "Save Our Coast" bonds is provided in the amount of $2,177,000, as required by s. 375.051, Florida Statutes. If the first year's debt service varies due to a change in the interest rate, timing of issuance, or other circumstances there is hereby appropriated from the Land Acquisition Trust Fund an amount sufficient to pay for such first year's debt service on the series D and E bonds, as required by s. 375.051, Florida Statutes.		
1439	DATA PROCESSING SERVICES		
	FROM STATE PARK TRUST FUND		122,920
LAW ENFORCEMENT, DIVISION OF			
1440	SALARIES AND BENEFITS POSITIONS 423		
	FROM GENERAL REVENUE FUND	6,905,512	
	FROM COASTAL PROTECTION TRUST FUND		393,462
	FROM GRANTS AND DONATIONS TRUST FUND . . .		188,267
	FROM MOTORBOAT REVOLVING TRUST FUND . . .		1,599,311
	FROM SALTWATER PRODUCTS PROMOTION TRUST FUND		198,226
1441	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	51,637	
	FROM COASTAL PROTECTION TRUST FUND		581,683
	FROM MOTORBOAT REVOLVING TRUST FUND . . .		54,955
	Funds provided in Specific Appropriation 1441 for the Tampa Bay Hydrocarbon Study are contingent upon a determination by the Department of Natural Resources that additional funds are needed to complete the study.		
1442	EXPENSES		
	FROM GENERAL REVENUE FUND	1,198,449	
	FROM COASTAL PROTECTION TRUST FUND		69,970
	FROM GRANTS AND DONATIONS TRUST FUND . . .		80,360
	FROM MOTORBOAT REVOLVING TRUST FUND . . .		195,475
1443	AID TO LOCAL GOVERNMENTS BOATING RELATED ACTIVITIES		
	FROM MOTORBOAT REVOLVING TRUST FUND . . .		2,234,828
1444	NOT USED		
1445	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	187,000	
	FROM MOTORBOAT REVOLVING TRUST FUND . . .		5,857
	FROM SALTWATER PRODUCTS PROMOTION TRUST FUND		16,913
1446	SPECIAL CATEGORIES ACQUISITION AND REPLACEMENT OF PATROL VEHICLES		
	FROM GENERAL REVENUE FUND	377,096	
	FROM COASTAL PROTECTION TRUST FUND		27,907
	FROM GRANTS AND DONATIONS TRUST FUND . . .		169,813
	FROM MOTORBOAT REVOLVING TRUST FUND . . .		500,000
1447	SPECIAL CATEGORIES OPERATION AND MAINTENANCE OF PATROL VEHICLES		
	FROM GENERAL REVENUE FUND	2,381,193	
	FROM COASTAL PROTECTION TRUST FUND		56,673
	FROM GRANTS AND DONATIONS TRUST FUND . . .		58,800
	FROM MOTORBOAT REVOLVING TRUST FUND . . .		126,320
1448	SPECIAL CATEGORIES PAYMENTS FOR RESTORATION AND DAMAGE		
	FROM COASTAL PROTECTION TRUST FUND		50,000
1449	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	210,270	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		2,760
1450	DATA PROCESSING SERVICES		
	FROM GENERAL REVENUE FUND	146,537	
	FROM MOTORBOAT REVOLVING TRUST FUND . . .		213,191
NATURAL RESOURCES INFORMATION CENTER			
1451	SALARIES AND BENEFITS POSITIONS 15		
	FROM WORKING CAPITAL TRUST FUND		372,281
1452	NOT USED		

SPECIFIC APPROPRIATION

1453 EXPENSES
FROM WORKING CAPITAL TRUST FUND 689,430

1454 OPERATING CAPITAL OUTLAY
FROM WORKING CAPITAL TRUST FUND 203,432

MARINE FISHERIES COMMISSION

1455 SALARIES AND BENEFITS POSITIONS 6
FROM MARINE FISHERIES COMMISSION TRUST FUND 169,375

1456 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 3,640
FROM MARINE FISHERIES COMMISSION TRUST FUND 16,800

1457 EXPENSES
FROM MARINE FISHERIES COMMISSION TRUST FUND 131,082

1458 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 3,100
FROM MARINE FISHERIES COMMISSION TRUST FUND 7,744

1459 SPECIAL CATEGORIES
TRANSFER TO MARINE FISHERIES COMMISSION TRUST FUND
FROM GENERAL REVENUE FUND 191,107

PAROLE AND PROBATION COMMISSION, FLORIDA

1460 SALARIES AND BENEFITS POSITIONS 149
FROM GENERAL REVENUE FUND 3,443,946

Of the Funds in Specific Appropriation 1460, $142,082 may be used to retain employees whose positions are abolished as a result of the implementation of this act at the same level of compensation for a period up to 60 days past July 1, 1984 or until such employees secure other employment, whichever occurs first.

1461 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 64,967

1462 EXPENSES
FROM GENERAL REVENUE FUND 640,378

1463 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 45,902

1464 DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 9,232

SPECIFIC APPROPRIATION

PROFESSIONAL REGULATION, DEPARTMENT OF

1465 SALARIES AND BENEFITS POSITIONS 514
FROM PROFESSIONAL REGULATION TRUST FUND . 9,738,233

1466 OTHER PERSONAL SERVICES
FROM PROFESSIONAL REGULATION TRUST FUND . 5,561,837

1467 EXPENSES
FROM PROFESSIONAL REGULATION TRUST FUND . 5,618,767

From funds provided in Specific Appropriations 1466 and 1467 for the impaired physicians and nurses pilot program, the Department of Professional Regulation shall prepare and submit to the Legislature by March 1, 1985, a report documenting the success of this program. There is no legislative commitment to continue funding for this program after the completion of the pilot program June 30, 1985.

1468 OPERATING CAPITAL OUTLAY
FROM PROFESSIONAL REGULATION TRUST FUND . 257,924

1468A LUMP SUM
TRANSFER TO DEPARTMENT OF COMMUNITY AFFAIRS
FROM PROFESSIONAL REGULATION TRUST FUND . 61,895

Funds in Specific Appropriation 1468A are to be disbursed to the Department of Community Affairs on a quarterly basis beginning July 1, 1984, in equal amounts.

1469 SPECIAL CATEGORIES
CONTINUING EDUCATION
FROM PROFESSIONAL REGULATION TRUST FUND . 20,500

1470 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES
FROM PROFESSIONAL REGULATION TRUST FUND . 665,128

Funds in Specific Appropriation 1470 are to be disbursed to the Department of Agriculture and Consumer Services on a quarterly basis beginning July 1, 1984, in equal amounts.

1471 FINANCIAL ASSISTANCE PAYMENTS
SCHOLARSHIPS AND REAL ESTATE RECOVERY FUND
FROM PROFESSIONAL REGULATION TRUST FUND . 74,000

1472 DATA PROCESSING SERVICES
FROM PROFESSIONAL REGULATION TRUST FUND . 1,058,460

SPECIFIC APPROPRIATION			
	PUBLIC SERVICE COMMISSION		
	Three positions and $70,450 in Specific Appropriation 1473, $13,923 in Specific Appropriation 1475, $1,036 in Specific Appropriation 1476, and $750 in Specific Appropriation 1480 shall be placed in reserve September 30, 1984, by the Executive Office of the Governor if SB 183 or similar legislation fails to become law.		
1473	SALARIES AND BENEFITS POSITIONS 346		
	FROM REGULATORY TRUST FUND		9,479,191
1474	OTHER PERSONAL SERVICES		
	FROM REGULATORY TRUST FUND		179,433
1475	EXPENSES		
	FROM REGULATORY TRUST FUND		2,591,268
1476	OPERATING CAPITAL OUTLAY		
	FROM REGULATORY TRUST FUND		211,121
1477	LUMP SUM		
	COMMUNICATIONS/CONSULTANTS		
	FROM REGULATORY TRUST FUND		650,000
1478	LUMP SUM		
	FLORIDA MODEL ENERGY EFFICIENCY CODE		
	FROM REGULATORY TRUST FUND		105,220
1479	NOT USED		
1479A	SPECIAL CATEGORIES		
	TRANSFER TO DEPT. OF EDUCATION FOR PUBLIC BROADCASTING		
	FROM REGULATORY TRUST FUND		27,650
1480	DATA PROCESSING SERVICES		
	FROM REGULATORY TRUST FUND		246,054
	REVENUE, DEPARTMENT OF		
	OFFICE OF THE EXECUTIVE DIRECTOR AND DIVISION OF ADMINISTRATION		
1481	SALARIES AND BENEFITS POSITIONS 194		
	FROM GENERAL REVENUE FUND	2,459,407	
	FROM ADMINISTRATIVE TRUST FUND		1,287,329
1482	OTHER PERSONAL SERVICES		
	FROM ADMINISTRATIVE TRUST FUND		194,549
1483	EXPENSES		
	FROM GENERAL REVENUE FUND	7,492	
	FROM ADMINISTRATIVE TRUST FUND		1,051,752

SPECIFIC APPROPRIATION			
1484	AID TO LOCAL GOVERNMENTS		
	CIGARETTE TAX TO MUNICIPALITIES		
	FROM MUNICIPAL FINANCIAL ASSISTANCE TRUST FUND		25,600,000
1485	AID TO LOCAL GOVERNMENTS		
	COUNTY REVENUE SHARING		
	FROM COUNTY REVENUE SHARING TRUST FUND . .		146,700,000
1486	AID TO LOCAL GOVERNMENTS		
	MUNICIPAL REVENUE SHARING		
	FROM MUNICIPAL REVENUE SHARING TRUST FUND		201,700,000
1487	OPERATING CAPITAL OUTLAY		
	FROM ADMINISTRATIVE TRUST FUND		283,416
1488	SPECIAL CATEGORIES		
	TRANSFER TO LOCAL GOVERNMENT HALF CENT SALES TAX CLEARING TRUST FUND		
	FROM GENERAL REVENUE FUND	2,709,566	
1489	DATA PROCESSING SERVICES		
	FROM GENERAL REVENUE FUND	15,300	
	FROM ADMINISTRATIVE TRUST FUND		197,168
	AD VALOREM TAX, DIVISION OF		
1490	SALARIES AND BENEFITS POSITIONS 120		
	FROM INTANGIBLE TAX TRUST FUND		2,876,953
1491	OTHER PERSONAL SERVICES		
	FROM INTANGIBLE TAX TRUST FUND		138,750
1492	EXPENSES		
	FROM INTANGIBLE TAX TRUST FUND		719,885
1493	AID TO LOCAL GOVERNMENTS		
	AERIAL PHOTOGRAPHY AND MAPPING		
	FROM INTANGIBLE TAX TRUST FUND		215,976
1494	AID TO LOCAL GOVERNMENTS		
	COUNTY TAX FORMS		
	FROM INTANGIBLE TAX TRUST FUND		797,582
1495	OPERATING CAPITAL OUTLAY		
	FROM INTANGIBLE TAX TRUST FUND		28,034
1496	DATA PROCESSING SERVICES		
	FROM INTANGIBLE TAX TRUST FUND		236,913
	AUDITS, DIVISION OF		
1497	SALARIES AND BENEFITS POSITIONS 501		
	FROM GENERAL REVENUE FUND	8,112,696	
	FROM ADMINISTRATIVE TRUST FUND		2,739,676

SPECIFIC APPROPRIATION			
1498	OTHER PERSONAL SERVICES		
	FROM ADMINISTRATIVE TRUST FUND		9,785
1499	EXPENSES		
	FROM GENERAL REVENUE FUND	1,155,829	
	FROM ADMINISTRATIVE TRUST FUND		338,924
1500	OPERATING CAPITAL OUTLAY		
	FROM ADMINISTRATIVE TRUST FUND		51,419
1501	DATA PROCESSING SERVICES		
	FROM ADMINISTRATIVE TRUST FUND		212,729
COLLECTION AND ENFORCEMENT, DIVISION OF			
1502	SALARIES AND BENEFITS POSITIONS	270	
	FROM GENERAL REVENUE FUND	3,811,155	
	FROM ADMINISTRATIVE TRUST FUND		894,582
1503	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	37,535	
	FROM ADMINISTRATIVE TRUST FUND		10,885
1504	EXPENSES		
	FROM GENERAL REVENUE FUND	687,226	
	FROM ADMINISTRATIVE TRUST FUND		850,075
1505	AID TO LOCAL GOVERNMENTS		
	CONTINUATION OF SOLID MINERAL SEVERANCE TAX TO COUNTIES		
	FROM SEVERANCE TAX SOLID MINERAL TRUST FUND		4,273,500
1506	AID TO LOCAL GOVERNMENTS		
	DISTRIBUTION TO COUNTIES - OIL AND GAS TAX		
	FROM OIL AND GAS TAX TRUST FUND		3,000,000
1507	NOT USED		
1507A	AID TO LOCAL GOVERNMENTS		
	DISTRIBUTION OF LOCAL GOVERNMENT HALF-CENT SALES TAX		
	FROM LOCAL GOVERNMENT HALF-CENT SALES TAX CLEARING TRUST FUND		432,200,000
1508	NOT USED		
1508A	AID TO LOCAL GOVERNMENTS		
	FIFTH & SIXTH CENT SBA/COUNTY/MOTOR FUEL		
	FROM GAS TAX COLLECTION TRUST FUND		126,000,000
1508B	AID TO LOCAL GOVERNMENTS		
	FIFTH & SIXTH CENT/SBA/COUNTY/FUEL USE TRUST FUND		
	FROM SPECIAL FUEL AND MOTOR FUEL USE TAX CLEARING TRUST FUND		2,291,250

SPECIFIC APPROPRIATION			
1508C	AID TO LOCAL GOVERNMENTS		
	SEVENTH CENT/COUNTIES/MOTOR FUEL		
	FROM GAS TAX COLLECTION TRUST FUND		63,000,000
1508D	AID TO LOCAL GOVERNMENTS		
	SEVENTH CENT/COUNTIES/FUEL USE TRUST FUND		
	FROM SPECIAL FUEL AND MOTOR FUEL USE TAX CLEARING TRUST FUND		1,145,625
1509	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	43,157	
	FROM ADMINISTRATIVE TRUST FUND		16,724
	Should CS/SB 114 or similar legislation become law, the Executive Office of the Governor shall place in reserve three positions and $44,206 provided from General Revenue in Specific Appropriations 1502 through 1509.		
1510	SPECIAL CATEGORIES		
	NATIONAL ASSOCIATION OF TAX ADMINISTRATORS		
	FROM ADMINISTRATIVE TRUST FUND		9,000
1511	DATA PROCESSING SERVICES		
	FROM ADMINISTRATIVE TRUST FUND		465,501
REVENUE MANAGEMENT INFORMATION CENTER			
1512	SALARIES AND BENEFITS POSITIONS	16	
	FROM WORKING CAPITAL TRUST FUND		319,129
1513	EXPENSES		
	FROM WORKING CAPITAL TRUST FUND		1,584,419
1514	OPERATING CAPITAL OUTLAY		
	FROM WORKING CAPITAL TRUST FUND		547,776
1515	NOT USED		
INFORMATION SYSTEMS AND SERVICES, DIVISION OF			
1516	SALARIES AND BENEFITS POSITIONS	225	
	FROM GENERAL REVENUE FUND	3,068,698	
	FROM ADMINISTRATIVE TRUST FUND		436,178
1517	OTHER PERSONAL SERVICES		
	FROM ADMINISTRATIVE TRUST FUND		350,826
1518	EXPENSES		
	FROM GENERAL REVENUE FUND	1,258,134	
	FROM ADMINISTRATIVE TRUST FUND		281,769
1519	OPERATING CAPITAL OUTLAY		
	FROM ADMINISTRATIVE TRUST FUND		72,580
1520	DATA PROCESSING SERVICES		
	FROM GENERAL REVENUE FUND	83,000	
	FROM ADMINISTRATIVE TRUST FUND		1,250,013
	Repeal of the unitary method of combined reporting as provided in Chapter 83-349, Laws of Florida,		

SPECIFIC APPROPRIATION

shall require the Executive Office of the Governor to place in reserve four positions and $84,788 in general revenue provided in Specific Appropriations 1481 through 1520 for unitary tax administration.

STATE, DEPARTMENT OF, AND SECRETARY OF STATE

OFFICE OF THE SECRETARY AND DIVISION OF ADMINISTRATIVE SERVICES

1521	SALARIES AND BENEFITS POSITIONS	83	
	FROM GENERAL REVENUE FUND	1,714,739	
1522	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	3,040	
1523	EXPENSES		
	FROM GENERAL REVENUE FUND	390,144	
	FROM FLAG TRUST FUND		5,000
1524	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	67,316	
1525	DATA PROCESSING SERVICES		
	FROM GENERAL REVENUE FUND	1,079	

ELECTIONS, DIVISION OF

1526	SALARIES AND BENEFITS POSITIONS	40	
	FROM GENERAL REVENUE FUND	539,523	
	FROM PUBLICATIONS REVOLVING TRUST FUND		136,205
1527	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	7,504	
1528	EXPENSES		
	FROM GENERAL REVENUE FUND	303,440	
	FROM OPERATING TRUST FUND		25,000
	FROM PUBLICATIONS REVOLVING TRUST FUND		221,510
1529	AID TO LOCAL GOVERNMENTS PETITION SIGNATURE VERIFICATION		
	FROM GENERAL REVENUE FUND	2,000	
1530	AID TO LOCAL GOVERNMENTS SPECIAL ELECTIONS		
	FROM GENERAL REVENUE FUND	130,000	
1531	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	59,512	
	FROM PUBLICATIONS REVOLVING TRUST FUND		18,837
1531A	LUMP SUM PROCEDURES FOR ELECTRONIC VOTING POSITIONS	2	
	FROM GENERAL REVENUE FUND	24,465	

Funds and positions in Specific Appropriation 1531A are contingent upon HB 618 or similar legislation becoming law.

SPECIFIC APPROPRIATION

1532	SPECIAL CATEGORIES ADVERTISING OF PROPOSED AMENDMENTS TO THE CONSTITUTION		
	FROM GENERAL REVENUE FUND	160,000	
1533	SPECIAL CATEGORIES ELECTION INVESTIGATIONS AND HEARINGS		
	FROM GENERAL REVENUE FUND	11,000	

ARCHIVES, HISTORY, AND RECORDS MANAGEMENT, DIVISION OF

1534	SALARIES AND BENEFITS POSITIONS	140	
	FROM GENERAL REVENUE FUND	1,880,975	
	FROM FLORIDA FOLKLIFE TRUST FUND		21,358
	FROM HISTORIC PRESERVATION TRUST FUND		5,609
	FROM MICROFILM REVOLVING TRUST FUND		381,146
	FROM MUSEUM OF FLORIDA HISTORY TRUST FUND		17,763
	FROM OPERATING TRUST FUND		409,993
1535	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	173,025	
	FROM FLORIDA FOLKLIFE TRUST FUND		20,000
	FROM MICROFILM REVOLVING TRUST FUND		10,400
	FROM MUSEUM OF FLORIDA HISTORY TRUST FUND		16,198
	FROM OPERATING TRUST FUND		41,817
1536	EXPENSES		
	FROM GENERAL REVENUE FUND	1,783,667	
	FROM FLORIDA FOLKLIFE TRUST FUND		70,627
	FROM HISTORIC PRESERVATION TRUST FUND		1,732
	FROM MICROFILM REVOLVING TRUST FUND		272,836
	FROM MUSEUM OF FLORIDA HISTORY TRUST FUND		64,780
	FROM OPERATING TRUST FUND		162,496
1537	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	123,612	
	FROM MICROFILM REVOLVING TRUST FUND		25,577
	FROM OPERATING TRUST FUND		21,262

All trust funds and four positions provided in Specific Appropriations 1534 through 1537 for the Traveling Exhibits Program are provided contingent upon the department securing outside financing specifically for the purpose of funding the trust fund appropriation for the Traveling Exhibits Program.

1537A	LUMP SUM HISTORIC PRESERVATION POSITIONS	2	
	FROM GENERAL REVENUE FUND	41,600	

Funds and positions in Specific Appropriation 1537A are contingent upon HB 802 or similar legislation becoming law.

SPECIFIC APPROPRIATION			
1538	SPECIAL CATEGORIES HISTORIC PRESERVATION GRANTS FROM GENERAL REVENUE FUND	400,000	
	FROM HISTORIC PRESERVATION TRUST FUND . .		65,000
1539	DATA PROCESSING SERVICES FROM GENERAL REVENUE FUND	61,413	
CORPORATIONS, DIVISION OF			
1540	SALARIES AND BENEFITS POSITIONS	149	
	FROM CORPORATIONS TRUST FUND		2,218,116
1541	OTHER PERSONAL SERVICES FROM CORPORATIONS TRUST FUND		64,000
1542	EXPENSES FROM CORPORATIONS TRUST FUND		1,012,803
1543	OPERATING CAPITAL OUTLAY FROM CORPORATIONS TRUST FUND		109,145
1543A	LUMP SUM BUSINESSES TO MAINTAIN STATE OFFICE AND AGENT FROM CORPORATIONS TRUST FUND		79,872
	Funds in Specific Appropriation 1543A are contingent upon HB 505 or similar legislation becoming law.		
1544	SPECIAL CATEGORIES FACILITY PREPARATION COST FROM CORPORATIONS TRUST FUND		230,600
1545	SPECIAL CATEGORIES RICO ACT - ALIEN CORPORATIONS FROM CORPORATIONS TRUST FUND		25,000
1546	DATA PROCESSING SERVICES FROM CORPORATIONS TRUST FUND		1,089,076
LIBRARY SERVICES, DIVISION OF			
1547	SALARIES AND BENEFITS POSITIONS	64	
	FROM GENERAL REVENUE FUND	958,166	
	FROM LIBRARY SERVICES TRUST FUND		192,706
1548	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	25,058	
1549	EXPENSES FROM GENERAL REVENUE FUND	454,476	
	FROM LIBRARY SERVICES TRUST FUND		180,230
1549A	AID TO LOCAL GOVERNMENTS CONSTRUCTION GRANTS FROM GENERAL REVENUE FUND	400,000	

SPECIFIC APPROPRIATION			
1549B	AID TO LOCAL GOVERNMENTS CONSTRUCTION GRANTS - MIDDLEBURG LIBRARY - CLAY COUNTY FROM GENERAL REVENUE FUND	87,500	
1549C	AID TO LOCAL GOVERNMENTS CONSTRUCTION GRANT - VOLUSIA COUNTY FROM GENERAL REVENUE FUND	200,000	
	Funds in Specific Appropriation 1549C are for libraries in Deland and Ormond Beach at $100,000 each.		
1550	AID TO LOCAL GOVERNMENTS LIBRARY GRANTS FROM GENERAL REVENUE FUND	5,623,934	
	FROM LIBRARY SERVICES TRUST FUND		1,928,858
1551	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	111,524	
	FROM LIBRARY SERVICES TRUST FUND		263,355
CULTURAL AFFAIRS, DIVISION OF			
1552	SALARIES AND BENEFITS POSITIONS	17	
	FROM GENERAL REVENUE FUND	242,498	
	FROM FINE ARTS COUNCIL TRUST FUND		117,306
1553	OTHER PERSONAL SERVICES FROM FINE ARTS COUNCIL TRUST FUND		4,145
1554	EXPENSES FROM GENERAL REVENUE FUND	73,511	
	FROM COCONUT GROVE PLAYHOUSE TRUST FUND .		106,705
	FROM FINE ARTS COUNCIL TRUST FUND		64,990
1555	AID TO LOCAL GOVERNMENTS ART GRANTS FROM GENERAL REVENUE FUND	1,932,837	
	FROM FINE ARTS COUNCIL TRUST FUND		458,518
	Funds provided in Specific Appropriation 1555 include a $25,000 grant to fund the annual Cross and Sword presentation.		
1555A	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS FROM GENERAL REVENUE FUND	5,000,000	
	Funds provided in Specific Appropriation 1555A shall be disbursed in advance to Broward County for the Broward County Performing Arts Center. The county shall keep the funds in escrow until the project is matched with at least $28 million from local sources with a minimum amount from each of the following: The city of Fort Lauderdale - $5 million; Broward County - $5 million; the Downtown Development Authority - $5 million; and the combination of revenue from bonds issued by the Performing Arts Center Authority and private donations - $13 million. The Downtown Development Authority may use		

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as part of their match the value of the land obtained by the Authority for the Broward County Performing Arts Center. The county shall transfer the state funds advanced plus any interest income earned thereon to the Performing Arts Center Authority for the purpose of constructing the Broward County Performing Arts Center once the above-mentioned local match requirements are paid. The interest income on the state funds advanced may be expended for proper project expenses provided that the local match requirements are paid before January 15, 1986. If any of the above-mentioned local match requirements are not paid before January 15, 1986, all state funds advanced plus any interest income earned thereon shall be immediately returned and revert to the General Revenue Fund unallocated.

1556 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 1,643

1556A SPECIAL CATEGORIES
ART FACILITIES DEVELOPMENT AND OPERATIONS PROGRAM
FROM GENERAL REVENUE FUND 1,375,500

Funds in Specific Appropriation 1556A for facilities development shall be matched at a ratio of one local/private and one state. These funds may be disbursed in advance. Up to $500,000 included in Specific Appropriation 1556A are to be used to reduce the existing Community Construction Finance Loan originally made to the Jacksonville Arts Assembly for the Florida Theatre's acquisition and renovation. Additionally, these funds shall not be disbursed until title to the Florida Theatre property is transferred to the City of Jacksonville; provided that the City of Jacksonville shall lease the theatre portion of the building to the Jacksonville Arts Assembly for 99 years at a rental rate of $1 per year or such other agreement as may be mutually agreed to by the City of Jacksonville and the Jacksonville Arts Assembly.

1557 SPECIAL CATEGORIES
CHALLENGE GRANTS
FROM GENERAL REVENUE FUND 200,000

1558 SPECIAL CATEGORIES
STATE TOURING PROGRAM
FROM GENERAL REVENUE FUND 200,000

LICENSING, DIVISION OF

1559 SALARIES AND BENEFITS POSITIONS 56
FROM DIVISION OF LICENSING TRUST FUND . . 990,399

SPECIFIC APPROPRIATION

1560 EXPENSES
FROM DIVISION OF LICENSING TRUST FUND . . 740,232

1561 OPERATING CAPITAL OUTLAY
FROM DIVISION OF LICENSING TRUST FUND . . 39,158

1561A LUMP SUM
ANNUAL DIRECTORY OF CHARITABLE ORGANIZATIONS
POSITIONS 1
FROM DIVISION OF LICENSING TRUST FUND . . 17,969

Funds and the position in Specific Appropriation 1561A are contingent upon HB 537 or similar legislation becoming law.

1562 DATA PROCESSING SERVICES
FROM DIVISION OF LICENSING TRUST FUND . . 110,000

HISTORIC PRESERVATION BOARDS

HISTORIC PENSACOLA PRESERVATION BOARD

1563 SALARIES AND BENEFITS POSITIONS 15
FROM GENERAL REVENUE FUND 306,825

1564 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 12,000
FROM OPERATING TRUST FUND 30,000

1565 EXPENSES
FROM GENERAL REVENUE FUND 8,134
FROM OPERATING TRUST FUND 98,244

1566 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 900
FROM OPERATING TRUST FUND 8,200

HISTORIC ST AUGUSTINE PRESERVATION BOARD

1567 SALARIES AND BENEFITS POSITIONS 30
FROM GENERAL REVENUE FUND 531,022
FROM OPERATING TRUST FUND 24,683

1568 OTHER PERSONAL SERVICES
FROM OPERATING TRUST FUND 62,367

1569 EXPENSES
FROM OPERATING TRUST FUND 176,839

1570 OPERATING CAPITAL OUTLAY
FROM OPERATING TRUST FUND 12,316

HISTORIC TALLAHASSEE PRESERVATION BOARD

1571 SALARIES AND BENEFITS POSITIONS 4
FROM GENERAL REVENUE FUND 87,241

SPECIFIC APPROPRIATION			
1572	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	5,150	
	FROM OPERATING TRUST FUND		5,699
1573	EXPENSES		
	FROM GENERAL REVENUE FUND	11,671	
	FROM OPERATING TRUST FUND		40,071
1574	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	500	
	FROM OPERATING TRUST FUND		1,714
HISTORIC KEY WEST PRESERVATION BOARD			
1575	SALARIES AND BENEFITS POSITIONS	3	
	FROM GENERAL REVENUE FUND	53,847	
	FROM OPERATING TRUST FUND		2,663
1576	OTHER PERSONAL SERVICES		
	FROM OPERATING TRUST FUND		10,274
1577	EXPENSES		
	FROM GENERAL REVENUE FUND	1,122	
	FROM OPERATING TRUST FUND		23,998
1578	OPERATING CAPITAL OUTLAY		
	FROM OPERATING TRUST FUND		1,000
HISTORIC TAMPA/HILLSBOROUGH COUNTY PRESERVATION BOARD			
1578A	SALARIES AND BENEFITS POSITIONS	5	
	FROM GENERAL REVENUE FUND	91,235	
	FROM OPERATING TRUST FUND		22,500
1578B	OTHER PERSONAL SERVICES		
	FROM OPERATING TRUST FUND		12,500
1578C	EXPENSES		
	FROM OPERATING TRUST FUND		31,153
1578D	OPERATING CAPITAL OUTLAY		
	FROM OPERATING TRUST FUND		2,173
HISTORIC BOCA RATON PRESERVATION BOARD			
1578E	SALARIES AND BENEFITS POSITIONS	2	
	FROM GENERAL REVENUE FUND	33,696	
1578F	OTHER PERSONAL SERVICES		
	FROM OPERATING TRUST FUND		5,750
1578G	EXPENSES		
	FROM OPERATING TRUST FUND		7,241
1578H	OPERATING CAPITAL OUTLAY		
	FROM OPERATING TRUST FUND		6,009

SPECIFIC APPROPRIATION			
HISTORIC BROWARD COUNTY PRESERVATION BOARD OF TRUSTEES			
1578I	OTHER PERSONAL SERVICES		
	FROM OPERATING TRUST FUND		12,980
1578J	EXPENSES		
	FROM OPERATING TRUST FUND		1,329
1578K	LUMP SUM		
	FROM GENERAL REVENUE FUND	10,000	
RINGLING MUSEUM OF ART, BOARD OF TRUSTEES OF THE JOHN AND MABLE			
1579	SALARIES AND BENEFITS POSITIONS	99	
	FROM GENERAL REVENUE FUND	1,748,179	
1580	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	15,000	
	FROM INVESTMENT TRUST FUND		125,000
STATE THEATER PROGRAM			
1581	EXPENSES		
	FROM GENERAL REVENUE FUND	711,436	

TRANSPORTATION, DEPARTMENT OF

Funds in Specific Appropriations 1582 through 1676 reflect the total commitment level to be entered into by the department during this fiscal year in accordance with s. 216.311, F.S. Appropriation levels contained herein contemplate that cash flow procedures authorized for the State Transportation Trust Fund by s. 334.21, F.S., and the ACI Revolving Trust Fund by ss. 337.34(3)(b), F.S., shall continue to be utilized as a means to maximize contract lettings.

From funds provided in Specific Appropriations 1582 through 1676, the department is authorized, with the concurrence of the Executive Office of the Governor, to pay all bills of the department from the Working Capital Trust Fund pursuant to s. 334.2105, F.S., with monthly reimbursement from the appropriate fund and Specific Appropriation. The Executive Office of the Governor is authorized to provide the necessary budget for the Working Capital Trust Fund to coincide with the appropriation category amounts contained herein as well as an advance from appropriate Specific Appropriations in accordance with s. 334.2105, F.S., to meet estimated cash flow needs. The department shall prepare a funding matrix depicting the fund source for each Specific Appropriation contained herein for inclusion in the 1984-85 approved operating budget. In conjunction with this matrix, the department shall continue to submit for inclusion in the approved operating budget performance measures for all programs and anticipated units of performance for the 1984-85

SPECIFIC APPROPRIATION

fiscal year. The department shall prepare quarterly a report in this identical format showing commitments actually made during the fiscal year 1984-85 and shall provide copies of each report to all parties receiving copies of the approved operating budget. These quarterly reports shall also include an analysis of units of program performance achieved. Working Capital Trust Funds utilized for all budget entities of the department reflect the trust fund authorized by s. 334.2105, F.S., as well as requirements for funding Burns Data Center pursuant to s. 23.029, F.S. The State Comptroller's procedures may not permit the department to use a single cash control for the fund and at the same time provide the ability to record charges for other budget entities on a unit cost basis for services rendered by the Burns Data Center and Centralized Mobile Equipment and Warehouse Operations budget entities. In this event, the department shall maintain adequate internal records to record these charges and reflect these as commitments on the quarterly funding matrix report required above. In addition, the appropriation categories entitled "Payments for Centralized Support Services" and "Data Processing Services" shall continue to be reflected in the legislative budget system as Specific Appropriations regardless of whether or not operating disbursements are recorded in the State Comptroller's accounts.

Funds provided in Specific Appropriation 1584 contemplate that the department's budget request for the 1985-87 biennium shall include a comparison of the department's anticipated annual performance goals for each year of the biennium with the annual goals presented by the department to the Legislature in conjunction with the passage of the 1983 increase of the motor fuel tax. This comparison shall include a detailed explanation of any variances between the two.

OFFICE OF THE SECRETARY AND DIVISION OF ADMINISTRATION

From funds provided in Specific Appropriations 1582 through 1585, the department is authorized to establish three deputy assistant secretary positions. These positions are to be established without additional rate. The department shall evaluate appropriate reorganization of its current structure in coordination with the Executive Office of the Governor and the appropriate legislative committees.

1582 SALARIES AND BENEFITS POSITIONS 551
FROM WORKING CAPITAL TRUST FUND 12,730,822

Funds are provided in Specific Appropriation 1582 for a deputy district engineer for the Tampa Bay area. This position shall report directly to the district engineer and shall have primary responsibility for working with metropolitan planning organizations, regional planning councils and local governments concerning planning and project development. The position shall provide input to the Deputy District Engineer for Production regarding the planning and utilization of resources needed to accomplish projects within the Tampa Bay area.

1583 OTHER PERSONAL SERVICES
FROM WORKING CAPITAL TRUST FUND 521,213

1584 EXPENSES
FROM WORKING CAPITAL TRUST FUND 5,667,904

1585 OPERATING CAPITAL OUTLAY
FROM WORKING CAPITAL TRUST FUND 366,481

1585A LUMP SUM
SETTLEMENT FOR FAIRBANKS GROUNDWATER CONTAMINATION
FROM WORKING CAPITAL TRUST FUND 360,000

The funds provided in Specific Appropriation 1585A are for payments to various recipients and are contingent upon the valid execution and receipt by the department of a full release of all past, present, and future property damage claims and full release of all past and present personal injury claims by each proposed recipient. The agreement shall state that the payment of funds to each recipient does not constitute acceptance by the State of Florida of liability for damages, and that this shall not be considered a precedent for the resolution of any similar incidents which might occur.

1585B LUMP SUM
SUPPORT FOR HIGH SPEED RAIL COMMISSION
FROM WORKING CAPITAL TRUST FUND 250,000

1585C LUMP SUM
TRANSFER TO DOE FOR CENTER FOR TRANSPORTATION TECHNOLOGY RESEARCH
FROM WORKING CAPITAL TRUST FUND 450,000

1586 SPECIAL CATEGORIES
CONSULTANT FEES
FROM WORKING CAPITAL TRUST FUND 940,850

1587 SPECIAL CATEGORIES
PAYMENTS FOR CENTRALIZED SUPPORT SERVICES
FROM WORKING CAPITAL TRUST FUND 247,853

1588 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM WORKING CAPITAL TRUST FUND 1,476,553

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1589 DATA PROCESSING SERVICES
FROM WORKING CAPITAL TRUST FUND 2,967,439

PUBLIC TRANSPORTATION OPERATIONS, DIVISION OF

Appropriation authority provided in Specific Appropriations 1590 through 1601 from the Working Capital Trust Fund for anticipated federal grant funds for the Division of Public Transportation Operations shall not be utilized to disburse state funds if the federal grants do not materialize.

1590 SALARIES AND BENEFITS POSITIONS 108
FROM WORKING CAPITAL TRUST FUND 3,404,221

1591 EXPENSES
FROM WORKING CAPITAL TRUST FUND 294,374

1592 AID TO LOCAL GOVERNMENTS
AVIATION MATCH GRANTS
FROM WORKING CAPITAL TRUST FUND 13,050,000

1593 AID TO LOCAL GOVERNMENTS
MASS TRANSIT MATCHING GRANTS
FROM GRANTS AND DONATIONS TRUST FUND . . . 110,000
FROM WORKING CAPITAL TRUST FUND 39,900,313

Of the funds provided in Specific Appropriation 1593 for the operation of the Silver Palm passenger train, $576,000 is contingent upon CS/SB 869 or similar legislation, extending transit service development beyond two years, becoming law.

No funds are provided in Specific Appropriation 1593 for the Orlando, Tampa, and Ft. Lauderdale Downtown People Mover Systems. State funds previously provided must be matched by local funds before those projects proceed beyond preliminary engineering and environmental impact analysis.

State funds provided in Specific Appropriation 1593 for a commuter rail project between Palm Beach, Broward, and Dade counties shall not be committed until an agreement has been executed with the United States Department of Transportation specifying that federal funds are committed for a minimum of 75% of the total project cost. With federal authorization of additional funds, the commitment of interstate construction funds is permitted for this project. The Florida Department of Transportation is authorized to match with state funds an amount not to exceed 12.5% of the total federal funds committed to the project. The department is not authorized to expend state funds for this project once construction on I-95 and I-595 is complete.

Of the funds provided in Specific Appropriation 1593, $100,000 is for use by the department to contract with a consultant to work with the department, local governments and the railroad industry to implement the Tri-County Alternative Transit Technology Study.

SPECIFIC APPROPRIATION

1594 OPERATING CAPITAL OUTLAY
FROM WORKING CAPITAL TRUST FUND 11,230

1595 SPECIAL CATEGORIES
ENGINEERING CONSULTANTS
FROM WORKING CAPITAL TRUST FUND 450,000

1596 SPECIAL CATEGORIES
PAYMENTS FOR CENTRALIZED SUPPORT SERVICES
FROM WORKING CAPITAL TRUST FUND 68,373

1597 SPECIAL CATEGORIES
PUBLIC TRANSPORTATION FLEET
FROM WORKING CAPITAL TRUST FUND 3,410,000

1598 SPECIAL CATEGORIES
PUBLIC TRANSPORTATION STRUCTURES IMPROVEMENTS
FROM WORKING CAPITAL TRUST FUND 3,650,000

1599 SPECIAL CATEGORIES
PURCHASE OF RAILROAD RIGHT-OF-WAY
FROM WORKING CAPITAL TRUST FUND 7,710,000

Funds provided in Specific Appropriation 1599 shall count toward the state's matching share of any transit project constructed in these corridors in the future.

1600 SPECIAL CATEGORIES
RIGHT-OF-WAY OTHER PERSONAL SERVICES FEES
FROM WORKING CAPITAL TRUST FUND 90,000

1601 DATA PROCESSING SERVICES
FROM WORKING CAPITAL TRUST FUND 35,818

PLANNING AND PROGRAMMING, DIVISION OF

1602 SALARIES AND BENEFITS POSITIONS 251
FROM WORKING CAPITAL TRUST FUND 6,928,115

1603 OTHER PERSONAL SERVICES
FROM WORKING CAPITAL TRUST FUND 31,875

1604 EXPENSES
FROM WORKING CAPITAL TRUST FUND 568,079

1605 AID TO LOCAL GOVERNMENTS
TRANSPORTATION PLANNING GRANTS
FROM GRANTS AND DONATIONS TRUST FUND . . . 20,000
FROM WORKING CAPITAL TRUST FUND 3,112,000

1606 OPERATING CAPITAL OUTLAY
FROM WORKING CAPITAL TRUST FUND 276,356

SPECIFIC APPROPRIATION

1607 SPECIAL CATEGORIES
CONSULTANT FEES
FROM WORKING CAPITAL TRUST FUND 200,000

1608 SPECIAL CATEGORIES
ENGINEERING AND PLANNING CONSULTANTS
FROM GRANTS AND DONATIONS TRUST FUND . . . 50,000
FROM WORKING CAPITAL TRUST FUND 2,532,500

1609 SPECIAL CATEGORIES
PAYMENTS FOR CENTRALIZED SUPPORT SERVICES
FROM WORKING CAPITAL TRUST FUND 188,026

1610 DATA PROCESSING SERVICES
FROM WORKING CAPITAL TRUST FUND 1,948,536

PRE-CONSTRUCTION AND DESIGN, DIVISION OF

Amounts provided in Specific Appropriations 1611, 1615, 1616, 1618, 1618A, 1623, and 1624 for engineering design shall only be expended for design plans which have been signed by the persons responsible for their preparation pursuant to department directive. This requirement shall apply to design plans prepared by department employees and by consultants under contract with the department.

1611 SALARIES AND BENEFITS POSITIONS 1,391
FROM WORKING CAPITAL TRUST FUND 34,538,994

1612 OTHER PERSONAL SERVICES
FROM WORKING CAPITAL TRUST FUND 146,952

1613 EXPENSES
FROM WORKING CAPITAL TRUST FUND 2,599,358

From funds provided in Specific Appropriation 1613, the department shall continue to develop reproducible camera ready plates of the state highway system in map form. The department shall establish a procedure for leasing these plates to private enterprise and the department shall establish a lease fee which will cover the cost to produce these plates and establish the lease program. Additionally, the department shall continue to produce and print enough state transportation maps to meet the demand of state government.

1614 OPERATING CAPITAL OUTLAY
FROM WORKING CAPITAL TRUST FUND 444,150

1614A LUMP SUM
OUTDOOR ADVERTISEMENT ABATEMENT
POSITIONS 6
FROM WORKING CAPITAL TRUST FUND 400,000

Positions and funds provided in Specific Appropriation 1614A are contingent upon CS/HB 1312 or similar legislation becoming law. The department shall use up to $136,000 to fund one position in each district. In addition, up to $40,000 may be used to provide class adjustments for outdoor advertising inspectors, if approved by the Department of Administration. The balance of the funds may be used as compensation for the removal of non-conforming signs.

1614B LUMP SUM
AID TO LOCAL GOVERNMENTS - FAIRBANKS GROUNDWATER CONTAMINATION PROJECT
CONSULTANT FEES
FROM WORKING CAPITAL TRUST FUND 1,466,200

1615 SPECIAL CATEGORIES
BRIDGE DESIGN CONSULTANTS
FROM WORKING CAPITAL TRUST FUND 3,019,700

1616 SPECIAL CATEGORIES
CONSULTANT FEES
FROM WORKING CAPITAL TRUST FUND 2,420,400

1617 SPECIAL CATEGORIES
HIGHWAY BEAUTIFICATION PAYMENTS
FROM WORKING CAPITAL TRUST FUND 106,980

1618 SPECIAL CATEGORIES
INTERSTATE DESIGN CONSULTANTS
FROM WORKING CAPITAL TRUST FUND 8,297,300

1618A SPECIAL CATEGORIES
OTHER FEDERAL AID DESIGN CONSULTANTS
FROM WORKING CAPITAL TRUST FUND 2,539,900

1619 SPECIAL CATEGORIES
OVERTIME
FROM WORKING CAPITAL TRUST FUND 579,723

1620 SPECIAL CATEGORIES
PAYMENTS FOR CENTRALIZED SUPPORT SERVICES
FROM WORKING CAPITAL TRUST FUND 1,418,745

1621 SPECIAL CATEGORIES
RIGHT-OF-WAY LAND ACQUISITION
FROM WORKING CAPITAL TRUST FUND 169,428,000

From funds provided in Specific Appropriation 1621, an amount not to exceed $5,000,000 may be used to purchase right-of-way for future projects which the department has reason to believe may be subject to development before the department would otherwise have funds available for purchase. Such projects must be within the first seven years of the work program.

1622 SPECIAL CATEGORIES
RIGHT-OF-WAY OTHER PERSONAL SERVICES FEES
FROM WORKING CAPITAL TRUST FUND 11,079,000

SPECIFIC APPROPRIATION

1623 SPECIAL CATEGORIES
STATE 100% DESIGN CONSULTANTS
FROM WORKING CAPITAL TRUST FUND 15,301,400

1624 SPECIAL CATEGORIES
TRAFFIC OPERATIONS DESIGN CONSULTANTS
FROM WORKING CAPITAL TRUST FUND 2,805,000

1625 NOT USED

1626 DATA PROCESSING SERVICES
FROM WORKING CAPITAL TRUST FUND 2,408,739

Funds provided in Specific Appropriations 1614 and 1626 for the expansion of the Computer Aided Drafting and Design System shall not be committed until the Department of Transportation has submitted to the Governor and Legislature the following items:

1. By July 15, 1984, specific goals and objectives for productivity improvement resulting from the operation of Stage I of the new Computer Aided Drafting and Design System.

2. Documentation that the Computer Aided Drafting and Design System approved in the fiscal year 1983-84 budget has been operational in the department for six months.

3. A statement from the secretary specifying that the Computer Aided Drafting and Design System is funtioning as anticipated, and meeting the goals and objectives specified in paragraph 1 above.

4. A statement from the secretary addressing additional unexpected cost or purchases necessary or additional appropriation request which will occur as a result of the implementation of the Computer Aided Drafting and Design System.

CONSTRUCTION, DIVISION OF

1627 SALARIES AND BENEFITS POSITIONS 1,508
FROM WORKING CAPITAL TRUST FUND 33,786,378

1628 OTHER PERSONAL SERVICES
FROM WORKING CAPITAL TRUST FUND 38,140

1629 EXPENSES
FROM WORKING CAPITAL TRUST FUND 1,840,655

1630 OPERATING CAPITAL OUTLAY
FROM WORKING CAPITAL TRUST FUND 476,651

1631 SPECIAL CATEGORIES
CONSTRUCTION INSPECTION CONSULTANTS
FROM WORKING CAPITAL TRUST FUND 18,000,000

SPECIFIC APPROPRIATION

1631A SPECIAL CATEGORIES
TRANSPORTATION - SUNSHINE SKYWAY BRIDGE DEBRIS
FROM WORKING CAPITAL TRUST FUND 50,000

Funds provided in Specific Appropriation 1631A shall be used for the transportation of Sunshine Skyway Bridge debris for the purpose of constructing artificial fishing reefs in Pinellas and Manatee Counties.

1632 SPECIAL CATEGORIES
CONSULTANT FEES
FROM WORKING CAPITAL TRUST FUND 1,437,500

1633 SPECIAL CATEGORIES
OTHER FEDERAL AID ROAD CONSTRUCTION CONTRACTS
FROM WORKING CAPITAL TRUST FUND 113,485,000

1634 SPECIAL CATEGORIES
OTHER FEDERAL AID TRAFFIC OPERATIONS
FROM WORKING CAPITAL TRUST FUND 12,300,000

1635 SPECIAL CATEGORIES
INTERSTATE ROAD CONSTRUCTION CONTRACTS
FROM WORKING CAPITAL TRUST FUND 226,700,000

1636 SPECIAL CATEGORIES
INTERSTATE RESURFACING/REHABILITATION CONSTRUCTION CONTRACTS
FROM WORKING CAPITAL TRUST FUND 88,800,000

1637 SPECIAL CATEGORIES
OTHER FEDERAL AID BRIDGE CONSTRUCTION CONTRACTS
FROM WORKING CAPITAL TRUST FUND 19,485,000

1638 SPECIAL CATEGORIES
OTHER FEDERAL AID RESURFACING CONTRACTS
FROM WORKING CAPITAL TRUST FUND 20,000,000

1639 SPECIAL CATEGORIES
OVERTIME
FROM WORKING CAPITAL TRUST FUND 813,988

1640 SPECIAL CATEGORIES
PAYMENTS FOR CENTRALIZED SUPPORT SERVICES
FROM WORKING CAPITAL TRUST FUND 4,286,149

1641 NOT USED

1642 SPECIAL CATEGORIES
STATE 100% BRIDGE CONSTRUCTION CONTRACTS
FROM WORKING CAPITAL TRUST FUND 53,000,000

SPECIFIC APPROPRIATION

1643 SPECIAL CATEGORIES
STATE 100% RESURFACING CONSTRUCTION CONTRACTS
FROM WORKING CAPITAL TRUST FUND 66,000,000

1644 SPECIAL CATEGORIES
OTHER STATE 100% ROAD CONSTRUCTION CONTRACTS
FROM WORKING CAPITAL TRUST FUND 40,000,000

Pursuant to the provisions of s. 339.08(b), F.S., the department is authorized to expend up to $300,000 of the funds provided in Specific Appropriation 1644 on a revenue-producing transportation project in Brevard County.

1645 SPECIAL CATEGORIES
TRAFFIC OPERATIONS CONSTRUCTION CONTRACTS
FROM WORKING CAPITAL TRUST FUND 26,000,000

1646 SPECIAL CATEGORIES
TRANSPORTATION MATERIALS AND EQUIPMENT
FROM WORKING CAPITAL TRUST FUND 2,184

1647 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF COMMERCE - ECONOMIC DEVELOPMENT TRANSPORTATION TF
FROM WORKING CAPITAL TRUST FUND 10,000,000

1648 DATA PROCESSING SERVICES
FROM WORKING CAPITAL TRUST FUND 465,630

MAINTENANCE, DIVISION OF

1649 SALARIES AND BENEFITS POSITIONS 4,680
FROM WORKING CAPITAL TRUST FUND 76,844,633

1650 OTHER PERSONAL SERVICES
FROM WORKING CAPITAL TRUST FUND 2,671,731

1651 EXPENSES
FROM WORKING CAPITAL TRUST FUND 9,638,201

1652 OPERATING CAPITAL OUTLAY
FROM WORKING CAPITAL TRUST FUND 570,491

1653 SPECIAL CATEGORIES
CONSULTANT FEES
FROM WORKING CAPITAL TRUST FUND 2,953,100

1654 SPECIAL CATEGORIES
CONTRACTUAL SERVICES WITH DEPARTMENT OF CORRECTIONS - DEPARTMENT OF CORRECTIONS SUPERVISED
FROM WORKING CAPITAL TRUST FUND 6,245,975

SPECIFIC APPROPRIATION

1655 SPECIAL CATEGORIES
EMERGENCY STRUCTURE REPAIRS
FROM WORKING CAPITAL TRUST FUND 1,000,000

1656 SPECIAL CATEGORIES
FLORIDA HIGHWAY PATROL SERVICES
FROM WORKING CAPITAL TRUST FUND 5,278,872

1657 SPECIAL CATEGORIES
MAINTENANCE AND OPERATIONS CONTRACTS
FROM WORKING CAPITAL TRUST FUND 11,540,988

Of the funds provided in Specific Appropriation 1657, the department may use up to $10,000 to contract with local farmers to periodically mow the grass on the state highway system.

1658 SPECIAL CATEGORIES
OVERTIME
FROM WORKING CAPITAL TRUST FUND 642,237

1659 SPECIAL CATEGORIES
PAYMENTS FOR CENTRALIZED SUPPORT SERVICES
FROM WORKING CAPITAL TRUST FUND 36,515,600

1660 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM WORKING CAPITAL TRUST FUND 68,000

1661 SPECIAL CATEGORIES
TRAFFIC SYSTEMS DEVELOPMENT CONSULTANTS
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,169,250
FROM WORKING CAPITAL TRUST FUND 1,350,000

1662 SPECIAL CATEGORIES
TRANSPORTATION MATERIALS AND EQUIPMENT
FROM WORKING CAPITAL TRUST FUND 7,158,553

1663 DATA PROCESSING SERVICES
FROM WORKING CAPITAL TRUST FUND 886,487

CENTRALIZED MOBILE EQUIPMENT AND WAREHOUSE OPERATIONS

1664 SALARIES AND BENEFITS POSITIONS 373
FROM WORKING CAPITAL TRUST FUND 6,369,904

1665 OTHER PERSONAL SERVICES
FROM WORKING CAPITAL TRUST FUND 650

1666 EXPENSES
FROM WORKING CAPITAL TRUST FUND 18,330,322

1667 OPERATING CAPITAL OUTLAY
FROM WORKING CAPITAL TRUST FUND 12,154,366

SPECIFIC APPROPRIATION			
1668	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM WORKING CAPITAL TRUST FUND		99,427
1669	SPECIAL CATEGORIES TRANSPORTATION MATERIALS AND EQUIPMENT FROM WORKING CAPITAL TRUST FUND		16,330,262
1670	DATA PROCESSING SERVICES FROM WORKING CAPITAL TRUST FUND		161,180
BURNS DATA CENTER			
1671	SALARIES AND BENEFITS POSITIONS 167 FROM WORKING CAPITAL TRUST FUND		3,788,920
1672	OTHER PERSONAL SERVICES FROM WORKING CAPITAL TRUST FUND		6,288
1673	EXPENSES FROM WORKING CAPITAL TRUST FUND		2,465,962
1674	OPERATING CAPITAL OUTLAY FROM WORKING CAPITAL TRUST FUND		2,549,415
1675	SPECIAL CATEGORIES CONSULTANT FEES FROM WORKING CAPITAL TRUST FUND		228,500
1676	SPECIAL CATEGORIES PAYMENTS FOR CENTRALIZED SUPPORT SERVICES FROM WORKING CAPITAL TRUST FUND		8,369
	TOTAL OF SECTION 01	110,228	
	FROM GENERAL FUNDS.	6186,012,865	
	FROM TRUST FUNDS.		6758,913,212
	TOTAL ALL FUNDS		12944,926,077

Section 2. The moneys in the following specific appropriations are appropriated from the named funds for the 1984-85 Fiscal Year to the Department of General Services for fixed capital outlay for the state agencies indicated.

AGRICULTURE AND CONSUMER SERVICES, DEPARTMENT OF, AND COMMISSIONER OF AGRICULTURE

OFFICE OF THE COMMISSIONER AND DIVISION OF ADMINISTRATION

SPECIFIC APPROPRIATION			
1676A	FIXED CAPITAL OUTLAY NASSAU COUNTY MULTI-USE FACILITY FROM GENERAL REVENUE FUND	45,000	
1676B	FIXED CAPITAL OUTLAY PLANNING PHASE/CONSTRUCTION OF AGRICULTURE CENTER/ ST. JOHNS COUNTY FROM GENERAL REVENUE FUND	100,000	
1676C	FIXED CAPITAL OUTLAY REPAIR & RENOVATIONS - MAYO BUILDING FROM GENERAL REVENUE FUND	100,000	
INSPECTION, DIVISION OF			
1676D	FIXED CAPITAL OUTLAY RELOCATE ROAD GUARD STATION - ELLAVILLE FROM GENERAL REVENUE FUND	23,439	
MARKETING, DIVISION OF			
1676E	FIXED CAPITAL OUTLAY CONSTRUCTION - STATE FARMERS MARKET/PLANT CITY FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND		150,000
1677	NOT USED		
1677A	FIXED CAPITAL OUTLAY IMPROVEMENTS/STATE FARMERS MARKET/BONIFAY FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND		100,000
1678	NOT USED		
1678A	FIXED CAPITAL OUTLAY RENOVATIONS HOMESTEAD STATE FARMERS MARKET FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND		27,500
1678B	FIXED CAPITAL OUTLAY REPAIRS/RENOVATIONS TRENTON STATE FARMERS MARKET FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND		100,000
1678C	FIXED CAPITAL OUTLAY REPAIRS & RENOVATIONS - STATE FARMERS' MARKET FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND		250,000
1679	NOT USED		
1679A	FIXED CAPITAL OUTLAY POLK COUNTY LIVESTOCK PAVILION -BARTOW FROM GENERAL REVENUE FUND	900,000	
1680	FIXED CAPITAL OUTLAY REROOF UNIT #1, SANFORD STATE FARMERS' MARKET FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND		200,000

SPECIFIC APPROPRIATION

1680A FIXED CAPITAL OUTLAY
TRANSFER TO MARKET IMPROVEMENT WORKING CAPITAL TRUST FUND
FROM GENERAL REVENUE FUND 377,500

PLANT INDUSTRY, DIVISION OF

1680B FIXED CAPITAL OUTLAY
FRUIT FLY LABORATORY FACILITY
FROM GENERAL REVENUE FUND 1,250,000

1680C FIXED CAPITAL OUTLAY
LABORATORY ADDITION IN WINTER HAVEN
FROM GENERAL REVENUE FUND 69,357

1681 FIXED CAPITAL OUTLAY
SEWAGE/DOYLE CONNER BUILDING
FROM GENERAL REVENUE FUND 9,000

FORESTRY, DIVISION OF

1681A FIXED CAPITAL OUTLAY
BLACKWATER RECREATIONAL AREA DEVELOPMENT
FROM INCIDENTAL TRUST FUND 150,000

1681B FIXED CAPITAL OUTLAY
DISTRICT OFFICE FACILITY - OKEECHOBEE DISTRICT - OKEECHOBEE COUNTY
FROM GENERAL REVENUE FUND 73,189

1682 NOT USED

1683 NOT USED

1684 NOT USED

1684A FIXED CAPITAL OUTLAY
REPAIRS AND RENOVATIONS
FROM GENERAL REVENUE FUND 104,706
FROM INCIDENTAL TRUST FUND 116,900

1685 NOT USED

1686 NOT USED

1687 NOT USED

CORRECTIONS, DEPARTMENT OF

Funds in Specific Appropriations 1688, 1689A, 1690, 1694, 1697, and 1698 are provided to raise the lawful capacity of the state correctional system, as defined in the Correctional Reform Act of 1983, to 33,627 inmates for Fiscal Year 1983-84.

Should an emergency release situation occur prior to the completion of the beds required to raise the lawful capacity to 33,627 or as a result of unanticipated circumstances, the department shall notify the Governor and the legislative appropriations committees. The lawful capacity may be amended by the Governor in consultation with the chairmen of the legislative appropriations committees to reflect the existing available bedspace, which shall be the basis for initiating any emergency release of inmates.

OFFICE OF THE ASSISTANT SECRETARY FOR OPERATIONS

MAJOR INSTITUTIONS

1688 FIXED CAPITAL OUTLAY
COMPLETION OF PUTNAM CORRECTIONAL INSTITUTION - 55 BEDS
FROM GENERAL REVENUE FUND 1,400,000

1689 NOT USED

1689A FIXED CAPITAL OUTLAY
RENOVATION OF FORMER PALM BEACH COUNTY JAIL FOR THE DEPARTMENT OF CORRECTIONS' USE
FROM GENERAL REVENUE FUND 469,000

1690 FIXED CAPITAL OUTLAY
CONVERT HRS CIVIL MENTAL HEALTH FACILITIES FOR CORRECTIONS MENTAL HEALTH
FROM GENERAL REVENUE FUND 2,402,600

1691 NOT USED

1692 NOT USED

1693 NOT USED

1694 FIXED CAPITAL OUTLAY
EXTENDED CARE SKILLED NURSING FACILITY/RECEPTION AND MEDICAL CENTER - 60 BEDS
FROM GENERAL REVENUE FUND 2,542,000

1695 FIXED CAPITAL OUTLAY
MAJOR REPAIRS, RENOVATIONS AND IMPROVEMENTS TO MAJOR INSTITUTIONS
FROM GENERAL REVENUE FUND 1,400,000

1696 NOT USED

1697 FIXED CAPITAL OUTLAY
NEW INSTITUTION, MARTIN COUNTY - 672 BEDS
FROM GENERAL REVENUE FUND 7,100,000

1698 FIXED CAPITAL OUTLAY
REPLACEMENT OF CONFINEMENT FACILITIES, UNION CORRECTIONAL INSTITUTION
FROM GENERAL REVENUE FUND 6,580,000

1699 NOT USED

SPECIFIC APPROPRIATION

1700 FIXED CAPITAL OUTLAY
SUPPLEMENTAL FUNDING FOR SOUTH FLORIDA RECEPTION CENTER
FROM GENERAL REVENUE FUND 3,606,000

1701 NOT USED

1701A FIXED CAPITAL OUTLAY
COMPLETION OF OKALOOSA CORRECTIONAL INSTITUTION
FROM GENERAL REVENUE FUND 700,000

1701B FIXED CAPITAL OUTLAY
PAVING AND RESURFACING, STATEWIDE
FROM GENERAL REVENUE FUND 500,000

COMMUNITY FACILITIES AND ROAD PRISONS

1701C FIXED CAPITAL OUTLAY
ACQUISITION OF PARK HOUSE, TALLAHASSEE
FROM GENERAL REVENUE FUND 180,000

1702 FIXED CAPITAL OUTLAY
MAJOR REPAIRS, RENOVATIONS AND IMPROVEMENTS TO COMMUNITY FACILITIES
FROM GENERAL REVENUE FUND 250,000

Of the funds provided in Specific Appropriation 1702, $53,000 may be used to construct a dormitory at the Berrydale Forestry Camp.

ENVIRONMENTAL REGULATION, DEPARTMENT OF

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

GAME AND FRESH WATER FISH COMMISSION, FLORIDA

OFFICE OF THE EXECUTIVE DIRECTOR AND DIVISION OF ADMINISTRATIVE SERVICES

1703A FIXED CAPITAL OUTLAY
OCALA TARGET RANGE
FROM STATE GAME TRUST FUND 44,527

WILDLIFE, DIVISION OF

1703B FIXED CAPITAL OUTLAY
CHINSEGUT NATURE CENTER - HERNANDO COUNTY
FROM GENERAL REVENUE FUND 75,000
FROM STATE GAME TRUST FUND 31,000

1704 FIXED CAPITAL OUTLAY
WEBB HYDROLOGIC RESTORATION, CHARLOTTE COUNTY
FROM GRANTS AND DONATIONS TRUST FUND . . . 620,305

SPECIFIC APPROPRIATION

FISHERIES, DIVISION OF

1705 FIXED CAPITAL OUTLAY
EUSTIS RESEARCH LABORATORY - ROOF
FROM STATE GAME TRUST FUND 25,930

GENERAL SERVICES, DEPARTMENT OF

BUILDING CONSTRUCTION AND PROPERTY MANAGEMENT, DIVISION OF

1706 FIXED CAPITAL OUTLAY
ACQUISITION AND INSTALLATION OF TELEPHONE EQUIPMENT
FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND 328,277

1707 NOT USED

1708 FIXED CAPITAL OUTLAY
CORRECTION OF FIRE SAFETY DEFICIENCIES, STATE OFFICE BUILDINGS
FROM SUPERVISION TRUST FUND 952,000

1708A FIXED CAPITAL OUTLAY
LAKELAND PARKING FACILITY
FROM GENERAL REVENUE FUND 643,000
FROM GRANTS AND DONATIONS TRUST FUND . . . 125,000

1709 FIXED CAPITAL OUTLAY
LOADING DOCK ROOF, STATE SURPLUS PROPERTY WAREHOUSE
FROM STATE SURPLUS PROPERTY WORKING CAPITAL TRUST FUND 30,000

1710 FIXED CAPITAL OUTLAY
MAJOR REPAIRS AND RENOVATIONS, STATE OFFICE BUILDINGS
FROM SUPERVISION TRUST FUND 1,236,159

1711 NOT USED

1712 FIXED CAPITAL OUTLAY
DADE REGIONAL OFFICE BUILDING - PHASE II, MIAMI
FROM PUBLIC FACILITIES FINANCING COMMISSION TRUST FUND 18,920,000

Funds provided in Specific Appropriation 1712 are contingent upon HB 1330, SB 601 or similar legislation becoming law.

1713 FIXED CAPITAL OUTLAY
RENOVATIONS FOR HANDICAPPED ACCESSIBILITY, STATE OFFICE BUILDINGS, STATEWIDE
FROM SUPERVISION TRUST FUND 921,742

SPECIFIC APPROPRIATION

1714 FIXED CAPITAL OUTLAY
SUPPLEMENT CONTRACTS - TRUST FUND SPENDING AUTHORITY
FROM SUPPLEMENTAL CONTRACTS TRUST FUND . . 1,000,000

1714A FIXED CAPITAL OUTLAY
UNION BANK BUILDING BLOCK COMPLETION
FROM GENERAL REVENUE FUND 10,000

Upon approval of the Capitol Center Planning Commission, the funds in Specific Appropriation 1714A may be used for razing and completing the Union Bank Building block.

1714B FIXED CAPITAL OUTLAY
VIETNAM VETERANS MEMORIAL
FROM GENERAL REVENUE FUND 460,543

Funds in Specific Appropriation 1714B are contingent upon the Capitol Center Planning Commission pursuant to s. 272.12, F.S., approving a site for the memorial by June 30, 1985.

HEALTH AND REHABILITATIVE SERVICES, DEPARTMENT OF

OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

1715 FIXED CAPITAL OUTLAY
CENTRALLY MANAGED FACILITIES MAINTENANCE AND REPAIR
FROM GENERAL REVENUE FUND 6,600,000

1716 NOT USED

1717 FIXED CAPITAL OUTLAY
REMOVAL OF HAZARDOUS ASBESTOS
FROM GENERAL REVENUE FUND 150,000

1718 FIXED CAPITAL OUTLAY
STATEWIDE MATCH FOR DESIGN OF CYCLE VI NECPA GRANT PROJECTS
FROM GENERAL REVENUE FUND 600,000

OFFICE OF THE ASSISTANT SECRETARY FOR OPERATIONS

DISTRICT ADMINISTRATION

1719 NOT USED

MENTAL HEALTH - INSTITUTIONS

1720 FIXED CAPITAL OUTLAY
BOILER SYSTEM IMPROVEMENTS, FLORIDA STATE HOSPITAL
FROM GENERAL REVENUE FUND 1,913,548

SPECIFIC APPROPRIATION

1721 FIXED CAPITAL OUTLAY
IMPROVEMENTS TO WATER SYSTEMS AND WASTEWATER TREATMENT PLANTS
FROM GENERAL REVENUE FUND 1,146,587

1722 NOT USED

CHILDREN, YOUTH AND FAMILY SERVICES

1723 FIXED CAPITAL OUTLAY
HALFWAY HOUSES - STATEWIDE
FROM GENERAL REVENUE FUND 850,000

CHILDREN AND YOUTH - INSTITUTIONS

1724 NOT USED

1725 NOT USED

DEVELOPMENTAL SERVICES

1726 NOT USED

1727 FIXED CAPITAL OUTLAY
REPLACEMENT OF RETARDATION FACILITIES, MIAMI AND MARTIN COUNTY
FROM GENERAL REVENUE FUND 281,655

1728 NOT USED

DEVELOPMENTAL SERVICES - INSTITUTIONS

1728A FIXED CAPITAL OUTLAY
BIRD DRIVE PARK THERAPEUTIC COMPLEX
FROM GENERAL REVENUE FUND 100,000

1729 NOT USED

HIGHWAY SAFETY AND MOTOR VEHICLES, DEPARTMENT OF

FLORIDA HIGHWAY PATROL, DIVISION OF

1730 FIXED CAPITAL OUTLAY
CONSTRUCT COMMUNICATIONS TOWER, COLLIER COUNTY
FROM GENERAL REVENUE FUND 80,734

1731 FIXED CAPITAL OUTLAY
CONSTRUCT FLORIDA HIGHWAY PATROL STATION - DADE COUNTY
FROM GENERAL REVENUE FUND 2,000,000

SPECIFIC APPROPRIATION

JUDICIAL BRANCH

SUPREME COURT

1732 FIXED CAPITAL OUTLAY
REPAIRS AND RENOVATIONS - EXTERIOR PAINTING AND PARKING LOTS
FROM GENERAL REVENUE FUND 79,695

DISTRICT COURTS OF APPEAL

THIRD DISTRICT COURT OF APPEAL

1733 NOT USED

LABOR AND EMPLOYMENT SECURITY, DEPARTMENT OF

LABOR, EMPLOYMENT AND TRAINING, DIVISION OF

1734 FIXED CAPITAL OUTLAY
PARKING LOT EXPANSION, COCOA REED ACT BUILDING
FROM SPECIAL EMPLOYMENT SECURITY TRUST FUND 69,795

1735 FIXED CAPITAL OUTLAY
ROOF AND AIR CONDITIONING REPAIRS, CALDWELL BUILDING
FROM SPECIAL EMPLOYMENT SECURITY TRUST FUND 288,156

LAW ENFORCEMENT, DEPARTMENT OF

OFFICE OF THE EXECUTIVE DIRECTOR AND DIVISION OF STAFF SERVICES

1736 NOT USED

1736A FIXED CAPITAL OUTLAY
REGIONAL CRIME LABORATORY - ORLANDO
FROM GENERAL REVENUE FUND 182,305

MILITARY AFFAIRS, DEPARTMENT OF

GENERAL ACTIVITIES

1737 FIXED CAPITAL OUTLAY
EXPANSION - PLANNING AND CONSTRUCTION - NATIONAL GUARD ARMORY, ORLANDO
FROM GENERAL REVENUE FUND 327,400

1738 FIXED CAPITAL OUTLAY
EXPANSION - PLANNING AND CONSTRUCTION - NATIONAL GUARD ARMORY, PANAMA CITY
FROM GENERAL REVENUE FUND 22,600

SPECIFIC APPROPRIATION

1739 FIXED CAPITAL OUTLAY
EXPANSION - PLANNING AND CONSTRUCTION - NATIONAL GUARD ARMORY, SARASOTA
FROM GENERAL REVENUE FUND 19,200

1740 FIXED CAPITAL OUTLAY
PLANNING AND CONSTRUCTION - NEW NATIONAL GUARD ARMORY, CRYSTAL RIVER
FROM GENERAL REVENUE FUND 76,900

1741 FIXED CAPITAL OUTLAY
STATE ARSENAL RENOVATIONS, ST. AUGUSTINE
FROM GENERAL REVENUE FUND 1,144,000

1742 FIXED CAPITAL OUTLAY
ROOF REPLACEMENT - NATIONAL GUARD ARMORIES
FROM GENERAL REVENUE FUND 1,544,300

NATURAL RESOURCES, DEPARTMENT OF

RESOURCE MANAGEMENT, DIVISION OF

1743 NOT USED

RECREATION AND PARKS, DIVISION OF

1744 NOT USED

STATE, DEPARTMENT OF, AND SECRETARY OF STATE

ARCHIVES, HISTORY, AND RECORDS MANAGEMENT, DIVISION OF

1745 FIXED CAPITAL OUTLAY
MODIFICATIONS TO R. A. GRAY BUILDING
FROM GENERAL REVENUE FUND 9,200

1746 FIXED CAPITAL OUTLAY
OLD CAPITOL AND EXTENSION FACILITIES
FROM GENERAL REVENUE FUND 120,000

CORPORATIONS, DIVISION OF

1747 FIXED CAPITAL OUTLAY
RENOVATION OF "OLD LEON COUNTY JAIL" FACILITY AND COLLOCATION OF THE DIVISION OF CORPORATIONS
FROM CORPORATIONS TRUST FUND 2,166,070

HISTORIC PRESERVATION BOARDS

HISTORIC ST AUGUSTINE PRESERVATION BOARD

1748 FIXED CAPITAL OUTLAY
CORRECT LIFE SAFETY VIOLATIONS IN GOVERNMENT HOUSE
FROM GENERAL REVENUE FUND 25,000

SPECIFIC APPROPRIATION			
HISTORIC TAMPA/HILLSBOROUGH COUNTY PRESERVATION BOARD			
1748A FIXED CAPITAL OUTLAY ACQUIRE HISTORIC PROPERTY FOR USE AS BOARD OFFICES FROM OPERATING TRUST FUND			90,000
RINGLING MUSEUM OF ART, BOARD OF TRUSTEES OF THE JOHN AND MABLE			
1749 NOT USED			
STATE THEATER PROGRAM			
1750 FIXED CAPITAL OUTLAY CORRECT FIRE SAFETY DEFICIENCIES AT COCONUT GROVE THEATER BUILDING FROM GENERAL REVENUE FUND	85,400		
1750A FIXED CAPITAL OUTLAY RENOVATIONS/IMPROVEMENTS TO THE HIPPODROME THEATER FROM GENERAL REVENUE FUND	99,500		
1751 NOT USED			
TOTAL OF SECTION 02			
FROM GENERAL FUNDS.	49,328,358		
FROM TRUST FUNDS.			27,943,361
TOTAL ALL FUNDS			77,271,719

Section 3. The moneys in the following specific appropriations are appropriated from the named funds for the 1984-85 Fiscal Year to the state agencies indicated, as amounts for fixed capital outlay.

SPECIFIC APPROPRIATION			
EDUCATION, DEPARTMENT OF, AND COMMISSIONER OF EDUCATION			
OFFICE OF DEPUTY COMMISSIONER FOR SPECIAL PROGRAMS			
1751A FIXED CAPITAL OUTLAY INSTRUCTIONAL TELEVISION EQUIPMENT GRANTS FROM GENERAL REVENUE FUND	564,656		
ENVIRONMENTAL REGULATION, DEPARTMENT OF			
1751B FIXED CAPITAL OUTLAY AID TO WATER MANAGEMENT DISTRICTS - LAND ACQUISITION FROM WATER MANAGEMENT LAND TRUST FUND . .			23,277,600
GAME AND FRESH WATER FISH COMMISSION, FLORIDA			
OFFICE OF THE EXECUTIVE DIRECTOR AND DIVISION OF ADMINISTRATIVE SERVICES			
1751C FIXED CAPITAL OUTLAY HOLIDAY PARK SEWAGE TREATMENT PLANT - RENOVATIONS FROM STATE GAME TRUST FUND			66,000
1752 FIXED CAPITAL OUTLAY LAND ACQUISITION FROM LAND ACQUISITION TRUST FUND			1,127,000
GENERAL SERVICES, DEPARTMENT OF			
BUILDING CONSTRUCTION AND PROPERTY MANAGEMENT, DIVISION OF			
1753 NOT USED			
HEALTH AND REHABILITATIVE SERVICES, DEPARTMENT OF			
OFFICE OF THE ASSISTANT SECRETARY FOR OPERATIONS			
CHILDREN, YOUTH AND FAMILY SERVICES			
1753A FIXED CAPITAL OUTLAY EXPANSION/RENOVATIONS FOR COMMUNITY RESIDENTIAL PROGRAMS FROM GENERAL REVENUE FUND	500,000		
LAW ENFORCEMENT, DEPARTMENT OF			
OFFICE OF THE EXECUTIVE DIRECTOR AND DIVISION OF STAFF SERVICES			
1753B FIXED CAPITAL OUTLAY LAW ENFORCEMENT TRAINING RESIDENCE FROM GENERAL REVENUE FUND	1,200,000		

Funds appropriated in Specific Appropriation 1753B are for the planning, construction, and equipping of a residence facility by the Department of Law Enforcement for the Law Enforcement Officer Region XV Training Council.

SPECIFIC APPROPRIATION			
NATURAL RESOURCES, DEPARTMENT OF			
STATE LANDS, DIVISION OF			
1753C FIXED CAPITAL OUTLAY CARL PROGRAM FROM CONSERVATION AND RECREATION LANDS TRUST FUND			20,000,000

SPECIFIC APPROPRIATION

BEACHES AND SHORES, DIVISION OF

1753D FIXED CAPITAL OUTLAY
HURRICANE PASS
FROM EROSION CONTROL TRUST FUND 95,475

1753E FIXED CAPITAL OUTLAY
JACKSONVILLE BEACH RENOURISHMENT
FROM EROSION CONTROL TRUST FUND 800,000

1754 NOT USED

1755 FIXED CAPITAL OUTLAY
PLACEMENT OF SEDIMENT FROM CORPS OF ENGINEERS DREDGING
FROM EROSION CONTROL TRUST FUND 249,151

1756 FIXED CAPITAL OUTLAY
POMPANO BEACH DUNE PROTECTION
FROM EROSION CONTROL TRUST FUND 17,250

1757 NOT USED

1758 FIXED CAPITAL OUTLAY
MIAMI BEACH RENOURISHMENT
FROM EROSION CONTROL TRUST FUND 680,000

1759 NOT USED

1760 FIXED CAPITAL OUTLAY
COLLIER COUNTY DUNE PROTECTION
FROM EROSION CONTROL TRUST FUND 105,000

1761 NOT USED

1762 FIXED CAPITAL OUTLAY
MANATEE COUNTY DUNE RESTORATION
FROM EROSION CONTROL TRUST FUND 19,800

1763 FIXED CAPITAL OUTLAY
MARTIN COUNTY DUNE RESTORATION
FROM EROSION CONTROL TRUST FUND 75,000

1763A FIXED CAPITAL OUTLAY
BOCA RATON INLET SAND TRANSFER
FROM EROSION CONTROL TRUST FUND 600,000

1763B FIXED CAPITAL OUTLAY
VENICE DUNE RESTORATION
FROM EROSION CONTROL TRUST FUND 45,000

1763C FIXED CAPITAL OUTLAY
LONGBOAT KEY DUNE PROTECTION
FROM EROSION CONTROL TRUST FUND 28,463

1763D FIXED CAPITAL OUTLAY
ENVOY POINT BREAKWATER
FROM EROSION CONTROL TRUST FUND 318,750

SPECIFIC APPROPRIATION

RECREATION AND PARKS, DIVISION OF

1764 FIXED CAPITAL OUTLAY
LAND ACQUISITION
FROM LAND ACQUISITION TRUST FUND 1,000,000

1764A FIXED CAPITAL OUTLAY
PARK DEVELOPMENT
FROM LAND ACQUISITION TRUST FUND 3,560,000

1764B FIXED CAPITAL OUTLAY
TRANSFER TO DEPARTMENT OF TRANSPORTATION GRANTS AND DONATIONS TRUST FUND/ST. LUCIE ROAD
FROM LAND ACQUISITION TRUST FUND 90,000

1764C FIXED CAPITAL OUTLAY
TRANSFER TO DEPARTMENT OF TRANSPORTATION GRANTS AND DONATIONS TRUST FUND/EAU GALLIE CAUSEWAY CATWALK
FROM LAND ACQUISITION TRUST FUND 350,000

STATE, DEPARTMENT OF, AND SECRETARY OF STATE

HISTORIC PRESERVATION BOARDS

HISTORIC PENSACOLA PRESERVATION BOARD

1764D FIXED CAPITAL OUTLAY
RENOVATE OLD CITY HALL FOR T. T. WENTWORTH MUSEUM
FROM GENERAL REVENUE FUND 600,000

Funds provided in Specific Appropriation 1764D for the first phase of the renovation of the Old City Hall as the T. T. Wentworth State Museum shall be transferred as a grant and aid to the City of Pensacola. This transfer shall occur upon the execution of a contract with the City of Pensacola, requiring transfer of title to this property to the Historic Pensacola Preservation Board upon completion of final renovations. Any interest earnings earned by the city on this grant may be used for renovations on this project.

RINGLING MUSEUM OF ART, BOARD OF TRUSTEES OF THE JOHN AND MABLE

1764E FIXED CAPITAL OUTLAY
EMERGENCY REPAIRS
FROM GENERAL REVENUE FUND 923,000

Funds in Specific Appropriation 1764E shall be a grant for the Ringling Museum of Art for current critical maintenance needs including but not limited to reroofing, statue support system, roof deck replacement and replacement of courtyard marble walkways.

The trustees of the Ringling Museum of Art shall submit to the 1985 Legislature a 3 year program for

SPECIFIC APPROPRIATION		
	restoration of critical deficiences not including construction of new facilities.	
	TRANSPORTATION, DEPARTMENT OF	
	OFFICE OF THE SECRETARY AND DIVISION OF ADMINISTRATION	
1764F	FIXED CAPITAL OUTLAY FOURTH DISTRICT AIR CONDITIONING AND ROOFING FROM WORKING CAPITAL TRUST FUND	40,000
1765	FIXED CAPITAL OUTLAY HAYDON BURNS BUILDING FROM WORKING CAPITAL TRUST FUND	40,000
1766	FIXED CAPITAL OUTLAY REPLACE ROOF - BARTOW DISTRICT OFFICE FROM WORKING CAPITAL TRUST FUND	50,000
1767	FIXED CAPITAL OUTLAY SIXTH DISTRICT OFFICE COMPLEX, MIAMI FROM WORKING CAPITAL TRUST FUND	3,465,000
1768	NOT USED	
	PRE-CONSTRUCTION AND DESIGN, DIVISION OF	
1768A	FIXED CAPITAL OUTLAY ST. LUCIE INLET STATE PARK LAND BASE ACCESS ROAD FROM GRANTS AND DONATIONS TRUST FUND . . .	90,000
	CONSTRUCTION, DIVISION OF	
1769	FIXED CAPITAL OUTLAY BROOKSVILLE TESTING LABORATORY ADDITION FROM WORKING CAPITAL TRUST FUND	27,000
1769A	FIXED CAPITAL OUTLAY EAU GALLIE CAUSEWAY CATWALK FROM GRANTS AND DONATIONS TRUST FUND . . .	350,000
1770	NOT USED	
1771	FIXED CAPITAL OUTLAY NORMANDY BOULEVARD PAVING FROM WORKING CAPITAL TRUST FUND	10,000
1772	FIXED CAPITAL OUTLAY RESURFACING - LAKELAND CONSTRUCTION PARKING LOT FROM WORKING CAPITAL TRUST FUND	21,000
1772A	FIXED CAPITAL OUTLAY ROAD PAVING/UNION CORRECTIONAL INSTITUTE FROM WORKING CAPITAL TRUST FUND	60,000

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	MAINTENANCE, DIVISION OF	
1773	FIXED CAPITAL OUTLAY BARTOW MAINTENANCE YARD, LAND ACQUISITION FROM WORKING CAPITAL TRUST FUND	244,000
1774	FIXED CAPITAL OUTLAY BUNNELL CREW BUILDING AND SUB-YARD FROM WORKING CAPITAL TRUST FUND	50,000
1775	FIXED CAPITAL OUTLAY GAINESVILLE MAINTENANCE YARD, REPLACE ROOFS, WAREHOUSES (2), SHOP FROM WORKING CAPITAL TRUST FUND	60,000
1776	FIXED CAPITAL OUTLAY JACKSONVILLE BRIDGE OFFICE FROM WORKING CAPITAL TRUST FUND	30,000
1777	FIXED CAPITAL OUTLAY LAKE CITY RADIO SHOP ADDITION FROM WORKING CAPITAL TRUST FUND	20,000
1778	FIXED CAPITAL OUTLAY MAINTENANCE BORROW PITS LAND PURCHASE FROM WORKING CAPITAL TRUST FUND	825,000
1779	FIXED CAPITAL OUTLAY MARIANNA CREW BUILDING AND MAINTENANCE YARD FROM WORKING CAPITAL TRUST FUND	60,000
1780	FIXED CAPITAL OUTLAY REST AREA REPAIRS, SUMTER, MARION, ORANGE, AND ST. JOHNS COUNTIES FROM WORKING CAPITAL TRUST FUND	220,000
1781	FIXED CAPITAL OUTLAY SECURITY FENCING OF BORROW PITS FROM WORKING CAPITAL TRUST FUND	161,000
1782	FIXED CAPITAL OUTLAY STATE WAREHOUSE, GAINESVILLE FROM WORKING CAPITAL TRUST FUND	195,000
1783	FIXED CAPITAL OUTLAY UNDERGROUND TANK REPLACEMENT FROM WORKING CAPITAL TRUST FUND	100,000
1784	FIXED CAPITAL OUTLAY WEST PALM BEACH MAINTENANCE YARD FROM WORKING CAPITAL TRUST FUND	550,000

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TOTAL OF SECTION 03

FROM GENERAL FUNDS.	3,787,656	
FROM TRUST FUNDS.		59,172,489
TOTAL ALL FUNDS		62,960,145

Section 4. The moneys in the following specific appropriations are appropriated from the named funds for the 1984-85 Fiscal Year to the state agencies indicated, as amounts for fixed capital outlay.

EDUCATION, DEPARTMENT OF, AND COMMISSIONER OF EDUCATION

OFFICE OF DEPUTY COMMISSIONER FOR EDUCATIONAL MANAGEMENT

1785 NOT USED

1786 NOT USED

OFFICE OF DEPUTY COMMISSIONER FOR SPECIAL PROGRAMS

1787 NOT USED

1787A FIXED CAPITAL OUTLAY
SUN DOME CONTRACT SETTLEMENT
FROM GENERAL REVENUE FUND 2,381,972

The funds provided in Specific Appropriation 1787A are to be used to fund continued litigation costs and associated settlements related to the Sun Dome. If a settlement is reached prior to or on June 30, 1985, which provides for funds to be paid to the State or any of its subdivisions, these funds shall be deposited in the General Revenue Fund unallocated. Beginning with the 1985-86 fiscal year any funds which are credited to the University of South Florida's entitlement from the Capital Improvements Fee Trust Fund up to $2,381,972 shall be used to repay the General Revenue Fund unallocated. If a settlement is reached after June 30, 1985, the proceeds from the settlement shall be used to reimburse the Capital Improvements Fee Trust Fund in the amount used to repay the General Revenue Fund unallocated. Any remaining proceeds shall be deposited directly to the General Revenue Fund unallocated.

1788 FIXED CAPITAL OUTLAY
PUBLIC BROADCASTING
FROM GENERAL REVENUE FUND 750,000

The funds in Specific Appropriation 1788 are to match federal funds for equipment grants on the basis of one state dollar for every three federal dollars. Any excess of state funds not matched shall revert to the General Revenue Fund.

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BLIND SERVICES, DIVISION OF

1788A FIXED CAPITAL OUTLAY
VENDING PAVILIONS
FROM TRAINING AND OPERATING TRUST FUND . . 33,442
FROM U.S. TRUST FUND 100,328

UNIVERSITIES, DIVISION OF

BOARD OF REGENTS GENERAL OFFICE

1789 NOT USED

TOTAL OF SECTION 04

FROM GENERAL FUNDS.	3,131,972	
FROM TRUST FUNDS.		133,770
TOTAL ALL FUNDS		3,265,742

Section 5. Salaries and Benefits

(1) Statement of Purpose

This section provides instructions for implementing salary and benefit increases appropriated within this act. All allocations and distributions of these adjustments are to be made in strict accordance with the provisions of this act and the Statement of Intent prepared pursuant to s. 216.181, F.S.

(2) A. Career Service Pay Plan

Funds are included in Specific Appropriations 2, 4, and 10 to implement provisions of the collective bargaining agreements between the State and (1) the American Federation of State, County, and Municipal Employees, Council 79, (2) the Florida Nurses Association, (3) the State Police Charter, and (4) the Florida Police Benevolent Association, as well as salary provisions for career service employees not covered by a collective bargaining agreement. Funds are to be distributed in accordance with the above noted collective bargaining agreements and the Statement of General Policy on salary and benefit increases contained in the Governor's 1984-85 Budget Recommendations, 1984 Amendment, and as amended in subsequent supplemental recommendations except as noted in the following paragraphs. Provided, however, the minimums and maximums of the pay ranges of all career service classes shall be increased by at least 4% with the exception of law enforcement classes being assigned to a step pay plan.

Funds are included in Specific Appropriation 10 to provide salary increases for career service employees occupying classes recommended by the Governor for critical class adjustments. For employees covered by a collective bargaining agreement, 4.29% increases shall be effective December 1, 1984 and shall be calculated on each employee's November 30, 1984 base rate of pay, after which the critical class adjustments shall be granted. For employees not covered by a collective bargaining agreement, 5% increases shall be calculated on the December 31, 1984 base rate of pay in the same manner as noted above, effective January 1, 1985. In addition to critical class adjustments recommended by the Governor, funds have been provided for the following critical class adjustments: Fingerprint Identification classes; Tax

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Auditor Specialist classes; and Crew Chief Compliance Officer classes, effective December 1, 1984; and Hearing Officer classes, effective July 1, 1984. The Department of Administration shall determine the appropriate paygrade levels.

(2) B. Other Pay Plan Provisions-Career Service

(a) Correctional Officer Salary Increases Upon Completion of Training Requirements

In addition to the salary increases of 4.29% on December 1, 1984, for unit employees or 5% on January 1, 1985, for non-unit employees, funds are provided in Specific Appropriation 7, to grant correctional officers as defined in Section 943.10, F.S., a one paygrade adjustment upon successful completion of the required 320 hours of correctional officer training. Provided, however, no correctional officer shall receive such pay grade adjustment prior to December 1, 1984. Each eligible correctional officer's base rate of pay shall be increased in an amount equal to the difference between the current and new minimums of the paygrades. This paygrade adjustment, which is to be differentiated from, and is in lieu of parity pay, shall be applied without regard to the maximum of the pay range.

(b) Professional Health Care Equity Adjustments

In addition to the salary increases of 5% in base salaries, effective January 1, 1985, recommended for employees not covered by a collective bargaining agreement, funds are provided in Specific Appropriation 8C for professional health care personnel as recommended by the Governor. This increase is to be effective July 1,1984.

(c) Special Agents and Special Agent Supervisors - Florida Department of Law Enforcement

In addition to funds provided through general salary increases to employees not covered by a collective bargaining unit, sufficient funds have been provided in Specific Appropriation 4A for special pay adjustments for Special Agents, Special Agent Supervisors and Inspectors of the Florida Department of Law Enforcement. These funds shall not be used to provide the Florida Department of Law Enforcement Officers with premium pay. These funds shall be utilized in the development of a step pay plan for Special Agents, to be developed and implemented by the Department of Administration in consultation with the Commissioner of the Department of Law Enforcement. Provided, however, such a pay plan shall contain a policy to recognize job performance in the distribution of pay adjustments.

(d) Education Instructional Class Paygrade Adjustment

In addition to the general salary increases, funds are provided in Specific Appropriation 4 to provide career service education instructional classes an adjustment of one pay grade, effective December 1, 1984 to be implemented in the same manner as critical class adjustments in paragraph (2)A. above.

(3) Elected Officers

The salaries of the following officers shall be paid during fiscal year 1984-85 at the annual rates shown below; however, in the event of a revenue shortfall as defined in Section 216.221, Florida Statutes, these salaries may be reduced on a voluntary basis:

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	7-1-84	1-1-85
Governor	71,435	75,007
Lieutenant Governor	62,093	65,198
Secretary of State	60,994	64,044
Comptroller	60,994	64,044
Treasurer	60,994	64,044
Attorney General	60,944	64,044
Education, Commissioner of	60,994	64,044
Agriculture, Commissioner of	60,994	64,044
Supreme Court Justice	67,588	74,347
Judges--District Courts of Appeal	60,994	67,093
Judges--Circuit Courts	58,247	64,072
Commissioner--Public Service Commission	58,247	61,159
Public Employee Relations Commission-Chairman	51,103	53,658
Public Employee Relations Commission-Commissioners	48,356	50,774
Commissioner--Parole and Probation	44,108	46,313
Judges--County Courts	53,851	56,544

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

State Attorneys:		
Circuits with 1,000,000 population or less	58,247	64,072
Circuits over 1,000,000	60,994	67,093
Public Defenders:		
Circuits with 1,000,000 population or less	54,950	57,698
Circuits over 1,000,000	57,697	60,582

All population figures relating to state attorneys' and public defenders' salaries shall be based on the most recent population estimates prepared pursuant to the provisions of Section 23.019, Florida Statutes. These population estimates shall become effective as of July

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1, 1984, and shall not be adjusted subsequently.

None of the officers whose salaries have been fixed in this section shall receive any supplemental salary or benefits from any county or municipality.

(4) Appointed and Exempt from Career Service

Funds are provided in Specific Appropriation 10 for an overall average 5% increase in base salaries, effective January 1, 1985, as recommended by the Governor.

(5) Judicial Pay Plans

(a) Funds are provided in Specific Appropriation 10 for an overall average 5% increase in base salaries, effective January 1, 1985, as recommended by the Governor.

In addition to the overall average increase being provided to employees of the Judicial Branch, funds in Specific Appropriation 8A have been provided for critical class adjustments for Appellate Secretaries and Computer classes, effective December 1, 1984, and increased competitive area differentials for Judicial Assistants effective December 1, 1984. Law Clerk promotional increases are also provided as requested by the State Courts System in its 1983 salary survey and pay plan recommendations.

(b) Funds are provided in Specific Appropriation 10 to upgrade the administrative assistant position in the Judicial Qualifications Commission and to provide an annual salary adjustment of $3,000 including benefits.

(c) From funds provided in Specific Appropriation 10 and 1103 through 1202, salary increases during 1984-85 for all employees in state attorneys' offices shall not exceed an overall average of 5% of the June 30, 1984 salary rate.

(6) Board of Regents Pay Plan

(a) Funds are provided in Specific Appropriation 10 for a 5% overall average increase effective no earlier than August 15, 1984 for faculty unit and non-unit and selected administrative and professional employees, and January 1, 1985 for other non-unit administrative and professional employees. Distribution of the 5% funds to unit employees shall be made in accordance with the collective bargaining agreement negotiated between the Board of Regents and the United Faculty of Florida.

(b) Funds included in Specific Appropriation 514 for salary increases are to provide an additional overall average 1% increase to all unit and non-unit instructional and research classifications and all in-unit A & P classifications. The salary funds in Specific Appropriation 514 shall be distributed at the discretion of the Board of Regents, notwithstanding the provisions of the collective bargaining agreement. These funds shall be in addition to other salary increases for which the employees are eligible and shall not be subject to further collective bargaining negotiations.

(7) Board of Trustees Pay Plan

Funds are provided in Specific Appropriation 10 for 8% overall

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average salary increases for the Florida School for the Deaf and the Blind unit faculty positions and selected non-unit administrative positions, effective no earlier than August 15, 1984, and for other administrative positions, an overall average of 8%, effective January 1, 1985. Salary increases for unit employees shall be subject to and distributed in accordance with a ratified collective bargaining agreement.

Benefits:

(8) Health Insurance

Funds are provided in each agency's budget to continue paying the State's share of State Group Health Insurance premiums and approved Health Maintenance Organization premiums at the 1983-84 level. Funds are provided in Specific Appropriation 1 for the State's share of increases in the State Group Health Insurance Plan premiums and corresponding increases in premiums paid to approved Health Maintenance Organizations as recommended by the "Report on the State Employee Group Health Self Insurance Plan as Amended," except for Item 7, page 43. In lieu of this provision, funds have been provided to implement a $200 per person, per calendar year deductible (maximum, two per family) for in-patient hospital services. The State's share of the increases in premiums shall be 75% of the increase in premium cost for individual coverage and 50% of the increase in cost for dependent coverage except for participants whose premiums are paid in full by the State. The Department of Administration, in consultation with the legislative appropriations committees, is authorized to adjust premiums and/or limit benefits if necessary for chiropractic coverage, for the purpose of controlling costs, utilization and premium rates. In addition, the Department of Administration is authorized to enter into preferred provider agreements on behalf of the State Group Health Self Insurance Plan.

(9) Other Provisions

The following items shall be implemented in accordance with the provisions of this act and with the collective bargaining agreements negotiated between the Governor and the respective bargaining agents.

(a) Continue to provide up to 6 credit hours of tuition-free courses per term to all full-time employees on a space available basis.

(b) Continue the reimbursement to employees for replacement of personal property.

(c) Continue to extend a personal holiday on a pro-rata basis to part-time employees who occupy authorized part-time positions.

(d) Pay employees on-call fees.

(10) Studies

Utilizing the positions and funds appropriated in Specific Appropriations 30 through 34 and 52 through 56, the Department of Administration shall conduct the following studies:

(a) The Department of Administration shall study the Selection, Personnel Assessment, and Training Programs developed by the Florida Council on Educational Management and report to the President of the Senate and the Speaker of the House of Representatives by February 1,

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1985 on their applicability to state employees, particularly to supervisory and managerial employees in the Executive Branch departments. The report shall contain an analysis, specific recommendations and rationale with associated costs to implement recommendations.

(b) The Department of Administration shall conduct a comprehensive study of competitive area differentials currently in effect and investigate the necessity of establishing additional competitive area differentials for classes and counties where none currently exist. The Department of Administration shall report the results of the study, including its analysis and special recommendation to the President of the Senate and the Speaker of the House of Representatives, no later than March 1, 1985.

(c) The Department of Administration in consultation with the Attorney General and State Court Administrator shall conduct a competitive salary and benefit study of attorney positions in the Career Service and Senior Management System and other attorney positions in the Executive and Judicial Branches and report to the President of the Senate and the Speaker of the House of Representatives by March 1, 1985. The study shall identify the labor market with which the State competes and the State's relative salary position within that labor market. The report shall include findings, conclusions and specific recommendations with regard to salaries, benefits, turnover, recruitment efforts, retention, length of vacancies in state positions, proposed experience requirements and any other data pertinent to hiring, retaining and compensating attorneys.

(d) The Department of Administration shall conduct a study of non-career service officers and employees in the Executive branch of government for whom the State contributes 100 percent of the cost of premiums for the employees' or their families' participation in the state group insurance programs. The study shall examine, by categories listed in Section 110.205(2), Florida Statutes, including Public Service Commissioners, those positions eligible for 100 percent state paid insurance premiums, cite the authority for such payment, and reflect the cost to the state. The Department of Administration, the Office of the State Courts Administrator, and the Judicial Administrative Commission shall jointly develop a proposal relating to criteria for determining eligibility for 100 percent state paid insurance benefits and prepare recommendations including rationale with regard to the positions to include in this benefit and the amount of the increased or decreased cost to the State. The study and the joint proposal shall be reported to the Offices of the President of the Senate and Speaker of the House of Representatives by November 30, 1984.

Section 6. This act shall take effect July 1, 1984, or upon becoming law, whichever occurs later; however, if this act becomes law after July 1, 1984, then it shall operate retroactively to July 1, 1984.

TOTAL THIS GENERAL APPROPRIATION ACT	POSITIONS	110,228
FROM GENERAL FUNDS.	6242,260,851	
FROM TRUST FUNDS.		6846,162,832
TOTAL ALL FUNDS		13088,423,683

Conference Committee Amendment 2—Strike the title and insert: A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1984, and ending June 30, 1985, to pay salaries, other expenses, capital outlay - buildings and improvements, and for other specified purposes of the various agencies of State government; providing an effective date.

On motion by Senator Johnston, the Conference Committee Report was adopted, and HB 1300 passed as recommended and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—39

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

Nays—None

Vote after roll call:

Yea—Meek

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

CONFERENCE COMMITTEE REPORT ON HB 1301

The Honorable Curtis Peterson
President of the Senate

The Honorable H. Lee Moffitt
Speaker, House of Representatives

Dear Sirs:

Your Conference Committee on the disagreeing votes of the two Houses on the Senate amendments to House Bill 1301 same being:

A bill to be entitled An act relating to state government; implementing and administering the General Appropriations Act for fiscal year 1984-1985;

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.

Herbert F. Morgan,	*Harry A. Johnston, II,*
Chairman	Vice-Chairman
Samuel P. Bell, III	*Betty Castor*
Beverly B. Burnsed	*Jack D. Gordon*
Betty Easley	*Mary R. Grizzle*
Tom Gallagher	*Mattox Hair*
Winston W. Gardner, Jr.	*Gwen Margolis*
Elaine Gordon	*Patrick K. Neal*
Fred Lippman	*James A. Scott*
Jon Mills	*Pat Thomas*
Steve Pajcic	*John W. Vogt*
Managers on the part of the House of Representatives	Managers on the part of the Senate

Conference Committee Amendment 1—On page 4, line 23, strike everything after the enacting clause and insert:

Section 1. It is the intent of the Legislature that the following implementing and administering provisions apply for the General Appropriations Act for fiscal year 1984-1985.

Section 2. Where any reorganization has been authorized by the Legislature and the necessary adjustments of appropriations and positions have not been provided in the General Appropriations Act, the Administration Commission may approve the necessary transfers to accomplish the purposes of such reorganization.

Section 3. All automobiles purchased or leased by the state with funds provided in the General Appropriations Act shall be of the subcompact class, except vehicles used for law enforcement purposes, used as tow vehicles, routinely used to transport more than three adults or bulk materials, or vehicles operated frequently on unpaved roads. All vehicles purchased shall be the smallest class that can safely and adequately meet the transportation requirements. The exception from the subcompact vehicle requirement for law enforcement purposes shall not apply to state attorneys and public defenders.

Section 4. No funds in the General Appropriations Act shall be used to purchase any vehicle at prices in excess of the standard prices negotiated by the Department of General Services, Division of Purchasing.

Section 5. No funds provided in the General Appropriations Act shall be used to acquire equipment in the executive or judicial branches through a lease, lease purchase, or installment purchase arrangement, unless approved by the Comptroller as economically prudent and cost-effective. This restriction shall not apply to equipment which requires approval of the Information Resource Commission.

Section 6. No funds appropriated in the General Appropriations Act for the executive branch to contract for legal services shall be expended without prior approval of the Attorney General. This approval shall include a certification that the legal services requested cannot be provided by the Office of the Attorney General. For agencies funded from trust funds, the Attorney General may require that the legal services be provided from the Office of the Attorney General on a contractual basis. Legal services necessary pursuant to part II, chapter 284, Florida Statutes, are exempt from the requirements of this section. Also exempt from the requirements of this section are contracts for legal services entered into by the Florida Board of Regents for defense of general liability claims, including professional liability claims, which are covered by the self-insurance programs created pursuant to s. 240.213, Florida Statutes.

Section 7. Specific appropriations are provided in the General Appropriations Act from funds available to the State of Florida due to settlements of litigation brought by the United States Department of Energy against oil companies and refineries. Other statutory provisions to the contrary notwithstanding, it is the intent of the Legislature that funds received as a result of federal statute or administrative or regulatory actions requiring the disbursement to states of refund moneys for alleged overcharges for crude oil or refined petroleum products sold during the period of time in which federal price controls on such crude oil and refined petroleum were in effect, whether by themselves or in conjunction with other moneys appropriated by the Legislature, shall not be expended unless specifically appropriated by the Legislature in the General Appropriations Act.

Section 8. The provisions of ss. 27.34 and 27.54, Florida Statutes, to the contrary notwithstanding:

(1) State attorneys and public defenders may expend state funds appropriated for the 1984-1985 fiscal year for items enumerated in ss. 27.34 and 27.54, Florida Statutes, which would otherwise be payable by the respective counties, provided that the total state expenditures for such items for each office do not exceed the total amount spent by each office during the 1983-1984 fiscal year for such items.

(2) Each state attorney and public defender shall, not later than October 1, 1984, submit a report to the Legislative Appropriations Committees showing the amount of state funds expended during fiscal year 1983-1984 for the items enumerated in ss. 27.34 and 27.54, Florida Statutes. The Comptroller shall prescribe the report format.

Section 9. Any agency that has been expressly authorized by other law to make advances for program start-up or advances for contracted services, in total or periodically, shall limit such disbursements to other governmental entities and not-for-profit corporations. The amount which may be advanced shall not exceed the expected cash needs of the contractor or recipient within the initial 3 months. Thereafter, disbursements shall only be made on a reimbursement

basis. Any agreement that provides for advancements may contain a clause that permits the contractor or recipient to temporarily invest the proceeds, provided that any interest income shall either be returned to the agency or be applied against the agency's obligation to pay the contract amount. This provision shall not be construed as lawful authority to make any advance payment not otherwise authorized by laws relating to a particular agency or general laws relating to the expenditure or disbursement of public funds. The Comptroller may, after consultation with the Legislative Appropriations Committees, waive the requirements of this section if it is determined to be consistent with the intent of the General Appropriations Act or the Letter of Intent.

Section 10. (1) As authorized by s. 230.23(4)(m), Florida Statutes, a school district may enter into a contractual arrangement with a nonpublic residential school and receive reimbursement when the school board has determined that no special education program offered by it, a cooperating district school board, or a state agency can adequately provide the educational program for the student.

(2) To be eligible for reimbursement, the district shall approve the nonpublic school using criteria established by the State Board of Education. Annually and prior to the first report of full-time equivalent membership for a student in a nonpublic school, a copy of the contract signed by all participating parties shall be filed with the Department of Education. The contract shall meet the standards established by the State Board of Education.

(3) The school district shall seek to share the cost of the residential placement with the Department of Health and Rehabilitative Services and other appropriate federal, state, and local agencies; however, the placement shall be at no cost to the parent.

(4) Annually, the Commissioner of Education shall obtain the cost of all residential nonpublic school contracts and calculate the cost to be reimbursed. The commissioner shall calculate by district and by student the total cost of the contracts and deduct the amount of the weighted FTE generated plus the amount of federal handicapped entitlement funds per student and any amount paid by the Department of Health and Rehabilitative Services, or other federal, state, or local agency. Sixty percent of the difference between the actual cost of contract and the funds deducted shall be eligible for reimbursement.

(5) The commissioner shall request from the Legislature annually the amount of funds needed to reimburse the districts as calculated in subsection (4). If the Legislature does not appropriate the full amount requested, the amount appropriated shall be prorated among all eligible students.

Section 11. All moneys appropriated in the General Appropriations Act to the Department of Education are conditional upon each district school board, each community college board of trustees and the Board of Regents securing prior approval from the Commissioner of Education before purchasing or leasing any electronic data processing equipment or software costing in excess of $6,000 in any 12-month period. In granting approval, the commissioner must ensure that the software or equipment is compatible with the Florida Information Resources Network, and that the costs of educational computing are reduced by making the best use of existing hardware and software. The Commissioner of Education shall 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. Such development shall be carried out through a centrally coordinated and supervised effort.

Section 12. Prior to the distribution of any funds appropriated in the General Appropriations Act for the FEFP formula and for the formula-funded categorical programs, the Commissioner of Education shall conduct an allocation conference. Conference participants shall include representatives of the Department of Education, the Executive Office of the Governor, and the Appropriations Committees of the House of Representatives and Senate. Conference participants shall discuss and agree to all conventions (including rounding conventions) and methods of computation that will be used to calculate districts' FEFP and categorical entitlements for 1984-1985. These conventions and calculation methods shall remain in effect until further agreements are reached in subsequent allocation conferences called by the commissioner for that purpose. The commissioner shall also, prior to each recalculation of districts' FEFP and categorical allocations, provide conference participants with all data necessary to replicate those allocations precisely. This data shall include a matrix by district by program of all FTE changes made by the department as part of its administration of statewide FTE caps.

Section 13. Other statutory provisions to the contrary notwithstanding, alternative education programs funded in the General Appropriations Act include students as specified in s. 232.01(1)(d)2., Florida Statutes, who could benefit from a special class or program better suited to their special needs. Bilingual education programs shall not be considered within the definition of alternative education programs. Intensive English language instruction, however, may be provided for students whose native language is other than English. The provisions of s. 236.081(1)(c), Florida Statutes, to the contrary notwithstanding, the programs identified as Educational Alternatives and Educational Alternatives Mainstream shall be retitled Educational Alternatives/Intensive English and Educational Alternatives/Intensive English Mainstream, respectively, and the programs identified as Speech and Hearing Part-Time and Deaf shall be retitled Speech, Language, and Hearing Part-Time and Speech, Language, and Hearing, respectively.

Section 14. The provisions of s. 394.76(8), Florida Statutes, to the contrary notwithstanding, no additional matching funds will be required solely due to the addition in the General Appropriations Act of Alcohol, Drug Abuse, and Mental Health Block Grant Funds for local community mental health centers and alcohol project grants.

Section 15. The provisions of s. 236.081, Florida Statutes, to the contrary notwithstanding, the following procedure shall be followed in determining the annual allocation to each district for operation:

(1) The Department of Education is authorized and directed to review all district programs and enrollment projections and calculate a maximum total weighted full-time equivalent student enrollment for each district.

(2) Maximum enrollments calculated by the department shall be derived from enrollment estimates used by the Legislature to calculate the FEFP.

(3) As part of its calculation of each district's maximum total weighted full-time equivalent student enrollment, the department shall establish separate enrollment ceilings for each of three program groups. Group 1 shall be composed of grades K-3, grades 4-8, and grades 9-12. Group 2 shall be composed of all basic programs other than the programs in group 1, all exceptional child programs, and all vocational programs in grades 7-12. Group 3 shall be composed of all adult education programs.

(a) The weighted enrollment ceiling for group 2 and group 3 programs shall be calculated by multiplying the final enrollment conference estimate for each program by the appropriate program weight. The weighted enrollment ceiling for program groups 2 and 3 shall be the sum of the weighted enrollment ceilings for each program in the program group.

(b) If, for any calculation of the FEFP, the weighted enrollment for either program group 2 or group 3, derived by multiplying actual enrollments by appropriate program weights, exceeds the enrollment ceiling for that group, the following procedure shall be followed to reduce the weighted enrollment for that group to equal the enrollment ceiling:

1. The weighted enrollment ceiling for each program in the program group shall be subtracted from the weighted enrollment for that program derived from actual enrollments.

2. If the difference calculated under subparagraph 1. is greater than zero for any program, a reduction proportion shall be computed for the program by dividing the absolute value of the difference by the total amount by which the weighted enrollment for the program group exceeds the weighted enrollment ceiling for the program group.

3. The reduction proportion calculated under subparagraph 2. shall be multiplied by the total amount of the program group's enrollment over the ceiling as calculated under subparagraph 1.

4. The prorated reduction amount calculated under subparagraph 3. shall be subtracted from the program's weighted enrollment. For any calculation of the FEFP, the enrollment ceiling for group 1 shall be calculated by multiplying the actual enrollment for each program in the program group by its appropriate program weight.

5. For program groups 2 and 3, the weighted enrollment ceiling shall be a number not less than the number obtained by multiplying the sum of the FTE for all programs in the program group by 1.0.

Section 16. (1) The Commissioner of Education shall conduct consensus enrollment estimating conferences under the assumption of current law and current administration for the State University System, the Community College System and the Public School System. These are truly consensus conferences. All participants shall agree on the conference estimates. The first of these conferences shall be held prior to November 1, 1984, with the Divisions of Public Schools, Vocational Education, Community Colleges, and Universities of the Department of Education; the Executive Office of the Governor; the House Appropriations Committee and Senate Appropriations Committee; and the Joint Legislative Management Committee's Economic and Demographic Research Unit, as participants. The department shall convene meetings of the Enrollment Estimating Conference as necessary or as requested by participants of the conference. The conference shall consider enrollment projections provided by any of the participants. For public schools, the Enrollment Estimating Conference shall submit its full-time equivalent student consensus estimate to the Legislature 1 month after the start of the legislative session. No conference estimates can be changed without the action of the full conference.

(2) For public schools, the conference's consensus agreement of enrollments based on initial projections shall be forwarded by the conference to districts not later than 2 months prior to the start of the annual legislative session. Each district may, in writing, request adjustments to the conference projections. Initial adjustment requests shall be submitted to the conference not later than 1 month prior to the start of the legislative session, and shall be considered by the participants of the Enrollment Estimating Conference. Districts may also request amendments to the initial adjustment request, in writing, during the first 3 weeks of the legislative session, which shall be considered by the participants of the Enrollment Estimating Conference. Using definitions adopted by the Enrollment Estimating Conference, all enrollment adjustments requested by the districts shall indicate and explain the components of anticipated enrollment changes that correspond to: continuation of current programs with workload changes; program involvement; program reduction or elimination; and initiation of new programs, as well as any other information that may be required by the Legislature.

Section 17. Notwithstanding any other provision of law, any surplus general revenue included in the Public Medical Assistance Trust Fund in the Department of Health and Rehabilitative Services may be used to offset any general revenue shortfall for fiscal year 1984-1985, only, in the Hospital Inpatient Services appropriation category, upon approval of the Executive Office of the Governor in consultation with the legislative appropriations committees.

Section 18. Notwithstanding the provisions of the proviso language following specific appropriation 1465A, section 1, chapter 83-300, Laws of Florida, funding for the Atlantic Center for the Arts shall be provided on a nonmatching basis.

Section 19. By November 1, 1984, each agency shall provide to the Department of Administration a detailed report regarding all fiscal year 1983-1984 actual and 1984-1985 estimated expenditures for staff development and training. The report format developed by the department, in consultation with the Comptroller, shall include: the fund name or code, the amount, the appropriations category, the number of employees trained, number of instructional hours, cost per instructional hour, the specific purpose of the expenditures, and total expenditures. The provider of the education or training shall be listed, and, if a specific course is provided, the name of the course shall be included. Agencies shall account separately for the travel and per diem costs of training, as well as the costs of in-house training employees and staff support. The aforementioned data which are applicable to any training received without cost to the agency, from the state educational system or any other source, shall be provided as well. The Department of Administration shall summarize the information submitted by the agencies and shall submit a report, consisting of findings, conclusions, and specific recommendations to the Governor and Cabinet, sitting as the Administration Commission, and as the State Board of Education, the President of the Senate, and the Speaker of the House of Representatives by January 15, 1985, for consideration of training needs by the 1985 Legislature. The Department of Administration shall develop by February 15, 1985, a master training plan for fiscal year 1985-1986 for each of the state agencies. The plan shall include the specific programs/courses presented in order of most to least important for the achievement of each agency's staff development and training goals. The master training plan shall include, at a minimum, data enumerated above.

Section 20. The Department of Law Enforcement may deposit revenues received as a result of state or federal criminal proceedings into the Forfeiture and Investigative Support Trust Fund.

Section 21. Section 8 of chapter 83-348, Laws of Florida, is hereby repealed.

Section 22. Section 14 of chapter 83-348, Laws of Florida, is hereby repealed.

Section 23. Notwithstanding the provisions of s. 11.147(3)(b) and (c), Florida Statutes, after February 1, 1985, funds provided in Specific Appropriation 1376 in the General Appropriation Act for the salaries and benefits of the executive director and the division directors under the Joint Legislative Management Committee are contingent upon the approval of existing or new personnel in those positions by a majority vote of the Joint Legislative Management Committee by February 1, 1985.

Section 24. The provisions of s. 216.011, Florida Statutes, notwithstanding, funds provided in any specific appropriation in the General Appropriations Act for fiscal year 1984-1985 may be advanced if the General Appropriations Act specifically so provides.

Section 25. At the end of the 1984-1985 fiscal year, any unexpended balance remaining in the Department of Transportation budget in special categories, aid to local government, and lump sums appropriated for projects which are part of the multi-year work program may be certified forward as fixed capital outlay until these funds have been expended. The amount certified forward shall include contingency allowances for asphalt and petroleum product escalation clauses, contract overages, etc., which shall be separately identified in the certification detail. These contingency amounts shall be incorporated in the certification for each specific category, but when a category proves to have an excess and another category has a deficiency, the Executive Office of the Governor is authorized to transfer the excess to the deficient accounts.

Section 26. Funds and positions in the Department of Community Affairs budget for operation of the H.U.D. 107 program have been eliminated due to the lack of federal funding. However, it is not legislative intent to preclude the Department of Community Affairs from administering the H.U.D. 107 program should federal funding be made available. Budget authority and positions may be requested from the Administration Commission for the continuation of the H.U.D. 107 program if continued federal funding is provided.

Section 27. No funds appropriated to the Department of Transportation in the General Appropriations Act shall be used to relocate any railroad in Santa Rosa County.

Section 28. Notwithstanding the provisions of s. 112.24, Florida Statutes, any individual filling a position authorized in section 1 of the General Appropriations Act for any state agency cannot be transferred to or his services utilized by any other state agency, unless the using agency pays for such services which are in excess of 1 week.

Section 29. Section 3 of chapter 82-224, Laws of Florida, is amended to read:

Section 3. This act shall take effect *January 1, 1985* ~~July 1, 1984~~.

Section 30. Notwithstanding the provisions of s. 216.181, Florida Statutes, the Department of Corrections may not expend any of the funds provided in the General Appropriations Act from the Special Category Contract Education for any purpose other than to purchase educational services for inmates from accredited Florida educational institutions.

Section 31. Salary appropriations contained in the General Appropriations Act may be expended to reimburse a sending agency for the utilization of its employee pursuant to an existing agreement which was in effect on July 1, 1984, notwithstanding the provisions of part II of chapter 112, Florida Statutes.

Section 32. Subsection (5) of section 4 of chapter 83-333, Laws of Florida, is hereby repealed. There is hereby appropriated from the General Revenue Fund to the Executive Office of the Governor the sum of $575,000 for The Theatre, Inc. These funds may be advanced and any interest earnings may be retained by The Theatre, Inc.

Section 33. In addition to the other provisions outlined in law, the Executive Office of the Governor shall have the authority to administer the $5 million appropriated in Specific Appropriation 704C.

Section 34. Notwithstanding the provisions of s. 626.251(2) and (3), Florida Statutes, the Department of Insurance license examination shall be held in an adequate and designated examination center in this state which is located nearest to the applicant's place of residence. The examinations required under part I of chapter 626, Florida Statutes, shall be available in the office of the department at Tallahassee, or elsewhere in this state at the designated examination centers which shall provide testing services bi-weekly.

Section 35. For all contractual training needs, each agency shall first solicit state-funded educational institutions. If the educational institution cannot provide the training or if the training proposal is not cost-effective, the agency may then solicit other providers. All solicitations and responses shall be in writing, with a copy to the Bureau of Training in the Department of Administration.

Section 36. Notwithstanding section 6 of chapter 83-348, Laws of Florida, sections 14, 15, and 16 of chapter 83-327, Laws of Florida, shall take effect on July 1, 1985.

Section 37. Dropout reduction program.—

(1) Beginning with the 1984-1985 school year, pursuant to rules adopted by the State Board of Education, district school boards may submit proposals for pilot programs to reduce the number of high school dropouts and to recruit actual dropouts back into an appropriate educational program. A proposal shall include a complete description of the program, including all personnel resources to be involved, an estimation of costs to implement the program, a description of how students are specifically chosen for the program, methods of reenlisting former students back into an educational setting, and any other information which may be required by the State Board of Education.

(2) The Commissioner of Education shall review and select for funding those programs which are deemed most promising and which appear to have the greatest potential for success and statewide implementation.

(3) The Department of Education shall evaluate the model programs funded as provided herein, and shall make recommendations to the Legislature and to the State Board of Education relating to programs or program components which have proven most successful in reducing percentages of dropouts and recruiting former students back into an educational environment.

Section 38. Notwithstanding the provisions of s. 236.02(2)(a), Florida Statutes, the basic FEFP, excluding Seventh Period-Extended Day, shall be calculated based on 900 hours of instruction for an unweighted full-time equivalent student membership in grades 9-12.

Section 39. This act shall take effect July 1, 1984, and the provisions thereof shall expire and be void and inoperative after June 30, 1985.

Conference Committee Amendment 2—In title, on page 1, line 1, through page 4, line 19, strike existing title and insert: A bill to be entitled An act relating to state government; implementing and administering the General Appropriations Act for fiscal year 1984-1985; providing authority for the Administration Commission to approve certain transfers related to reorganization; providing that with specified exceptions, automobiles purchased or leased by the state shall be of the subcompact class; restricting the price at which vehicles may be purchased; restricting lease or installment purchase of vehicles, machines, and equipment by the executive or judicial branches unless approved by the Comptroller; restricting use of appropriated funds for certain legal services unless approved by the Attorney General; restricting expenditure of certain funds available as a result of litigation against oil companies and refineries; authorizing the expenditure of certain funds by state attorneys and public defenders and requiring a report with respect thereto; providing restrictions with respect to advances for program start-up or advances for contracted services; providing for waiver of said restrictions; authorizing school districts to contract with nonpublic residential schools for educational programs not otherwise available, and providing conditions, eligibility, and funding with respect thereto; providing that appropriations to the Department of Education for certain purchases of electronic data processing equipment by school districts, community colleges, and the Board of Regents are subject to approval by the Commissioner of Education; requiring the Commissioner of Education to conduct an allocation conference prior to distribution of FEFP formula funds; providing for inclusion of certain students in educational alternative programs; retitling certain educational programs; modifying certain match funding requirements relating to certain funds appropriated for local community mental health centers and alcohol project grants; modifying procedures for determining annual allocations to school districts; providing for establishment of enrollment ceilings by program groups; directing the Commissioner of Education to conduct certain enrollment estimating conferences and to report the results thereof; providing for disposition of surplus general revenue included in the Public Medical Assistance Trust Fund in the Department of Health and Rehabilitative Services; providing for funding of the Atlantic Center for the Arts on a nonmatching basis; requiring agency reports to the Department of Administration of actual and estimated expenditures for staff development and training; directing the department to report to the Governor, Cabinet, and Legislature and to develop a master training plan; providing for deposit of certain revenues received by the Department of Law Enforcement into the Forfeiture and Investigative Support Trust Fund; repealing section 8 of chapter 83-348, Laws of Florida, relating to an appropriation to the Extended School Day and Quality Instruction Incentive Categorical Program; repealing section 14 of chapter 83-348, Laws of Florida, relating to an appropriation to the Critical Teacher Shortage Trust Fund; providing for approval of certain positions, by a majority vote of the Joint Legislative Management Committee; providing for advance of funds in any specific appropriation under certain conditions; specifying procedures with respect to certain unexpended balances of the Department of Transportation budget, and authorizing transfer between categories by the Executive Office of the Governor under certain circumstances; providing legislative intent with respect to administration by the Department of Community Affairs of the H.U.D. 107 program pending federal funding; prohibiting use of funds appropriated to the Department of Transportation for relocation of any railroad in Santa Rosa County; providing restrictions upon the transfer of certain individuals or their services between state agencies; delaying the effective date of the Corrections Mental Health Act; restricting use of Special Category Contract Education funds of the Department of Corrections; providing for expenditure of certain salary appropriations pursuant to agreements in effect on July 1, 1984; repealing section 4(5) of chapter 83-333, Laws of Florida, relating to an appropriation to the Board of Regents for The Theater, Inc.; providing an appropriation to the Executive Office of the Governor for The Theatre, Inc.; authorizing the Executive Office of the Governor to administer certain appropriated funds; providing for the place and availability of Department of Insurance license examinations; providing procedures for state agencies with respect to solicitation for contractual training needs; delaying the effective date of provisions relating to extension of the school day; authorizing dropout education programs and providing for review and evaluation thereof; specifying hours of instruction for calculating the basic Florida Education Finance Program; providing effective and expiration dates.

On motion by Senator Johnston, the Conference Committee Report was adopted, and HB 1301 passed as recommended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—40

Mr. President	Carlucci	Childers, W. D.	Dunn
Barron	Castor	Crawford	Fox
Beard	Childers, D.	Deratany	Frank

Gersten	Hill	Mann	Rehm
Girardeau	Jenne	Margolis	Scott
Gordon	Jennings	McPherson	Stuart
Grant	Johnston	Meek	Thomas
Grizzle	Kirkpatrick	Myers	Thurman
Hair	Langley	Neal	Vogt
Henderson	Malchon	Plummer	Weinstein

Nays—None

Senator Barron moved that CS for HB 988 be considered for the purpose of clarifying a technical error. The motion was adopted.

RECONSIDERATION

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

CS for HB 988—A bill to be entitled An act relating to developmental disabilities; amending s. 20.19, F.S., providing a definition; creating the Florida Developmental Disabilities Planning Council; providing for duties of the council; providing for assignment of the council within the office of the Secretary of Health and Rehabilitative Services for certain purposes only; authorizing the council to appoint an executive director; authorizing the executive director to employ personnel; providing for the composition of the council; providing for a chairman and vice-chairman; providing for meetings; providing for committees; authorizing the Governor to remove members of the council for cause; providing powers of the council; providing for bylaws; allowing the council to receive state and federal funds for certain developmental disabilities programs; requiring the Governor to designate the administering agency for the Developmental Disabilities Program; amending s. 393.066, F.S., relating to the responsibility of the Department of Health and Rehabilitative Services with respect to the Developmentally Disabled Assistance and Bill of Rights Act; providing for review and repeal; providing an effective date.

—as amended passed this day.

Senator Thomas moved the following amendment which was adopted by two-thirds vote:

Amendment 3—On pages 22, 23 and 24, strike all of Section 6 and renumber subsequent section.

CS for HB 988 as amended was read by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has passed as amended CS for HB's 1045 and 589 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Education, K-12 and Representative Weinstock and others—

CS for HB's 1045 and 589—A bill to be entitled An act relating to education; amending s. 228.041, F.S.; defining the terms "habitual truant" and "dropout"; amending s. 229.575, F.S.; requiring certain information in district and school annual reports; amending s. 230.23, F.S.; revising powers and duties of district school boards relating to the admission of students, the code of student conduct, and cooperation with other agencies; amending s. 230.2313, F.S.; adding to the definition of "student services program"; providing for the inclusion of certain activities in each school district plan; amending s. 230.2315, F.S.; creating the Alternative Education Task Force and providing duties; amending s. 232.17, F.S., clarifying requirements for written notice in cases of student nonenrollment or absence from school; amending s. 232.19, F.S.; requiring the completion of certain activities prior to the filing of a petition for dependency due to habitual truancy; providing penalty for failure to comply; creating s. 232.195, F.S., providing for the continuance of truancy remediation activities and legal jurisdiction; providing an effective date.

—was read the first time by title.

SPECIAL ORDER, continued

On motion by Senator Johnston, by two-thirds vote CS for HB's 1045 and 589 a companion measure, was substituted for CS for SB 953. On motions by Senator Johnston, by two-thirds vote CS for HB's 1045 and 589 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—35

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

Nays—None

Vote after roll call:

Yea—Gersten, Neal

CS for SB 953 was laid on the table.

HB 953—A bill to be entitled An act relating to legislative organization, procedures, and staffing; repealing s. 11.142, F.S., which sets procedures for standing and select committees; providing an effective date.

—was read the second time by title. On motion by Senator Barron, by two-thirds vote HB 953 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—23

Mr. President	Gersten	Jennings	Neal
Barron	Girardeau	Johnston	Scott
Beard	Grizzle	Kirkpatrick	Stuart
Childers, D.	Henderson	Langley	Thomas
Childers, W. D.	Hill	Mann	Vogt
Deratany	Jenne	Myers	

Nays—14

Carlucci	Fox	Malchon	Thurman
Castor	Frank	Meek	Weinstein
Crawford	Grant	Plummer	
Dunn	Hair	Rehm	

Vote after roll call:

Yea—Gordon

Yea to Nay—Gersten

On motions by Senator Thomas, the rules were waived and by two-thirds vote CS for HB 536 was withdrawn from the Committees on Governmental Operations and Appropriations.

On motions by Senator Thomas—

CS for HB 536—A bill to be entitled An act relating to handicapped concerns; providing legislative intent; defining "full rehabilitation"; amending sections 6, 7, and 8 of chapter 83-227, Laws of Flori-

da, relating to the Governor's Council on Handicapped Concerns; modifying duties; reassigning the council to the Office of the Governor; clarifying staffing provisions; providing for retention of voting members presently serving; providing qualifications for newly appointed voting members; providing for appointment of additional ex officio nonvoting members; limiting terms in office; deleting provisions relating to establishment of subcommittees, removal of members, and filling of vacancies; authorizing the council to administer certain programs; rescheduling such provisions for review and repeal effective October 1, 1994; providing an appropriation; providing an effective date.

—a companion measure, was substituted for SB 506 and by two-thirds vote read the second time by title.

Senators Thomas and Neal offered the following amendments which were moved by Senator Thomas and adopted:

Amendment 1—On page 1, line 25, strike everything after the enacting clause and insert:

Section 1. Notwithstanding section 8 of chapter 83-227, Laws of Florida, as amended by chapter 83-312, Laws of Florida, sections 6 and 7 of chapter 83-227, Laws of Florida, shall not stand repealed on October 1, 1984, but sections 6 and 7 of chapter 83-227, Laws of Florida, are hereby revived and readopted.

Section 2. Sections 6 and 7 of chapter 83-227, Laws of Florida, are repealed on October 1, 1985, and shall be reviewed by the Legislature pursuant to s. 11.611, Florida Statutes, the Sundown Act.

Section 3. There is hereby appropriated from the Employment Security Administrative Trust Fund to the Department of Labor and Employment Security the sum of $50,000 to carry out the provisions of this act.

Section 4. This act shall take effect October 1, 1984.

Amendment 2—In title, on page 1, strike all of lines 2-21 and insert: An act relating to the Governor's Council on Handicapped Concerns; reenacting ss. 6 and 7, chapter 83-227, Laws of Florida, notwithstanding the provisions of s. 8 of chapter 83-227, Laws of Florida, as amended, and the Sundown Act, to reestablish the Governor's Council on Handicapped Concerns; providing for Sundown review and repeal of the council on October 1, 1985; providing an appropriation; providing an effective date.

On motion by Senator Thomas, by two-thirds vote CS for HB 536 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Malchon, Neal

SB 506 was laid on the table.

The Senate resumed consideration of—

CS for CS for SB 601—A bill to be entitled An act relating to state public facilities; providing legislative findings and intent; providing for a comprehensive capital facilities planning and budgeting process; providing for needs assessment; providing for an inventory of current facilities; providing for an assessment of certain trends and conditions; providing for legislative adoption of state goals and objectives; providing for assessment of facility needs; providing for policy statements guiding public facility development to be adopted by the Governor, the Administration Commission, and the Legislature; providing for monitoring and evaluation; amending s. 255.25, F.S.; providing for approval of certain financing techniques; amending s. 255.29, F.S.; providing for adoption of procedures for entering into performance based contracts; providing appropriations; providing an effective date.

—having been read the second time and amended May 31.

Senator Dunn moved the following amendment which was adopted by two-thirds vote:

Amendment 2—On page 1, line 20, strike everything after the enacting clause and insert:

Section 1. Sections 1-8 may be cited as the "Capital Facilities Planning and Budgeting Act."

Section 2. Legislative findings and intent.—The Legislature finds that:

(1) The condition of the state's infrastructure, including its roads, water and sewer facilities, state office buildings, bridges, ports, airports, canals, prisons, educational facilities, park and recreational facilities, and other capital assets, are in need of repair, expansion, and replacement at a time when the state's fiscal resources will be increasingly strained by the competing demands for state services and capital improvements.

(2) The high degree of coordination among the various branches of state government, local government, and public-benefit corporations which is necessary to maximize the potential public benefits to be derived from the limited financial resources which will be dedicated to public capital improvements within this state in the future is lacking.

(3) There is a need to establish a comprehensive capital facilities planning and budgeting process which is fully integrated with the state's financial planning and debt management activities and which incorporates the long-range plans of all state agencies and major public-benefit corporations to ensure that projects with the greatest potential for improving the prosperity and well-being of the people of the state receive their proper allocation of limited resources.

(4) There is currently no mechanism in place for managing the state's debt structure by matching the capital facility needs of the state with the amounts and sources of funds which could be made available to meet those needs.

It is, therefore, the intent of the Legislature in enacting this legislation that a comprehensive capital facilities planning and budgeting process be established and maintained to enable the state to better meet the demands for new and properly maintained infrastructure in a fiscally responsible manner.

Section 3. Comprehensive capital facilities planning and budgeting process.—

(1) The comprehensive capital facilities planning and budgeting process requires integration and coordination by all government agencies. The process includes the following:

(a) An inventory of current facilities owned, leased, rented, or otherwise occupied by any agency of the state;

(b) An assessment of current economic, social, physical, and environmental trends and conditions that relate to public facilities;

(c) A determination of future conditions deemed most appropriate and likely for Florida and of a set of goals and objectives;

(d) A determination of unmet needs by comparing existing facilities to goals and objectives;

(e) A strategic matching of funding options and facility needs to ensure the most effective development strategy; and

(f) A management structure that maintains, operates, repairs, renovates, and replaces capital facilities to obtain the maximum value for each public dollar spent.

(2) In order to carry out this act, the Executive Office of the Governor is designated as the agency responsible for the coordination, development, and direction of the comprehensive capital facilities planning and budgeting process.

(3) All agencies of government are hereby directed to extend maximum cooperation and assistance in the furtherance of this program.

Section 4. Inventory of public facilities.—

(1) Prior to July 1, 1986, the Department of General Services shall develop an automated inventory of all facilities owned, leased, rented, or otherwise occupied by any agency of the state, except those with less than 3,000 square feet. The inventory shall include the location, occupying agency, ownership, size, condition, maintenance record, age, parking and employee facilities, and other information as required by the department for determining life-cycle cost evaluations of the facility. "Facility," as used in this act, means buildings and structures, but does not include equipment nor transportation facilities of the state transportation system. The Department of Transportation shall develop and maintain an inventory of transportation facilities of the state transportation system. The Board of Regents and the Division of Community Colleges of the Department of Education shall inventory, in the manner prescribed by the Department of General Services, all higher education facilities and shall report the data in a format acceptable to the Department of General Services.

(2) The Department of General Services shall update the inventory every 3 years, but it shall record all acquisitions of new facilities and changes in existing facilities as they occur. The Department of General Services shall provide each agency with the most recent inventory applicable to that agency. Each agency shall, in the manner prescribed by the Department of General Services, report significant changes in the inventory as they occur. Items relating to a facility's condition and life-cycle cost shall be updated at least every 3 years.

(3) The Department of General Services shall, every 3 years, publish a complete report detailing this inventory and shall publish an annual update of the report. The department shall furnish the updated report to the Executive Office of the Governor and the Legislature no later than September 1 of each year.

Section 5. Assessment of trends and conditions.—

(1) The Executive Office of the Governor or its designee shall annually analyze trends and conditions in the state and nation that bear on the need for capital facilities. This analysis shall be integrated into the state comprehensive planning process as a part thereof. Planning data shall be collected and adopted by rule pursuant to part I of chapter 23, Florida Statutes.

(2) The Executive Office of the Governor shall, as soon as practicable and subject to appropriations made for that purpose, automate the planning data base and update it as often as necessary.

(3) Data contained in the planning data base shall be made available to all state and regional agencies, and that data shall be utilized to prepare the legislative budget request required by s. 216.043, Florida Statutes.

Section 6. State goals and objectives.—The Legislature shall adopt by general law, as a part of the state comprehensive plan, a set of goals and objectives establishing guidelines for agency practices and programs. These guidelines shall be utilized by all agencies as a basis for the preparation of their legislative budget requests, including requests for capital facilities.

Section 7. Assessment of facility needs.—

(1) By analyzing the trends and conditions, goals and objectives, and current facilities inventory, each agency shall determine its unmet and forecasted future needs.

(2) On or before November 1 of each year, each state agency as defined in s. 216.011, Florida Statutes, shall submit to the Executive Office of the Governor, in a manner prescribed by the legislative budget instructions, a short-term plan for facility needs covering the next 5-year period. The short-term plan shall include preventive maintenance strategies, expected replacement of existing facilities, expected improvements or additions to facilities on a specific project-by-project basis, estimated cost, and other information as prescribed by the legislative budget instructions. When directed in the legislative budget instructions as provided in s. 216.023(3), Florida Stautes, each agency shall submit at the same time to the legislative appropriations committees and to the Executive Office of the Governor, in a format prescribed by the legislative budget instructions, a long-term plan for the 5 years following the period of the short-term plan. The long-term plan shall outline forecasted agency facility needs.

(3) Based on the plans submitted by each agency, the Executive Office of the Governor shall prepare a state comprehensive plan for facility needs and related expenditures. The plan shall provide a 5-year schedule for preventive maintenance, replacement, improvement, or construction of facilities on a specific project-by-project basis.

(4) The first 2 years of the plan referred to in subsection (2) shall comport with the requirements of s. 216.043, Florida Statutes.

(5) Each agency plan for years 3-5 shall provide the following information:

(a) A full explanation of the basis for each project, including a description of the function which requires the facility; an explanation of the inability of existing facilities to meet such requirements; historical background; alternatives; and anticipated changes in operating costs, both initial and continuing.

(b) An application of standards and criteria to establish the scope of each project.

(c) An application of cost factors to all elements of each project to establish an estimate of funding requirements.

(d) A request for legislative appropriation to provide such funding in the appropriate year of the biennium, including the need for advance funding of programming and design activities.

(6) Pursuant to the requirements of s. 216.044, Florida Statutes, the Department of General Services shall evaluate the agency plans.

(7) The Division of Bond Finance of the Department of General Services shall work with the Executive Office of the Governor and all agencies to determine the most cost-beneficial and effective financing methods for the satisfaction of the capital facility needs described or identified in the 5-year plan and in the state comprehensive plan for facility needs.

Section 8. Monitoring and evaluation.—The Executive Office of the Governor shall monitor and evaluate the capital facilities planning and budgeting progress, including the plans revised pursuant to that process, and the Executive Office of the Governor shall publish an annual report of the progress being made by the state towards meeting the state goals and objectives of the plans.

Section 9. Subsection (1) of section 255.25, Florida Statutes, is amended to read:

255.25 Approval of the Division of Building Construction and Property Management prior to construction or lease of buildings.—

(1)*(a)* No state agency shall construct a building for state use unless prior approval of the architectural design and preliminary construction plans is first obtained from the division.

(b) When authorized by the Appropriations Act, the division may approve lease-purchase, sale-leaseback, and tax exempt leveraged lease contracts and other financing techniques for acquisition, renovation, or construction of state fixed capital outlay projects when it is in the best interest of the state.

Section 10. Subsection (4) is added to section 255.29, Florida Statutes, to read:

255.29 Construction contracts; department rules.—The Department of General Services shall establish, through the promulgation of administrative rules as provided in chapter 120:

(4) Procedures for entering into performance-based contracts for the development of public facilities when the Department of General Services determines the use of such contracts to be in the best interest of the state. The procedures shall include, but shall not be limited to:

(a) The prequalification of bidders;

(b) Criteria to be used in developing requests for proposals which may provide for singular responsibility for design and construction, developer flexibility in material selection, construction techniques, and application of state-of-the-art improvements;

(c) Accelerated scheduling. including development of plans, designs, and construction simultaneously; and

(d) Evaluation of proposals and award of contracts considering such factors as price, quality, and concept of the proposal.

Section 287.055 shall not be applicable to the procurement of performance based on contracts.

Section 11. (1) For fiscal year 1984-1985, the sum of the Department of General Services, and 4 additional positions are authorized for the department, to carry out the purposes of this act.

(2) For fiscal year 1984-1985, the sum of $133,000 is appropriated from the General Revenue Fund to the Executive Office of the Governor, and 4 positions, 3 of which are time limited, are authorized for the Executive Office of the Governor, to carry out the intent of this act.

Section 12. This act shall take effect July 1, 1984, or upon becoming a law, whichever occurs later, provided that Section 7 shall take effect July 1, 1985.

Senators Jenne and Gersten offered the following amendments which were moved by Senator Jenne and adopted by two-thirds vote:

Amendment 3—On page 2, between lines 29 and 30, insert:

Section 2. For those school districts with a full-time equivalent student enrollment in excess of 135,000 students, up to 0.3 mills of the 2.0 mills authorized by s. 236.25(2), Florida Statutes, shall be exempt from the provisions of s. 236.25(2)(a)2., Florida Statutes, that prohibit the supplanting of current expenditures from operating revenues for maintenance, renovation, and repair for fiscal year 1984-1985.

(Renumber subsequent section.)

Amendment 4—In title, on page 1, line 5, after the semicolon (;) insert: exempting certain school districts from the provisions of s. 236.25(2)(a)2., F.S.;

Senator Dunn moved the following amendment which was adopted:

Amendment 5—In title, on page 1, lines 1-18, strike the title and insert: A bill to be entitled An act relating to state public facilities; providing legislative findings and intent; providing for a comprehensive capital facilities planning and budgeting process; providing for needs assessment; providing for an inventory of current facilities; providing for an assessment of certain trends and conditions; providing for legislative adoption of state goals and objectives; providing for assessment of facility needs; providing for monitoring and evaluation; amending s. 255.25, F.S.; providing for approval of certain financing techniques; amending s. 255.29, F.S.; providing for adoption of procedures for entering into performance based contracts; providing appropriations; providing an effective date.

On motion by Senator Dunn, CS for CS for SB 601 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

On motion by Senator Gersten, the Senate reconsidered the vote by which CS for CS for SB 601 passed.

On motions by Senator Gersten, the Senate reconsidered the votes by which Amendments 3 and 4 were adopted.

By permission Senator Gersten withdrew Amendments 3 and 4.

CS for CS for SB 601 as amended was read by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Consideration of SB 847 was deferred.

On motions by Senator Kirkpatrick, the rules were waived and by two-thirds vote HB 938 was withdrawn from the Committees on Agriculture; Economic, Community and Consumer Affairs; and Appropriations.

On motion by Senator Kirkpatrick—

HB 938—A bill to be entitled An act relating to agriculture; providing for mapping and monitoring of agricultural lands; providing duties of the Department of Community Affairs; providing an effective date.

—a companion measure, was substituted for SB 827 and read the second time by title. On motion by Senator Kirkpatrick, by two-thirds vote HB 938 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32

Mr. President	Fox	Hill	McPherson
Beard	Gersten	Jennings	Meek
Carlucci	Girardeau	Johnston	Myers
Childers, D.	Gordon	Kirkpatrick	Rehm
Childers, W. D.	Grant	Langley	Stuart
Crawford	Grizzle	Malchon	Thomas
Deratany	Hair	Mann	Thurman
Dunn	Henderson	Margolis	Vogt

Nays—None

Vote after roll call:

Yea—Neal

SB 827 was laid on the table.

HB 69—A bill to be entitled An act relating to theft and related crimes; amending s. 812.035(7), Florida Statutes; limiting civil damages to three-fold actual damages; limiting liability to certain persons; clarifying language; providing an effective date.

—was read the second time by title.

Senator Dunn moved the following amendment which was adopted:

Amendment 1—On page 1, line 17-20, strike "against any person" on line 17, and all of lines 18, 19 and 20 through "guilty"

On motion by Senator Hair, by two-thirds vote HB 69 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Crawford	Girardeau	Hill
Beard	Deratany	Gordon	Jenne
Carlucci	Dunn	Grant	Jennings
Castor	Fox	Grizzle	Johnston
Childers, D.	Frank	Hair	Kirkpatrick
Childers, W. D.	Gersten	Henderson	Langley

Malchon	Meek	Scott	Vogt
Mann	Myers	Stuart	Weinstein
Margolis	Plummer	Thomas	
McPherson	Rehm	Thurman	

Nays—None

Vote after roll call:

Yea—Neal

SB 847—A bill to be entitled An act relating to transportation contracts; creating s. 337.1105, F.S.; providing for contract opportunities for small business concerns owned and controlled by socially and economically disadvantaged individuals; providing for competitive sealed proposals; providing criteria to be used in evaluating the proposals; providing for incentive payments to contractors who achieve or exceed goals for contracting with certain small business concerns and providing a penalty for failure to meet goals; providing for exemption from s. 119.07(1), F.S., for financial information submitted to the department; providing an effective date.

—was read the second time by title.

The Committee on Transportation recommended the following amendment which was moved by Senator Girardeau and failed:

Amendment 1—On page 2, line 3, after the period (.) insert: Such competitive sealed proposals may be the result of joint ventures by small business concerns owned and controlled by socially and economically disadvantaged individuals and other subcontractors.

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

Amendment 2—On page 1, line 18, strike everything after the enacting clause and insert:

Section 1. Subsection (4) of section 339.081, Florida Statutes, as redesignated and amended by SB 352, 1984 Session, is amended to read:

339.081 State Transportation Trust Fund; accounts.—

(2)(a)~~(4)~~ Except to the extent that the *head* ~~secretary~~ of the department ~~of Transportation~~ determines otherwise, not less than 10 percent of the amounts expended from the State Transportation Trust Fund shall be expended with small business concerns owned and controlled by socially and economically disadvantaged individuals as defined by section 8(d) of the Small Business Act (15 U.S.C. S. 637(d)) and relevant subcontracting regulations promulgated pursuant thereto. *In fulfilling this mandate, the department shall utilize every means available to it, including, but not limited to, goals and set-asides for competitive bidding and contracting only by, between, and among those firms certified by the department as socially and economically disadvantaged business enterprises, and prequalified as may be appropriate. It is the policy of the state to meaningfully assist socially and economically disadvantaged business enterprises through a program that will provide for the development of skills through business management training as well as financial assistance in the form of bond guaranties to primarily remedy the effects of past economic disparity.*

(b) The head of the department is authorized to expend up to 6 percent of the funds specified in paragraph (a) which are designated to be expended on small business firms owned and controlled by socially and economically disadvantaged individuals to conduct by contract or otherwise a construction management development program. Participation in the program will be limited to those who are certified under the provisions of paragraph (a) by the department or the Federal Small Business Administration or firms who have annual gross receipts not exceeding 2 million dollars averaged over a 3-year period. The program will consist of classroom and on-the-job instruction. The registration fee shall be set to cover the cost of instruction and overhead. No salary will be paid to any of the participants.

1. Classroom instruction shall consist of, but not be limited to, project planning methods for identifying manpower, equipment and financial resource needs; bookkeeping; state bidding and bonding requirements; state and federal tax requirements; strategies for obtaining loans, bonding and joint venture agreements.

2. On-the-job instruction will consist of, but not be limited to, setting up the job site; cash flow methods; project scheduling; quantity takeoffs; estimating; reading plans and specifications; department procedures on billing and payments; quality assessment and control methods; and bid preparation methods.

3. Contractors who have demonstrated satisfactory project performance, as defined by the department, can be exempted from the provisions of subparagraphs 1. and 2., but shall pay the registration fee and be validated as meeting the minimum curriculum standards of proficiency, in the same manner as participants who successfully complete the construction management development program only if they intend to apply for funds provided for in paragraph (c)1.

4. The department will develop; under contract with either the state university system, community college system, school district in behalf of their vocational technical center, or private consulting firm, a curriculum for instruction in the courses that will lead to a certification of proficiency in the construction management development program.

(c) The head of the department is authorized to expend up to 4 percent of the funds specified in paragraph (a) on the following program, for participants certified under paragraph (a) who meet the minimum curriculum standards of proficiency.

1. A bond guarantee program. The state will guarantee up to 90 percent of a bond amount of $250,000, or less, and 80 percent of a bond amount greater than $250,000, provided by an approved surety. However, in addition to the requirements of paragraph (b)3., a person participating in the bond guarantee program shall place 5 percent of the contract amount in reserve with the department until final acceptance of the project, in order to receive a bond guarantee. The Department of Transportation shall not commit funds for this program in excess of those appropriated specifically for this purpose.

(d) Within one year after implementation of this section, and every year thereafter, the head of the department is required to report the progress of this program to the Speaker of the House of Representatives, the President of the Senate and the Governor. The report shall include as a minimum the number of users of the bond guarantee plan along with the number of defaults and dollar loss to the state; the number of students participating in the construction management development program by urban location, the number certified and not certified, the cost of the program categorized by cost of administration, cost of instruction (on-the-job and classroom), cost of supplies; and finally a comparison figure of those certified by the department under paragraph (a) over the year, and the same figure for socially and economically disadvantaged contractors prequalified to perform prime contracting work for the department.

(e) The department shall promulgate rules for implementing the directives contained in this section.

For fiscal year 84-85, there is hereby appropriated to the Department of Transportation the sum of $25,000, to include authorization for one position, from the State Transportation Trust Fund for the purpose of carrying out the provisions of this act.

Section 2. This act shall take effect upon becoming a law.

Senator Myers moved the following amendment to Amendment 2 which was adopted:

Amendment 2A—On page 1, line 17, insert: *Such competitive sealed proposals may be the result of joint ventures by small business concerns owned and controlled by socially and economically disadvantaged individuals and other subcontractors.*

Amendment 2 as amended was adopted.

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

Amendment 3—On page 1, strike the title and insert: A bill to be entitled An act relating to the Department of Transportation; providing a training and bond guarantee program for socially and economically disadvantaged business enterprises; providing policy and purpose; providing for the administration of the program; providing for annual reports; providing an effective date.

On motion by Senator Girardeau, by two-thirds vote SB 847 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Malchon

Consideration of HB 191 was deferred.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has amended Senate Amendments 1 and 2, concurred in same as amended and passed HB 1223, as amended, and requests the concurrence of the Senate.

Allen Morris, Clerk

HB 1223—A bill to be entitled An act relating to the judiciary; amending ss. 26.031 and 34.022, F.S., to provide for additional judges in specified circuit and county courts, and providing for their election to office; providing an effective date.

Amendment 1 to Senate Amendment 1— On page 1, line 11, strike everything after the enacting clause and insert:

Section 1. Subsection (1) of section 34.021, Florida Statutes, is amended to read:

34.021 Qualifications of county court judges.—

(1) No person shall be eligible for election or appointment to the office of county court judge unless *he is, and has been for the preceding five years,* ~~said person shall be~~ a member in good standing of the bar of Florida prior to qualifying for election to said office or submitting his ~~or her~~ name to the appropriate judicial nominating commission for appointment. *However, a person shall be eligible for election or appointment to the office of county court judge in a county having a population of 40,000 or less if he is a member in good standing of the bar of Florida.*

Section 2. Subsection (1) of section 26.012, Florida Statutes, is amended to read:

26.012 Jurisdiction of circuit court.—

(1) Circuit courts shall have jurisdiction of appeals from county courts except appeals of county court orders or judgments declaring invalid a state statute or a provision of the State Constitution *and except orders or judgments of a county court which are certified by the county court to the district court of appeal to be of great public importance and which are accepted by the district court of appeal for review.* Circuit courts shall have jurisdiction of appeals from final administrative orders of local government code enforcement boards.

Section 3. Section 34.195, Florida Statutes, is created to read:

34.195 Certification to district court of appeal.—

(1) County courts are permitted to certify questions to the district court of appeal in a final judgment if the question may have statewide application, and:

(a) Is of great public importance; or

(b) Will affect the uniform administration of justice.

(2) In the final judgment, the trial court shall:

(a) Make findings of fact and conclusions of law; and

(b) State concisely the question to be certified.

(3) The decision to certify the question to the district court of appeal shall be within the sole discretion of the county court.

(4) The district court of appeal shall have absolute discretion as to whether to answer a question certified by the county court.

(a) If the district court agrees to answer the certified question, it shall decide all appealable issues that have been raised from the final judgment.

(b) If the district court declines to answer the certified question, the case shall be transferred to the circuit court which has appellate jurisdiction.

Section 4. Section 924.08, Florida Statutes, is amended to read:

924.08 Courts of appeal.—

(1) The district courts of appeal may review any order or judgment of a county court which is certified by the county court to be of great public importance.

(2) Appeals from final judgments in misdemeanor cases tried by county courts shall be to the circuit court.

Section 5. There is hereby created, on July 1, 1984, the Study Commission on Alternative Dispute Resolution.

(1) The commission shall be composed of nine members, consisting of:

(a) Two members to be appointed by the President of the Senate.

(b) Two members to be appointed by the Speaker of the House of Representatives.

(c) Two members of the judiciary to be appointed by the Chief Justice of the Supreme Court.

(d) Three private attorneys who are members in good standing of The Florida Bar to be appointed by the President of The Florida Bar.

(2) Within 30 days after the appointment of the membership, the commission shall meet to select a chairman from among those members appointed by the President of The Florida Bar, and to establish procedures for the conduct of the business of the commission.

(3) The commission shall study the feasibility of trial court administered alternative means for dispute resolution, and determine whether legislation and court rules are necessary to implement its recommendations and shall study and make recommendations concerning the creation of county court traffic infraction judges and for improvements in court administration. Prior to making final recommendations, the commission shall hold at least one public hearing in the state to take testimony regarding the need for trial court administered means for dispute resolution.

(4) The commission shall submit a final report to the Chief Justice of the Florida Supreme Court, to the President of the Senate, and to the Speaker of the House of Representatives no later than March 1, 1985. The report shall include the findings and recommendations of the commission, and drafts of appropriate legislation and court rules.

(5) The Office of the State Courts Administrator shall act as staff for the commission and provide all necessary data collection, analysis, and research and support services.

(6) Members of the commission shall serve without compensation but shall be entitled to be reimbursed for per diem and travel expenses as provided for in s. 112.061, Florida Statutes.

(7) The commission shall expire on April 1, 1985.

Section 6. Subsections (2), (5), (6), (8), (9), (10), (11), (15) and (20) of section 26.031, Florida Statutes, are amended to read:

26.031 Judicial circuits; number of judges, salaries.—The number of circuit judges in each circuit shall be as follows:

JUDICIAL CIRCUIT	TOTAL
(2) Second	*9* ~~8~~
(5) Fifth	*11* ~~10~~
(6) Sixth	*29* ~~28~~
(8) Eighth	*9* ~~8~~
(9) Ninth	*19* ~~18~~
(10) Tenth	*14* ~~13~~
(11) Eleventh	*58* ~~57~~
(15) Fifteenth	*22* ~~21~~
(20) Twentieth	*12* ~~11~~

Section 7. Subsections (6), (13), (29), (31), (50), (51) and (59) of section 34.022, Florida Statutes, are amended to read:

34.022 Number of county court judges for each county.—The number of county court judges in each county shall be as follows:

COUNTY	TOTAL
(6) Broward	*19* ~~17~~
(13) Dade	*33* ~~32~~
(29) Hillsborough	*11* ~~10~~
(31) Indian River	*2* ~~1~~
(50) Palm Beach	*11* ~~10~~
(51) Pasco	*3* ~~2~~
(59) Seminole	*4* ~~3~~

Section 8. The circuit court judges and county judges filling new offices created by this act in the Second, Fifth, Sixth, Ninth, Tenth, Eleventh, and Twentieth Circuits, and Broward, Dade, Hillsborough, Indian River, Pasco, and Seminole Counties shall be elected in th nonpartisan elections in 1984 and shall take office on the first Tuesday after the first Monday in January, 1985.

Section 9. This act shall take effect October 1, 1984, except for section 8, which shall be implemented as provided in section 8.

Amendment 1 to Senate Amendment 2—On page 1 strike the entire title and insert: An act relating to the judiciary; amending s. 34.021, F.S.; providing qualifications of county court judges; amending ss. 26.012 and 924.08, F.S., and creating s. 34.195, F.S.; providing for certain discretionary review of county court decisions by district courts of appeal; creating a Study Commission on Alternative Dispute Resolution; specifying its membership and duties; amending ss. 26.031 and 34.022, F.S.; providing for additional judges in specified circuit and counties; providing for their election; providing an effective date.

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

HB 1223 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—31

Mr. President	Gersten	Johnston	Neal
Barron	Gordon	Kirkpatrick	Scott
Beard	Grant	Langley	Stuart
Childers, D.	Hair	Mann	Thomas
Childers, W. D.	Henderson	Margolis	Thurman
Crawford	Hill	McPherson	Vogt
Fox	Jenne	Meek	Weinstein
Frank	Jennings	Myers	

Nays—None

Vote after roll call:

Yea—Girardeau, Grizzle, Malchon, Rehm

On motion by Senator Barron, the Senate recessed at 5:16 p.m.

The Senate was called to order by the President at 6:12 p.m. A quorum present—40:

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

SPECIAL ORDER, continued

CS for SB 231—A bill to be entitled An act relating to midwifery; reviving and readopting, notwithstanding the Regulatory Sunset Act, ch. 467, F.S.; amending ss. 467.003, 467.004, 467.007, 467.008, 467.205, 467.209, F.S.; changing the name of an advisory committee; adding a pediatrician and a lay midwife to the advisory council; increasing license fees; requiring successful completion of an examination for licensure; limiting the number of schools of lay midwifery; providing a savings clause; providing for future repeal and legislative review; providing an effective date.

—was taken up with pending Amendment 2.

Senators Vogt and Frank offered the following amendment to Amendment 2 which was moved by Senator Vogt and adopted:

Amendment 2A—On page 1, line 6, after "babies" insert: *and the health, safety and welfare of their mothers in the delivery process*

Senator Myers moved the following amendments to Amendment 2 which were adopted:

Amendment 2B—On page 4, strike all of lines 2-16 and insert:

Section 6. Section 467.2095, Florida Statutes, is created to read:

467.2095 Requirements to practice midwifery.—After October 1, 1984, any person who seeks to practice midwifery in this state shall be licensed pursuant to s. 464.012 or chapter 467, F.S. A midwife who on the effective date of this act, holds a valid license issued pursuant to this chapter may continue to practice midwifery pursuant to the provisions of this act. In addition, persons who as of May 31, 1984, are enrolled in Department of Education approved programs of lay midwifery, shall be eligible for licensure by examination upon successful completion of such program, provided that such program is subsequently approved by the Department of Health and Rehabilitative Services pursuant to ss. 467.003(1), 467.009, and 467.205. Program standards which were in effect prior to the effective date of this act shall be applied to those programs in which students were enrolled on May 31, 1984. The department is authorized to provide for examination and licensure for persons who have successfully completed approved programs. No other persons may seek licensure pursuant to chapter 467, F.S., after October 1, 1984.

Amendment 2C—On page 4, line 10, insert:

Section 7. Notwithstanding the provisions of the Regulatory Sunset Act, chapter 467, Florida Statutes, shall not stand repealed on October 1, 1984, as scheduled by such act, but such chapter, as amended, is hereby revived and readopted except that ss. 467.007 and 467.008, F.S., shall stand repealed on October 1, 1984, as scheduled by such act.

Amendment 2 as amended was adopted.

Senators Crawford, Frank, Henderson, Stuart and Myers offered the following amendment which was moved by Senator Crawford and adopted:

Amendment 3—In title, on page 1, strike all of lines 1-14 and insert: An act relating to midwifery; reviving and readopting, notwithstanding the Regulatory Sunset Act, ch. 467, F.S.; amending ss. 467.002, 467.003, 467.004, 467.209, F.S.; providing Legislstive intent; changing the name of an advisory committee; adding a pediatrician

to the advisory council; adding a lay midwife to the advisory council; limiting the number of schools of lay midwifery; providing a savings clause; creating s. 467.2095, F.S.; requiring persons who seek to practice midwifery to meet certain requirements; repealing ss. 467.007, 467.008, 467.009, 467.011, 467.205, F.S.; providing for future repeal and legislative review; providing an effective date.

On motion by Senator D. Childers, by two-thirds vote CS for SB 231 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—31

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

Nays—None

Vote after roll call:

Yea—Neal

Consideration of HB 1151 was deferred.

On motion by Senator Mann—

HB 276—A bill to be entitled An act relating to aquatic weed control finance; amending s. 212.69, F.S.; increasing the amount of fuel tax transferred to the Department of Natural Resources for aquatic weed control; providing an effective date.

—a companion measure, was substituted for SB 198 and read the second time by title. On motion by Senator Mann, by two-thirds vote HB 276 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—30

Mr. President	Frank	Jenne	Rehm
Barron	Gersten	Jennings	Stuart
Beard	Girardeau	Johnston	Thomas
Castor	Grant	Langley	Thurman
Childers, D.	Grizzle	Mann	Vogt
Childers, W. D.	Hair	McPherson	Weinstein
Crawford	Henderson	Meek	
Fox	Hill	Myers	

Nays—None

Vote after roll call:

Yea—Kirkpatrick, Malchon, Neal

SB 198 was laid on the table.

On motions by Senator D. Childers, the rules were waived and by two-thirds vote CS for HB 873 was withdrawn from the Committees on Health and Rehabilitative Services, Judiciary-Civil, and Appropriations.

On motion by Senator D. Childers—

CS for HB 873—A bill to be entitled An act relating to abuse of children and other persons; creating s. 39.4055, F.S., providing for issuance of injunction pending disposition of petition for detention or dependency; providing for reasonable cause; providing for notice; providing purpose; providing conditions; providing for dissolution or modification; providing for delivery; providing a penalty; providing for emergency injunction; amending s. 39.407, F.S., providing for psychological or psychiatric evaluation of parents or guardians or other person requesting custody in certain cases; amending s. 230.23, F.S., relating to powers and duties of the school board, to provide a child abuse and neglect policy; amending s. 395.005, F.S., relating to regulation of hospitals, to provide for the reporting by general and appropriate specialty hospitals and county public health units of child abuse or neglect and the designation, by same, of a staff physician as a liaison in child abuse or neglect cases; providing a penalty; amending s. 415.104, F.S., modifying notice requirements in cases of abuse, neglect, or exploitation of aged or disabled persons; amending s. 415.503, F.S., defining "child protection team," "guardian ad litem," and "sexual abuse of a child," and modifying definitions of "harm," "institutional child abuse or neglect," and "other person responsible for a child's welfare"; amending s. 415.504, F.S., relating to expungement of certain abuse or neglect records; amending s. 415.505, F.S., relating to child protective investigations and institutional child abuse or neglect investigations; modifying reporting and notice procedures; requiring state attorney to report his findings; providing for notification of human rights advocacy committees; creating s. 415.5055, F.S., expanding provisions relative to the development of child protection teams; specifying services which such teams shall be capable of providing; specifying cases eligible for referral thereto; providing for avoidance of duplication; amending s. 415.508, F.S., relating to appointment of guardian ad litem for an abused or neglected child, to clarify; amending s. 415.51, F.S., relating to access to child abuse or neglect records; providing for search of the abuse registry in certain cases; providing for notice to reporters of abuse or neglect; providing for a review of child protection teams by the department; providing for a report; providing an effective date.

—a companion measure, was substituted for CS for SB 877 and read the second time by title.

Senator D. Childers moved the following amendments which were adopted:

Amendment 1—On page 16, between lines 21 and 22, insert:

(c) Upon receipt of an allegation of child abuse or neglect involving an employee of a district school board, the department shall immediately report such allegation to the district school board. The department shall be the lead agency and shall cooperate with the district school board in the investigation of the allegation.

(Reletter subsequent sections.)

Amendment 2—In title, on page 1, lines 16 and 17, strike "provide a child abuse and neglect policy" and insert: post in each school a notice informing all employees or agents of the district school board of their responsibility to report actual and suspected child abuse cases and comply with child protection investigations

On motion by Senator D. Childers, by two-thirds vote CS for HB 873 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

CS for SB 877 was laid on the table.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for HB 372 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committees on Appropriations and Criminal Justice and Representative Wetherell—

CS for CS for HB 372—A bill to be entitled An act relating to the Florida RICO Act; creating s. 895.09, F.S., providing for the distribution of funds obtained through forfeiture proceedings under

the Florida RICO Act; amending s. 16.53, F.S., conforming provisions relating to the Legal Affairs Revolving Trust Fund; creating s. 27.345, F.S., providing reimbursement to state attorneys for expenses incurred in certain RICO forfeiture actions; amending s. 253.03, F.S., conforming provisions relating to the Land Acquisition Trust Fund; amending s. 895.05, F.S., conforming provisions relating to the distribution of forfeiture proceeds; providing an effective date.

—was read the first time by. title.

SPECIAL ORDER, continued

On motions by Senator Jenne, by two-thirds vote CS for CS for HB 372, a companion measure, was substituted for CS for SB 494 and by two-thirds vote read the second time by title. On motion by Senator Jenne, by two-thirds vote CS for CS for HB 372 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—31

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

Nays—None

Vote after roll call:

Yea—Mann

CS for SB 494 was laid on the table.

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

MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Johnston, the rules were waived and by two-thirds vote SB 461, SB 463, SB 881 and CS for SB 832 were withdrawn from the Committee on Appropriations.

On motion by Senator Scott, the rules were waived and by two-thirds vote HB 259 was withdrawn from the Committee on Judiciary-Civil.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has passed as amended CS for CS for HB 970 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committees on Appropriations and Transportation and Representative Dunbar and others—

CS for CS for HB 970—A bill to be entitled An act relating to taxation; amending s. 212.63, F.S.; revising the definition of gasohol and extending the exemption from the tax on sales of motor and special fuel; repealing said section on July 1, 1987; amending s. 207.005, F.S.; authorizing refund of certain credit against the tax on operation of commercial motor vehicles; providing an effective date.

—was read the first time by title.

SPECIAL ORDER, continued

On motions by Senator Crawford, by two-thirds vote CS for CS for HB 970, a companion measure, was substituted for CS for SB 767 and by two-thirds vote read the second time by title.

Senators Thomas, W. D. Childers and Barron offered the following amendment which was moved by Senator Thomas and failed:

Amendment 1—On page 2, line 21, strike "July 1, 1984" and insert: January 1, 1985

On motion by Senator Crawford, by two-thirds vote CS for CS for HB 970 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—28

Mr. President	Fox	Hair	Malchon
Beard	Frank	Henderson	Margolis
Carlucci	Gersten	Hill	Meek
Castor	Girardeau	Jenne	Myers
Crawford	Gordon	Jennings	Rehm
Deratany	Grant	Johnston	Stuart
Dunn	Grizzle	Langley	Vogt

Nays—9

Barron	McPherson	Thomas
Childers, W. D.	Plummer	Thurman
Mann	Scott	Weinstein

CS for SB 767 was laid on the table.

On motions by Senator Henderson, the rules were waived and by two-thirds vote HB 1151 was withdrawn from the Committees on Economic, Community and Consumer Affairs; and Judiciary-Civil and by two-thirds vote placed on the special order calendar.

HB 1151—A bill to be entitled An act relating to real estate time-sharing; amending s. 721.05, F.S., redefining the terms "completion of construction," "developer," and "escrow agent" with respect to real estate time-sharing plans; amending s. 721.07, F.S., relating to approved amendments to public offering statements; amending s. 721.08, F.S., relating to escrow accounts; amending s. 721.13, F.S., relating to management of time-share plans; amending s. 721.30, F.S., relating to the application of certain provisions of law to time-share developers; providing an effective date.

—was read the second time by title.

Senator Henderson moved the following amendments which were adopted:

Amendment 1—On page 1, line 18, strike "Paragraph" and insert: Subsection (1), paragraph

Amendment 2—On page 1, line 28, strike "*, not withstanding any disclaimers*"

Amendment 3—On page 2, line 31, insert:

Section 4. Section 721.05(1) is amended to read:

721.05 Definitions.—As used in this chapter the term:

(1) "Accommodations" means any apartment, condominium or cooperative unit, cabin, lodge, or hotel or motel room, *campground* or any other private or commercial structure which is situated on real property and designed for occupancy *or use* by one or more individuals.

(Renumber subsequent sections.)

Amendment 4—On page 8, between lines 2 and 3, insert:

Section *6*. Section 721.20, F.S., is amended to read:

(Substantial rewording of section. See s. 721.20 for present text.)

721.20 Licensing Requirements.—

(1) Any seller of a timeshare plan shall be a licensed real estate salesman, broker, or broker salesman as defined in s. 475.01, except as provided in s. 475.011.

(2) Pursuant to rules adopted by the Division, off-premise solicitors, and all others who engage in the solicitation of prospective purchasers of units in a timeshare plan, shall purchase annually a timeshare occupational license for a fee of $25. The license shall expire on July 1 of each year. Solicitors licensed under the provisions of this subsection who engage only in the solicitation of prospective purchasers shall be exempt from the provisions of Chapter 475.

(3) It is unlawful for any person to solicit prospective purchasers of a timeshare plan without first having secured a timeshare occupational license and paid the occupational license fee.

(4) The division may deny, suspend or revoke any occupational license when the holder thereof has violated the provisions of this chapter, or the rules and regulations of the division governing timeshare. If any occupational license expires by division rule while administrative charges are pending against the license, the proceedings against the license shall continue to conclusion as if the license were still in effect. The division may impose a civil fine of up to $500 for violation of the rules of the division in addition to, or in lieu of a suspension or revocation provided for in this section.

(5) Prior to issuing an occupational license, the Division shall receive an application on forms designed by the Division and containing such pertinent background information as is necessary to properly identify the applicant; provided, however, that fingerprinting of applicants is not required. The Division may deny a license to any individual which the Division finds not to be of good moral character.

(6) This section shall not apply to those individuals who offer for sale only timeshare periods located outside of this state, and who do not engage in any sales activity within this state, nor to those timeshare plans which are registered with the Security and Exchange Commission. For purposes of this section, both timeshare licenses and timeshare estates are considered to be interests in real property.

(7) The provisions of (2) shall become effective October 1, 1984.

Amendment 5—In title, on page 1, line 9, after the semicolon (;) insert: amending s. 721.05(1) to include campgrounds in the definition of accomodations;

Amendment 6—In title, on page 1, line 13, after the semicolon (;) insert: amending s. 721.20 to provide for licensing of timeshare employees

On motion by Senator Henderson, by two-thirds vote HB 1151 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Neal

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments 1, 3, 4, 5, 6, 7, 8, 10 and 11 and has amended Senate Amendments 2 and 9, concurred in same as amended and passed HB 619, as amended, and requests the concurrence of the Senate.

Allen Morris, Clerk

HB 619—A bill to be entitled An act relating to elections; amending s. 97.061, F.S., relating to electors requiring assistance to vote; amending s. 98.031, F.S., relating to changes in election precincts; amending s. 99.012, F.S., relating to disclosure of financial interests by candidates; amending s. 99.061, F.S., relating to qualifying dates for special district elections; amending s. 100.371, F.S., relating to retention of petition forms; amending s. 101.051, F.S., relating to electors requiring assistance to vote; amending s. 101.161, F.S., relating to constitutional amendments by initiative; amending ss. 106.011 and 106.03, F.S., raising the limit for registration of political committees to $500; amending s. 106.021, F.S., relating to campaign depositories; amending ss. 106.07, 106.141, and 106.29, F.S., relating to the date of filing reports by political committees, elected candidates, and political parties; amending s. 106.25, F.S., modifying confidentiality requirements with respect to certain records and proceedings of the Florida Elections Commission; amending s. 111.011, F.S., relating to statement of contributions received by elected public officers; providing an effective date.

Amendment 1 to Senate Amendment 2—On page 1, line 28, insert:

Section. . . . Section 101.28, Florida Statutes, is amended to read:

101.28 Requirements of voting machines.—*All voting machines purchased for use in the State of Florida* ~~The Division of Elections of the Department of State shall adopt uniform rules for the purchase, use, and sale of voting machines, voting machine equipment, and electronic and electromechanical voting systems and equipment in the state. Such standards and specifications~~ shall meet the following minimum requirements:

(1) All machines shall:

(a) Secure to the elector secrecy in the act of voting.

(b) Provide facilities for voting for or against as many questions as may be submitted.

(c) Permit the elector to vote for the candidates of one or more parties.

(d) Permit the elector to vote for as many persons for an office as he is lawfully entitled to vote for, but no more.

(e) Prevent the elector from voting for the same person more than once for the same office.

(f) Permit the elector to vote for or against any question he may have the right to vote upon, but no other.

(g) Be so equipped that, when used in primary elections, the election officials can, by a single adjustment on the outside of the machine, lock out all races and questions except those in which the elector is entitled to vote.

(h) Correctly register or record, and accurately count, all votes cast for any and all persons and for or against any and all questions.

(i) Be provided with a "protective counter" or "protective device" whereby any operation of the machine before or after the election will be detected.

(j) Be provided with a counter which shall show at all times during any election how many persons have voted.

(k) Be provided with one device per machine for each party for voting for all presidential electors of that party by one operation, and in that connection there shall be provided on the ballot the words "Electors for President and Vice President" followed by the name of the party and thereafter by the names of the candidates thereof for the offices of President and Vice President, and a registering device which shall register the votes cast for such electors thus voted for collectively, as contemplated by s. 103.011.

(2) Each voting machine shall be furnished with an electric light, or a proper substitute for one, which shall give sufficient light to enable electors while voting to read the ballots.

(3) Each voting machine used in any election shall be provided with a screen, hood, or curtain which shall be so made and adjusted as to conceal the elector and his action while voting.

(4) Voting machines may be provided with a device or devices which shall print a copy or copies of the count shown on the candidate and question counters, as registered both before the polls open and after the polls close.

Section. . . . Subsection (2) of section 101.292, Florida Statutes, is amended to read:

101.292 Definitions.—As used in ss. 101.292-101.295, the following terms shall have the following meanings:

(2) "Voting equipment" means new or used voting machines and materials, parts, or other equipment necessary for the maintenance

or improvement of voting machines, the individual retail value of which is in excess of $1,000, or the combined retail value of which is in excess of $1,000. "Voting equipment" shall also include electronic or electromechanical voting systems, *voting* ~~marking~~ devices, and automatic tabulating equipment as defined in s. 101.5603, as well as materials, parts, or other equipment necessary for the operation and maintenance of such systems and devices.

Section. . . . Subsection (1) of section 101.293, Florida Statutes, is amended to read:

101.293 Competitive bids required.—

(1) Any purchase of voting equipment, *the individual retail value of which is in excess of $1,000, or the combined retail value of which is in excess of $1,000,* by a governing body shall be by means of sealed competitive bids from at least two bidders, except under the following conditions:

(a) If a majority of such governing body agrees by vote that an emergency situation exists in regard to the purchase of such equipment to the extent that the potential benefits derived from competitive bids is outweighed by the detrimental effects of a delay in the acquisition of such equipment; or

(b) If a majority of the governing body finds that there is but a single source from which suitable equipment may be obtained.

If such conditions are found to exist, the chairman of the governing body shall certify to the Division of Elections the situation and conditions requiring an exception to the competitive bidding requirements of this section. *Such certification shall be maintained on file by the Division of Elections.*

Section. . . . Section 101.294, Florida Statutes, is amended to read:

101.294 *Purchase and sale of voting equipment* ~~Approval of division required for certain transactions.—~~

(1) *The Division of Elections of the Department of State shall adopt uniform rules for the purchase, use, and sale of voting equipment in the state.* No governing body shall purchase or cause to be purchased~~, or sell or cause to be sold,~~ any voting equipment *unless such equipment has been certified for use in the State of Florida by the Department of State.* ~~without the prior approval of the Division of Elections. However, if the division fails to act on a request for approval within 30 days after proper notice is received by the division, approval shall not be required.~~

~~(2) The Division of Elections shall consider the following factors in determining whether to approve the purchase or sale of any voting equipment by the governing body of any county of the state:~~

~~(a) The age and capabilities of voting equipment currently owned by the governing body;~~

~~(b) The population and projected ballot length for such county;~~

~~(c) The availability of used equipment from another county in the state;~~

~~(d) The cost of obtaining and operating the proposed new equipment; and~~

~~(e) Such other factors as may be relevant to the need for such equipment.~~

(2)~~(3)~~ Any governing body contemplating the purchase or sale of voting equipment shall notify the Division of Elections of such considerations. The division shall attempt to coordinate the sale of excess or outmoded equipment by one county with purchases of necessary equipment by other counties.

(3)~~(4)~~ The division shall inform the governing bodies of the various counties of the state of the availability of new or used voting equipment and of sources available for obtaining such equipment.

Section. . . . Section 101.5602, Florida Statutes, is amended to read:

101.5602 Purpose.—The purpose of this act is to authorize the use of electronic and electromechanical voting systems in which *votes are registered electronically or votes are tabulated on automatic tabulating equipment or data processing equipment* ~~the voter records his vote in such a manner that votes may be counted by data processing machines at one or more counting places.~~

Section. . . . Subsection (4) of section 101.5603, Florida Statutes, is renumbered as subsection (5), and new subsections (4), (6), and (7) are added to said section to read:

101.5603 Definitions.—As used in this act:

(4) "Electronic or electromechanical voting system" means a system of casting votes by use of voting or marking devices and counting ballots by employing automatic tabulating equipment or data processing equipment.

(6) "Secrecy envelope" means an opaque device used for enclosing a marked ballot which conceals the voter's choices.

(7) "Voting device" means either an apparatus in which ballots are inserted and used in connection with a marking device for the piercing of ballots by the voter or an apparatus by which votes are registered electronically.

Section. . . . Subsections (2), (3), and (4) of section 101.5605, Florida Statutes, are amended to read:

101.5605 Examination and approval of equipment.—

(2) Any person owning or interested in an electronic or electromechanical voting system may submit it to the Department of State for examination. The vote counting segment shall be certified after a satisfactory evaluation testing has been performed according to electronic industry standards. This testing shall include, but not be limited to, the basic source program and its security; the ballot reader; the rote processor, especially in its logic and memory components; the digital printer; the fail-safe operations; the counting center environmental requirements; and the equipment reliability estimate. For the purpose of assisting in examining the system, the Department of State *shall* ~~may~~ employ *or contract for services of at least one individual* ~~not more than three individuals~~ who *is* ~~are~~ expert in one or more fields of data processing, mechanical engineering, and public administration and shall require from *him* ~~them~~ a written report of *his* ~~their~~ examination. The person submitting a system for approval or the board of county commissioners of any county seeking approval of a given system shall reimburse the Department of State in an amount equal to the actual costs incurred by the department in examining the system. Such reimbursement shall be made whether or not the system is approved by the Department of State. Neither the Secretary of State nor any examiner shall have any pecuniary interest in any voting equipment. The Department of State shall approve or disapprove any voting system submitted to it within *90* ~~180~~ days after the date of its initial submission.

(3)*(a)* Within 30 days after completing the examination and upon approval of any electronic or electromechanical voting system, the Department of State shall make and maintain a report on the system, together with a written or printed description and drawings and photographs clearly identifying the system and the operation thereof. As soon as practicable after such filing, the Department of State shall send a notice of certification and, upon request, a copy of the report to the governing bodies of the respective counties of the state. Any voting system that does not receive the approval of the Department of State shall not be adopted for or used at any election.

(b) After a voting system has been approved by the department, any change or improvement in the system is required to be approved by the Department of State prior to the adoption of such change or improvement by any county. *If any such change or improvement does not comply with the requirements of this act, the department shall suspend all sales of the equipment or system in the state until the equipment or system complies with the requirements of this act.* ~~However, the Department of State shall not reexamine or reapprove the system in its entirety.~~

(4) *The Department of State may at any time reexamine any system, or any part thereof, which has previously been approved for the purpose of updating the system's certification.* ~~No governing body shall purchase or cause to be purchased any certified voting system or equipment without prior approval of the Department of State. The department, within 30 days of receipt of notice of intention to make such a purchase, shall reexamine the voting system or~~

~~equipment to be purchased to insure that any changes made in the equipment or system since the most recent certification of the equipment or system also comply with the requirements of this act. If any of the changes do not comply with the requirements of this act, the department shall suspend all sales of the equipment or system in the state until the equipment or system complies with the requirements of this act.~~

Section. . . . Subsections (3) and (5) of section 101.5606, Florida Statutes, are amended, and subsection (11) is added to said section, to read:

101.5606 Requirements for approval of systems.—No electronic or electromechanical voting system shall be approved by the Department of State unless it is so constructed that:

(3) The automatic tabulating equipment *will* ~~may~~ be set to reject all votes for any office or measure when the number of votes therefor exceeds the number which the voter is entitled to cast or when the voter is not entitled to cast a vote for the office or measure.

(5) *It permits each voter at a primary election to vote only for the candidates seeking nomination by a political party in which such voter is registered, and for any candidate for nonpartisan office, and for any question upon which he is entitled to vote.* ~~When used in primary elections, the automatic tabulating equipment will count only votes for the candidates of one party, reject all votes for an office when the number of votes therefor exceeds the number which the voter is entitled to cast, and reject all votes of a voter cast for candidates of more than one party.~~

(11) If the voting system is of a type which registers votes electronically, the voting system will permit each voter to change his vote for any candidate or upon any question appearing on the official ballot up to the time that he takes the final step to register his vote and to have his vote computed.

Section. . . . Section 101.5607, Florida Statutes, is amended to read:

101.5607 Department of State to prescribe rules ~~and regulations~~.—

(1) The Department of State shall prescribe rules ~~and regulations~~ to achieve and maintain the maximum degree of correctness, impartiality, and efficiency of the procedures of voting, including write-in voting, and of counting, tabulating, and recording votes, by the electronic or electromechanical voting systems and methods provided by this act.

(2) The Department of State shall promulgate rules establishing minimum security guidelines for electronic and electromechanical voting systems and shall maintain technological expertise in the field of computer security. Each supervisor of elections utilizing an electronic or electromechanical system shall establish written procedures to assure accuracy and security in his county and such procedures shall be approved by the Division of Elections and reviewed periodically by the division.

Section. . . . Section 101.5608, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 101.5608, F.S., for present text.)

101.5608 Voting by electronic or electromechanical method.—

(1) Each elector desiring to vote shall be identified to the clerk or inspector of the election as a duly qualified elector of such election and sign his name in ink or indelible pencil to an identification blank, signature slip, precinct register, or ballot stub on which the ballot serial number may be recorded. The inspector shall compare the signature with that on the identification provided by the elector. If the inspector is reasonably sure that the person is entitled to vote, he shall be provided a ballot by the inspector.

(2) When an electronic or electromechanical voting system utilizes a ballot card or paper ballot, the following procedures shall be followed:

(a) After receiving a ballot from an inspector, the elector shall, without leaving the polling place, retire to a booth or compartment and mark his ballot. After preparing his ballot, the elector shall place the ballot in a secrecy envelope with the stub exposed or fold over that portion on which write-in votes may be cast, as instructed, so that the ballot shall be deposited in the ballot box without exposing the voter's choices. Before the ballot is deposited in the ballot box, the inspector shall detach the exposed stub and place it in a separate envelope for audit purposes, or when a fold-over ballot is used, the entire ballot shall be placed in the ballot box.

(b) Any voter who spoils his ballot or makes an error may return the ballot to the election official and secure another, except that in no case shall a voter be furnished more than three ballots. A spoiled ballot shall be preserved, without examination, in an envelope provided for that purpose. The stub shall be removed from the ballot and placed in an envelope.

(c) The supervisor of elections shall prepare for each polling place at least one ballot box to contain the ballots of a particular precinct, and each ballot box shall be plainly marked with the name of the precinct for which it is intended.

(3) When an electronic or electromechanical voting system is of a type which does not utilize a ballot card or paper ballot, the Department of State shall promulgate rules regarding voting procedures.

(4) In any election in which a write-in candidate has qualified for office, the supervisor of elections shall provide for write-in voting pursuant to rules adopted by the Division of Elections.

Section. . . . Section 101.5609, Florida Statutes, is amended to read:

101.5609 Ballot requirements.—

(1) When an electronic or electromechanical voting system utilizes a ballot card or paper ballot which is distributed to electors, the ballot shall meet the following requirements:

(a) The ballot shall have at least two stubs. Stub number one shall have the ballot serial number on it. Stub number two, the stub adjacent to the ballot card, shall have the official title of the election with the name of the county and state on it and may be long enough to cover the ballot to provide secrecy after the ballot has been marked. The ballot serial number may also be on stub number two.

(b) Ballots to be used in the precincts shall be assembled in pads so that stub number one will remain on the ballot pad and stub number two will go with the ballot. On absentee ballots, stub number one shall be retained by the supervisor and stub number two may be retained by the supervisor or sent with the ballot.

(2)~~(1)~~ The ballot information~~, whether placed on the ballot or on the marking device,~~ shall, as far as practicable, be in the order of arrangement provided for paper ballots. Ballots for all questions or propositions to be voted on shall be provided in the same manner and shall be arranged on or in the *voting* ~~marking~~ device in the places provided for such purposes.

(3)~~(2)~~ When an electronic voting system utilizes *a* ballot information *booklet* for candidates and propositions to be voted upon, such ballot information may be provided with a series of pages distinguished by different colors. More than one public measure or proposition may be placed on the same page or series of pages.

(4)~~(3)~~ In primary elections, a separate ballot information booklet, *voting* ~~marking~~ device, and voting booth shall be used for each political party holding a primary, with the ballot information booklet arranged to include pages listing the candidates of the party and public measures and other propositions to be voted upon on the day of the primary election. One ballot may be used for recording the voter's vote on all such races, proposals, public measures, or propositions, and such ballot shall, if possible, be arranged so as to record the voter's vote in a separate column or columns for races, ballot proposals, public measures, or propositions.

(5)~~(4)~~ If the ballot information booklet includes pages containing candidates for office and pages containing public measures or propositions to be voted on, the election official in charge of the election shall divide the pages by protruding tabs identifying the division of the pages which relate to candidates, constitutional amendments, bond referenda, or other propositions.

(6)~~(5)~~ Voting squares may be placed in front of or in back of the names of candidates and statements of questions and shall be of such size as is compatible with the type of system used. Ballots and ballot information shall be printed in a size and style of type as plain and clear as the ballot spaces will reasonably permit. Tear-off stubs shall be of a size suitable for the ballots used and for the requirements of the *voting* ~~marking~~ device. The ballots may contain special printed marks and holes as required for proper positioning and reading of the ballots by the automatic tabulating equipment. When ballots are bound into pads, they may be bound at the top or bottom or at either side. In the case of the paper ballots, all offices and questions may be printed on the same sheet of paper.

(7)(a)~~(6)~~ Absentee ballots may consist of ballot cards, envelopes, or paper ballots voted in person in the office of the election official in charge of the election or voted by mail.

(b) When a ballot card is used for voting by mail, it shall be accompanied by a marking device; voter instructions; *a secrecy* ~~an~~ envelope which will maintain the secrecy of a marked ballot; a mailing envelope; a specimen ballot showing the proper positions to vote on the ballot card for each party, candidate, proposal, public measure, or proposition; and any other item needed by the elector to cast his vote. ~~If a punching device is required, the ballot card shall be mounted on a suitable material to receive the punched-out chip.~~

(c) Voted absentee ballots shall be placed in a secrecy envelope before being placed in the mailing envelope on which the voter's certificate is printed.

(d) In any election in which a write-in candidate has qualified, the supervisor of elections shall provide for write-in voting by absent electors pursuant to rules adopted by the Division of Elections.

~~(7) Any voter who spoils his ballot or makes an error may return the ballot to the election officials and secure another, except that in no case shall a voter be furnished more than three ballots. A spoiled ballot shall be preserved, without examination, in an envelope provided for that purpose. The stub shall be removed from the ballot and placed in an envelope separate from the ballot.~~

Section. . . . Section 101.5610, Florida Statutes, is amended to read:

101.5610 Inspection of ballot by election board.—The election board of each precinct shall cause the *voting* ~~marking~~ devices to be put in order, set, adjusted, and made ready for voting when delivered to the polling places. Before the opening of the polls, the election board shall compare the ballots used in the *voting* ~~marking~~ devices with the sample ballots furnished and see that the names, numbers, and letters thereon agree and shall certify thereto on forms provided by the supervisor of elections.

Section. . . . Subsection (2) of section 101.5612, Florida Statutes, is amended to read:

101.5612 Testing of tabulating equipment.—

(2) The test shall be conducted by processing a preaudited group of ballots so *produced* ~~punched or marked~~ as to record a predetermined number of valid votes for each candidate and on each measure and shall include for each office one or more ballots which have votes in excess of the number allowed by law in order to test the ability of the automatic tabulating equipment to reject such votes. If any error is detected, the cause therefor shall be ascertained and corrected and an errorless count shall be made before the automatic tabulating equipment is approved. The test shall be repeated immediately before the start of the official count of the ballots in the same manner as set forth above. After the completion of the count, the test shall be repeated. The programs and ballots used shall be sealed and retained under the custody of the county canvassing board.

Section. . . . Section 101.5613, Florida Statutes, is amended to read:

101.5613 Examination of equipment during voting.—A member of the election board shall occasionally examine the face of the voting *device* ~~machine~~ and the ballot information to determine that the *device* ~~machine~~ and the ballot information have not been damaged or tampered with.

Section. . . . Subsections (1) and (2) of section 101.5614, Florida Statutes, are amended, subsections (6) and (7) are renumbered as subsections (7) and (8), respectively, and a new subsection (6) is added to said section, to read:

101.5614 Canvass of returns.—

(1) In precincts in which an electronic or electromechanical voting system is used, as soon as the polls are closed, the election board shall secure the *voting* ~~marking~~ devices against further voting. They shall thereafter open the ballot box *in the presence of the public desiring to witness the proceedings* and count the number of voted ballots, unused ballots, and spoiled ballots to ascertain whether such number corresponds with the number of ballots issued by the supervisor. If there is a difference, this fact shall be reported in writing to the county canvassing board with the reasons therefor if known. The total number of voted ballots shall be entered on the forms provided. *The proceedings of the election board at the precinct after the polls have closed shall be open to the public, however no persons except members of the election board shall touch any ballot or ballot container or interfere with or obstruct the orderly count of the ballots.*

(2)(a) If the ballots are to be tallied at a central location, the election board shall place all ballots that have been cast, *together with the unused, void, and defective ballots,* in the container provided for the purpose, which shall be sealed and delivered forthwith to the central counting location or other designated location by two inspectors who shall not, whenever possible, be of the same political party~~, together with the unused, void, and defective ballots~~. The election board shall certify that the ballots were placed in such container and the container was sealed in its presence and under its supervision, and it shall further certify to the number of ballots of each type placed in the container.

(b) If ballots are to be counted at the precincts, such ballots shall be counted pursuant to rules adopted by the Department of State, which rules shall provide safeguards which conform as nearly as practicable to the safeguards provided in the procedures ~~prescribed in paragraph (a)~~ for the counting of votes at a central location.

(6) If an elector marks more names than there are persons to be elected to an office or if it is impossible to determine the elector's choice, the elector's ballot shall not be counted for that office, but this shall not invalidate the ballot as to those names which are properly marked.

Section. . . . Subsection (6) is added to section 102.141, Florida Statutes, to read:

102.141 County canvassing board; duties.—

(6) At the same time as the results of the election are certified to the Department of State, the county canvassing board shall file a report with the Division of Elections on the conduct of the election. The report shall contain information relating to any problems incurred as a result of equipment malfunctions at either the precinct level or at a counting location, any difficulties or unusual circumstances encountered by the election board or canvassing board, and any other additional information which the canvassing board feels should be made a part of the official election record. Such reports shall be maintained on file in the Division of Elections and shall be available for public inspection. The division shall utilize the reports submitted by the canvassing boards to determine problems which may be likely to occur in other elections and disseminate such information, along with possible solutions, to the supervisors of elections.

Section. . . . Subsection (6) of Section 102.012, Florida Statutes, is amended to read:

102.012 Inspectors and clerks to conduct elections.—

(6) In precincts in which there are less than 300 registered electors, it is not necessary to appoint 2 election boards, but one such board shall suffice. *Such boards shall be composed of at least one inspector and one clerk.*

(Renumber subsequent sections.)

Amendment 2 to Senate Amendment 2—On page 1, line 28, insert:

Section. . . . Subsections (2) and (3) of section 99.012, Florida Statutes, as amended by chapter 83-15, Laws of Florida, are amended, subsections (4), (5), (6), and (7) of said section are renumbered as subsections (5), (6), (7), and (8), respectively, and a new subsection (4) is added to said section, to read:

99.012 Restrictions on individuals qualifying for public office.—

(2) No individual may qualify as a candidate for public office who holds another elective or appointive office, whether state, county or municipal, the term of which or any part thereof runs concurrently with the term of office for which he seeks to qualify, without resigning from such office not less than 10 days prior to the first day of qualifying for the office he intends to seek. Any individual who qualifies as a candidate for federal public office and who holds another elective or appointive office, whether state, county or municipal, the term of which or any part thereof runs concurrently with the term of office for which he qualifies, shall resign from such office immediately upon qualifying as a candidate for federal public office. The failure of the incumbent public officer who has qualified for federal public office to resign as required in this subsection, shall constitute an automatic resignation. Said resignation shall be effective not later than the *day of qualifying for the office he intends to seek* ~~date upon which he would assume office, if elected to the office to which he seeks to qualify, or the date at which, under law or the State Constitution, the person elected to an unexpired portion of his term is required to assume office, whichever occurs earlier~~. With regard to elective offices, said resignation shall create a vacancy in said office thereby permitting persons to qualify as candidates for nomination and election to that office in the same manner as if the term of such public officer were otherwise scheduled to expire; or, in regard to elective municipal or home rule charter county offices, said resignation shall create a vacancy which may be filled for the unexpired term of the resigned officer in such manner as provided in the municipal or county charter. *A vacancy created by virtue of a public officer resigning to qualify for another office, which vacancy is required to be filled by appointment, shall be filled by the Governor or the governing body within 30 days of the effective date of said vacancy.* This *subsection* does not apply to political party offices.

(3) Any incumbent public officer whose term of office or any part thereof runs concurrently to the term of office for which he seeks to qualify shall resign his office pursuant to the provisions of this section and shall execute an instrument in writing directed, except as provided below, to the Governor, irrevocably resigning from the office he currently occupies. The resignation shall be presented to the Governor with a copy to the Department of State except that, in the case of a county or municipal public officer, the resignation shall be directed and presented to the officer with whom he qualified for the office from which he is resigning, or, in the case of an appointed official, to the officer or authority by whom he was appointed to the office from which he is resigning, with a copy to the Governor and to the Department of State. In the case of an automatic resignation pursuant to subsection (2), the Department of State shall send notice of the automatic resignation to the Governor, and in the case of a county or municipal public office, to the officer with whom he qualified for the office from which he is deemed resigned, or in the case of an appointed official, to the officer or authority by whom he was appointed to the office from which he is deemed resigned. The resignation shall become effective and shall have the effect of creating a vacancy in office, *to be* ~~as provided herein, and the public officer shall continue to serve until his successor is elected or the vacancy otherwise~~ filled as provided in subsection (2).

(4) Any public officer who seeks to qualify for nomination or election to another public office without resigning from the office held as required shall not be entitled to have his name printed on the ballot. If time does not permit the candidate's name to be removed from the ballot, the canvassing board shall not count votes cast for such candidate. This shall not preclude a public officer from resigning instanter with the resignation taking effect on the date the candidate submits his resignation.

Section. . . . Subsection (1) of section 106.18, Florida Statutes, is amended to read:

106.18 When a candidate's name to be omitted from ballot.—

(1) The name of a candidate shall not be printed on the ballot for an election if the candidate is convicted of violating s. 106.19 *or s. 99.012.*

Section. . . . Subsections (2), (3), (4), (5), and (6) of section 106.25, Florida Statutes, are renumbered as subsections (3), (4), (5), (6), and (7), respectively, and a new subsection (2) is added to said section, to read:

106.25 Reports of alleged violations to Department of State; disposition of findings.—

(2) The Florida Elections Commission is empowered to investigate complaints filed with reference to the resign-to-run law. If a complaint is filed against a candidate for violating the provisions of the resign-to-run law, the commission shall investigate the complaint and make a determination of the candidate's eligibility within 15 days after the complaint is filed. In no case shall a complaint be accepted by the Division of Elections which is filed later than 20 days after the end of the qualifying period.

Section. . . . Subsection (12) of section 106.26, Florida Statutes, is amended to read:

106.26 Powers of commission; rights and responsibilities of parties; findings by commission.—

(12) At the conclusion of its hearings concerning an alleged violation, the commission shall immediately begin deliberations on the evidence presented at such hearings and shall proceed to determine by affirmative vote of four of the members present whether a violation of this chapter has occurred. Such determination shall promptly be made public. The order shall contain a finding of violation or no violation, together with brief findings of pertinent facts, and the assessment of such civil penalties as are permitted by this chapter or no such assessment and shall bear the signature or facsimile signature of the chairman or vice chairman. *In regard to a resign-to-run allegation, if the commission determines that the candidate is a public officer required to resign 10 days prior to the first day of qualifying for office, the commission shall contact the appropriate supervisor of elections requiring the name of the candidate to be omitted from the ballot. If the commission determines that the candidate is not a public officer, the proceedings shall be at an end.*

(Renumber subsequent sections.)

Amendment 3 to Senate Amendment 2—On page 1, line 28, insert:

Section. . . . Section 106.1425, Florida Statutes, is created to read: 106.1425 Usage and removal of political campaign advertisement.—

(1) Each candidate, whether federal, state, county or district shall make a good faith effort to remove all of his political campaign advertisements within 30 days after:

(a) Withdrawal of his candidacy;

(b) Having been eliminated as a candidate; or

(c) Being elected to office.

However, the candidate shall not be expected to remove those political campaign advertisements which are in the form of signs used by an outdoor advertising business as provided in chapter 479. The provisions herein shall not apply to political campaign advertisements placed on motor vehicles, or campaign messages designed to be worn by a person.

(2) If political campaign advertisements are not removed within the specified period, the political subdivision or governmental entity shall have the authority to remove such advertisements.

(3) Pursuant to Chapter 479, no political campaign advertisements shall be erected, posted, painted, tacked, nailed or otherwise displayed, placed or located on or above any state or county road right-of-way.

(4) The officer before whom the candidate qualifies for office shall notify the candidate, in writing, of the provisions in this section.

(Renumber subsequent sections.)

Amendment 4 to Senate Amendment 2—On page 1, line 28, insert:

Section. . . . Subsection (4) is added to section 97.012, Florida Statutes, to read:

97.012 Secretary of State as chief election officer.—The Secretary of State is the chief election officer of the state, and it is his responsibility to:

(4) Provide uniform standards for the proper and equitable implementation of the registration laws.

Section. . . . Subsection (23) is added to section 97.021, Florida Statutes, to read:

97.021 Definitions.—The following words and phrases when used in this code shall be construed as follows:

(23) "Agency" means any state, county, local, or municipal governmental entity of this state, whether executive, judicial, or legislative; any department, division, bureau, commission, authority, or political subdivision of this state; or any public school, community college, or state university.

Section. . . . Section 98.111, Florida Statutes, is amended to read:

98.111 Registration form; information required.—

(1) The Department of State shall prescribe the registration form, and the form shall be prepared to elicit the following information:

(a) Registration number;

(b) Date of registration;

(c) Full name;

(d) Sex;

(e) Party affiliation;

(f) Date of birth;

(g) Race;

(h) State or country of birth;

(i) Residence address at time of registering;

(j) Post office mailing address at time of registering;

(k) Precinct number;

(l) If the registrant is able to write his name or mark his ballot, and if not, the reason therefor; and

(m) Other information deemed necessary by the Department of State.

(2) The registrant shall be responsible for providing the information required under paragraphs (1)(c) through (j) and the supervisor of elections shall fill in any other information at the time the registration form is being processed.

(3)~~(2)~~ There shall also be printed on the form an affidavit to include the oaths prescribed by law and a sworn statement by the applicant that all the information on the form is true, followed by a space for the elector's signature. *Except as provided for in s. 97.063, the affidavit shall be taken or administered by or before a supervisor of elections, deputy supervisor or volunteer deputy voter registrar and the elector's signature on the affidavit shall be attested to by the administering official.*

(4)~~(3)~~ The Department of State shall prescribe a form to elicit whether the applicant has been convicted of a felony and, if so, whether his civil rights have been restored. The form shall include a sworn statement by the applicant that all the information is true, followed by a space for the applicant's signature. This form shall be retained on file in the office of the supervisor.

Section. . . . Section 98.271, Florida Statutes, is amended to read:

98.271 Appointment of deputy supervisors *and volunteer deputy voter registrars*, authority; compensation*; rules.*—

(1) Each supervisor of elections shall select and appoint, subject to removal by him, as many deputy supervisors as may be necessary, whose compensation shall be paid by the supervisor of elections and who shall have the same powers and whose acts shall be as effective as the acts of the supervisor*; however, the supervisor of elections shall limit the power to appoint deputy supervisors and volunteer deputy voter registrars only to designated deputy supervisors of elections.* Each deputy supervisor of elections shall, before entering office, make an oath in writing that he will faithfully perform the duties of his office, which oath shall be acknowledged by the supervisor *or designated deputy supervisor of elections* and filed in the office of the supervisor.

(Substantial rewording of subsection. See s. 98.271(2), F.S., for present text.)

(2)(a) The supervisor of elections may appoint as a volunteer deputy voter registrar, for the purpose of registering voters and accepting changes in registration, any registered elector in the county who seeks such appointment and who completes a training session as provided in subsection (3). No person shall be denied appointment simply because of his race, sex, religion, political affiliation, organizational involvement, or political activity. The supervisor shall state the reason for refusing appointment of any registered elector. The supervisor may, in his discretion, waive the training requirement. Each volunteer deputy voter registrar shall, before entering office, make an oath in writing that he will faithfully perform the duties of his office, which oath shall be acknowledged by the supervisor or designated deputy supervisor of elections and filed in the office of the supervisor and which shall include a clear statement of the penalty for false swearing.

(b) The supervisor may appoint as many volunteer deputy voter registrars as he deems necessary and may limit their registration authority as to time, location, and duration of authority.

(3) The Division of Elections of the Department of State shall promulgate rules prescribing such uniform requirements as are deemed necessary and appropriate with respect to the appointment, qualifications, and training of volunteer deputy voter registrars. Maximum time of the prescribed training sessions shall be promulgated by the Division of Elections of the Department of State. No additional requirements shall be prescribed by the supervisors of elections.

(4) No supervisor of elections, deputy supervisor of elections, or volunteer deputy voter registrar shall influence, deceive, or deter an applicant from exercising his right to register or to select his party affiliation.

Section. . . . Section 104.012, Florida Statutes, is amended to read:

104.012 Consideration for registration.—

(1) Any person who gives anything of value that is redeemable in cash to any person in consideration for his becoming a registered voter is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. This section shall not be interpreted, however, to exclude such services as transportation to the place of registration or baby-sitting in connection with the absence of an elector from home for registering.

(2) Whoever, by bribery, menace, threat, or other corruption, directly or indirectly, either attempts to influence, deceive, or deter any person in registering or interferes with the free exercise of any person's right to register at any time is, for the first conviction, guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083 and, for the second or any subsequent conviction, guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section. . . . Section 104.36, Florida Statutes, is amended to read:

104.36 Solicitation near polling places.—Any person who, within 100 yards of any polling place on the day of any election, distributes or attempts to distribute any political or campaign material; solicits or attempts to solicit any vote, opinion, or contribution for any purpose; solicits or attempts to solicit a signature on any petition; or, except in an established place of business, sells or attempts to sell any item is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. *When determining*

the area in which solicitation is prohibited, the distance from the polling place shall be measured from the entrance to the room or other area in which the voting equipment or pollworkers are housed.

(Renumber subsequent sections.)

Amendment 1 to Senate Amendment 9—On page 1, strike line 14 and insert:

amending s. 101.28, F.S., relating to voting machines; amending ss. 101.292, 101.293, and 101.294, F.S., relating to voting equipment; amending s. 101.5602, F.S., to allow for electronic voting; amending s. 101.5603, F.S., providing definitions; amending s. 101.5605, F.S., relating to the examination of voting equipment; amending s. 101.5606, F.S., relating to requirements for approval of electronic and electromechanical voting systems; amending s. 101.5607, F.S., relating to rules of the Department of State; amending s. 101.5608, F.S., relating to voting procedures; amending s. 101.5609, F.S., relating to ballot requirements; amending s. 101.5610, F.S., relating to duties of the election board; amending s. 101.5612, F.S., relating to testing of automatic tabulating equipment; amending s. 101.5613, F.S., relating to examination of voting devices; amending s. 101.5614, F.S., relating to canvass of returns; amending s. 102.012, F.S., relating to inspectors and clerks; amending s. 102.141, F.S., relating to duties of the county canvassing board;

Amendment 2 to Senate Amendment 9—On page 1 in title, line 12, insert:

amending s. 99.012(2) and (3), Florida Statutes, as amended, and adding a new subsection (4) thereto; providing that the resignation of an individual from public office under the resign-to-run law shall take effect no later than the day of qualifying for office; providing for filling of vacancies; providing that violators shall not be entitled to have their names printed on the ballot; amending s. 106.18(1), Florida Statutes, providing for omission of a candidate's name from the ballot; adding a new subsection (2) to s. 106.25, Florida Statutes, empowering the Florida Elections Commission to investigate violations of the resign-to-run law; amending s. 106.26.(12), Florida Statutes, providing duties of the commission with respect to enforcement of the resign-to-run law;

Amendment 3 to Senate Amendment 9—On page 1 in title, line 14, insert:

creating s. 106.1425, F.S., requiring specified political candidates to make a good faith effort to remove certain political campaign advertisements within a certain time period; providing exceptions; prohibiting the display of political campaign advertisements at certain locations; requiring qualifying officers to provide candidates with certain information;

Amendment 4 to Senate Amendment 9—On page 1 in title, line 12 insert:

amending s. 97.012, F.S., providing for uniform registration standards; amending s. 97.021, FS., defining "agency"; providing for additional locations for registration; amending s. 98.111, F.S., clarifying information requirements with respect to the registration form; amending s. 98.271, F.S., providing for appointment of volunteer deputy voter registrars; providing for training sessions; prohibiting discrimination; providing for waiver of training requirement; requiring an oath; specifying supervisor's authority with respect to such appointees; providing for rules; prohibiting certain coercive activities; amending s. 104.012, F.S., providing a penalty for specified coercive activities related to registration; amending s. 104.36, Florida Statutes, relating to polling places;

Senator Scott moved the following amendments to House Amendment 4 to Senate Amendment 2 which were adopted:

Amendment 1—On page 2, lines 13 and 14, strike "whether executive, judicial, or legislative"

Amendment 2—On page 4, lines 28-30, and on page 5, line 1, strike all of said lines and insert: involvement, or political activity. Each volunteer deputy voter registrar

Amendment 3—On page 5, lines 25-31, and on page 6, lines 1-13, strike all of said lines

Senator Jennings moved the following amendment to House Amendment 4 to Senate Amendment 2 which failed:

Amendment 4—On page 7, between lines 24 and 25, insert: Section 8. Section 101.72, Florida Statutes, is amended to read:

101.72 Booths.—In any county in which voting booths or compartments are used, the supervisor of elections shall provide at least one voting booth or compartment for each *175* ~~125~~ registered electors in the county. The supervisor of elections shall determine the actual number of booths or compartments to be used in each precinct at each election. In determining the number of booths or compartments to be used in each precinct, the supervisor shall take into consideration the traditional voting patterns of such precinct and shall furnish the number of booths or compartments necessary to handle efficiently the number of anticipated electors in the precinct. Each booth or compartment shall be furnished with a shelf or table for the convenience of electors in preparing their ballots and shall be so arranged that it will be impossible for one elector in one compartment to see an elector in another in the act of marking his ballot. Each voting table or shelf shall be kept supplied with conveniences for marking the ballots.

(Renumber subsequent sections.)

Senator Scott moved the following amendment to House Amendment 4 to Senate Amendment 9 which was adopted:

Amendment 1—In title, on page 2, strike all of lines 19-27 and insert: discrimination; requiring an oath; specifying supervisor's authority with respect to such appointees; providing for rules; prohibiting certain coercive activities; amending s. 104.36,

On motions by Senator Scott, the Senate concurred in House Amendments 1 and 3 to Senate Amendment 2 and in House Amendments 1 and 3 to Senate Amendment 9; refused to concur in House Amendment 2 to Senate Amendment 2 and in House Amendment 2 to Senate Amendment 9 and the House was requested to recede; concurred in House Amendment 4 to Senate Amendment 2 and House Amendment 4 to Senate Amendment 9 as amended and the House was requested to concur in the Senate amendments.

HB 619 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

The Honorable Curtis Peterson, President

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

CS for SB 943—A bill to be entitled An act relating to health care coverage for certain retirees under state administered retirement systems; authorizing the Division of Retirement of the Department of Administration to contract with private health insurance carriers or with federal agencies to provide medical coverage to certain retired persons; providing an appropriation; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 1, strike line 24 and insert:

Section 3. Section 1 shall take effect upon becoming a law, and Section 2 shall take effect July 1, 1985.

On motion by Senator Barron, the Senate concurred in the House amendment.

CS for SB 943 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

The bill was ordered engrossed and then enrolled.

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendment 2 and has amended Senate Amendment 1, concurred in same as amended and passed HB 171, as amended, and requests the concurrence of the Senate.

Allen Morris, Clerk

HB 171—A bill to be entitled An act relating to pugilistic exhibitions; creating s. 14.27, F.S.; creating the State Athletic Commission under the Department of Business Regulation; providing for appointment of members; creating ss. 548.0401-548.49, F.S.; providing for compensation and terms of office of members of the commission; providing for the adoption of rules; providing for an executive secretary and defining his duties; providing definitions; regulating boxing in the state; exempting amateur matches, schools and Olympic events; granting exclusive jurisdiction over all boxing matches to the commission; providing rules and requirements for boxing; establishing a minimum age for boxers; requiring a physician, referees, and judges to be in attendance; establishing weight and class limitations, methods of scoring, and other safety regulations; providing for certain disclosure; prohibiting collusive or sham contests; regulating purses and their disbursement; providing for hearings; requiring insurance; requiring certain persons to be licensed; requiring permits for boxing matches; establishing procedures for licensing; establishing license and permit fees; requiring the disclosure of receipts from boxing contests; establishing a percent gross receipts tax; providing penalties; establishing a medical advisory board; regulating the contracts and tickets of admission relating to boxing matches; requiring certain persons to post bond or other security prior to licensing; authorizing the commission to hold hearings, to issue subpoenas, to suspend or revoke licenses, and to impose fines; providing criminal penalties; prohibiting certain conflicts of interest; providing for the deposit of permit fees, license fees, and gross receipts tax proceeds; imposing penalties; repealing s. 548.03, F.S., relating to the definition of the term "pugilistic exhibition"; providing for future repeal and review; providing an effective date.

Amendment 1 to Senate Amendment 1—On page 1, line 31, after the colon ":", insert: 548.0401 Short title.—Sections 548.0401 through 548.49 shall be known and may be cited as the "Joe Lang Kershaw Act."

Amendment 2 to Senate Amendment 1—On page 1, line 24, after the word "Sections", insert: 548.0401,

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

HB 171 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Neal, Scott

The Honorable Curtis Peterson, President

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

CS for CS for SB 86—A bill to be entitled An act relating to alcoholic beverages; amending s. 561.15, F.S.; providing circumstances under which a license may be placed solely in the name of the operator; granting the Division of Alcoholic Beverages and Tobacco discretion to allow corporations to hold alcoholic beverage licenses despite certain criminal convictions if certain conditions are met; creating s. 561.181, F.S.; providing for issuance of temporary initial licenses to applicants for alcoholic beverage licenses; amending s. 561.19, F.S.; providing for an application filing fee for initial application for a quota beverage license; amending s. 561.321, F.S.; providing for cash only purchases of alcoholic beverages by certain vendors; providing for issuance of temporary license to applicants for change of location; amending s. 561.422, F.S.; authorizing beverage purchases by specified civic organizations; amending s. 561.65, F.S.; providing for the sale of a foreclosed license by the clerk of the circuit court rather than the Division of Alcoholic Beverages and Tobacco; changing the time for payment by the bidder; authorizing distributors to purchase licenses at foreclosure sales; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 10, line 1, strike all of said line and insert:

Section 7. Section 563.05, Florida Statutes, is amended to read:

563.05 Excise taxes on malt beverages.—As to malt beverages containing more than 1 percent of alcohol by weight, there shall be paid by all manufacturers, distributors, and vendors, as herein defined, a tax of 48 cents per gallon upon all such beverages in bulk or in kegs or barrels; and, when such beverages are sold in containers of less than 1 gallon, the tax shall be 6 cents on each pint or fraction thereof in the container. However, the excise taxes required to be paid by this section upon malt beverages ~~containing alcohol of not more than 3.2 percent by weight~~ are not required to be paid upon such beverages when the same are sold to post exchanges, ship service stores, and base exchanges located in military, naval, or air force reservations within this state.

Section 8. Subsection (9) is added to section 564.06, Florida Statutes, to read:

564.06 Excise taxes on wines and beverages; exemptions.—

(9) The excise taxes required to be paid by this section shall not be required to be paid upon any alcoholic beverage sold to post exchanges, ship service stores, and base exchanges located in military, naval or air force reservations within this state.

Section 9. Subsection (4) is added to section 565.12, Florida Statutes, to read:

565.12 Excise taxes on liquors and beverages.—

(4) The excise taxes required to be paid by this section shall not be required to be paid upon any alcoholic beverage sold to post exchanges, ship service stores, and base exchanges located in military, naval or air force reservations within this state.

Section 10. Subsection (12) of section 561.42, Florida Statutes, is amended to read:

561.42 Tied house evil; financial aid and assistance to vendor by manufacturer or distributor prohibited; procedure for enforcement; exception.—

(12) Any manufacturer or distributor may give, lend, furnish, or sell to a vendor who sells the products of such manufacturer or distributor neon or electric signs, window painting and decalcomanias, posters, placards, and other advertising material herein authorized to be used or displayed by the vendor in the interior of his licensed premises. *The division shall make reasonable rules governing promotional displays and advertising which rules shall not conflict with or be more stringent than the federal regulations pertaining to such promotional displays and advertising furnished vendors by distributors and manufacturers.*

Section 11. This act shall take effect September 1, 1984, except that sections 7, 8, 9 and 10 shall become effective upon becoming law.

Amendment 2—On page 1, in the title, lines 28 and 29, strike "providing an effective date." and insert: amending s. 563.05, F.S., deleting the payment of excise taxes on certain malt beverages; amending ss. 564.06 and 565.12, F.S., providing that excise taxes shall not be required upon certain alcoholic beverages; amending s. 561.42, F.S., providing for rules relating to promotional displays and advertising; providing an effective date.

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

CS for CS for SB 86 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—29

Mr. President	Frank	Jennings	Scott
Beard	Girardeau	Malchon	Thomas
Carlucci	Gordon	Mann	Thurman
Childers, W. D.	Grant	McPherson	Vogt
Crawford	Grizzle	Meek	Weinstein
Deratany	Hair	Myers	
Dunn	Henderson	Neal	
Fox	Hill	Rehm	

Nays—1

Langley

Vote after roll call:

Yea—Gersten, Stuart

The bill was ordered engrossed and then enrolled.

The Honorable Curtis Peterson, President

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

SB 99—A bill to be entitled An act relating to the Division of Motor Pool of the Department of General Services; repealing s. 287.16(9), F.S., which requires the division to submit recommendations to the Legislature as to methods for establishing and operating central maintenance facilities for state-owned or leased motor vehicles and watercraft; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 1, between lines 14 and 15, insert:

Section 2. Paragraph (a) of subsection (3) and paragraph (c) of subsection (4) of section 287.055, Florida Statutes, is amended to read:

287.055 Acquisition of professional architectural, enginneering, landscape architectural, or land-surveying services; definitions; procedures; contingent fees prohibited; penalties.—

(3) Public Announcement and Qualification Procedures.

(a) Each agency shall publicly announce, in a uniform and consistent manner, each occasion when professional services are required to be purchased for a project whose basic construction cost is estimated by the agency to be more than ~~$100,000~~ *$250,000* or for a planning or study activity when the fee for professional services exceeds ~~$5,000~~ *$25,000* except in cases of valid public emergencies so certified by the agency head. Public notice shall include a general description of the project and shall indicate how interested consultants can apply for consideration.

(4) Competitive Selection.

(c) This subsection shall not apply to a professional service contract for a project whose basic construction cost is estimated by the agency to be ~~$100,000~~ *$250,000* or less or for a planning or study activity when the fee for professional services is ~~$5,000~~ *$25,000* or less.

(Renumber subsequent sections.)

Amendment 2—On page 1, line 9, strike everything after the semi-colon; and insert:

amending s. 287.055, Florida Statutes, increasing amounts for non-bid construction.

On motions by Senator Henderson, the Senate refused to concur in the House amendments and the House was requested to recede. The action of the Senate was certified to the House.

The Honorable Curtis Peterson, President

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

CS for SB 341—A bill to be entitled An act relating to medical practice; amending s. 458.303, F.S.; limiting the issuance of medical faculty certificates; permitting qualified dentists to administer nondental anesthesia; amending s. 458.307, F.S.; permitting medical college physicians to be members of the board; amending ss. 458.311, 458.313 and 458.319, F.S.; increasing maximum license fees; clarifying educational requirements for licensure; clarifying examination requirements for licensure by endorsement; creating s. 458.349, F.S.; defining "medical assistant"; providing for duties; providing for certification; amending s. 458.347, F.S.; changing exceptions to the requirements for programs for the education and training of physician's assistants; amending s. 381.494, F.S.; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 3, between lines 19 and 20, insert:

(2) Notwithstanding the provisions of paragraph (1)(b), graduates of foreign medical schools, except approved schools in Canada, who are otherwise qualified, whose medical credentials have been evaluated by the Educational Commission for Foreign Medical Graduates~~,~~ *or the board,* and who have passed the Educational Commission for Foreign Medical Graduates examination, *or the Federation Licensing* Examination may be accepted for the examinations in Florida. *Applicants applying for the examinations under this section shall be eligible to take such examinations if the same is available prior to the completion of subsection (1)(c), provided, however, that no such applicant shall be eligible for licensure in Florida until all of the requirements of subsection (1)(c) have been completed.* ~~However,~~ *A* graduate of a foreign medical school need not present the certificate by said educational commission or pass the Educational Commission for Foreign Medical Graduates examination if:

(a) He is licensed through written examination in at least one state of the United States whose examination requirements shall have been approved by the board as substantially equivalent to or more stringent than the Florida examination; and

1. His license is in good standing in said state; and

2. He has continuously and actively engaged in the practice of medicine in said state for any 4 of the preceding 5 years immediately prior to application; and

(b) He has been examined and certified as a specialist by one of the appropriate American specialty boards accredited by the Council on Medical Education of the American Medical Association.

Amendment 2—On page 3, line 5, after "(1)", insert: (2),

Amendment 3—On page 1 in the title, line 13, after "endorsement;" insert: relating to graduates of foreign medical schools;

Amendment 4—On page 4, line 11, and on page 5, lines 11 and 20, strike the word *"and"* and insert: *, and the first accredited school of osteopathic medicine at the Southeast College of Osteopathic Medicine and*

Amendment 5—On page 1, line 22, insert:

Section 1. Paragraph (bb) is added to subsection (1) of section 474.214, Florida Statutes, to read:

474.214 Disciplinary proceedings.—

(1) The following acts shall constitute grounds for which the disciplinary actions in subsection (2) may be taken:

(bb) Failing to report to the department any person the licensee knows to be in violation of this chapter or of the rules of the department or board, however, a report shall not be required if the person in violation is participating actively in a program approved by rule of the department or board for the treatment of a physical or mental condition which renders the person unable to practice veterinary medicine with reasonable skill and safety.

(Renumber the subsequent sections.)

Amendment 6—On page 1 in the title, line 2, after the semi-colon, insert: amending s. 474.214, F.S., requiring a licnesee to report certain violations;

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

CS for SB 341 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

Vote after roll call:

Yea—Neal

The bill was ordered engrossed and then enrolled.

The Honorable Curtis Peterson, President

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

SB 482—A bill to be entitled An act relating to reconveyance of public property; amending ss. 255.22, 255.23, F.S.; permitting the inclusion of the proposed use of certain lands in specified plans to avoid reconveyance and a conclusive presumption of abandonment; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 2, line 2, insert: Nothing contained herein shall supercede any express reverter clause to the contrary.

On motion by Senator Beard, the Senate concurred in the House amendment.

SB 482 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—31

Mr. President	Childers, D.	Fox	Girardeau
Beard	Childers, W. D.	Frank	Gordon
Carlucci	Crawford	Gersten	Grant
Grizzle	Johnston	McPherson	Thomas
Henderson	Langley	Meek	Thurman
Hill	Malchon	Myers	Vogt
Jenne	Mann	Neal	Weinstein
Jennings	Margolis	Stuart	

Nays—None

Vote after roll call:

Yea—Deratany, Hair

The bill was ordered engrossed and then enrolled.

The Honorable Curtis Peterson, President

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

SB 376—A bill to be entitled An act relating to drivers' licenses; providing intent; amending s. 322.12, F.S., requiring driver's license examination of persons licensed in another state or country; increasing the initial examination fee for a driver's license; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 3—On page 1, strike line 24 and insert: fee of $3 for each such examination, *except that persons holding a restricted operator's license as provided for at s. 322.16(2) shall not be required to pay a fee for successfully completing the examination showing his ability to operate a motor vehicle as provided for herein and shall not be required to pay the fee for a replacement license as provided at s. 322.17(2)*, however, any person

Amendment 4—On page 2, line 3, insert:

Section 3. Paragraph (e) is added and the introduction of subsection (1) of section 322.21, Florida Statutes, is amended to read:

322.21 Fees to be paid for license and machinery for handling and collecting the same.—

(1) *Except as otherwise provided herein,* ~~The~~ *the* fee for:

(e) An initial operator's or chauffeur's license issued by the State of Florida shall be an additional $4.

Section 4. The monies in the following specific appropriations are appropriated from the named funds for the 1984-85 Fiscal Year to the Department of Highway Safety and Motor Vehicles, Division of Driver Licenses.

1.	Salaries Positions 102	
	From General Revenue Fund	$ 577,310
2.	Other Personal Services	
	From General Revenue Fund	3,000
3.	Expenses	
	From General Revenue Fund	107,111
4.	Operating Capital Outlay	
	From General Revenue Fund	170,915
5.	Data Processing Services	
	From General Revenue Fund	21,984

(Renumber subsequent sections.)

Amendment 5—On page 1 in the title, strike lines 6 and 7 and insert: increasing the initial license fee for a driver license; amending s. 322.21, F.S., providing for an additional fee for certain driver license; providing an appropriation; providing an effective date.

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

SB 376 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—33

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

Nays—4

Barron	Childers, W. D.	Grant	Langley

Vote after roll call:

Yea—Deratany

The bill was ordered engrossed and then enrolled.

The Honorable Curtis Peterson, President

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

SB 730—A bill to be entitled An act relating to tax on sales, use, and other transactions; amending s. 212.12, F.S.; authorizing the Department of Revenue to statistically sample a dealer's records and to project any tax deficiency from such sample without a written agreement with the dealer in certain circumstances; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 1, line 12, insert:

Section 1. Subsection (23) is added to section 212.02, Florida Statutes, to read:

212.02 Definitions.—The following terms and phrases when used in this chapter shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

(23) The term "transaction" as used in this part has the same meaning respectively as the word "sale" as used in this part.

Section 2. Subsections (1)(a), (d) and (4) of section 212.058, Florida Statutes, as created by Chapter 83-355, Laws of Florida, are amended, and a new subsection (5)(b) is added to said section, and the present subsection (5)(b) is renumbered as subsection (5)(c) to read:

Discretionary tax; use of proceeds; administration, collection and disbursement.—

(1)(a) Subject to the provisions of this section, the governing authority in each county is authorized to levy, for the period January 1, 1985 through December 31, 1985, or any portion thereof, a discretionary additional 1 percent tax on all transactions occurring in the county which are subject to the state tax imposed on sales, use, rentals, admissions and other transactions as provided in *Part I of* this chapter, except that the sales amount above $1,000 on any one transaction *and intrastate long distance calls* shall not be subject to the tax imposed by this section.

(d) In the case of written contracts which are signed prior to the effective date of any tax authorized by this section for the construction of improvements to real property or for remodeling of existing structures, the contractor responsible for the performance of said contract shall pay any additional tax levied pursuant to this section. However, said contractor may apply for one refund of any such additional tax paid on materials necessary for the completion of such contract. Any application for refund shall be made no later than *March* ~~December~~ 31, *1986* ~~1984~~. The application for this refund shall be in the manner approved by the department by rule. A complete application shall include proof of the written contract and of payment of the additional tax paid pursuant to an ordinance authorized by this section. The application shall contain a sworn statement, signed by the applicant or its representative, attesting to the validity of the application. The department shall, within 30 days of approval of a complete application, certify to the comptroller information necessary for issuance of a refund to the applicant of said additional tax. The comptroller shall pay any refunds from funds to the credit of the county in which said tax was paid in the trust fund established pursuant to subsection (4). Any person who fraudulently obtains or attempts to obtain a refund pursuant to this paragraph shall, in addition to being liable for repayment of any refund fraudulently obtained plus a mandatory penalty of 100 percent of the refund, be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(4) The department shall administer, collect, and enforce the tax authorized under this section pursuant to the same procedures used in the administration, collection and enforcement of the tax otherwise imposed under the provisions of this chapter, except as herein provided. The provisions of this chapter regarding interest and penalties on delinquent taxes shall apply to the tax authorized by this section. For the purposes of this section, the "proceeds" of the tax authorized in this section shall be construed to mean all funds collected and received by the department pursuant to said section, including any interest and penalties on delinquent taxes. Notwithstanding the provisions of s. 212.20, the proceeds of the additional, discretionary 1-percent tax levied under this section, less the costs of administration, shall be transferred to a "Criminal Justice Facilities Tax Trust Fund," which fund is hereby created in the State Treasury for distribution as herein provided to the county in which the tax was collected. However, the amount deducted for the costs of administration shall not exceed a total of $1.5 million for all counties levying the tax authorized in this section. The amount deducted for the costs of administration shall be used only for those costs which are solely and directly attributable to the tax authorized in this section. The total cost of administration shall be prorated among the counties levying the tax authorized in this section on the basis of the amount collected in a particular county from said tax to the total amount collected in all counties from said tax. No later than March 1, 1986, the department shall submit a written report to the President of the Senate, the Speaker of the House of Representatives and the governing authority of each county levying the tax authorized herein which details the expenses and amounts deducted for the costs of administration for each county levying the tax. Prior to January 1, 1985, each county governing authority levying the tax authorized by this section shall certify to the department that it has entered into a contract for the purposes enumerated in subsection (2), and shall include therewith a schedule of disbursements required to satisfy such contract. The department shall disburse such funds *to the respective county* in accordance with such schedule but not more frequently than monthly~~.~~*, for use by the county in accordance with the schedule of disbursements required to satisfy the contract.* Any funds on deposit in the trust fund created pursuant to this section shall be invested pursuant to general law.

(5)(a) In counties which have adopted the additional, discretionary 1-percent tax authorized in this section, the following brackets shall be applicable to all taxable transactions which would have otherwise been 5-percent taxable transactions:

1. On single sales of less than 10 cents, no tax shall be added.

2. On single sales in amounts from 10 cents to 16 cents, both inclusive, 1 cent shall be added for taxes.

3. On sales in amounts from 17 cents to 33 cents, both inclusive, 2 cents shall be added for taxes.

4. On sales in amounts from 34 cents to 50 cents, both inclusive, 3 cents shall be added for taxes.

5. On sales in amounts from 51 cents to 66 cents, both inclusive, 4 cents shall be added for taxes.

6. On sales in amounts from 67 cents to 83 cents, both inclusive, 5 cents shall be added for taxes.

7. On sales in amounts from 84 cents to $1, both inclusive, 6 cents shall be added for taxes.

8. On sales in amounts more than $1, 6 percent shall be charged upon each dollar of price, plus the above bracket charges upon any fractional part of a dollar.

(b) The department shall promulgate by rule the tax amounts and brackets applicable to all transactions which would have otherwise been taxable at 3 percent in counties which have adopted the discretionary 1-percent tax authorized in this section.

~~(b)~~*(c)* Any tax levied pursuant to the provisions of s. 125.0104 shall be in addition to the tax levied pursuant to this section.

Section 3. Paragraph (a) of subsection (7) of section 212.08, Florida Statutes, is amended to read:

212.08 Sales, rental, use, consumption, distribution, and storage tax; specified exemptions.—The sale at retail, the rental, the use, the consumption, the distribution, and the storage to be used or consumed in this state of the following tangible personal property are hereby specifically exempt from the tax imposed by this chapter.

(7) MISCELLANEOUS EXEMPTIONS.—

(a) Religious, charitable, scientific, educational, and veterans' institutions and organizations.—

1. There are exempt from the tax imposed by this chapter articles of tangible personal property:

a. Sold or leased directly to or by churches;

b. Sold or leased to nonprofit religious, nonprofit charitable, nonprofit scientific, or nonprofit educational institutions when used in carrying on their customary nonprofit religious, nonprofit charitable, nonprofit scientific, or nonprofit educational activities, including church cemeteries; and

c. Sold or leased to the state headquarters of qualified veterans' organizations and the state headquarters of their auxiliaries when used in carrying on their customary veterans' organization activities. If a qualified veterans' organization or its auxiliary does not maintain a permanent state headquarters, then articles of tangible personal property sold or leased to such organization and used to maintain the office of the highest ranking state official are exempt from the tax imposed by this chapter.

2. The provisions of this section authorizing exemptions from tax shall be strictly defined, limited, and applied in each category as follows:

a. "Religious institutions" means churches and established physical places for worship in this state at which nonprofit religious services and activities are regularly conducted and carried on. *The term "religious institutions" includes nonprofit corporations whose sole purpose is to provide free transportation services to church members, their families, and other church attendees.*

b. "Charitable institutions" means only nonprofit corporations qualified as nonprofit pursuant to s. 501(c)(3), United States Internal Revenue Code, 1954, as amended, and other nonprofit entities, the sole or primary function of which is to provide, or to raise funds for organizations which provide, one or more of the following services if a reasonable percentage of such service is provided free of charge, or at a substantially reduced cost, to persons *or organizations* who are unable to pay for such service:

I. Medical aid for the relief of disease, injury, or disability.

II. Regular provision of physical necessities such as food, clothing, or shelter.

III. Services for the prevention of, or rehabilitation of persons from, alcoholism or drug abuse; the prevention of suicide; or the alleviation of mental, physical, or sensory health problems.

IV. Social welfare services including adoption placement, child care, community care for the elderly, and other social welfare services which clearly and substantially benefit a client population which is disadvantaged or suffers a hardship.

V. Medical research for the relief of disease, injury, or disability.

VI. Legal services.

VII. Groups providing volunteer manpower to organizations designated as charitable institutions hereunder.

c. "Scientific organizations" means scientific organizations in this state which hold current exemptions from federal income tax under s. 501(c)(3) of the Internal Revenue Code and also means organizations the purpose of which is to protect air and water quality in this state or the purpose of which is to protect wildlife in this state and which hold current exemptions from the federal income tax under s. 501(c)(3) of the Internal Revenue Code. The exemption for scientific organizations shall inure to the taxpayer only through a refund of previously paid taxes.

d. "Educational institutions" means state tax-supported or parochial, church and nonprofit private schools, colleges, or universities which conduct regular classes and courses of study required for accreditation by, or membership in, the Southern Association of Colleges and Secondary Schools, the Department of Education, the Florida Council of Independent Schools, or the Florida Association of Christian Colleges and Schools, Inc. Nonprofit libraries, art galleries, and museums open to the public are defined as educational institutions and are eligible for exemption. The term "educational institutions" includes private nonprofit corporations the purpose of which is to raise funds for high schools, colleges, and universities located in this state. The term "educational institutions" includes any educational television or radio network or system established pursuant to s. 229.805 or s. 229.8051 and any nonprofit television or radio station which is a part of such network or system and which holds a current exemption from federal income tax under s. 501(c)(3) of the Internal Revenue Code.

e. "Veterans' organizations" means nationally chartered or recognized veterans' organizations, including, but not limited to, Florida chapters of the Paralyzed Veterans of America, Catholic War Veterans of the U.S.A., and Jewish War Veterans of the U.S.A. and the Disabled American Veterans, Department of Florida, Inc., which hold current exemptions from federal income tax under s. 501(c)(4) or s. 501(c)(19) of the Internal Revenue Code.

(And renumber the subsequent sections.)

Amendment 2—On page 1 in the title, line 3, after the semi-colon, insert: amending s. 212.02, F.S., defining the term "transaction"; amending s. 212.058, F.S., relating to the discretionary tax; amending s. 212.08, F.S., relating to exemptions from said tax; revising the definition of "religious institutions"; granting an exemption to organizations which provide volunteer manpower to charitable organizations;

Amendment 3—On page 1, line 12, insert:

Section 1. Paragraph (p) of subsection (7) of section 212.08, Florida Statutes, 1982 Supplement, is amended to read:

212.08 Sales, rental, use, consumption, distribution, and storage tax; specified exemptions.—The sale at retail, the rental, the use, the consumption, the distribution, and the storage to be used or consumed in this state of the following tangible personal property are hereby specifically exempt from the tax imposed by this chapter.

(7) MISCELLANEOUS EXEMPTIONS.—

(p) Solar energy systems and components.—Also exempt from payment of the tax imposed by this chapter is the sale at retail, rental, use, consumption, distribution, or storage to be used or consumed in this state of a solar energy system or any component thereof. The Florida Solar Energy Center shall from time to time certify to the department a list of equipment and requisite hardware considered to be a solar energy system or component thereof. This paragraph is repealed effective June 30, *1989* ~~1984~~.

(Renumber subsequent sections.)

Amendment 4—On page 1 in the title, line 3, insert: amending s. 212.08, F.S., relating to the exemption for solar energy systems and components;

Amendment 5—On page 2, line 25, after the period insert:

Section 2. (1) Each county which was chartered under Art. VIII of the Florida Constitution and which on January 1, 1984 levied a tourist advertising ad valorem tax within a special taxing district in that county shall be authorized to levy, pursuant to an ordinance enacted by the governing body of the county, a convention development tax within the boundaries of such special taxing district. The tax authorized by this section shall be imposed on living quarters or sleeping or housekeeping accommodations subject to taxation in s. 212.03 at a rate of one percent of each dollar and major fraction of each dollar of the total consideration charged for such lease or rental.

(2) The county shall designate or appoint an authority to administer and disburse the proceeds of such tax and any revenue related to the tax authorized by this section.

(a) The members of such authority shall be selected from persons involved in the tourism and lodging industries doing business within such special district. Not less than a majority of the members shall be selected from persons doing business in the lodging industry. Members shall serve at the pleasure of the governing body of such county and shall serve without compensation.

(b) The annual budget of such authority shall be subject to approval of the governing body of the county.

(c) The authority shall consist of eleven members, who shall annually select a chairman from among their members.

(3) The county shall have no power to levy and impose the tourist advertising ad valorem tax in such district on or after January 1 of the year following the date of the adoption of the convention development tax. All tax revenues and any interest accrued thereon which are received pursuant to this section shall be used for the following purposes only:

(a) To promote and advertise tourism;

(b) To fund convention bureaus, tourist bureaus, tourist information centers, and news bureaus.

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

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

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

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

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

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

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

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

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

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

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

(11) Revenues collected pursuant to this section shall be deposited in a Convention Development Trust Fund, which shall be established by the county as a condition precedent to receipt of such funds.

(12) It is the intent of the Legislature that this section shall supersede the provisions of Section 5 of Committee Substitute for House Bill 899, enacted at the 1984 session of the Legislature, and said section is hereby declared to be inoperative and of no effect.

(Renumber subsequent sections.)

Amendment 6—On page 1 in the title, line 8, after the semicolon (;) insert: authorizing the levy, within certain special districts, of a convention development tax by certain counties in lieu of ad valorem taxes; providing for the collection, enforcement, administration and distribution thereof; providing applicability;

Amendment 7—On page 1, line 12, insert:

Section 1. Paragraph (f) is added to subsection (5) of section 212.08, Florida Statutes, subsection (12) is renumbered as subsection (13) and a new subsection (12) is added to said section to read:

212.08 Sales, rental, use, consumption, distribution, and storage tax; specified exemptions.—The sale at retail, the rental, the use, the consumption, the distribution, and the storage to be used or consumed in this state of the following tangible personal property are hereby specifically exempt from the tax imposed by this chapter.

(5) EXEMPTIONS; ACCOUNT OF USE.—

(f) Motion picture or video equipment used in motion picture or television production activities and sound recording equipment used in the production of master tapes and master records.—

1. Motion picture or video equipment purchased or leased for use in this state in motion picture or television production activities and sound recording equipment purchased or leased for use in this state in the production of master tapes or master records is exempt from the tax imposed by this chapter upon an affirmative showing by the taxpayer to the satisfaction of the department that the equipment will be used for production activities.

2. For the purpose of the exemption provided in subparagraph 1.:

a. "Motion picture or video equipment" and "sound recording equipment" includes only equipment meeting the definition of "Section 38 property" as defined in s. 48(a)(1)(A) and (B)(i) of the Internal Revenue Code that is used by the lessee or purchaser exclusively as an integral part of production activities; however, motion picture or video equipment and sound recording equipment does not include parts or accessories for motion picture, television production, or sound recording equipment, supplies, tape, records, film, or video tape used in productions or other similar items, vehicles or vessels, items of tangible personal property having a use to the purchaser or lessee limited to a single motion picture, television production, or sound recording, or general office equipment not specifically suited to production activities. In addition, the term does not include equipment purchased or leased by television or radio broadcasting or cable companies licensed by the Federal Communications Commission.

b. "Production activities" means activities directed toward the preparation of master tapes or master records embodying sound or toward the preparation of motion pictures or television productions produced for showing on screens or television for theatrical, commercial, advertising or educational purposes, utilizing live, animated, or a combination of live and animated actions. The motion picture may be on film or video tape.

(12) Partial exemption; master tapes, records, films, or video tapes.—

(a) There are exempt from the taxes imposed by this part the gross receipts from the sale or lease of, and the storage, use, or other consumption in this state of master tapes or master records embodying sound, or master films or master video tapes; except that amounts paid to recording studios or motion picture or television studios for the tangible elements of such master tapes, records, films, or video tapes are taxable as otherwise provided in this part.

(b) For purposes of this subsection:

1. "Master tapes or master records embodying sound" means tapes, records, and other devices utilized by the recording industry in making recordings embodying sound.

2. "Master films or master video tapes" means films or video tapes utilized by the motion picture and television production industries in making visual images for reproduction.

3. "Amounts paid for the tangible elements" does not include any amounts paid for the copyrightable, artistic, or other intangible elements of such master tapes, records, films, or video tapes, whether designated as royalties or otherwise, including, but not limited to, services rendered in producing, fabricating, processing, or imprinting tangible personal property or any other services or production expenses in connection therewith which may otherwise be construed as constituting a "sale" under s. 212.02(2).

4. "Recording studio" means a place where, by means of mechanical or electronic devices, voices, music, or other sounds are transmitted to tapes, records, or other devices capable of reproducing sound.

5. "Motion picture or television studio" means a facility in which film or video tape productions or parts of productions are made and which contains the necessary equipment and personnel for this purpose. It also includes mobile units or vehicles equipped in much the same manner as stationary studios and used in making film or video tape productions.

Section 2. On or before March 1, 1988, the Department of Commerce shall submit a report to the President of the Senate and the Speaker of the House, reporting on the net benefits to the state of this act. Such report shall include the estimated loss to the state of sales tax revenue as provided herein; analysis and estimate of increased business and increased sales tax revenues to the state as a direct result of enactment of this bill.

(Renumber subsequent sections.)

Amendment 8—On page 2, line 31, after the word "later", insert: , and Sections 1 and 2 shall be repealed July 1, 1988

Amendment 9—On page 1 in the title, line 3, after the semi-colon (;), insert: amending s. 212.08, F.S.; providing a tax exemption for the purchase or lease of certain motion picture, video, and sound recording equipment used in motion picture or television production activities or in the production of master tapes and records; providing an exception; providing a partial exemption for the gross receipts from the sale, lease, storage, use, or other consumption of master tapes, records, films, and video tapes; requiring the Department of Commerce to submit a report on the net benefits to the state of this act;

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

SB 730 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Neal

The bill was ordered engrossed and then enrolled.

The Honorable Curtis Peterson, President

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

SB 731—A bill to be entitled An act relating to local option motor fuel and special fuel taxes; amending s. 336.025, F.S.; establishing a specific date and the manner by which counties shall notify the Department of Revenue of the imposition and distribution of such taxes; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 1, lines 22 and 23, strike all existing language on said lines and insert:

Section 2. Subsection (1) of section 206.86, Florida Statutes, is amended, and subsection (11) is added to said section to read:

206.86 Definitions.—As used in this part:

(1) "Special fuels" means any liquid product or gas product or combination thereof used in an internal combustion engine or motor to propel any form of vehicle, machine, or mechanical contrivance, or used for the generation of power, heat, light, or energy. This term shall include, but not be limited to, all forms of fuel commonly or commercially known or sold as diesel fuel *or*~~,~~ kerosene, ~~butane gas, propane gas, and all other forms of liquefied petroleum gases,~~ except such fuels that are subject to the tax imposed by part I of this chapter.

(11) "Alternative fuel" means any liquefied petroleum gas or compressed natural gas product or combination thereof used in an internal combustion engine or motor to propel any form of vehicle, machine, or mechanical contrivance. This term shall include, but not be limited to, all forms of fuel commonly or commercially known or sold as butane gas, propane gas or any other form of liquefied petroleum gas or compressed natural gas.

Section 3. Subsection (1) of section 206.87, Florida Statutes, is amended, and subsection (7) is added to said section to read:

206.87 Levy of tax.—

(1) An excise tax of 4 cents per gallon is hereby imposed upon every gallon of special fuel used or sold in this state for use, *except alternative fuels which are subject to the fee imposed by subsection (7).* Unless expressly provided to the contrary in this part, every sale shall be deemed to be for use in this state. This levy of tax shall be paid upon the first sale or transfer of title within this state by a dealer, except as expressly provided in this part, who shall act as agent for the state in the collection of such tax whether he is the ultimate seller or not.

(7)(a) The tax imposed by subsection (1) shall not apply to motor vehicles licensed in this state pursuant to chapter 320 which are powered by alternative fuels and for which a valid decal has been acquired as provided in this section. The owners or operators of such vehicles shall, in lieu of the excise tax imposed by this part, pay an annual decal fee on each such motor vehicle in accordance with the following rate schedule:

Class	Vehicle License Category	State Fee	Annual Decal Fee Fee for Each 1 cent of Tax Imposed By Chapter 336
A	Vehicles licensed pursuant to s. 320.08(1), (2), (3)(a)-(c) and (f), (6)(a) and (9)(c)1.	$44	$11
B	Vehicles licensed pursuant to s. 320.08(3)(d), (5)(b), (c), (d) and (e), (6)(b), (9)(c)2. and (13)	$60	$15
C	Vehicles licensed pursuant to	$84	$21

	s. 320.08(4)		
D	Vehicles used exclusively on a farm, no part of which is used in any vehicle driven or operated upon public highways	50 percent of the appropriate state fee	-0-

Persons fueling vehicles from their own facilities shall, in addition to the state alternative fuel fee imposed by this section, pay a local alternative fuel fee in lieu of each 1 cent excise tax levied by a county pursuant to ss. 336.021 and 336.025. This local fee shall be $11 per penny of local excise tax on class A vehicles, $15 per penny of such tax on class B vehicles, and $21 per penny of local excise tax on class C vehicles. Those persons who do not operate their own fueling facilities shall indicate and pay the appropriate local fee for the particular county where the vehicles are predominantly used.

(b) The department shall issue annual decals, which shall be valid for the current 12-month period for which issued, and shall be attached to the upper right corner of the front windshield on the motor vehicle for which issued.

(c) A valid identifying decal issued to a motor vehicle shall be transferable for the remainder of the issuance period upon change of ownership of the motor vehicle if the owner notifies the department of such transfer within 10 days.

(d) It is unlawful for any person to operate a motor vehicle required to have a decal upon the highways of this state without a decal unless such motor vehicle is titled outside the state.

(e) No person shall cause to be put or put liquefied petroleum gas or compressed natural gas into the fuel supply tank of a motor vehicle required to have an alternative fuel decal unless the vehicle has such decal attached to it as required by this section. Sales of fuel placed into such vehicle displaying a decal shall be recorded upon an invoice which shall include the decal number, the motor vehicle license number and the number of gallons placed into the motor vehicle.

(f) Any person violating the provisions of this subsection is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. In addition, any person who is liable for fueling a vehicle which does not have the proper decal affixed shall be subject to the provisions of this section and s. 206.94.

(g) Persons, except those who purchase liquefied petroleum gas or compressed natural gas for resale, who only own or operate motor vehicles displaying an alternative fuel decal, are not subject to the excise tax licensing and reporting requirements under this part.

(h) The department is empowered to promulgate rules, establish audit procedures for the audit of persons affected by this subsection, impose assessments for delinquent fees, require the keeping of any records or books, and prescribe and publish forms, as may be necessary to administer the fee imposed by this subsection.

(i)1. Notwithstanding the provisions of s. 206.875, the revenues from the state alternative fuel fees imposed by this subsection shall be deposited in the State Alternative Fuel User Fee Clearing Trust Fund, which fund is hereby created. After deducting the service charge provided in s. 215.20, the proceeds in this trust fund shall be distributed as follows: 50 percent of the proceeds shall be transferred to the State Board of Administration for distribution according to the provisions of s. 16, Art. IX of the State Constitution of 1885, as amended; 25 percent shall be transferred to the Revenue Sharing Trust Fund for Municipalities; and the remaining 25 percent shall be distributed using the formula contained in s. 206.60(2).

2. Notwithstanding the provisions of s. 206.875, the revenues from the local alternative fuel fees imposed in lieu of s. 336.021 or s. 336.025 shall be deposited in the Local Alternative Fuel User Fee Clearing Trust Fund, which fund is hereby created. After deducting the service charge provided in s. 215.20, the proceeds in this trust fund shall be returned on a monthly basis to the appropriate county.

(j) The excise tax provided by subsection (1) shall apply to purchases of alternative fuels by operators of vehicles licensed in other states, and other vehicles which do not have the proper decal pursuant to this section.

Section 4. Subsections (35) and (36) are added to section 215.22, Florida Statutes, to read:

215.22 Certain moneys and certain trust funds enumerated.—The following described moneys and income of a revenue nature deposited in the following described trust funds, by whatever name designated, shall be those from which the deductions authorized by s. 215.20 shall be made:

(35) The State Alternative Fuel User Fee Clearing Trust Fund established pursuant to s. 206.87(7)(i)1.

(36) The Local Alternative Fuel User Fee Clearing Trust Fund established pursuant to s. 206.87(7)(i)2.

The enumeration of the above moneys or trust funds shall not prohibit the applicability thereto of s. 215.24 should the Governor determine that for the reasons mentioned in s. 215.24 said money or trust fund should be exempt herefrom, as it is the purpose of this law to exempt all trust funds from its force and effect where, by the operation of this law, federal matching funds or contributions to any trust fund would be lost to the state.

Section 5. Sections 1 and 5 of this act shall take effect upon becoming a law, and sections 2, 3, and 4 shall take effect January 1, 1985.

Amendment 2—On page 1 in the title, line 2, strike the phrase "local option"

Amendment 3—On page 1 in the title, line 7, after the semi-colon (;), insert: amending s. 206.86, F.S.; excluding forms of liquefied petroleum gas from the definition of "special fuel"; defining "alternative fuel" to include forms of liquefied petroleum gas and compressed natural gas; amending s. 206.87, F.S.; requiring owners of motor vehicles powered by alternative fuels to obtain a decal in lieu of paying certain excise taxes; providing fees; providing penalties; providing for distribution of proceeds; amending s. 215.22, F.S.; providing for service charge deductions from created trust funds;

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

SB 731 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—31

Mr. President	Gersten	Jenne	Rehm
Barron	Girardeau	Jennings	Scott
Carlucci	Gordon	Johnston	Stuart
Childers, D.	Grant	Langley	Thomas
Childers, W. D.	Grizzle	Margolis	Thurman
Deratany	Hair	Meek	Vogt
Dunn	Henderson	Myers	Weinstein
Frank	Hill	Plummer	

Nays—None

Vote after roll call:

Yea—Fox, Malchon, Mann, Neal

The bill was ordered engrossed and then enrolled.

The Honorable Curtis Peterson, President

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

SB 764—A bill to be entitled An act relating to taxation; amending s. 196.031, F.S.; removing the 5-year residency requirement for certain homestead tax exemptions; removing certain language declared unconstitutional; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 1, lines 25-31 and on page 2, lines 1-6, strike all of said lines

On motion by Senator Margolis, the Senate concurred in the House amendment.

SB 764 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—23

Mr. President	Gersten	Henderson	Plummer
Carlucci	Girardeau	Jenne	Rehm
Castor	Gordon	Jennings	Scott
Childers, W. D.	Grant	Langley	Vogt
Dunn	Grizzle	Margolis	Weinstein
Frank	Hair	Myers	

Nays—None

Vote after roll call:

Yea—Deratany, Fox, Hill, Malchon, Mann, Neal, Stuart, Thurman

The bill was ordered engrossed and then enrolled.

The Honorable Curtis Peterson, President

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

SB 780—A bill to be entitled An act relating to taxation of motor fuel and special fuel; amending s. 206.01, F.S.; defining "distributor"; amending s. 206.02, F.S.; providing who shall be licensed as a distributor, including persons who make sales of motor fuel intercounty; amending s. 206.06, F.S.; applying interest to and changing the penalty rate on unpaid tax; amending s. 206.425, F.S.; providing for review of certain audits and assessments; providing for acceptance or nonacceptance of affidavits and resale certificates as specified; authorizing refunds as appropriate; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 6, strike lines 16 and 17 and insert: Section 5. Paragraphs (f) and (g) are added to subsection (1) of section 212.67, Florida Statutes, and paragraph (a) of subsection (2) of said section is amended to read:

212.67 Refunds.—

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

(f) Refunds to distributors on fuel used in blending gasohol.—Any distributor who has paid the tax imposed by this part on purchases of motor fuel blended with ethyl alcohol to produce gasohol shall be entitled to a refund of 4 cents per gallon of such tax until July 1, 1985, and then shall be entitled to a refund of 2 cents per gallon of such tax through June 30, 1987. The distributor may choose to adjust any overpayment authorized in this paragraph on the monthly motor fuel tax report.

(g) Refunds to wholesale blenders for fuel used in blending gasohol.—Any wholesale blender who is not licensed as a distributor who purchases motor fuel for blending with ethyl alcohol to produce gasohol shall be entitled to apply for a refund of 4 cents per gallon of such tax until July 1, 1985, and then shall be entitled to apply for a refund of 2 cents per gallon of such tax through June 30, 1987.

(2)(a) *Except for refunds granted pursuant to paragraphs (1)(f) and (g),* no person may secure a refund under this section unless such person is the holder of an unrevoked refund permit issued by the department before the purchase of the motor fuel or special fuel, which permit shall be numbered and issued annually.

Section 6. This act shall take effect upon becoming a law, except that section 5 shall operate retroactively to April 1, 1983, and shall apply to motor fuels blended with ethyl alcohol on or after April 1, 1983.

Amendment 2—On page 1 in the title, line 14 after the semicolon, insert: amending s. 212.67, F.S.; authorizing motor fuel sales tax refunds to distributors and certain wholesale blenders for motor fuel used in blending gasohol;

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

SB 780 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Gersten, Mann, Neal

The bill was ordered engrossed and then enrolled.

The Honorable Curtis Peterson, President

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

CS for SB 831—A bill to be entitled An act relating to alcoholic beverages; amending s. 561.20, F.S.; providing special alcoholic beverage licenses for certain public fairs or expositions and civic center authorities; amending s. 565.02, F.S.; providing special licenses for certain nonprofit theaters; providing license taxes; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 4—On page 2, line 16, insert: Section 3. No licensee under this special license shall enter into any exclusive contract for its use.

(Renumber subsequent section.)

On motion by Senator Henderson, the Senate concurred in the House amendment.

CS for SB 831 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—31

Beard	Frank	Jennings	Rehm
Carlucci	Gersten	Kirkpatrick	Scott
Castor	Girardeau	Malchon	Stuart
Childers, W. D.	Grant	Mann	Thomas
Crawford	Grizzle	Margolis	Thurman
Deratany	Hair	Meek	Vogt
Dunn	Henderson	Myers	Weinstein
Fox	Hill	Plummer	

Nays—3

Mr. President	Childers, D.	Langley

The bill was ordered engrossed and then enrolled.

Senator Stuart presiding

The Honorable Curtis Peterson, President

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

SB 872—A bill to be entitled An act relating to tax on sale of fuels; amending s. 212.67, F.S.; providing for quarterly refund of the tax paid on fuel used for school district vehicles; reenacting s. 206.625(2), F.S., to incorporate the amendment to s. 212.67 in a reference thereto; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 1, line 12, strike everything after the enacting clause and insert:

Section 1. Paragraph (b) of subsection (2), paragraph (e) of subsection (3), and subsection (4) of section 212.67, Florida Statutes, are amended to read:

212.67 Refunds.—

(2)

(b) To procure a permit, a person must file with the department an application, on forms furnished by the department, stating that he is entitled to a refund according to the provisions of subsection (1) and that he intends to file an application for refund for *a calendar quarter during* the current calendar year ~~or, in the case of a refund provided pursuant to paragraph (1)(b), for the current calendar quarter~~, and must furnish the department such other information as the department requests.

(3)

(e) Notwithstanding provisions of this subsection to the contrary, refunds to a school district for fuel consumed by school buses operated for the district by private contractors shall be based on an estimate of taxes paid. The estimate shall be determined *quarterly* ~~annually~~ by dividing the total miles traveled by such vehicles for school purposes by their average miles per gallon, as determined by the department, and multiplying the result by the applicable tax rate per gallon. It is the responsibility of the school district to provide information relevant to this determination.

(4)(a) No refund may be authorized unless a sworn application therefor containing such information as the department may determine is filed with the department not later than *the last day of the month* ~~January 31 immediately~~ following the *quarter* ~~year~~ for which the refund is claimed. *However,* when ~~a claim is filed after January 31 and~~ a justified excuse for late filing is presented to the department, and the last preceding claim was filed on time, *the deadline for filing may be extended an additional month* ~~such late filing may be accepted through February of the year in which filed~~. No refund will be authorized for any purchase of less than 26 gallons at any one time, and no refund will be authorized unless the amount due is for $5 or more *for* ~~in~~ any *refund* ~~12-month~~ period and unless application is made upon forms prescribed by the department.

(b) Claims ~~shall be paid annually for each calendar year, except that claims~~ made for refunds provided pursuant to *subsection* ~~paragraph~~ (1)~~(b)~~ shall be paid quarterly. The department shall deduct a fee of $2 for each claim, which fee shall be deposited in the General Revenue Fund.

Section 2. For the purpose of incorporating the amendment to s. 212.67, Florida Statutes, in a reference thereto, subsection (2) of section 206.625, Florida Statutes, is reenacted to read:

206.625 Return of tax to municipalities, counties, and school districts.—

(2) Those portions of the county gas tax imposed by s. 206.60 which result from the collection of such tax paid by a school district, or by a private contractor operating school buses for a school district, on motor fuel for use in a motor vehicle operated by such district or private contractor shall be returned to the governing body of each such school district according to the administrative procedures in s. 212.67 to be used to fund construction, reconstruction, and maintenance of roads and streets within the school district required as a result of new school construction or renovation of existing schools. The school board shall select the projects to be funded; however, first priority shall be given to projects required as the result of new school construction, unless a waiver is granted by the affected county or municipal government.

Section 3. The department is authorized to pay the first two quarters of refunds for fiscal year 1984-1985 in January of 1985 to those persons who have properly submitted refund applications and conformed to the provisions of this act.

Section 4. This act shall take effect July 1, 1984.

Amendment 1 to House Amendment 1—On page 1, line 10, insert:

Section 1. Subsection (3) of section 207.005, Florida Statutes, is amended to read:

207.005 Returns and payment of tax; delinquencies; calculation of fuel used during operations in the state; credit; bond.—

(3) For the purpose of computing the carrier's liability for the road privilege tax, the total gallons of fuel used in the propulsion of any commercial motor vehicle in this state shall be multiplied by the rates provided in chapter 206 and part II of chapter 212. From the sum determined by this calculation, there shall be allowed a credit equal to the amount of the tax per gallon under chapter 206 and part II of chapter 212 for each gallon of fuel purchased in this state during the reporting period when the special fuel or motor fuel tax was paid at the time of purchase. If the tax paid under chapter 206 and part II of chapter 212 exceeds the total tax due under this chapter, the excess may be allowed as a credit against the tax due during the succeeding 12-month reporting period. ~~Under no circumstances shall a refund be made for this credit.~~ *A refund may be made for this credit.*

(Renumber the subsequent sections.)

Amendment 2—On page 1 in the title, lines 3-8, strike all of said lines and insert: amending s. 212.67, F.S.; providing that authorized refunds be made quarterly; reenacting s. 206.625(2), F.S., to incorporate the amendment to s. 212.67 in a reference thereto; providing an effective date.

Amendment 3—On page 1 in the title, line 2, after the semi-colon, insert: amending s. 207.005, F.S., relating to the tax on the operation of commercial motor vehicles; providing refunds for certain credits;

Amendment 4—On page 1, line 15, after the dash "-", insert:

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

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

Amendment 5—On page 1, line 12, after the phrase "Section 1.", insert: Paragraph (a) of subsection (1),

Amendment 6—In title, on page 1, line 3, after the semi-colon (;), insert: providing that mass transit public transportation systems shall be refunded the tax paid on purchases of less than 26 gallons of motor fuel or special fuel;

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

SB 872 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—31

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

Nays—None

Vote after roll call:

Yea—Fox, Mann, Neal

The bill was ordered engrossed and then enrolled.

The Honorable Curtis Peterson, President

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

CS for SB 1018—A bill to be entitled An act relating to process and service of process; amending s. 48.031, F.S.; providing for service of process in criminal cases on law enforcement officers or certain public employees; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 2, line 4, insert new Sections 2 and 3 and renumber remaining section accordingly:

Section 2. Section 48.183, Florida Statutes, is amended to read:

48.183 Service of process in action for possession of residential premises.—

(1) In an action for possession of residential premises under s. 83.59, if neither the tenant nor a person residing therein who is 15 years of age or older can be found at the usual place of residence of the tenant after at least two attempts to obtain ~~personal~~ service *as provided in this* subsection, summons may be served by attaching a copy to a conspicuous place on the property described in the complaint or summons. *The minimum time delay between the two attempts to obtain service shall be six hours.*

(2) If a landlord causes or anticipates causing a defendant to be served with a summons and complaint solely by attaching them to some conspicuous place on the property described in the complaint or summons, the landlord shall provide the clerk of the court with an additional copy of the complaint and a prestamped envelope addressed to the defendant at the premises involved in the proceeding. The clerk of the court shall immediately mail the copy of the summons and complaint by first-class mail, note the fact of mailing in the docket, and file a certificate in the court file of the fact and date of mailing. Service shall be effective on the date of *posting or* mailing, *whichever occurs later,* and at least 5 days must elapse from the date of *service* ~~mailing~~ before a judgment for final removal of the defendant may be entered.

Section 3. Section 83.22, Florida Statutes, is amended to read:

83.22 Removal of tenant; service.—

(1) After at least two attempts to obtain ~~personal~~ service *as provided by law,* if the defendant cannot be found in the county in which the action is pending and either he has no usual place of abode in the county or there is no person ~~of his family above~~ 15 years of age *or older residing therein* at his usual place of abode in the county, the sheriff shall serve the summons by attaching it to some part of the premises involved in the proceeding. *The minimum time delay between the two attempts to obtain service shall be six hours.*

(2) If a landlord causes, or anticipates causing, a defendant to be served with a summons and complaint solely by attaching *them* ~~it~~ to some *conspicuous* part of the premises involved in the proceeding, then the landlord shall provide the clerk of the court with two additional copies of the complaint and two prestamped envelopes addressed to the defendant. One envelope shall be addressed to such address or location as has been designated by the tenant for receipt of notice in a written lease or other agreement or, if none has been designated, to the residence of the tenant, if known. The second envelope shall be addressed to the last known business address of the tenant. The clerk of the court shall immediately mail the copies of the summons and complaint by first-class mail, note the fact of mailing in the docket, and file a certificate in the court file of the fact and date of mailing. Service shall be effective on the date of *posting or* mailing, *whichever occurs later,* and at least 5 days from the date of *service* ~~mailing~~ must have elapsed before a judgment for final removal of the defendant may be entered.

Amendment 2—In title, on page 1, line 6, following the word "employees;" insert: amending s. 48.183, F.S.; providing for the effective date of service of process in certain actions for possession of residential premises; providing that at least 5 days must elapse from the date of service before a judgment for final removal of defendant may be entered; providing that at least six hours shall elapse between attempts to obtain service; amending s. 83.22, F.S.; providing for service of process in certain actions for possession of nonresidential premises; providing that at least six hours shall elapse between attempts to obtain service; providing for the effective date of service where process is served by posting and mailing;

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

CS for SB 1018 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Mann, Weinstein

The bill was ordered engrossed and then enrolled.

The Honorable Curtis Peterson, President

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

SB 546—A bill to be entitled An act relating to physical therapy; amending s. 486.021, F.S.; authorizing physical therapists to perform physical therapy assessments; providing a definition; amending s. 486.028, Florida Statutes; deleting redundant language; providing exemptions from physical therapy license requirements for doctors of medicine, chiropractors, podiatrists, masseurs, nurses, osteopathic physicians or surgeons or naturopaths when licensed pursuant to statutes regulating those professions; repealing s. 486.161, Florida Statutes; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 3, lines 1-29, strike all of said lines and renumber the subsequent section

Amendment 2—On page 1 in the title, lines 5-14, strike all of said lines and insert: assessments; providing a definition; providing an effective date.

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

SB 546 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—32

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

Nays—None

Vote after roll call:

Yea—Mann

The bill was ordered engrossed and then enrolled.

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has passed as amended CS for HB 1145 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committees on Governmental Operations and Higher Education—

CS for HB 1145—A bill to be entitled An act relating to group insurance for public officers and employees; amending s. 112.08, F.S., defining "local governmental unit"; authorizing such units to provide certain types of insurance for officers and employees and their dependents, to pay for certain physical examinations for such officers and employees, and to enter into risk management programs therefor; providing procedures relating to approval of plans by the Department of Insurance, standards for approval, and annual acturial reports; providing that each local governmental unit is responsible for claims not paid within 60 days; providing an effective date.

—was read the first time by title. On motion by Senator Thomas, the rules were waived and the bill was placed on the calendar.

On motions by Senator Thomas, by unanimous consent, CS for HB 1145 was taken up out of order and by two-thirds vote 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—33

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

Nays—None

Vote after roll call:

Yea—Deratany, Mann

The Honorable Curtis Peterson, President

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

SB 1149—A bill to be entitled An act relating to Broward County; amending s. 7, chapter 61-2056, Laws of Florida, as amended; specifying boundaries of the Town of Davie; dissolving the City of Hacienda Village; transferring assets and obligations of the dissolved city to the Town of Davie; preserving zoning of the dissolved city; repealing chapter 78-515, Laws of Florida, relating to the boundaries of the dissolved city; providing for referendum; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 16, lines 6-31, strike all beginning with the word "to" on line 6 through and including the word "boundary" on line 31.

Amendment 2—On page 23, line 2, strike the words ", until changed by ordinance of the Town of Davie"

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

SB 1149 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—32

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

Nays—1

Scott

Vote after roll call:

Yea—Gersten, Mann

The bill was ordered engrossed and then enrolled.

The Honorable Curtis Peterson, President

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

SB 878—A bill to be entitled An act relating to the Lake Worth Downtown Development Authority, Palm Beach County; amending section 8 of chapter 72-592, Laws of Florida, as amended, providing for ad valorem taxation and increasing the tax rate from 1 mill on each dollar of tax base to 2 mills on each dollar of tax base to commence the fiscal year beginning October 1, 1984, following approval by referendum; repealing section 11(c) of chapter 72-592, Laws of Florida; providing for a referendum; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 1, line 17, strike "real" and insert: all taxable

On motion by Senator Johnston, the Senate concurred in the House amendment.

SB 878 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

Vote after roll call:

Yea—Gersten, Mann

The bill was ordered engrossed and then enrolled.

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate Amendments 1 and 2 to HB 1107 and requests the Senate to recede.

Allen Morris, Clerk

HB 1107—A bill to be entitled An act relating to Santa Rosa County; creating the Munson Fire Protection District within the county; providing definitions; providing for the election, membership, terms, compensation and duties of the board of commissioners of the district; providing for the filling of vacancies on the board; authorizing the board to employ necessary personnel; authorizing the board to levy ad valorem taxes on the property within the district; providing the maximum rate of tax millage; authorizing the property appraiser and tax collector of the county to take certain actions to assist the board; providing that assessments by the board shall be enforced as are tax assessments by the county; authorizing the board to borrow money to issue revenue anticipation certificates and to pledge certain liens; exempting the commissioners from certain liability; restricting the use of funds of the district by the board; authorizing the board to purchase or lease certain fire equipment and a fire department; authorizing the board to adopt rules and regulations; requiring the

board to make annual reports; authorizing the board to enact and enforce a fire prevention ordinance; providing for a referendum; providing for reimbursement to the Santa Rosa County Supervisor of Elections for actual costs for conducting such elections.

On motions by Senator W. D. Childers, the Senate receded from the Senate amendments.

HB 1107 passed and the action of the Senate was certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

Vote after roll call:

Yea—Gersten, Mann

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has amended Senate Amendment 1, concurred in same as amended and passed HB 1276, as amended and requests the concurrence of the Senate.

Allen Morris, Clerk

HB 1276—A bill to be entitled An act relating to the City of Destin in Okaloosa County; providing for the charter of a municipal corporation known as the City of Destin; defining the territorial limits of said city; prescribing the form of government for said city; conferring certain powers upon the municipality and its officers; providing a referendum; providing an effective date.

Amendment 1 to Senate Amendment 1—On page 7, strike lines 3-18, and insert: The following portion of the previously described area shall be excluded from the corporate limits of the City of Destin:

Begin at the intersection of the east border of the Indian Bayou Subdivision and the mean high water line of Choctawhatchee Bay; thence meander southerly along the east border of the Indian Bayou Subdivision to the eastern most border of the right of way of Airport Road; thence meander southerly along said right of way line to an intersection with the north border of the right of way of US 98; thence meander easterly along said right of way line to an intersection with the right of way of US 98A; thence continue in an easterly direction along the north border of the right of way of US 98A to an intersection with the eastern Okaloosa County Border; thence meander northly along said County border to an intersection with the mean high water line of Choctawhatchee Bay; thence meander westerly along said mean high water line to the point of beginning.

On motion by Senator Barron, the Senate concurred in the House amendment.

HB 1276 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

Vote after roll call:

Yea—Gersten, Mann

The Honorable Curtis Peterson, President

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

CS for SB 1152—A bill to be entitled An act relating to the gross receipts tax imposed under ch. 203, F.S.; amending s. 203.01, F.S.; imposing gross receipts tax on gross receipts derived by persons on business done within the state and between points within the state, including gross receipts tax on telecommunication services; creating s. 203.012, F.S.; defining telecommunication services, local telephone service, toll telephone service, private communication service, teletypewriter or computer exchange service; repealing s. 203.011, F.S., relating to authorized credits; creating s. 203.013, F.S.; establishing the apportionment formula for the tax where the telecommunication services originate in Florida and terminate in another state or originate in another state and terminate in Florida; amending s. 203.012, F.S.; defining telecommunication services effective January 1, 1985; providing effective dates.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 14, line 15, after "1985", insert: ; however, the provisions of subparagraph 2. of paragraph (a) of s. 203.013(1), F.S., as created in Section 5 of this act shall take effect July 1, 1985

On motion by Senator Margolis, the Senate concurred in the House amendment.

CS for SB 1152 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—33

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

Nays—1

Langley

Vote after roll call:

Yea—Neal

The bill was ordered engrossed and then enrolled.

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has passed with amendment, by the required Constitutional three-fifths vote of the membership of the House—

SJR 1157—A joint resolution proposing an amendment to Section 9, Article XII of the State Constitution, relating to gross receipts taxes.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 18, lines 27-31 and on page 19, lines 1 and 2, strike all of said lines and insert:

CONSTITUTIONAL AMENDMENT

ARTICLE XII, SECTION 9

PUBLIC EDUCATION CAPITAL OUTLAY BONDS—Proposing an amendment to the State Constitution to provide for the levy on gross receipts pursuant to Chapter 203, Florida Statutes, as provided by law to authorize the continuation of the funding of public education capital outlay bonds for the construction of public school, vocational education, community college, School for the Deaf & Blind, and university buildings.

On motion by Senator Margolis, the Senate concurred in the House amendment.

SJR 1157 as amended was read in full as follows:

SJR 1157—A joint resolution proposing an amendment to Section 9, Article XII of the State Constitution, relating to gross receipts taxes.

Be It Resolved by the Legislature of the State of Florida

That the following amendment to Section 9 of Article XII of the State Constitution is hereby agreed to and shall be submitted to the electors of this state for approval or rejection at the general election to be held in November 1984:

ARTICLE XII

SCHEDULE

SECTION 9. Bonds.—

(a) ADDITIONAL SECURITIES.

(1) Article IX, Section 17, of the Constitution of 1885, as amended, as it existed immediately before this Constitution, as revised in 1968, became effective, is adopted by this reference as a part of this revision as completely as though incorporated herein verbatim, except revenue bonds, revenue certificates or other evidences of indebtedness hereafter issued thereunder may be issued by the agency of the state so authorized by law.

(2) That portion of Article XII, Section 9, Subsection (a) of this Constitution, as amended, which by reference adopted Article XII, Section 19 of the Constitution of 1885, as amended, as the same existed immediately before the effective date of this amendment is adopted by this reference as part of this revision as completely as though incorporated herein verbatim, for the purpose of providing that after the effective date of this amendment all of the proceeds of the revenues derived from the gross receipts taxes, as therein defined, collected in each year shall be applied as provided therein to the extent necessary to comply with all obligations to or for the benefit of holders of bonds or certificates issued before the effective date of this amendment or any refundings thereof which are secured by such gross receipts taxes. No bonds or other obligations may be issued pursuant to the provisions of Article XII, Section 19, of the Constitution of 1885, as amended, but this provision shall not be construed to prevent the refunding of any such outstanding bonds or obligations pursuant to the provisions of this subsection (a)(2).

Subject to the requirements of the first paragraph of this subsection (a)(2), beginning July 1, 1975, and for fifty years thereafter, all of the proceeds of the revenues derived from the gross receipts taxes collected from every person, including municipalities, as provided and levied *pursuant to the provisions of* ~~as of the time of adoption of this subsection (a)(2) in~~ chapter 203, Florida Statutes, (hereinafter called "gross receipts taxes"), *as in existence as of the date of the adoption of this amendment or as such chapter is amended from time to time,* shall, as collected, be placed in a trust fund to be known as the "public education capital outlay and debt service trust fund" in the state treasury (hereinafter referred to as "capital outlay fund"), and used only as provided herein.

The capital outlay fund shall be administered by the state board of education as created and constituted by Section 2 of Article IX of the Constitution of Florida as revised in 1968 (hereinafter referred to as "state board"), or by such other instrumentality of the state which shall hereafter succeed by law to the powers, duties and functions of the state board, including the powers, duties and functions of the state board provided in this subsection (a)(2). The state board shall be a body corporate and shall have all the powers provided herein in addition to all other constitutional and statutory powers related to the purposes of this subsection (a)(2) heretofore or hereafter conferred by law upon the state board, or its predecessor created by the Constitution of 1885, as amended.

State bonds pledging the full faith and credit of the state may be issued, without a vote of the electors, by the state board pursuant to law to finance or refinance capital projects theretofore authorized by the legislature, and any purposes appurtenant or incidental thereto, for the state system of public education provided for in Section 1 of Article IX of this Constitution (hereinafter referred to as "state system"), including but not limited to institutions of higher learning, junior colleges, vocational technical schools, or public schools, as now defined or as may hereafter be defined by law. All such bonds shall mature not later than July 1, 2025. All other details of such bonds shall be as provided by law or by the proceedings authorizing such bonds; provided, however, that no bonds, except refunding bonds, shall be issued, and no proceeds shall be expended for the cost of any capital project, unless such project has been authorized by the legislature.

Bonds issued pursuant to this subsection (a)(2) shall be primarily payable from such revenues derived from gross receipts taxes, and shall be additionally secured by the full faith and credit of the state. No such bonds shall ever be issued in an amount exceeding ninety percent of the amount which the state board determines can be serviced by the revenues derived from the gross receipts taxes accruing thereafter under the provisions of this subsection (a)(2), and such determination shall be conclusive.

The moneys in the capital outlay fund in each fiscal year shall be used only for the following purposes and in the following order of priority:

a. For the payment of the principal of and interest on any bonds maturing in such fiscal year;

b. For the deposit into any reserve funds provided for in the proceedings authorizing the issuance of bonds of any amounts required to be deposited in such reserve funds in such fiscal year;

c. For direct payment of the cost or any part of the cost of any capital project for the state system theretofore authorized by the legislature, or for the purchase or redemption of outstanding bonds in accordance with the provisions of the proceedings which authorized the issuance of such bonds.

(b) REFUNDING BONDS. Revenue bonds to finance the cost of state capital projects issued prior to the date this revision becomes effective, including projects of the Florida state turnpike authority or its successor but excluding all portions of the state highway system, may be refunded as provided by law without vote of the electors at a lower net average interest cost rate by the issuance of bonds maturing not later than the obligations refunded, secured by the same revenues only.

(c) MOTOR VEHICLE FUEL TAXES.

(1) A state tax, designated "second gas tax," of two cents per gallon upon gasoline and other like products of petroleum and an equivalent tax upon other sources of energy used to propel motor vehicles as levied by Article IX, Section 16, of the Constitution of 1885, as amended, is hereby continued. The proceeds of said tax shall be placed monthly in the state roads distribution fund in the state treasury.

(2) Article IX, Section 16, of the Constitution of 1885, as amended, is adopted by this reference as a part of this revision as completely as though incorporated herein verbatim for the purpose of providing that after the effective date of this revision the proceeds of the "second gas tax" as referred to therein shall be allocated among the several counties in accordance with the formula stated therein to the extent necessary to comply with all obligations to or for the benefit of holders of bonds, revenue certificates and tax anticipation certificates or any refundings thereof secured by any portion of the "second gas tax."

(3) No funds anticipated to be allocated under the formula stated in Article IX, Section 16, of the Constitution of 1885, as amended, shall be pledged as security for any obligation hereafter issued or entered into, except that any outstanding obligations previously issued pledging revenues allocated under said Article IX, Section 16, may be refunded at a lower average net interest cost rate by the issuance of refunding bonds, maturing not later than the obligations refunded, secured by the same revenues and any other security authorized in paragraph (5) of this subsection.

(4) Subject to the requirements of paragraph (2) of this subsection and after payment of administrative expenses, the "second gas tax" shall be allocated to the account of each of the several counties in the amounts to be determined as follows: There shall be an initial allocation of one-fourth in the ratio of county area to state area, one-fourth in the ratio of the total county population to the total population of the state in accordance with the latest available federal census, and one-half in the ratio of the total "second gas tax" collected on retail sales or use in each county to the total collected in all counties of the state during the previous fiscal year. If the annual debt service requirements of any obligations issued for any county, including any deficiencies for prior years, secured under paragraph (2) of this subsection, exceeds the amount which would be allocated to that county under the formula set out in this paragraph, the amounts allocated to other counties shall be reduced proportionately.

(5) Funds allocated under paragraphs (2) and (4) of this subsection

shall be administered by the state board of administration created under said Article IX, Section 16, of the Constitution of 1885, as amended, and which is continued as a body corporate for the life of this subsection 9(c). The board shall remit the proceeds of the "second gas tax" in each county account for use in said county as follows: eighty per cent to the state agency supervising the state road system and twenty per cent to the governing body of the county. The percentage allocated to the county may be increased by general law. The proceeds of the "second gas tax" subject to allocation to the several counties under this paragraph (5) shall be used first, for the payment of obligations pledging revenues allocated pursuant to Article IX, Section 16, of the Constitution of 1885, as amended, and any refundings thereof; second, for the payment of debt service on bonds issued as provided by this paragraph (5) to finance the acquisition and construction of roads as defined by law; and third, for the acquisition and construction of roads and for road maintenance as authorized by law. When authorized by law, state bonds pledging the full faith and credit of the state may be issued without any election: (i) to refund obligations secured by any portion of the "second gas tax" allocated to a county under Article IX, Section 16, of the Constitution of 1885, as amended; (ii) to finance the acquisition and construction of roads in a county when approved by the governing body of the county and the state agency supervising the state road system; and (iii) to refund obligations secured by any portion of the "second gas tax" allocated under paragraph 9(c)(4). No such bonds shall be issued unless a state fiscal agency created by law has made a determination that in no state fiscal year will the debt service requirements of the bonds and all other bonds secured by the pledged portion of the "second gas tax" allocated to the county exceed seventy-five per cent of the pledged portion of the "second gas tax" allocated to that county for the preceding state fiscal year, of the pledged net tolls from existing facilities collected in the preceding state fiscal year, and of the annual average net tolls anticipated during the first five state fiscal years of operation of new projects to be financed, and of any other legally available pledged revenues collected in the preceding state fiscal year. Bonds issued pursuant to this subsection shall be payable primarily from the pledged tolls, the pledged portions of the "second gas tax" allocated to that county, and any other pledged revenue, and shall mature not later than forty years from the date of issuance.

(d) SCHOOL BONDS.

(1) Article XII, Section 9, Subsection (d) of this constitution, as amended, (which, by reference, adopted Article XII, Section 18, of the Constitution of 1885, as amended) as the same existed immediately before the effective date of this amendment is adopted by this reference as part of this amendment as completely as though incorporated herein verbatim, for the purpose of providing that after the effective date of this amendment the first proceeds of the revenues derived from the licensing of motor vehicles as referred to therein shall be distributed annually among the several counties in the ratio of the number of instruction units in each county, the same being coterminus with the school district of each county as provided in Article IX, Section 4, Subsection (a) of this constitution, in each year computed as provided therein to the extent necessary to comply with all obligations to or for the benefit of holders of bonds or motor vehicle tax anticipation certificates issued before the effective date of this amendment or any refundings thereof which are secured by any portion of such revenues derived from the licensing of motor vehicles.

(2) No funds anticipated to be distributed annually among the several counties under the formula stated in Article XII, Section 9, Subsection (d) of this constitution, as amended, as the same existed immediately before the effective date of this amendment shall be pledged as security for any obligations hereafter issued or entered into, except that any outstanding obligations previously issued pledging such funds may be refunded at a lower net average interest cost rate by the issuance of refunding bonds maturing not later than the obligations refunded, secured by the same revenues and any other security authorized in paragraph (13) of this subsection (d).

(3) Subject to the requirements of paragraph (1) of this subsection (d) beginning July 1, 1973 and for thirty-five years thereafter, the first proceeds of the revenues derived from the licensing of motor vehicles to the extent necessary to comply with the provisions of this amendment, shall, as collected, be placed monthly in the school district and junior college district capital outlay and debt service fund in the state treasury and used only as provided in this amendment. Such revenue shall be distributed annually among the several school districts and junior college districts in the ratio of the number of instruction units in each school district or junior college district in each year computed as provided herein. The amount of the first revenues derived from the state motor vehicle license taxes to be so set aside in each year and distributed as provided herein shall be an amount equal in the aggregate to the product of six hundred dollars ($600) multiplied by the total number of instruction units in all the school districts of Florida for the school fiscal year 1967-68, plus an amount equal in the aggregate to the product of eight hundred dollars ($800) multiplied by the total number of instruction units in all the school districts of Florida for the school fiscal year 1972-73 and for each school fiscal year thereafter which is in excess of the total number of such instruction units in all the school districts of Florida for the school fiscal year 1967-68, such excess units being designated "growth units." The amount of the first revenues derived from the state motor vehicle license taxes to be so set aside in each year and distributed as provided herein shall additionally be an amount equal in the aggregate to the product of four hundred dollars ($400) multiplied by the total number of instruction units in all junior college districts of Florida. The number of instruction units in each school district or junior college district in each year for the purposes of this amendment shall be the greater of (1) the number of instruction units in each school district for the school fiscal year 1967-68 or junior college district for the school fiscal year 1968-69 computed in the manner heretofore provided by general law, or (2) the number of instruction units in such school district, including growth units, or junior college district for the school fiscal year computed in the manner heretofore or hereafter provided by general law and approved by the state board of education (hereinafter called the state board), or (3) the number of instruction units in each school district, including growth units, or junior college district on behalf of which the state board has issued bonds or motor vehicle tax anticipation certificates under this amendment which will produce sufficient revenues under this amendment to equal one and twelve-hundredths (1.12) times the aggregate amount of principal of and interest on all bonds or motor vehicle tax anticipation certificates issued under this amendment which will mature and become due in such year, computed in the manner heretofore or hereafter provided by general law and approved by the state board.

(4) Such funds so distributed shall be administered by the state board as now created and constituted by Section 2 of Article IX of the State Constitution as revised in 1968, or by such other instrumentality of the state which shall hereafter succeed by law to the powers, duties and functions of the state board, including the powers, duties and functions of the state board provided in this amendment. For the purposes of this amendment, said state board shall be a body corporate and shall have all the powers provided in this amendment in addition to all other constitutional and statutory powers related to the purposes of this amendment heretofore or hereafter conferred upon said state board.

(5) The state board shall, in addition to its other constitutional and statutory powers, have the management, control and supervision of the proceeds of the first part of the revenues derived from the licensing of motor vehicles provided for in this subsection (d). The state board shall also have power, for the purpose of obtaining funds for the use of any school board of any school district or board of trustees of any junior college district in acquiring, building, constructing, altering, remodeling, improving, enlarging, furnishing, equipping, maintaining, renovating, or repairing of capital outlay projects for school purposes to issue bonds or motor vehicle tax anticipation certificates, and also to issue such bonds or motor vehicle tax anticipation certificates to pay, fund or refund any bonds or motor vehicle tax anticipation certificates theretofore issued by said state board. All such bonds or motor vehicle tax anticipation certificates shall bear interest at not exceeding five per centum per annum, or such higher interest rate as may be authorized by statute heretofore or hereafter passed by a three-fifths (3/5) vote of each house of the legislature. All such bonds shall mature serially in annual installments commencing not more than three (3) years from the date of issuance thereof and ending not later than thirty (30) years from the date of issuance, or July 1, 2007, A.D., whichever is earlier. All such motor vehicle tax anticipation certificates shall mature prior to July 1, 2007, A.D. The state board shall have power to determine all other details of said bonds or motor vehicle tax anticipation certificates and to sell at public sale after public advertisement, or exchange said bonds or motor vehicle tax anticipation certificates, upon such terms and conditions as the state board shall provide.

(6) The state board shall also have power to pledge for the payment of the principal of and interest on such bonds or motor vehicle tax anticipation certificates, including refunding bonds or refunding motor vehicle tax anticipation certificates, all or any part from the anticipated revenues to be derived from the licensing of motor vehicles provided for in this

amendment and to enter into any covenants and other agreements with the holders of such bonds or motor vehicle tax anticipation certificates at the time of the issuance thereof concerning the security thereof and the rights of the holders thereof, all of which covenants and agreements shall constitute legally binding and irrevocable contracts with such holders and shall be fully enforceable by such holders in any court of competent jurisdiction.

(7) No such bonds or motor vehicle tax anticipation certificates shall ever be issued by the state board until after the adoption of a resolution requesting the issuance thereof by the school board of the school district or board of trustees of the junior college district on behalf of which the obligations are to be issued. The state board of education shall limit the amount of such bonds or motor vehicle tax anticipation certificates which can be issued on behalf of any school district or junior college district to ninety percent (90%) of the amount which it determines can be serviced by the revenue accruing to the school district or junior college district under the provisions of this amendment, and such determination shall be conclusive. All such bonds or motor vehicle tax anticipation certificates shall be issued in the name of the state board of education but shall be issued for and on behalf of the school board of the school district or board of trustees of the junior college district requesting the issuance thereof, and no election or approval of qualified electors shall be required for the issuance thereof.

(8) The state board shall in each year use the funds distributable pursuant to this amendment to the credit of each school district or junior college district only in the following manner and in order of priority:

a. To comply with the requirements of paragraph (1) of this subsection (d).

b. To pay all amounts of principal and interest maturing in such year on any bonds or motor vehicle tax anticipation certificates issued under the authority hereof, including refunding bonds or motor vehicle tax anticipation certificates, issued on behalf of the school board of such school district or board of trustees of such junior college district; subject, however, to any covenants or agreements made by the state board concerning the rights between holders of different issues of such bonds or motor vehicle tax anticipation certificates, as herein authorized.

c. To establish and maintain a sinking fund or funds to meet future requirements for debt service or reserves therefor, on bonds or motor vehicle tax anticipation certificates issued on behalf of the school board of such school district or board of trustees of such junior college district under the authority hereof, whenever the state board shall deem it necessary or advisable, and in such amounts and under such terms and conditions as the state board shall in its discretion determine.

d. To distribute annually to the several school boards of the school districts or the boards of trustees of the junior college districts for use in payment of debt service on bonds heretofore or hereafter issued by any such school boards of the school districts or boards of trustees of the junior college districts where the proceeds of the bonds were used, or are to be used, in the acquiring, building, constructing, altering, remodeling, improving, enlarging, furnishing, equipping, maintaining, renovating, or repairing of capital outlay projects in such school districts or junior college districts and which capital outlay projects have been approved by the school board of the school district or board of trustees of the junior college district, pursuant to the most recent survey or surveys conducted under regulations prescribed by the state board to determine the capital outlay needs of the school district or junior college district. The state board shall have power at the time of issuance of any bonds by any school board of any school district or board of trustees of any junior college district to covenant and agree with such school board or board of trustees as to the rank and priority of payments to be made for different issues of bonds under this subparagraph d., and may further agree that any amounts to be distributed under this subparagraph d. may be pledged for the debt service on bonds issued by any school board of any school district or board of trustees of any junior college district and for the rank and priority of such pledge. Any such covenants or agreements of the state board may be enforced by any holders of such bonds in any court of competent jurisdiction.

e. To distribute annually to the several school boards of the school districts or boards of trustees of the junior college districts for the payment of the cost of acquiring, building, constructing, altering, remodeling, improving, enlarging, furnishing, equipping, maintaining, renovating, or repairing of capital outlay projects for school purposes in such school district or junior college district as shall be requested by resolution of the school board of the school district or board of trustees of the junior college district.

f. When all major capital outlay needs of a school district or junior college district have been met as determined by the state board, on the basis of a survey made pursuant to regulations of the state board and approved by the state board, all such funds remaining shall be distributed annually and used for such school purposes in such school district or junior college district as the school board of the school district or board of trustees of the junior college district shall determine, or as may be provided by general law.

(9) Capital outlay projects of a school district or junior college district shall be eligible to participate in the funds accruing under this amendment and derived from the proceeds of bonds and motor vehicle tax anticipation certificates and from the motor vehicle license taxes, only in the order of priority of needs, as shown by a survey or surveys conducted in the school district or junior college district under regulations prescribed by the state board, to determine the capital outlay needs of the school district or junior college district and approved by the state board; provided that the priority of such projects may be changed from time to time upon the request of the school board of the school district or board of trustees of the junior college district and with the approval of the state board; and provided further, that this paragraph (9) shall not in any manner affect any covenant, agreement or pledge made by the state board in the issuance by said state board of any bonds or motor vehicle tax anticipation certificates, or in connection with the issuance of any bonds of any school board of any school district, or board of trustees of any junior college district.

(10) The state board may invest any sinking fund or funds created pursuant to this amendment in direct obligations of the United States of America or in the bonds or motor vehicle tax anticipation certificates, issued by the state board on behalf of the school board of any school district or board of trustees of any junior college district.

(11) The state board shall have power to make and enforce all rules and regulations necessary to the full exercise of the powers herein granted and no legislation shall be required to render this amendment of full force and operating effect. The legislature shall not reduce the levies of said motor vehicle license taxes during the life of this amendment to any degree which will fail to provide the full amount necessary to comply with the provisions of this amendment and pay the necessary expenses of administering the laws relating to the licensing of motor vehicles, and shall not enact any law having the effect of withdrawing the proceeds of such motor vehicle license taxes from the operation of this amendment and shall not enact any law impairing or materially altering the rights of the holders of any bonds or motor vehicle tax anticipation certificates issued pursuant to this amendment or impairing or altering any covenant or agreement of the state board, as provided in such bonds or motor vehicle tax anticipation certificates.

(12) The state board shall have power to appoint such persons and fix their compensation for the administration of the provisions of this amendment as it shall deem necessary, and the expenses of the state board in administering the provisions of this amendment shall be prorated among the various school districts and junior college districts and paid out of the proceeds of the bonds or motor vehicle tax anticipation certificates or from the funds distributable to each school district or junior college district on the same basis as such motor vehicle license taxes are distributable to the various school districts or junior college districts under the provisions of this amendment. Interest or profit on sinking fund investments shall accrue to the school districts or junior college districts in proportion to their respective equities in the sinking fund or funds.

(13) Bonds issued by the state board pursuant to this subsection (d) shall be payable primarily from said motor vehicle license taxes as provided herein, and if heretofore or hereafter authorized by law, may be additionally secured by pledging the full faith and credit of the state without an election. When heretofore or hereafter authorized by law, bonds issued pursuant to Article XII, Section 18 of the Constitution of 1885, as amended prior to 1968, and bonds issued pursuant to Article XII, Section 9, subsection (d) of the Constitution as revised in 1968, and bonds issued pursuant to this subsection (d), may be refunded by the

issuance of bonds additionally secured by the full faith and credit of the state only at a lower net average interest cost rate.

(e) DEBT LIMITATION. Bonds issued pursuant to this Section 9 of Article XII which are payable primarily from revenues pledged pursuant to this section shall not be included in applying the limits upon the amount of state bonds contained in Section 11, Article VII, of this revision.

(f) If, at the general election at which this amendment is adopted, there is also adopted an amendment to this section wherein the proposed language of subsection (a) differs from that contained herein, then such other language as to subsection (a) shall prevail over the language of subsection (a) as contained herein.

(g) If, at the general election at which this amendment is adopted, there is also adopted an amendment to this section wherein the proposed language of subsection (d) differs from that contained herein, then such other language shall prevail over the language of subsection (d) as contained herein.

(h) If, at the general election at which this amendment is adopted, there is also adopted an amendment to this section wherein the proposed language of subsection (c) differs from that contained herein, then such other language as to subsection (c) shall prevail over the language of subsection (c) as contained herein. This amendment shall take effect as of July 1, 1975.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE XII, SECTION 9

PUBLIC EDUCATION CAPITAL OUTLAY BONDS.—Proposing an amendment to the State Constitution to provide for the levy on gross receipts pursuant to Chapter 203, Florida Statutes, as provided by law to authorize the continuation of the funding of public education capital outlay bonds for the construction of public school, vocational education, community college, School for the Deaf & Blind, and university buildings.

—and passed by the required constitutional three-fifths vote of the membership and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has passed as amended CS for HB 775 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Regulatory Reform and Representative Metcalf and others—

CS for HB 775—A bill to be entitled An act relating to respiratory care; creating part VI of chapter 468, F.S.; providing purpose and intent; entitling the part as the "Respiratory Care Act"; providing definitions; creating the Advisory Council on Respiratory Care under the Board of Medical Examiners within the Department of Professional Regulation; providing for rules, membership, terms, organization, meetings, and quorum thereof; providing regulatory powers and duties of the board; providing qualifications for eligibility for certification as a respiratory therapy technician or registration as a respiratory therapist; providing for temporary certification; providing for certification by examination; providing for certification or registration by endorsement; restricting use of certain titles and abbreviations associated with the delivery of respiratory care services; providing for renewal of certificate or registration; providing for reversion to inactive status; providing for reactivation; providing for automatic expiration; providing for the promulgation of rules; providing for fees and for the disposition thereof; protecting hospitals from liability for costs of compliance; providing grounds for disciplinary action and providing administrative penalties therefor; providing criminal penalties for certain activities; providing for injunctive relief; providing for approval of educational programs; providing continuing education requirements; providing exemptions; providing for future review and repeal; providing an effective date.

—was read the first time by title.

SPECIAL ORDER, continued

On motions by Senator Malchon, by two-thirds vote CS for HB 775, a companion measure, was placed on the special order calendar, substituted for CS for SB 881 and by two-thirds vote read the second time by title. On motion by Senator Malchon, by two-thirds vote CS for HB 775 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—30

Barron	Dunn	Jennings	Rehm
Beard	Fox	Johnston	Stuart
Carlucci	Gersten	Langley	Thomas
Castor	Girardeau	Malchon	Thurman
Childers, D.	Grant	Mann	Vogt
Childers, W. D.	Hair	Meek	Weinstein
Crawford	Henderson	Myers	
Deratany	Hill	Neal	

Nays—None

CS for SB 881 was laid on the table.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has passed with amendment, by the required Constitutional three-fifths vote of the membership of the House—

CS for CS for SJR 612—A joint resolution proposing an amendment to Section 11, Article VII of the State Constitution, relating to state bonds.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On pages 1-3, strike everything after the resolving clause and insert:

That the following amendment to Section 11 of Article VII of the State Constitution is hereby agreed to and shall be submitted to the electors of this state for approval or rejection at the general election to be held in November 1984:

ARTICLE VII

FINANCE AND TAXATION

SECTION 11. State bonds; revenue bonds.—

(a) State bonds pledging the full faith and credit of the state may be issued only to finance or refinance the cost of state *fixed* capital *outlay* projects *authorized by law, and purposes incidental thereto,* upon approval by a vote of the electors; provided state bonds issued pursuant to this subsection ~~(a)~~ may be refunded without a vote of the electors at a lower net average interest cost rate. The total outstanding principal of state bonds issued pursuant to this subsection ~~(a)~~ shall never exceed fifty percent of the total tax revenues of the state for the two preceding fiscal years, *excluding any tax revenues held in trust under the provisions of this constitution.*

(b) Moneys sufficient to pay debt service on state bonds as the same becomes due shall be appropriated by law.

(c) Any state bonds pledging the full faith and credit of the state issued under this section or any other section of this constitution may be combined for the purposes of sale.

(d)~~(c)~~ Revenue bonds may be issued by the state or its agencies without a vote of the electors ~~only~~ to finance or refinance the cost of state *fixed* capital *outlay* projects *authorized by law, and purposes incidental thereto,* and shall be payable solely from funds derived *directly* from sources other than state tax revenues ~~or rents or fees paid from state tax revenues~~.

(e) Each project, building, or facility to be financed or refinanced with revenue bonds issued under this section shall first be approved by the Legislature by an act relating to appropriations or by general law.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE VII, SECTION 11

BONDS FOR STATE CAPITAL PROJECTS.—Proposing an amendment to the State Constitution to specify the projects for which state general obligation bonds may be issued, to provide an exception to the limit imposed on the total outstanding principal of such bonds, to allow such bonds to be combined for purposes of sale, to allow state revenue bonds to be payable from rents or fees paid from state tax revenues.

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

CS for CS for SJR 612 as amended was read in full as follows:

CS for CS for SJR 612—A joint resolution proposing an amendment to Section 11, Article VII of the State Constitution, relating to state bonds.

Be It Resolved by the Legislature of the State of Florida:

That the following amendment to Section 11 of Article VII of the State Constitution is hereby agreed to and shall be submitted to the electors of this state for approval or rejection at the general election to be held in November 1984:

ARTICLE VII

FINANCE AND TAXATION

SECTION 11. State bonds; revenue bonds.—

(a) State bonds pledging the full faith and credit of the state may be issued only to finance or refinance the cost of state *fixed* capital *outlay* projects *authorized by law, and purposes incidental thereto,* upon approval by a vote of the electors; provided state bonds issued pursuant to this subsection ~~(a)~~ may be refunded without a vote of the electors at a lower net average interest cost rate. The total outstanding principal of state bonds issued pursuant to this subsection ~~(a)~~ shall never exceed fifty percent of the total tax revenues of the state for the two preceding fiscal years, *excluding any tax revenues held in trust under the provisions of this constitution.*

(b) Moneys sufficient to pay debt service on state bonds as the same becomes due shall be appropriated by law.

(c) Any state bonds pledging the full faith and credit of the state issued under this section or any other section of this constitution may be combined for the purposes of sale.

(d)~~(c)~~ Revenue bonds may be issued by the state or its agencies without a vote of the electors ~~only~~ to finance or refinance the cost of state *fixed* capital *outlay* projects *authorized by law, and purposes incidental thereto,* and shall be payable solely from funds derived *directly* from sources other than state tax revenues ~~or rents or fees paid from state tax revenues~~.

(e) Each project, building, or facility to be financed or refinanced with revenue bonds issued under this section shall first be approved by the Legislature by an act relating to appropriations or by general law.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE VII, SECTION 11

BONDS FOR STATE CAPITAL PROJECTS.—Proposing an amendment to the State Constitution to specify the projects for which state general obligation bonds may be issued, to provide an exception to the limit imposed on the total outstanding principal of such bonds, to allow such bonds to be combined for purposes of sale, to allow state revenue bonds to be payable from rents or fees paid from state tax revenues.

—and passed by the required constitutional three-fifths vote of the membership and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—32

Beard	Fox	Jennings	Myers
Carlucci	Frank	Johnston	Plummer
Castor	Girardeau	Kirkpatrick	Rehm
Childers, D.	Grant	Langley	Stuart
Childers, W. D.	Grizzle	Malchon	Thomas
Crawford	Hair	Mann	Thurman
Deratany	Henderson	Margolis	Vogt
Dunn	Hill	Meek	Weinstein

Nays—None

Vote after roll call:

Yea—Gersten, Neal

On motion by Senator Barron, the Senate recessed at 7:28 p.m., awaiting the call of the President.

The Senate was called to order by the President at 7:55 p.m. A quorum present.

The Honorable Curtis Peterson, President

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

SB 465—A bill to be entitled An act relating to building standards; amending ss. 553.19, 553.73, 553.77, 553.901, 553.904, 553.905, 553.906, 553.909, 553.912, F.S.; specifying minimum electrical standards; specifying state minimum building codes and providing for amendment thereof; specifying thermal efficiency standards; changing the name of the Florida Model Energy Efficiency Code for Building Construction; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 2, line 23, strike *1983* and insert: *1984*

Amendment 2—On page 8, line 3, after the period, insert:

Section 10. Paragraph (f) of subsection (3) of section 553.48, Florida Statutes, is amended to read:

553.48 Accessibility features required of new buildings; exceptions.—

(3) The following exceptions shall apply to the accessibility features required of new buildings under this section. However, nothing in this subsection shall be construed to prohibit incorporation of the features required in subsection (2) in any building exempted in this subsection.

(f) Single-family dwellings, *condominiums, townhouses* and duplexes shall be exempted form this part.

(Renumber the subsequent section.)

Amendment 3—On page 1 in the title, line 10, after the semi-colon, insert: amending s. 553.48, F.S., exempting certain buildings from accessibility requirements;

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

SB 465 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

The bill was ordered engrossed and then enrolled.

By direction of the President the following conference committee report was read:

CONFERENCE COMMITTEE REPORT ON CS for SB's 923, 836, 1081 and 884

The Honorable Curtis Peterson
President of the Senate

The Honorable H. Lee Moffitt
Speaker, House of Representatives

Dear Sirs:

Your Conference Committee on the disagreeing votes of the two Houses on CS for SB's 923, 836, 1081 and 884 relating to the Omnibus Education Act of 1984 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 CS for SB's 923, 836, 1081 and 884.

2. That the House and Senate adopt the Conference Committee amendments to CS for SB's 923, 836, 1081 and 884 attached hereto and by reference made a part of this report.

3. That the House and Senate pass CS for SB's 923, 836, 1081 and 884 as amended by said Conference Committee amendments.

Steve Pajcic, Chairman	*Jack Gordon*
Samuel P. Bell, III	*Mattox Hair*
Betty Easley	*Betty Castor*
Carl Carpenter	*George Kirkpatrick*
Tom Gustafson	
Barry Kutun	
Managers on the part of the House of Representatives	Managers on the part of the Senate

Conference Committee Amendment 1—Strike everything after the enacting clause and insert:

Section 1. Definitions of credit.—

(1) For the purposes of requirements for high school graduation, one full credit means a minimum of 150 hours of bona fide instruction in a designated course of study which contains student performance standards as provided for in s. 232.2454, Florida Statutes, or the equivalent of 6 semester hours of college credit as provided for in ss. 236.081(1)(h)1. and 240.115, Florida Statutes. No student shall be awarded a credit who has not been in attendance for instruction for a minimum of 135 hours unless the student has demonstrated mastery of the student performance standards in the course of study as provided by rules of the district school board.

(2) The hourly requirements for one-half credit shall be one-half the requirements specified in subsection (1).

Section 2. Subsection (13) of section 228.041, Florida Statutes, is amended and subsections (30), (31) and (32) are added to said section to read:

228.041 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:

(13) SCHOOL DAY.—A school day for any group of students is that portion of the day in which school is actually in session and shall comprise not less than 5 net hours, excluding intermissions, for all grades above the third; not less than 4 net hours for the first three grades; and not less than 3 net hours in kindergarten, or the equivalent as calculated on a weekly basis. *The net hours specified herein shall consist only of instruction in an approved course of study, and shall exclude all noninstructional activities as defined by rules of the State Board of Education.* The minimum length of the school day herein specified may be decreased under rules which shall be adopted by the state board for double session schools or programs, experimental schools, or schools operating under emergency conditions. ~~However, senior high school students who lack three credits or less shall be allowed to attend as a school day that portion of the day necessary to earn needed credits.~~

(30) INTENSIVE ENGLISH LANGUAGE INSTRUCTION.—Instruction in the English language shall be provided to a student whose native language is other than English. Such instruction shall be designed to develop a student's mastery of the four language skills including listening, speaking, reading, and writing. Students in intensive English language instruction programs shall not be eligible to generate state funding provided pursuant to s. 236.081 for more than 3 years.

(31) MATRICULATION FEE.—The basic fee charged to students for instruction provided by public postsecondary educational institutions in Florida. No charge for any other purpose shall be included within this fee.

(32) TUITION.—The additional fee for instruction provided by public postsecondary educational institutions in Florida, which is charged to non-Florida students as defined in rules of the State Board of Education, State Board of Community Colleges and Board of Regents. No charge for any other purpose shall be included within this fee.

Section 3. Subsection (2) of section 229.8053, Florida Statutes, is amended to read:

229.8053 Florida High Technology and Industry Council.—

(2) The Florida High Technology and Industry Council, a not-for-profit corporation, is hereby created for the purpose of planning, coordinating, assisting in and making recommendations for policy decisions, and directing activities for carrying out the intent of this act. The council shall be composed of *23* ~~19~~ members consisting of the Governor or his designee, the Commissioner of Education or his designee, the secretary of the Department of Commerce or his designee, ~~the secretary of the Department of Labor and Employment Security or his designee, the secretary of the Department of Community Affairs or his designee,~~ the chairman of the Florida Council of 100, *one member appointed by the President of the Senate, one member appointed by the Speaker of the House of Representatives,* and *17* ~~13~~ other persons who shall be appointed by the Governor, *11 of whom* ~~and who~~ shall be Florida leaders in high technology or related business and industry, *2 of whom shall be prestigious academicians in areas not limited to, but including, the sciences and business from public or private colleges or universities, and 4 of whom shall be prominent persons in the areas of investment, venture capital investments, or banking.* The Governor shall solicit nominations from leading business and industry organizations or other organizations interested in the economic growth of the state *and the transfer of government-sponsored research.* The terms of the appointed members shall be for 3 years each, and any vacancy shall be filled by an appointment by the Governor *or the appointing body which had appointment jurisdiction.* As soon as practicable after ~~appointing~~ members *are appointed* to the council, the Governor shall call an organizational meeting of the council. The council shall *annually elect from among its number a chairman and a vice chairman* ~~elect a chairman whose term shall be for 1 year~~. There shall be no limitation on successive appointments to the council or on the number of terms that may be served as chairman *or vice chairman.* The council shall adopt internal organizational procedures or bylaws necessary for efficient operation of the council. *The council and council staff shall be entitled to reimbursement for per diem and traveling expenses pursuant to s. 112.061.*

Section 4. Remedial and compensatory courses taken in grades 9 through 12 may only be counted as elective credit as provided in s. 232.246(1)(b), Florida Statutes.

Section 5. Paragraphs (h) and (i) of subsection (1) of section 236.081, Florida Statutes, are amended to read:

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

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

(h) Calculation of full-time equivalent membership with respect to instruction from community colleges or universities, instruction outside required number of school days, or instruction in home economics or exploratory vocational education.—

1. In those academic programs, which are not remedial in nature, through which a student may earn credit towards both a high school diploma and an associate or baccalaureate degree, the student instruction time may be included in the count of full-time equivalent *student memberships* ~~students of the high school at one-half the value of the program cost factor~~ for *basic programs* grades 9 through 12. Students enrolled in such courses may be counted as full-time equivalent students by community colleges and universities offering such instruction. Such instruction may be provided by either a community college or university, but it must take place at the high school site unless the Commissioner of Education approves providing the instruction at the community college or university site because technical facilities are not available at the high school site *or because there are fewer than 15 students from the high school who wish to be enrolled in a course.* Such instruction may not include physical education. *No student receiving instruction under the provisions of this subparagraph shall be charged registration, matriculation, or tuition fees, and community colleges and universities shall waive all such fees.*

2. Students in grades 9 through 12 may be counted as full-time equivalent students for instruction provided outside the required number of school days if such instruction counts as credit toward a high school diploma.

3. Students in grades K through 12 who are enrolled for more than six semesters in practical arts home economics courses as defined in s. 228.041(22)(d) may not be counted as full-time equivalent students for this instruction.

4. Students in grades 7 through 12 who are enrolled for more than four semesters in exploratory vocational education may not be counted as full-time equivalent students for this instruction.

5. Effective for the 1985-1986 school year and thereafter, district pupil progression plans may provide for the substitution of vocational courses for the non-elective courses required for high school graduation pursuant to s. 232.246; however, any such vocational course shall be funded at the level appropriate for the basic program for which the vocational course is being substituted. The one-half credit in practical arts or exploratory vocational education required for high school graduation pursuant to s. 232.246(1)(b)8. shall be funded as a vocational education course.

(i) Calculation of additional full-time equivalent membership based on college board advanced placement scores of students.—A value of 0.3 full-time equivalent student membership shall be calculated for each student *in each advanced placement course* who receives a score of 3 or higher on the College Board Advanced Placement Examination for the prior year and added to the total full-time equivalent student membership in basic programs for grades 9 through 12 in the subsequent fiscal year.

Section 6. Courses in any art form, in addition to painting and sculpture, which requires manual dexterity may be taken to satisfy the high school graduation requirement for one-half credit in performing arts pursuant to s. 232.246(1)(b)9.

Section 7. The Center for Studies in Vocational Education within the Florida State University shall study the feasibility of establishing a center for international vocational training.

Section 8. Section 230.2314, Florida Statutes, is created to read:

230.2314 Teachers as advisors program.—

(1) This section may be cited as the "Teachers as Advisors Act."

(2) LEGISLATIVE INTENT.—The intent of this act is to increase the amount of academic and career advisement to which secondary students have access through the use of classroom teachers in an advisement role. Teachers shall be provided with staff development to enable them to serve in this capacity. The program shall be designed to build upon the student services program as required by s. 230.2313, by enabling classroom teachers to assist guidance counselors, school psychologists, social workers, and occupational and placement specialists in the performance of their duties.

(3) IMPLEMENTATION.—The teachers as advisors program shall be implemented as follows:

(a) Model programs.—

1. Beginning with the 1984-1985 school year, pursuant to rules adopted by the State Board of Education, district school superintendents and secondary school principals through the district school board, may submit to the commissioner a proposed program designed to effectuate a model teachers as advisors program in the district or school. The proposal shall provide a complete description of the program including a statement of the number of teachers and students who will participate in the program, an explanation of how participating teachers and students will be selected and a description of criteria used to assign students to teacher advisors. The proposal shall also provide information on any inservice training provided to teachers, a description of the range of advisement services which teachers will be expected to provide, an estimate of the cost of the program, and any other information which the State Board of Education may require. Priority for funding shall be given to program proposals which involve all of the teachers in participating schools as advisors.

2. The commissioner shall review and select for funding from funds appropriated in the 1984 General Appropriations Act those programs which are deemed to be most promising and which appear to have the greatest potential for statewide implementation. The programs shall contain the following provisions:

a. Priority for funding shall go to programs aimed at meeting the needs of disadvantaged and minority students.

b. The ratio of students to teacher advisors shall not exceed 30 students per teacher.

c. Teacher advisors shall spend a minimum of 30 minutes per student advisee every 6 weeks.

d. Teacher advisors shall contact the parents or guardians of students who are struggling academically or who exhibit problems in other areas. This contact may be in the form of a telephone call or a conference.

e. Teacher advisors shall spend no less than 50 percent of their work time as classroom teachers;

f. To the maximum extent feasible, students shall be assigned to the same teacher advisor during the period of time that they are in grades nine through twelve.

3. By January 1, 1986, the Department of Education shall evaluate all model programs funded as provided by this act and make recommendations to the Legislature and to the State Board of Education relating to which programs or program components have proven most successful. Recommended programs and program components shall be included in the statewide teachers as advisors program and related staff development activities as provided in paragraphs (b) and (c).

(b) Staff development.—Staff development for the teachers as advisors program shall be provided through summer inservice institutes and shall include, but not be limited to, the development of competencies in the following areas:

1. Knowledge of state and district pupil progression plans and graduation requirements;

2. Ability to provide supportive academic and career advisement to students and their parents or guardians;

3. Ability to coordinate with and assist guidance counselors, school psychologists, social workers, and occupational and placement specialists in the provision of a comprehensive program of student counseling;

4. Ability to use student records and files, including the ability to interpret and use the results of standardized test results included in such files;

5. Ability to serve as a liaison between the student and educational, social service, and employment resources outside the school;

6. The ability to provide emotional support and encouragement to all students to motivate them to stay in school and perform to the maximum of their potential; and

7. The ability to facilitate students' decision-making skills.

(c) Statewide program implementation.—Beginning with the 1985-1986 school year, the teachers as advisors program shall be implemented on a statewide basis as provided for in the General Appropriations Act.

Section 9. The Legislature recognizes that the principal is the administrative and instructional leader of a public school. The Legislature further recognizes that strong, competent principals can improve our public schools. For this reason, it is imperative that public school principals be selected from those candidates who have been evaluated and certified as possessing the competencies deemed necessary for success in the field.

Section 10. By July 1, 1986, each district school board shall adopt and implement an objective-based process for the screening, selection, and appointment of assistant principals and principals in the public schools of this state which meets the criteria approved by the Florida Council on Educational Management. Each school district may contract with other local school districts, agencies, associations, or universities to conduct the assessments, evaluations, and training programs required under this section.

Section 11. By July 1, 1986, all candidates for the position of assistant principal or principal in the public schools of this state shall have satisfactorily met the written examination and performance requirements adopted by the State Board of Education for certification. Such State Board of Education rules shall include provisions for those persons who have been certified prior to the effective date of this act.

Section 12. An out-of-state certified and experienced assistant principal or principal employed in the public schools of this state is required to serve 1 year as an intern or interim assistant principal or principal while the required performance assessment of basic and high performing competencies is completed.

Section 13. The Department of Education shall maintain and make available to the districts, upon request, a list of certified candidates for the position of assistant principal or principal at no charge to the district.

Section 14. Subsection (8) is added to section 231.087, Florida Statutes, to read:

231.087 Management Training Act.—

(8) CENTER FOR INTERDISCIPLINARY ADVANCED GRADUATE STUDY.—

(a) The council is authorized to contract with a state university to establish a Center for Interdisciplinary Advanced Graduate Study for school principals. The purpose of the center shall be to provide advanced educational opportunities for school-based instructional leaders and to conduct research for the improvement of school principals which will build upon the work of the council as identified in subsection (3). Additionally, the center shall coordinate with the council to provide training, both at the center and at locations around the state, for currently employed and prospective assistant principals and principals.

(b)1. The council shall issue a request for proposals for the establishment of the center, which shall include the organization, funding, goals, and objectives of the center, and strategies for including current research being conducted in the state relative to teacher effectiveness, student performance, and instructional leadership. Additionally, the center shall establish a follow-up procedure to determine the effectiveness and job-related success of individual public school assistant principals and principals, and to correlate such effectiveness and success with the individual competencies identified by the Florida Council on Educational Management.

2. Proposals shall be evaluated by a panel consisting of the chairman of the council, the Governor or his designate, a member of the Board of Regents, a member of the Postsecondary Education Planning Commission, a member of the Florida Elementary School Principals Association, and a member of the Florida Association of Secondary School Principals. The evaluation of proposals shall include the consideration of interdisciplinary cooperation, the ability to provide the greatest benefit to the state, financial feasibility, and cooperation with state-of-the-art research efforts in the area of instructional leadership. The panel shall forward its recommendation for awarding the proposal to the council for final action.

3. The center shall be established for a period of 5 years, the first year being designated for planning purposes and the remaining 4 years for implementation.

(c) The State Board of Education, in consultation with the council, shall evaluate the center every 5 years. Should it be determined that the center is not providing benefit to the state or is failing to meet its stated goals and objectives, funding shall be withdrawn and a request for proposals shall be reissued in accordance with paragraph (b).

(d) The State Board of Education shall adopt rules to implement the provisions of this subsection.

Section 15. Subsections (2), (4), (5), and (7) of section 231.615, Florida Statutes, are amended to read:

231.615 Visiting School Scholars Program.—

(2) The following persons are eligible to participate in the Visiting School Scholars Program:

(a) Any candidate for a doctor of philosophy degree in the biological sciences, chemistry, physics, mathematics, or statistics who has completed all degree requirements except for a dissertation.

(b) Any person who has been awarded a doctor of philosophy degree in English, anthropology, biological sciences, geography, linguistics, philosophy, sociology, political science, history, chemistry, physics, mathematics, statistics, *economics,* or a foreign language; provided, however, that the degree was conferred not more than 2 years prior to the person's participation in the Visiting School Scholars Program.

(c) A person who has been awarded a Juris Doctor degree, provided that the degree was conferred not more than 2 years prior to the person's participation in the Visting School Scholars Program.

(4) Each visiting school scholar is an employee of the district in which he is working *but shall not be eligible for membership in the collective bargaining unit for instructional personnel.*

(5) The *minimum annual* salary of a visiting school scholar shall be $20,000 ~~a year~~. *Total compensation for each visiting school scholar.* ~~The funds for the salary~~ shall be provided as follows:

(a) The employing district shall pay *for all fringe benefits and at least one-half of the salary of each visiting school scholar* ~~an amount equal to its beginning salary for a teacher with a master's degree~~.

(b) From categorical funds appropriated by the Legislature for this purpose, the Department of Education shall provide *$10,000 toward the annual salary of each visiting school scholar employed by a district* ~~to the employing district funds in an amount equal to the difference between the amount of the district beginning salary for a teacher with a master's degree and $20,000~~.

(7) No person shall be a participant in the Visiting School Scholars Program for a period exceeding 1 year *as defined in s. 228.041(16).*

Section 16. Section 236.089, Florida Statutes, is amended to read:

236.089 Allocations for student development services.—The Department of Education shall allocate an amount as prescribed annually by the Legislature to each district in the same ratio as the full-time equivalent student membership in the program categories established in s. 236.081(1)(c), exclusive of special adult general education programs of the state for the prior year, for student development services. These services may include any or all of the following: career education, elementary *and high school* guidance counselors, occupational specialists, and placement specialists.

Section 17. Section 231.532, Florida Statutes, is amended to read:

231.532 District quality instruction incentives programs.—There is established the quality instruction incentives program. The *goals* ~~purposes~~ of this program are to increase the performance of public school students and to provide economic incentives to instructional personnel, *and other personnel as specified in paragraph (3)(f),* based upon approved district incentive plans.

(1) *The district quality instruction incentives program shall be staffed and administered by the Department of Education. The department shall have the duty to:*

(a) Review and approve or disapprove all district program proposals submitted by school districts and to assist school districts in compliance with and implementation of this section.

(b) Develop model statistical procedures and computer programs to assist districts in carrying out the provisions of paragraph (3)(f).

(c) Advise and assist the Legislature in the development, implementation, and evaluation of the program, including submission of recommendations for modifications, as deemed appropriate, to the program.

(d) Recommend to the Governor and the Legislature in a timely manner an appropriate level of funding and distribution of funds to be appropriated for the programs under this section during the 1985-1986 school year and thereafter.

(e) Conduct other duties as provided in this section. ~~The Florida Quality Instruction Incentives Council, established pursuant to s. 231.531, shall have the duty to review, and recommend to the Department of Education approval or disapproval of, all district program proposals submitted by school districts and to make recommendations, if necessary, for assisting school district compliance with the goals, baseline eligibility standards, and incentive program categories established by this section.~~

(2) Each school district is authorized to adopt a quality instruction incentives program which is designed to implement the *provisions* ~~goals~~ of this section. Any district which adopts a program in compliance with the provisions of this section shall be entitled to state funding of the program within the district as provided in subsection *(4)*~~(5)~~.

(a) In order for a district to qualify for state funding of its program, the program adopted in the district must be designed to meet the program goals specified in this section, must be free from racial or other prohibited discrimination, must provide for voluntary participation by eligible ~~instructional~~ personnel, ~~and~~ must be of no more than 1 year in *duration, shall be submitted to the Department of Education for approval before October 1 of each year, and shall provide for the expenditure of at least 50 percent of the allocated funds for the category specified in paragraph (3)(f).* Under such programs, awards may be made only to personnel who return to employment with a school district the year following the year on which the award is based or to personnel who retire, and all awards shall be made in October of the school year following the school year on which the awards are based. *To be approved as meeting the program goals,* a local program *must provide* ~~shall presumptively meet the program goals if it includes the baseline eligibility standards specified in subsection (3) and provides~~, at a minimum, *for distribution of all of the funds allocated to the district under this section* ~~awards to eligible personnel~~ on the basis of *paragraph (3)(f) and, if so provided in the program, one or more of the other categories provided in subsection (3)* ~~one or more of the categories specified in subsection (4)~~; provided the final determination of whether any local program meets the *program goals and other* criteria required for such programs~~, regardless of whether or not the program complies with the provisions of subsections (3) and (4),~~ shall be made by the Department of Education in accordance with the procedures specified herein. The development and adoption of local programs shall be subject to the provisions of chapter 447; provided that *implementation and state funding of a program shall be contingent upon its agreement and ratification by both the employer and employees pursuant to s. 447.309 and its subsequent approval by the department pursuant to paragraph (b) as meeting the requirements of this section* ~~compliance review of a program pursuant to paragraph (b) shall be sought prior to the submission of a proposed agreement incorporating a program for ratification pursuant to s. 447.309(1) or s. 447.403(4)(c).~~ *The provisions of s. 447.403 shall not apply to local programs developed for the purposes of implementing the provisions of this section in conjunction with state funding.*

(b) *After ratification, a proposed local program shall be submitted to the department for evaluation of whether the program meets the requirements specified in this section.* State funding of a local program shall be contingent upon a determination by the department that the program meets the *requirements of this section* ~~statutory program goals. Such determination shall be made by the department as follows:~~

~~1. A proposed local program shall be submitted to the council for evaluation of whether the program meets the program goals specified in this section. The council shall forward to the department its findings and recommendations regarding the proposed plan, and the department shall make the final determination with regard to whether the proposed plan is in compliance with the provisions of this section.~~

1.2. The determination by the department shall be forwarded to the school district and shall consist of a certificate of compliance with the statutory requirements or a notice of noncompliance. *Such determination and issuance of a certificate of compliance or a notice of noncompliance for a proposed local program shall be completed by the department no later than 30 days after receipt of the proposed local program by the department.* A notice of noncompliance shall specify the deficiencies of the proposed program and shall include specific recommendations for correction of the deficiencies.

2.3. If a notice of noncompliance is issued with respect to a proposed program, subsequent proposals may be submitted for review, *subject to the time limitations specified in paragraph (a).* ~~If a proposed local program for which no certificate of compliance has been issued is adopted in a district, no state funds shall be released for funding the program until the program has been subjected to a program compliance review by the department and has been found to meet the statutory requirements.~~

(c) Utilization of funds under all programs adopted pursuant to this section shall be subject to audit by the Auditor General pursuant to chapter 11. A finding of noncompliance in a district shall result in a pro rata negative adjustment of the state funding for the program of that district for the subsequent year.

~~(3) The quality instruction incentives program of a school district may provide the following baseline eligibility standards, all of which must be met before any member of the instructional staff may participate in the incentives program under the provisions of this section:~~

~~(a) A satisfactory annual assessment by the principal, pursuant to s. 231.29.~~

~~(b) One year's teaching experience.~~

~~(c) Possession of a regular certificate, in-field.~~

~~(d) In-field requirements as follows:~~

~~1. Successful completion of 10 semester hours of in-field postgraduate college credit at an institution accredited by an agency holding membership in the Council on Postsecondary Accreditation. At least 7 semester hours of such courses must be offered by full-time faculty members. The semester-hour requirements may also be met through successful completion of approved inservice programs pursuant to s. 236.0811.~~

~~2. Subject area test results as specified in s. 231.534 shall be used to determine eligibility requirements for certification of associate master teachers and master teachers pursuant to s. 231.533.~~

~~(e) Employment full-time.~~

(3)~~(4)~~ *In order to be approved,* the ~~approved~~ quality instruction incentives program of a school district *shall* ~~may~~ provide awards ~~to qualified personnel~~ based on *the category specified in paragraph (f) and it may also provide awards on the basis of* one or more of the *other* following categories:

(a) Outstanding attendance.

(b) Employment in a critical teacher shortage subject area, as determined by rules of the State Board of Education.

(c) Employment in a critical teacher shortage area school site, as determined by rules of the State Board of Education.

(d) Completion of *a minimum of 8* 3 semester hours of in-field credit with a grade of "B" or better, at *a standard* ~~an~~ institution *as defined in State Board of Education rules* ~~and with faculty as provided in paragraph (3)(d)~~.

(e) Superior evaluation results on a performance evaluation which utilizes reliable, valid, and normed instruments. All such evaluations shall be conducted every 3 years unless the person being evaluated receives an unsatisfactory annual evaluation by his *or her* principal, pursuant to s. 231.29. Evaluations shall be conducted by *the person's* ~~three-member teams composed of a~~ principal, *who may elect other objec-*

tive evaluation criteria approved by the district superintendent ~~a teacher, and an individual who is not employed by the school district and has special knowledge of the teacher's subject area. Two out of three evaluators must rate the employee superior in order for the employee to be eligible for this category for a 3-year period.~~ *The principal* ~~All such evaluators~~ shall be successfully trained in the use of the performance evaluation system.

(f) *Employment at a meritorious school. Such schools shall be selected, in part, by being at least in the upper quartile of district schools in terms of their relative or expected rate of student gain as measured by standardized tests of verbal and quantitative achievement. However, when too few elementary schools, middle schools, junior high schools, or senior high schools exist within a district to determine the upper quartile, that school's meritorious designation shall be determined, in part, by the degree to which actual, aggregate student scores on the standardized achievement tests specified in this paragraph exceed predicted scores. The school selection process shall be evaluated by the department to determine that the district's procedures have assured to the fullest extent possible that:*

1. All participating schools, regardless of socioeconomic differences and grade levels, have an equal chance to be recognized as meritorious.

2. The local evaluation and measurement procedures not be such that the same schools would tend to be selected each year, or that it would be too difficult for a school to be selected twice in a row.

3. The procedures are fair and nonbiased.

4. In addition, a standard or standards shall be selected from at least one of the following measurement categories:

a. Standardized tests such as the national physical fitness test or the state student assessment tests.

b. Participation standards such as membership in formal school support organizations or student participation in science fairs.

c. Achievement standards such as vocational placements or winners of district, regional, or state competitions.

d. Discipline standards such as suspension rates or attendance rates.

Each program approved under this section shall include provisions for recognizing student progress at meritorious schools. Noninstructional personnel and school-level administrators and supervisors may be included under the provisions of this paragraph. ~~Employment at a school center where the school average for the rate of academic gain of the students, as measured by standardized tests, is greater than the mathematically predicted school achievement expectancy. This process shall include, but not be limited to, an analysis of regression equations constructed on data files for each school center, with the following minimum factors:~~

~~1. Previous achievement data based upon nationally normed achievement tests.~~

~~2. Free and reduced lunches.~~

~~3. Proportion of students under chapter I of the Education Consolidation and Improvement Act of 1981.~~

~~4. Proportion of mentally handicapped students.~~

~~5. Teacher turnover rate.~~

~~6. Proportion of student transfers by type.~~

~~7. Proportion of non-English speaking students.~~

~~8. Single parent households.~~

~~9. Other factors which may be identified by the council.~~

(g) State policy objectives as determined periodically by the Legislature. Salary incentives shall be available for mathematics, science, and computer education personnel for the extended school day and extended school year. The *department* ~~council~~ shall develop guidelines necessary to implement the policy objectives.

(h) Other categories related to the goals and other requirements set forth in this section.

(4)~~(5)~~(a)1. There is created the Quality Instruction Incentives Trust Fund for the purpose of financing quality instruction incentives programs in conformance with approved plan proposals as provided in this section and s. 231.533. The Commissioner of Education shall administer the trust fund. In distributing funds as provided in this section, the commissioner shall take appropriate steps to ensure appropriate distribution of funds. The commissioner shall report a summary of all distributions to the State Board of Education, the President of the Senate, and the Speaker of the House of Representatives.

2. The moneys placed in the trust fund shall consist of moneys appropriated by the Legislature, moneys received from the Federal Government, and moneys received from any other public or private source. Interest earned on funds within the trust fund shall be invested and reinvested in accordance with s. 215.535.

3. Warrants for grants from the trust fund, as provided in this section, shall be issued by the Comptroller upon certification by the Commissioner of Education that such payments are due and payable under the provisions of this section and applicable rules of the State Board of Education.

(b) *Each district's share of the funds appropriated by the Legislature to this trust fund shall be calculated by the department within 10 days of the effective date of the appropriation, based upon the district's pro rata share of weighted FTE students. Funds for approved district plans shall be allocated by the department to the districts by January 1, on a pro rata weighted FTE student basis. Any remaining funds appropriated by the Legislature in a given fiscal year for the purposes of this section shall be reallocated to districts with approved plans on a pro rata weighted FTE student basis.* ~~The funds appropriated by the Legislature to this trust fund for the purposes of this section shall be distributed through the Florida Education Finance Program on a pro rata student basis, unless modified by rules prescribed by the State Board of Education. Funds for this section shall not be distributed until a district plan has been found by the Department of Education to be in compliance with the provisions of this section pursuant to subsection (2). Funds appropriated to the trust fund pursuant to s. 231.533 shall be distributed pursuant to the provisions of that section. Any amounts remaining in the trust fund, including interest on trust funds, shall remain in the trust fund until designated otherwise by the Legislature.~~

(c) It is the intent of the Legislature that the funds appropriated for this section be expended in districts pursuant to this section. Funds distributed to personnel shall be considered performance awards, bonuses, or incentive pay and are not part of the regular salary schedule, nor shall such funds be used to supplant any portion of any employee's salary.

(5)~~(6)~~ This section shall be implemented in the *1984-1985* ~~1983-1984~~ school year and thereafter only to the extent as specifically funded and authorized by law.

Section 18. Section 231.533, Florida Statutes, is amended to read:

231.533 *State Master Teacher* ~~Florida Meritorious Instructional Personnel~~ Program.—There is established the *State Master Teacher* ~~Florida Meritorious Instructional Personnel~~ Program, the purpose of which is to recognize superior ability among Florida's instructional personnel and to provide an economic incentive to such personnel to continue in public school instruction. A person may participate in the program as an associate master teacher or as a master teacher; such participation *shall* ~~will~~ be voluntary.

(1) To qualify as an associate master teacher, a person *shall* ~~must~~:

(a) Document 4 years' teaching experience, at least 2 years of which must be in this state, and hold a professional service contract or a continuing contract.

(b)*1.* Document completion of a master's degree in-field, as defined by rules of the State Board of Education, in the subject area in which the majority of teaching duties occur, *or hold a valid poststandard certificate or a valid regular certificate at the vocational level of training.* The master's degree must be obtained from *a standard* ~~an~~ institution *as defined by State Board of Education rules* ~~accredited by an agency holding membership in the Council on Postsecondary Accreditation, and two-thirds of the courses required for completion of the degree must be offered by full-time faculty members.~~ For a *member of the instructional staff* ~~teacher~~ holding a master's degree out-of-field *in August 1984* ~~on~~

~~July 12, 1983~~, 15 semester hours at the graduate level in-field, as defined by rules of the state board, must be successfully completed for eligibility; *or*.

2. Document a superior score on the appropriate subject area examination. Notwithstanding the provisions of subparagraph 1. which specifies the master's degree, poststandard certificate, and regular vocational certificate, when a subject area examination is approved pursuant to s. 231.534, the provisions of this subparagraph shall supersede the provisions of subparagraph 1. with respect to instructional personnel to whom the subject area examination applies.

(c)*1.* Document superior performance evaluation *as determined by the Department of Education. Except as provided in subparagraph 2., the evaluation shall be conducted by the applicant's principal using a reliable, valid, and normed performance evaluation system approved by the State Board of Education. Upon proper completion of training, the principal shall be designated by the department as having been successfully trained in the use of the performance evaluation system. The State Board of Education shall prescribe rules to delineate a uniform state appeals process and a reevaluation process for applicants who choose to contest their evaluation scores. The Governor shall recommend and the State Board of Education shall approve such rules by October 1, 1984. Such rules shall provide for reevaluation by a third party successfully trained in the use of the performance evaluation system and jointly agreed upon by the applicant and the principal, and approved by the district superintendent. In the event that the State Board of Education does not explicitly approve such rules by October 1, 1984, the Governor, within 30 days, shall prescribe appeals guidelines which shall prevail in lieu of the rules set forth herein.* ~~, pursuant to s. 231.532, by a three-member district-level evaluation team, including one principal, one teacher, and one individual who is not employed by the school district and has special knowledge of the teacher's subject area.~~

2. If after conducting the evaluation of an applicant pursuant to the performance evaluation system the principal determines that the system does not adequately recognize the performance of the applicant, the principal may, upon stated reasons, recommend additional evaluation points for the applicant. In such event, the evaluation shall be subject to review and approval by a third party, successfully trained in the use of the performance evaluation system and approved by the Commissioner of Education.

~~(d) Document outstanding attendance pursuant to s. 231.532.~~

Documentation pursuant to this subsection shall be ~~approved by the district school board and~~ forwarded to the Commissioner of Education for review and approval or disapproval. The associate master teacher designation shall be for a term of 3 years, contingent upon successful performance of assigned responsibilities. *However, the designation term of any associate master teacher whose qualification included documentation pursuant to subparagraph (b)1. shall expire if the teacher fails to take or achieve a superior score on the applicable subject area examination when the same is initially offered during the 3-year term.* The associate master teacher designation may be renewed upon satisfactory demonstration of the criteria set forth in this subsection. The associate master teacher designation shall be transferable among the school districts of this state.

(2) To qualify as a master teacher, a person must:

(a) Document 7 years' teaching experience, at least 5 years of which must be in this state, and hold a professional service contract or a continuing contract.

(b) Document at least 3 years' experience as an associate master teacher.

(c) *Document the degree or educational requirements and subject area test results, as specified in subparagraphs (1)(b)1. and 2.* ~~Document completion of 15 semester hours in field at the graduate level, above the requirements for designation as an associate master teacher, at an institution accredited by an agency holding membership in the Council on Postsecondary Accreditation in the subject area in which the majority of teaching duties occur.~~

(d) Document *outstanding* ~~superior~~ performance evaluation *results as provided in paragraph (1)(c); provided, however, that the results shall exceed those designated for the attainment of the associate master teacher status.* ~~, pursuant to s. 231.532, by a three-member district-level evaluation team, including one principal, one teacher, and one individual who is not employed by the school district and has special knowledge of the teacher's subject area.~~

~~(e) Document outstanding attendance pursuant to s. 231.532.~~

Documentation pursuant to this subsection shall be ~~approved by the district school board and~~ forwarded to the Commissioner of Education for review and approval or disapproval. The master teacher designation shall be for a term of 3 years, contingent upon successful performance of assigned responsibilities. The master teacher designation may be renewed upon satisfactory demonstration of the criteria set forth in this subsection. The master teacher designation shall be transferable among the school districts of this state.

(3) Upon selection by the Commissioner of Education, the State Board of Education shall issue an appropriate endorsement which shall be recognized among all the school districts of this state.

(4) Funds for the *State Master Teacher* ~~Florida Meritorious Instructional Personnel~~ Program shall be annually appropriated by the Legislature *and the number of associate master teachers and master teachers shall be determined by the annual appropriation.* Such funds shall be deposited into the Quality Instruction Incentives Trust Fund and administered by the Commissioner of Education pursuant to s. 231.532. Salary incentives for approved associate master teachers and approved master teachers shall be forwarded directly to such personnel, unless modified by rules prescribed by the State Board of Education.

(5) *The Governor shall recommend and* the State Board of Education shall adopt rules for the *State Master Teacher* ~~Florida Meritorious Instructional Personnel~~ Program as are necessary for its administration, determination of eligibility of individuals to receive awards and amounts of awards, and proper expenditure and appropriate distribution of funds *for associate master teachers and master teachers. In the event that the State Board of Education does not explicitly adopt such rules within 30 days of receipt of the recommendation, the Governor shall provide guidelines which shall prevail in lieu of such rules.*

(a) An annual award of $3,000 shall be distributed to eligible associate master teachers in two payments of $1,500 each, with such awards to be made in June and September of the same calendar year, with the first payments to be made in June 1985. State Board of Education rules shall provide for the associate master teacher endorsement to be granted to the most highly qualified instructional personnel as determined by an appropriate score on the performance evaluation system from the pool of applicants who have successfully passed the other qualifying criteria specified in subsection (1).

(b) In no case shall awards be in amounts less than specified in this subsection.

(6) This section shall be implemented in the *1984-1985* ~~1983-1984~~ school year ~~and thereafter only to the extent as specifically funded and authorized by law~~.

Section 19. Section 231.534, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 231.534, F.S., for present text.)

231.534 Subject area examination.—

(1) The Institute for Instructional Research and Practice and Student Educational Evaluation and Performance shall be responsible for developing, and revising as necessary, the subject area examinations, procedures, and qualifying scores to implement s. 231.533. By August 31, 1984, the institute shall identify and the Governor shall approve the initial examination subject areas to be developed. Revisions of the examinations and qualifying scores shall be determined periodically by the Governor to ensure the timely and orderly full implementation of the State Master Teacher Program.

(2) The Governor shall recommend to the State Board of Education, for its approval by February 15, 1985, and by February 15 each year thereafter, subject area examinations and qualifying scores for the State Master Teacher Program. In the absence of explicit approval by the State Board of Education of subject area examinations and scores by the date set forth in this subsection, the Governor shall provide such approval within 30 days after said date. In the event the Governor determines there is no appropriate examination for a subject area, the requirements of s. 231.533(1)(b)2. shall be waived until such examination is approved.

(3) The district school boards, instructional personnel, and the Department of Education shall cooperate to the fullest extent possible with the institute, the Governor, the Commissioner of Education and the State Board of Education to ensure that subject area examinations are available within the timelines set forth in this section.

Section 20. Section 236.1227, Florida Statutes, is amended to read:

236.1227 ~~Extended School Day and~~ Quality Instruction Incentive Categorical Program.—There is created the ~~Extended School Day and~~ Quality Instruction Incentive Categorical Program. The purpose of this program is to provide funding for the implementation of ss. ~~231.531,~~ 231.532 *and*, ~~*,*~~ 231.533~~, and 231.534~~, relating to ~~the Florida Quality Instruction Incentives Council~~, the district quality instruction incentives programs *and*, ~~*,*~~ the *State Master Teacher* ~~Florida Meritorious Instructional Personnel~~ Program~~, and subject area test development, and funding for the addition of a seventh period in public secondary schools~~.

Section 21. Section 231.531, Florida Statutes, as created by chapter 83-327, Laws of Florida, and as amended by chapter 83-348, Laws of Florida, is hereby repealed effective June 30, 1984.

Section 22. Subsection (7) of section 232.246, Florida Statutes, is amended to read:

232.246 General requirements for high school graduation.—

(7) The state board, after a public hearing and consideration, shall make provision 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 when such skills are the factors the test purports to measure~~.

Section 23. Subsection (1) of section 232.2465, Florida Statutes, is amended to read:

232.2465 Florida Academic Scholars' Program.—For the purpose of recognizing and rewarding outstanding performance and academic achievement on the part of public school students, nonpublic school students, and developmental research school students, the Commissioner of Education shall award to each high school graduate who meets the requirements specified herein, and as further specified by the State Board of Education, a special certificate recognizing and designating the graduate as a Florida Academic Scholar.

(1) In order to qualify as a Florida Academic Scholar, a student must:

(a) Effective with the 1983-1984 school year, complete a program of at least two more credits than the minimum number of credits required for high school graduation in advanced-level studies in grades 9 through 12 as prescribed by the State Board of Education, including as a minimum:

1. Four years of progressively advanced instruction in language arts, including courses in English composition and literature;

2. Four years of progressively advanced instruction in science, including laboratory courses in biology, chemistry, and physics where laboratory facilities are available;

3. Four years of progressively advanced instruction in mathematics, including courses in algebra and geometry and calculus or trigonometry;

4. Two years of sequential foreign language;

5. One year of instruction in art and music or in either art or music;

6. Three years of instruction in social studies, including courses in American history and government, world history, and comparative political and economic systems; and

7. One year of instruction in health and physical education to include assessment, improvement, and maintenance of personal fitness.

(b) Demonstrate mastery of the performance standards and basic skills required by s. 232.246(1)(a) and (b).

(c) For the purpose of this section, nonpublic school students shall be exempt from the provisions of (b), but shall have achieved a score of 1200 on the combined verbal and quantitative parts of the Scholastic Aptitude Test of the College Entrance Examination or an equivalent score on the American College Testing Program.

Section 24. Section 240.117, Florida Statutes, is amended to read:

240.117 *College preparatory* ~~Remedial and developmental~~ instruction in community colleges and state universities.—

(1) On or before June 30, 1984, from tests currently in use in community colleges and universities, the State Board of Education shall specify common placement tests and testing procedures which will assess the basic computation and communication skills of students *intending to enter a degree program at any* ~~entering all~~ public community *college or* ~~colleges and~~ state *university* ~~universities~~. *Effective July 1, 1985,* the state board shall adopt scores below which a student is determined to need *additional preparation* ~~remediation~~. The State Board of Education shall adopt rules which enable the community colleges or state universities to implement appropriate modifications of the test instruments or test procedures for exceptional students.

(2) *Effective July 1, 1985,* community college or state university students who have been identified as requiring *additional preparation* ~~remediation~~ pursuant to subsection (1) shall enroll in *college preparatory adult education pursuant to s. 228.072 in community colleges* ~~remedial courses~~ to develop needed *college-entry* skills. These students shall be permitted to take courses concurrently in other curriculum areas for which they are qualified while enrolled in *college preparatory instruction* ~~remedial~~ courses. Credit awarded for *college preparatory instruction* ~~remedial courses~~ may not be counted towards fulfilling the number of credits required for a degree. *State university administrators may contract with community college boards of trustees for the community college to provide such instruction on state university campuses. Any state university in which the percentage of incoming students requiring college preparatory instruction equals or exceeds the average percentage of such students for the community college system may offer college preparatory instruction without contracting with a community college until the year 1990.*

~~(3) By August 1, 1990, remedial education courses in community colleges shall be limited to:~~

~~(a) Education of older students wishing to enter the associate in arts program who are deficient in basic academic skills and who are 5 years or more out of sequence from high school graduation.~~

~~(b) Correcting academic deficiencies which prevent a student from benefiting from vocational instruction.~~

~~(4) By August 1, 1990, all postsecondary remedial education not authorized in subsection (3) shall be the responsibility of district school boards, pursuant to s. 233.051.~~

Section 25. Paragraphs (c) and (d) of subsection (3) of section 240.209, Florida Statutes, are amended to read:

240.209 Board of Regents; powers and duties.—

(3) The board shall:

(c) *Prepare* ~~Review~~ the legislative budget requests, including fixed capital outlay requests, *in accordance with chapter 216 and s. 235.41* ~~from each university and, subject to provisions of applicable law, present an aggregated budget for the State University System with recommendations for modifications to the budget request of each university~~. The board shall provide to the individual universities fiscal policy guidelines, formats, and instructions for *the development of individual university budget requests* ~~each budget request, developed in accordance with chapter 216 and s. 235.41~~.

(d) Set the specific in-state and out-of-state student tuition and matriculation fees which will generate an amount sufficient to equal the total matriculation and tuition fee revenues which shall be established annually in the General Appropriations Act. The board is authorized to collect for financial aid purposes an amount not to exceed 5 percent of the student tuition and matriculation fee, *on a per credit hour basis.* The revenues from fees are to remain at each campus and replace existing financial aid fees. *A minimum of 50 percent of these funds shall be used to provide financial aid based on absolute need* ~~Financial need and academic merit shall be given~~ ~~primary~~ ~~consideration by each university in making awards~~. *A student who has received an award prior to July 1, 1984, shall have his eligibility assessed on the same criteria used at the time of his original award. Each university shall report annually to the Board of Regents and the Department of Education on the criteria used to make awards and the amount and number of awards for each criterion and a delineation of the distribution of such awards.*

Section 26. Subsection (2) of section 240.227, Florida Statutes, is amended to read:

240.227 Universities; powers and duties.—Effective July 1, 1979, each university shall have the power and duty to:

(2) Prepare a ~~legislative~~ budget request to be transmitted to the Board of Regents ~~and the Legislature and to be presented by the president to the Board of Regents~~. Such request shall be prepared in accordance with the fiscal policy guidelines, formats, and instructions ~~for analysis~~ as prescribed by the Board of Regents ~~in accordance with chapter 216 and s. 235.41~~.

Section 27. Subsection (15) is added to section 240.241, Florida Statutes, to read:

240.241 Divisions of sponsored research at state universities.—

(15) Notwithstanding the provisions of s. 216.262(1)(a), each division of sponsored research is authorized, upon approval of the Board of Regents, to establish additional positions as needed to implement new contracts and grants, but in no instance shall such positions become permanently established without legislative approval.

Section 28. Section 240.242, Florida Statutes, is created to read:

240.242 University leasing in affiliated research and development park.—A university shall be exempt from the requirements of s. 255.25(3), (4), and (8), which requirements are made applicable to the State University System pursuant to s. 240.225, when leasing educational facilities in a research and development park with which said university is affiliated under the provisions of s. 23.1491.

Section 29. Section 240.152, Florida Statutes, is created to read:

240.152 Florida Endowment Fund for Higher Education.—

(1) SHORT TITLE.—This section shall be known and may be cited as the "Florida Endowment Fund for Higher Education Act."

(2) CREATION; PURPOSE.—The Florida Endowment Fund for Higher Education, a not-for-profit statutory corporation, is created from the endowment of the McKnight Foundation and from moneys derived from investments of such endowment gifts and other gifts as provided by Florida statute and appropriate matching funds as provided by the State of Florida. Specifically, the directors of the McKnight Foundation shall provide an endowment gift of $10 million and the State of Florida shall match it with a gift of $5 million to create an endowment fund. The endowment fund shall be fully matched and completed no later than July 1, 1986, with the following matching amounts completed by the designated dates: The state shall provide $2.5 million no later than July 1, 1984, an additional $1.5 million no later than July 1, 1985, and an additional $1 million no later than July 1, 1986; and the McKnight Foundation shall provide $5 million no later than July 1, 1984, an additional $3 million no later than July 1, 1985, and an additional $2 million no later than July 1, 1986. The Florida Endowment Fund for Higher Education shall use the income of the endowment fund to provide for programs which seek to:

(a) Enhance the quality of higher educational opportunity in Florida;

(b) Enhance equality by providing access to effective higher education programs for minority and economically deprived individuals in Florida, with particular consideration to be given to the needs of both blacks and women; and

(c) Increase the representation of minorities in faculty and administrative positions in higher education in Florida and to provide more highly educated minority leadership in Florida business and professional enterprises.

(3) ESTABLISHMENT OF BOARD OF DIRECTORS.—The Florida Endowment Fund for Higher Education shall be administered by a board of directors, which is hereby established.

(a) The board of directors shall consist of 12 members, to be appointed as follows:

1. Two lay persons appointed by the Governor;

2. Two lay persons appointed by the President of the Senate;

3. Two lay persons appointed by the Speaker of the House of Representatives;

4. Two representatives of the State University System appointed by the Board of Regents;

5. Two representatives of the State Community College System appointed by the State Board of Community Colleges; and

6. Two representatives of independent colleges or universities appointed by the State Board of Independent Colleges and Universities.

(b) Each of the educational sectors in paragraph (a) shall be represented by a president and a faculty member of the corresponding institutions.

(c) Each director shall hold office for a term of 3 years or until resignation or removal for cause. A director may resign at any time by filing his written resignation with the executive secretary for the board. The terms of the directors shall be staggered so that the terms of one-third of the directors expire annually.

(d) In the event of a vacancy on the board caused by other than expiration of a term, a new member shall be appointed by the appointing entity in whose sector the vacancy occurs.

(e) Each member is accountable to the Governor for the proper performance of the duties of his office. The Governor shall cause to be investigated any complaint or unfavorable report received concerning an action of the board or any of its members and shall take appropriate action thereon. The Governor may remove any member from office for malfeasance, misfeasance, neglect of duty, incompetence, permanent inability to perform official duties, or pleading nolo contendere to, or being found guilty of, a crime.

(4) POWERS AND DUTIES OF BOARD.—The Board of Directors of the Florida Endowment Fund for Higher Education shall review and evaluate initial programs created by the McKnight Foundation and continue funding the Black Doctorate Fellowship Program and the Junior Fellowhip Program if the evaluation is positive, and shall identify, initiate, and fund new and creative programs and monitor, review, and evaluate those programs. The purpose of this commitment shall be to broaden the participation and funding potential for further significant support of higher education in Florida. In addition, the board shall:

(a) Hold such meetings as are necessary to implement the provisions of this section.

(b) Select annually a chairperson.

(c) Adopt and use an official seal in the authentication of its acts.

(d) Make rules for its own government.

(e) Administer this section.

(f) Appoint an executive director to serve at its pleasure and perform all duties assigned by the board. The executive director shall be the chief administrative officer and agent of the board.

(g) Maintain a record of its proceedings.

(h) Delegate to the chairperson of the board the responsibility for signing final orders.

(i) Utilize existing higher education organizations, associations, and agencies to carry out its educational programs and purposes with minimal staff employment.

(j) Be empowered to enter into contracts with the Federal Government, state agencies, or individuals.

(k) Receive bequests, gifts, grants, donations, and other valued goods and services. Such bequests and gifts shall be used only for the purpose or purposes stated by the donor.

(5) TRUST FUND.—The board of directors shall be authorized to establish a trust fund from the proceeds of the Florida Endowment Fund for Higher Education. All funds deposited into the trust fund shall be invested pursuant to the provisions of s. 215.47. Interest income accruing to the unused portion of the trust fund shall increase the total funds available for endowments. The Department of Education may, at the request of the board of directors, administer the fund for investment purposes.

(6) INTENT.—It is the intent of the Legislature that the Board of Directors of the Florida Endowment Fund for Higher Education recruit eligible residents of the state before it extends its search to eligible nonresidents. It is further the intent of the Legislature that the board of directors establish service terms, if any, that accompany the award of moneys from the fund.

Section 30. Paragraph (h) of subsection (3) of section 240.311, Florida Statutes, is amended, and paragraphs (m), (n), and (o) are added to said subsection to read:

240.311 State Board of Community Colleges; powers and duties.—

(3) The State Board of Community Colleges shall:

(h) Establish an effective information system which will provide composite data about the community colleges and assure that special analyses and studies about the colleges are conducted, as necessary, for provision of accurate and cost-effective information about the colleges and about the community college system as a whole. *A component of this information system shall be an annual report from each community college to the State Board of Community Colleges on its progress towards meeting state and institutional quality goals. Such reports shall be based upon information from the prior academic year and shall contain:*

1. Interpretation and analysis of student progress, including grade-point average data and College-Level Academic Skills Test information.

2. Follow-up information, including success of graduates in upper division university programs or placement rates of graduates in related employment fields.

3. Information on the needs of the community college and its students.

4. Information on college salaries and fringe benefits.

5. A report on college travel expenditures.

6. A report on the expenditure of funds raised by community college direct-support organizations.

The annual report shall be submitted to the State Board of Community Colleges by November 1 each academic year, and it shall clearly show the progress in each area from one year to the next. The report shall be reproduced and made available at the least possible cost and may be issued in a series or as part of existing college publications.

(m) Develop and adopt guidelines relating to salary and fringe benefit policies for community college administrators, including community college presidents.

(n) Develop and adopt guidelines relating to official travel by community college employees.

(o) Shall receive an annual administrative review of each community college. Such review shall include, but not be limited to, the administrator to faculty ratio, percent of funds for administrative costs in the total budget, percent of funds in support programs compared to the percent of funds in instructional programs, and may include such other indicators of quality as are necessary. The review shall also include all courses offered by a community college outside of its district. Courses outside of the home district which are not approved by the State Board of Community Colleges shall not be counted for funding purposes or to meet enrollment assignments.

Section 31. Section 240.35, Florida Statutes, is amended to read:

240.35 Student fees.—

(1) *The State Board of Community Colleges shall establish the matriculation and tuition fees for each of the following program categories:*

(a) Credit instruction which may be counted toward an associate or higher degree. This category includes advanced and professional and postsecondary vocational programs.

(b) Noncredit instruction which shall not be counted toward an associate or higher degree. This category includes but is not limited to postsecondary adult and supplemental vocational and developmental programs. The developmental program shall include adult basic and high school, college preparatory, and vocational preparatory instruction.

(2) Unless otherwise provided by law, all students enrolled shall pay matriculation and tuition fees. Unless otherwise provided by law, any student enrolled who does not pay the required fee shall not be counted for state funding purposes.

(3) Fees for college preparatory and vocational preparatory instruction shall be charged as provided in s. 228.072. When both types of students are enrolled in the same class section for the college or vocational preparatory instruction, a community college may charge a single fee to both types of students. For 1984-1985, no college shall be required to increase or decrease the fees charged for college and vocational preparatory programs in 1983-1984.

(4) Unless specifically provided in the General Appropriations Act, the State Board of *Community Colleges* ~~Education~~ shall establish the average matriculation *and*~~,~~ tuition~~, and noncredit~~ fees required to generate at least the amount of revenue established annually in the General Appropriations Act *for credit and noncredit instruction programs as defined in this section.* Each community college board of trustees shall establish matriculation, tuition, and noncredit fees, which may vary no more than 10 percent from this statewide average rounded to the nearest one-fourth dollar. For those community colleges which have a 1982-1983 matriculation level of $16 or below per credit hour or $10 or below per noncredit hour, the boards of trustees may have until 1984-1985 to establish a fee level within 10 percent of the statewide average. Adult basic, general equivalency diploma, and secondary discipline data may not be used in the calculation in these averages. Tuition for an out-of-state resident shall be at least twice the amount of tuition for a state resident *for both credit and noncredit programs. Supplemental vocational programs may charge differential fees if the annual average fee for all programs varies no more than 10 percent from the fee established by the State Board of Community Colleges.*

(5)~~(2)~~ Each community college district board of trustees may establish separate activity and service fees *not to exceed 10 percent of the matriculation fee,* according to rules of the State Board of Education. The student activity and service fee shall be collected as a component part of the registration and tuition fees. The student activity and service fees shall be paid into a student activity and service fund at the community college and shall be expended for lawful purposes to benefit the student body in general. These purposes shall include, but shall not be limited to, student publications and grants to duly recognized student organizations, the membership of which is open to all students at the community college without regard to race, sex, or religion.

(6) The State Board of Community Colleges in conjunction with the Board of Regents shall recommend a student matriculation and tuition fee policy to the Legislature on or before January 15, 1985.

(7)~~(3)~~(a) Each community college is authorized to collect for financial aid purposes an additional amount up to, but not to exceed, 5 percent of the total student tuition or matriculation fees collected. However, if the amount generated by the additional 5 percent is less than $50,000, the community college shall have the authority to transfer from the general current fund to the scholarship fund an amount equal to the difference between $50,000 and the amount generated by the additional 5 percent of the total student tuition and matriculation fees. *No other transfer from the General Current Fund to Scholarship, Endowment, or Loan Funds, by whatever name known, are authorized.*

(b) All funds collected under this program shall be placed in the loan and endowment fund or scholarship fund of the college, by whatever name known.

(c) Up to 25 percent or $50,000, whichever is greater, of the fees collected may be used to assist students in athletics, public service, cultural arts, and other extracurricular programs as determined by the institution. *A minimum of 50 percent* ~~Use~~ of the balance of these funds shall be *used to provide* ~~limited to meeting~~ financial *aid based on absolute need* ~~need and recognizing academic merit. Each community college shall establish criteria for student eligibility.~~ *A student who has received an award prior to July 1, 1984, shall have his eligibility assessed on the same criteria used at the time of his original award. The State Board of Community Colleges shall develop criteria for making financial aid awards. Each college shall report annually to the Department of Education on the criteria used to make awards and the amount and number of awards for each criterion and a delineation of the distribution of such awards. Awards based on financial need shall be distributed in accordance with a nationally recognized system of need analysis approved by the State*

Board of Community Colleges. Awards for academic merit shall require a minimum overall grade point average of 3.0 on a 4.0 scale or the equivalent for both initial receipt and renewal.

(d) These funds may not be used for direct or indirect administrative purposes or salaries.

~~(4) In the allocation of funds under "Aid to Local Governments Community Colleges Program Fund," no deduction for actual student fees established herein may be applied.~~

(8)~~(5)~~ No community college may grant any fee waiver, except as authorized by law *or rules of the State Board of Education. Rules may be developed for fee waivers only when it is necessary to assure students a vocational education opportunity who have documented absolute financial needs which cannot be met by existing sources of student financial aid.*

(9) No community college may charge any fee, except as authorized by law or rules of the State Board of Education.

Section 32. Section 240.323, Florida Statutes, is amended to read:

240.323 Student records.—Rules of the State Board of *Community Colleges* ~~Education~~ may prescribe the content and custody of records and reports which a community college may maintain on its students. Such records shall be open to inspection only as provided in s. 228.093 or upon order of a court of competent jurisdiction.

Section 33. Subsection (3) of section 240.331, Florida Statutes, is amended to read:

240.331 Direct-support organizations; use of property; audit; status.—

(3) ANNUAL AUDIT.—Each direct-support organization shall make provisions for an annual postaudit of its financial accounts to be conducted by an independent certified public accountant in accordance with rules to be promulgated by the district board of trustees. The annual audit report shall be submitted to the Auditor General and the board of trustees for review. The board of trustees and the Auditor General shall have the authority to require and receive from the organization or from its independent auditor any detail or supplemental data relative to the operation of the organization. The identity of donors who desire to remain anonymous shall be protected, and that anonymity shall be maintained in the auditor's report. All records of the organization, other than *the information necessary for the annual report required by s. 240.311(3)(h)8. and* the auditor's report and supplemental data requested by the board of trustees and the Auditor General, shall not be considered public records for the purposes of chapter 119.

Section 34. Section 240.337, Florida Statutes, is amended to read:

240.337 Records of personnel.—Rules of the State Board of *Community Colleges* ~~Education~~ shall prescribe the content and custody of limited access records which a community college may maintain on its employees. Such records shall be limited to information reflecting evaluations of employee performance and shall be open to inspection only by the employee and by officials of the college who are responsible for supervision of the employee. Except as required for use by the president in the discharge of his official responsibilities, the custodian of limited access employee records may release information from such records only upon authorization, in writing, from the employee or the president or upon order of a court of competent jurisdiction.

Section 35. Section 215.425, Florida Statutes, is amended to read:

215.425 Extra compensation claims prohibited.—No extra compensation shall be made to any officer, agent, employee, or contractor after the service shall have been rendered or the contract made; nor shall any money be appropriated or paid on any claim the subject matter of which shall not have been provided for by preexisting laws, unless such compensation or claim be allowed by bill passed by two-thirds of the members elected to each house of the Legislature. However, when adopting salary schedules for a fiscal year, a district school board *or community college district board of trustees* may apply the schedule for payment of all services rendered subsequent to July 1 of that fiscal year. The provisions of this section shall not apply to extra compensation given to state employees who are included within the senior management group pursuant to rules adopted by the Department of Administration.

Section 36. Section 240.344, Florida Statutes, is created to read:

240.344 Retirement annuities authorized.—Each community college district board of trustees is hereby authorized to purchase annuities for its community college personnel with 25 or more years of creditable service who have reached age 55 and have applied for retirement under the Florida Retirement System. No such annuity shall provide for more than the total difference in retirement income between the retirement benefit based on average monthly compensation and creditable service as of the member's early retirement date and the early retirement benefit. District boards are authorized to invest funds, purchase annuities, or provide local supplemental retirement programs for purposes of providing retirement annuities for community college personnel. All such retirement annuities shall comply with s. 14, Art. X of the State Constitution.

Section 37. Section 240.363, Florida Statutes, is amended to read:

240.363 Financial accounting and expenditures.—

(1) All funds accruing to the benefit of a community college shall be received, accounted for, and expended in accordance with rules and regulations of the State Board of Education.

(2) Any internal auditor employed by a community college shall be hired by the board of trustees of the community college and shall report directly to the board.

(3) The district boards of trustees, singly or collectively, are authorized to contract with an administrator or service company approved by the Department of Insurance pursuant to chapter 626 to provide self-insurance services, including, but not limited to, the evaluation, settlement, and payment of self-insurance claims on behalf of the board or consortium of boards. Pursuant to such contract, boards may advance money to the administrator or service company to be deposited in a special account for paying claims against the board under its self-insurance program. The special account shall be maintained in a designated depository as provided by s. 136.01. The boards may replenish such account as often as necessary upon the presentation by the administrator or service company of documentation for claims paid equal to the amount of the requested reimbursement. Any contract for disbursement of funds from the special account shall insure that the payments are subject to proper disbursement controls and accounting procedures.

Section 38. Section 240.339, Florida Statutes, is amended to read:

240.339 Contracts with administrative and instructional staff.—Each person employed in an administrative or instructional capacity in a community college shall be entitled to a contract as provided by rules of the State Board of *Community Colleges* ~~Education~~.

Section 39. Section 240.347, Florida Statutes, is amended to read:

240.347 State Community College Program Fund.—There is established a State Community College Program Fund. This fund shall comprise all appropriations made by the Legislature for the support of the current operating program and shall be apportioned and distributed to the community college districts of the state on the basis of procedures established by law and regulations of the State Board of Education *and the State Board of Community Colleges.* The annual apportionment for each community college district shall be distributed monthly in payments as nearly equal as possible. *Beginning with the 1985-87 Legislative Budget Request, the prior year June 30 salary rate and adjusted expenditure data base for salaries and benefits shall be included in the budget request for the Community College Program Fund within the following categories: Instructional with subcategories including Faculty, Nonfaculty, Faculty Other Personal Services, and Nonfaculty Other Personal Services; and Noninstructional with subcategories including Administrative, Professional, Nonprofessional and Noninstructional Other Personal Services. Within the above categories and subcategories, the following shall be reported: Salaries; and Employer contributions for Retirement, Social Security, Health Insurance, Life Insurance, and other employer paid personnel benefits.*

Section 40. Paragraph (d) of subsection (3) of section 240.359, Florida Statutes, is amended to read:

240.359 Procedure for determining state financial support and annual apportionment of state funds to each community college district.—The procedure for determining state financial support and the annual apportionment to each community college district authorized to operate a community college under the provisions of s. 240.313 shall be as follows:

(3) DETERMINING THE APPORTIONMENT FROM STATE FUNDS.—

(d) If the actual enrollment for any community college is from 0 to 5 percent or 100 full-time equivalent students, whichever is greater, less than the assigned enrollment for any fiscal year, the college shall receive full funding as allocated. If the actual enrollment is more than 5 percent below the assigned enrollment for any fiscal year, the allocation of the college for direct instructional cost shall be reduced proportionately to the difference between 5 percent and the actual percentage reduction in enrollment for any fiscal year. If actual enrollment of a college exceeds the assigned enrollment, there shall be no increased allocation. *All such reductions in allocations shall be reallocated to all community colleges by the State Board of Community Colleges in the third quarter of the fiscal year on a proportional basis based on actual enrollment not including actual enrollment in excess of the assigned enrollment.*

Section 41. Section 240.362, Florida Statutes, is created to read:

240.362 Prohibited expenditures.—No community college or direct-support organization shall expend any funds, regardless of source, to purchase membership in, or goods and services from, any organization which discriminates on the basis of race, sex, religion, or national origin.

Section 42. Subsection (3) is added to section 240.404, Florida Statutes, to read:

240.404 General requirements for student eligibility for state financial aid.—

(3) Institutional policies shall allow students participating in college preparatory instruction or requiring additional time to complete the college-level communication and computation skills testing programs to continue to receive financial aid during enrollment in such instruction. Such students shall be eligible to receive financial aid for a maximum of 10 semesters or 15 quarters.

Section 43. Paragraph (a) of subsection (2) of section 240.409, Florida Statutes, is amended to read:

240.409 State Student Assistance Grant Fund created; eligibility for grants.—

(2)(a) Student assistance grants from the fund may be made only to full-time students who have been bona fide residents of this state for the preceding 2 years. Provided, a renewal applicant who was in the program prior to June 30, 1978, shall be eligible for a renewal grant for the amount of demonstrated unmet need for educational expenses only, which grant may not exceed a total of $1,200 per academic year. Such grants shall be awarded for the amount of demonstrated unmet need for tuition and fees and may not exceed a total of $1,200 per academic year to any applicant. A demonstrated unmet need of less than $200 shall render the applicant ineligible for a student assistance grant. Recipients of such grants must have been accepted at a state university or community college authorized by Florida law, a nursing diploma school approved by the Florida Board of Nursing, or any Florida college, university, or community college which is accredited by a member of the Council on Postsecondary Accreditation or any Florida institution the credits of which are acceptable for transfer to state universities. No student may receive an award for more than the equivalent of 8 semesters or 12 quarters in a period of not more than 6 consecutive years *except that students participating in college preparatory instruction or requiring additional time to complete the college-level communication and computation skills testing program shall continue to receive a state student assistance grant during enrollment in such instruction.*

Section 44. The provisions of chapter 240, Florida Statutes, or any other provision of general law to the contrary notwithstanding, the following counties are hereby included in the community college districts designated:

(1) DeSoto County is hereby included in the South Florida Community College District. Membership on the district board of trustees is changed as follows. The terms of one trustee from Highlands County and two trustees from Hardee County expire May 31, 1985. Those three trustees shall be replaced by the appointment of two residents of DeSoto County to 4-year, regular terms, thereby changing the membership requirements for the district board of trustees to four trustees from Highlands County, two trustees from Hardee County, and two trustees from DeSoto County. This change shall take place before May 31, 1985, if appropriate vacancies occur.

(2) Franklin County is hereby included in the Gulf Coast Community College District. One resident of Franklin County shall be appointed to the district board of trustees for a term to expire May 31, 1988, thereby changing the membership requirements for the district board of trustees to five trustees from Bay County, three trustees from Gulf County, and one trustee from Franklin County.

(3) Glades and Hendry Counties are hereby included in the Edison Community College District. One resident of Glades County and one resident of Hendry County shall be appointed to the district board of trustees for terms to expire May 31, 1988, thereby changing the membership requirements for the district board of trustees to three trustees from Lee County, two trustees from Charlotte County, two trustees from Collier County, one trustee from Glades County, and one trustee from Hendry County.

Section 45. Section 2 of chapter 78-94, Laws of Florida, is amended to read:

Section 2. The provisions of chapter 230, Florida Statutes, or any other provision of general law to the contrary notwithstanding, Sarasota County is hereby included within the Manatee County Community College District. The provisions of this section shall not be deemed to affect the membership of the Board of Trustees of the Manatee County Community College District, which shall remain 5 members. *One member shall be a resident of Sarasota County, and 4 members shall be residents of Manatee County.*

Section 46. Section 228.072, Florida Statutes, is amended to read:

228.072 Adult general education.—

(1) SHORT TITLE.—This section shall be known and may be cited as the "Florida Adult General Education Act."

(2) LEGISLATIVE INTENT.—

(a) The intent of this section is to provide educational opportunities for adults in this state and to encourage provision of educational services that will:

1. Enable all adults to acquire basic skills necessary to function effectively in society.

2. Enable adults who so desire to continue their education to at least the level of completion of secondary school.

3. Make available to adults the means to secure training that will enable them to become more employable, productive, and responsible citizens.

(b) It is further intended that such educational opportunities shall be available for those adults who have not received a high school diploma and for those adults who have received a high school diploma but whose level of achievement, based on standard measures, indicates that additional basic skills are necessary in order to function effectively in everyday life situations, to enter the job market, or to enter a job training program.

(3) PURPOSE.—The purpose of this section is to provide state leadership and financial support to encourage and assist local educational agencies and other governmental and nongovernmental agencies in the establishment and maintenance of adult education programs.

(4) DEFINITIONS.—The following terms, wherever used or referred to in this section, have the following meanings:

(a) "Adult general education" means a program of courses designed to serve the general educational needs of adults as individuals, as parents, as members of a family, and as citizens. Such programs shall serve as a linking agent to lifelong learning opportunities and shall include:

1. Basic skills education courses in the language arts, including English for persons who speak another language; mathematics; natural and social sciences; health; and consumer education; as well as courses that will enable adults to acquire basic skills necessary to function in society.

2. Secondary education courses for high school credit leading to award of a high school diploma by the local educational agency~~, as well as courses of training that will enable adults to become more employable, productive, and responsible citizens~~.

3. Review courses in preparation for taking the general educational development tests to earn a Florida high school diploma.

4. Courses and activities to provide the academic skills needed to pursue postsecondary adult vocational training to obtain employment. This category of courses shall be known as vocational preparatory. Such instruction shall be provided at vocational-technical centers and community colleges pursuant to s. 240.149 effective July 1, 1985.

5. Courses and activities to provide high school graduates who intend to pursue degree-credit postsecondary courses with additional academic preparation before such pursuit. This category of courses shall be known as college preparatory. College preparatory programs shall provide competency-based instruction for the development of college-entry competencies in reading, writing, mathematical reasoning, and logical thinking. Participation in college preparatory courses shall be limited to students who possess high school diplomas, or the equivalent, who intend to enroll in a degree program.

~~6.~~4. Courses and activities available for certificate-of-completion recipients by participation in the statewide assessment program with utilization of state minimum performance standards and the adult performance literacy model.

(b) "Commissioner" means the Commissioner of Education.

(c) "Department" means the Department of Education.

(d) "Local educational agency" means the school board of a public school district or the board of trustees of a community college when that board is responsible for administrative control and direction of adult education within the service area of the agency.

(5) SERVICE PRIORITIES.—The Adult General Education Program shall provide academic improvement services to students in the following priority:

(a) Students who demonstrate skills at or below the eighth grade level, as measured by tests approved for this purpose by the State Board of Education, and who are studying to achieve literacy.

(b) Students earning credit required for a high school diploma or preparing for the Test of General Educational Development (GED).

(c) Students who have a high school diploma and require specific improvement of academic or learning skills before pursuing postsecondary education goals:

1. To obtain or maintain employment, or to benefit from postsecondary adult vocational education programs; or

2. To pursue degree-credit collegiate academic education or postsecondary vocational degree programs.

(d) Students who enroll in noncredit courses and participate in activities principally concerned with community welfare in the areas of health, safety, human relations, government, child rearing, consumer economics, and environment.

(6) DELIVERY.—Both community colleges and school districts may offer adult basic and high school courses and adult vocational preparatory and community instructional services courses and activities, within the same service area upon approval of the regional coordinating council. College preparatory courses shall be offered exclusively by the community colleges, except that universities in which the percentage of incoming students requiring college preparatory instruction equals or exceeds the average percentage of such students for the community college system may offer the college preparatory program up to 1990. Nothing herein shall prohibit area vocational-technical centers from contracting with community colleges for the provision of vocational preparatory instruction.

(7)~~(5)~~ FINANCIAL ASSISTANCE.—

(a) State support.—The annual allocation to finance operation of the adult education program in each school district under provisions of the Florida Education Finance Program shall be determined in accordance with s. 236.081. The annual allocation to finance operation of the adult education program in each community college under provisions of the State Community College Program Fund shall be determined in accordance with s. 240.359.

(b) Distinct categories.—The following programs shall be evaluated and funded as separate and distinct categories: adult basic and high school, adult vocational preparatory, adult college preparatory, and community instructional services.

(c)~~(b)~~ Student fees.—

1. *No matriculation or tuition fees shall be charged for adult basic or high school instruction for those students who have not obtained a high school diploma.* ~~Fees, including tuition, registration, books, or materials fees, may not be charged adult students enrolled in basic skills education programs identified in subparagraph (4)(a)1.~~

2. *All students with a high school diploma or its equivalent taking adult basic or high school instruction must pay matriculation and tuition fees in accordance with s. 230.645 and rules adopted by the State Board of Education.* ~~Fees may be charged adult students enrolled in secondary education courses or review courses in preparation for taking the general educational development tests only as authorized by, and pursuant to, rules of the state board.~~

3. All students enrolled in college preparatory programs shall be charged fees equivalent to the fees charged for credit courses at the community college. All students enrolled in vocational preparatory programs shall be charged fees equivalent to the fees charged for postsecondary adult vocational instruction. Students enrolled in vocational preparatory programs who have not obtained a high school diploma or its equivalent shall be exempt from this requirement.

(d) College preparatory.—Effective July 1, 1985, expenditures for college preparatory students shall be reported separately. Allocations to community colleges for college preparatory instruction shall be based on actual full-time equivalent enrollment. The results of program reviews shall be included in the determination of subsequent allocations. Student completion of such courses shall not be counted for credit toward an associate or baccalaureate degree.

(8)~~(6)~~ TECHNICAL ASSISTANCE.—The department is authorized to provide such technical assistance as is necessary to develop and maintain adult education programs. The department may use its own staff or such consultants as may be necessary to accomplish this purpose.

(9)~~(7)~~ RECOMMENDATIONS BY COMMISSIONER.—The commissioner shall recommend the levels of funding for public school and community college adult education each fiscal year and make other recommendations or reports as he deems necessary or as required by rules of the state board.

(10) COLLEGE PREPARATORY PROGRAM.—By March 1, 1985, the State Board of Education shall define, by rule, the level and courses of instruction to be funded through the college preparatory program. The state board shall coordinate the establishment of costs for college preparatory courses, the establishment of statewide standards which define required levels of competence, acceptable rates of student progress, and the maximum amount of time to be allowed for completion of college preparatory instruction. The state board shall further establish the program review criteria for such programs.

(11)~~(8)~~ BUDGET.—The department shall include in its legislative budget funds necessary to implement this section.

(12)~~(9)~~ USE OF FACILITIES.—The buildings, land, equipment, and other property owned by a local educational agency may be used for the conduct of the adult education program. The local educational agency may also use the buildings, land, equipment, and other property owned or leased by cooperating public or private agencies, organizations, and institutions in the conduct of the adult education program.

Section 47. Subsection (3) of section 228.074, Florida Statutes, is amended to read:

228.074 Regional coordinating councils; establishment.—

(3) No less than 51 percent of the voting membership of each council shall be comprised of lay members. The lay members shall be appointed by the Governor and confirmed by the State Board of Education for 4-year terms. *Effective February 1987, one-third of the lay members shall be appointed for 4-year terms, one-third of the lay members shall be appointed for 3-year terms, and one-third of the lay members shall be appointed for 2-year terms.* The Governor shall select lay members for appointment from among nominees submitted by economic development

councils, chambers of commerce, community development corporations, and other bona fide trade and business organizations within the vocational planning region. At least one lay member of each council shall be a member of a business and industry advisory council or craft committee within the planning region. At least one of the total membership of each council shall be a member of a private industry council as provided for by the Job Training Partnership Act (Pub. L. No. 97-300).

Section 48. Section 229.557, Florida Statutes, is created to read:

229.557 Vocational education management information system.—

(1) The State Board of Education is responsible for developing and adopting, and the Commissioner of Education is responsible for implementing and maintaining, the uniform program structure, common definitions, and uniform management information system for vocational education as required by ss. 229.551, 229.555, and 240.325, and chapter 78-401, s. 1, Item 376, Laws of Florida. This system shall include, but not be limited to, the following components:

(a) Identification of all functions, organizational structures, delivery systems, and programs which contribute to or comprise a part of the state system of vocational education;

(b) Clear delineation of the organizational and administrative units which shall be held accountable for implementing the vocational education priorities established by this act, and such other goals, objectives, duties, and responsibilities as may be required by state or federal law.

(c) Provision of such information as may be deemed necessary by the Legislature to evaluate the efficiency and cost-effectiveness of vocational education programs and to determine the extent to which vocational programs are meeting the goals and objectives of the state. The following data shall be included in the vocational education management information system, shall be provided to the Florida Occupational Information Coordinating Committee, and shall be available to the Legislature upon request:

1. Placement and follow-up data on persons completing job preparatory vocational programs, as required by s. 230.2313 and s. 240.355. These data shall be collected annually and aggregated at the vocational program, institution, vocational planning region, and state level. Specific data to be collected shall include:

a. Employment and unemployment rates for persons completing job preparatory vocational programs, including data concerning the extent to which placements are related to vocational training and comparisons with the employment and unemployment rates for nonvocational program graduates; earning differentials of persons completing job preparatory vocational programs, both before and after training and as compared to nonvocational program graduates; and unemployment rates for persons completing job preparatory vocational programs, both before and after training and as compared to nonvocational program graduates. Such data shall be obtained from the unemployment insurance data system maintained by the Department of Labor and Employment Security.

b. Surveys of employer satisfaction with employees who complete vocational programs.

c. Vocational students' performance on standardized basic skills tests, including state assessment tests, occupational proficiency examinations, licensing examinations, and other pertinent assessment tests.

2. Student enrollment and completion data aggregated at the vocational program, institution, planning region, and state level.

(2) It is the intent of the Legislature that institutions providing job preparatory training and regional coordinating councils use a standard source of data, including information from the Florida Occupational Information System and the State Job Training Coordinating Council, in planning and evaluating job preparatory programs. If other sources of data are used in addition to those from the Florida Occupational Information System, they shall be developed using statistically valid procedures and, to the extent feasible, use standard occupational coding structures and definitions related to those used in the Florida Occupational Information System.

(3) The automated Florida Occupational Information System shall be made available to all school districts, community colleges, and regional coordinating councils to assist them in planning and coordinating programs to meet the intent provided for herein. To the extent feasible the Florida Information Reporting Network shall be used to deliver the Florida Occupational Information System.

Section 49. Section 229.558, Florida Statutes, is created to read:

229.558 Vocational education reporting requirements.—

(1) ANNUAL STATE ACCOUNTABILITY REPORT.—The Commissioner of Education shall develop a report, to be submitted by March 15 of each year to the Legislature, the State Board of Education, and the Governor, which shall include analyses and supporting data relating to the following:

(a) The extent to which the vocational education priorities, as defined by this act, and other goals and objectives established in the State Plan for Vocational Education required by federal vocational education law have been achieved;

(b) The extent to which local institutions and regional coordinating councils have been successful in achieving local and regional objectives;

(c) The extent to which labor market demand at the regional and state level has been met;

(d) Federal and state vocational program appropriations and expenditures aggregated at the program, institution, planning region, and state level;

(e) The effectiveness of vocational programs, analyzed at the planning region and state level, as measured by direct and indirect measures of program performance. Such measure shall include student training-related placement rates, unemployment rates, employer satisfaction, and performance on occupational and basic skills assessment tests and licensure examinations. The Department of Education shall initially use historical follow-up data for vocational job preparatory programs to develop and apply performance standards implemented pursuant to Title II-A of Public Law 97-300 to all job preparatory vocational programs offered in public schools, community colleges, and area vocational-technical centers in the state. Standards shall be developed based upon statewide data and should provide for adjustments for local and regional economic and labor market conditions, using a methodology similar to that developed for the Title II-A performance standards. The results of this project shall be submitted to the Governor, the President of the Senate and the Speaker of the House of Representatives by March 1, 1985 and annually thereafter. Standards may be readjusted after the initial year as new data becomes available. The Division of Vocational Education shall provide technical assistance to institutions which require it in order to assist them in meeting standards. The division shall also allocate a portion of its federal funds in the form of incentive awards to programs which exceed standards, to the extent that federal law does not specifically prohibit the use of federal funds for this purpose.

(f) Methods used to accommodate the career planning and counseling needs of students;

(g) Procedures undertaken to assess and improve the effectiveness of regional coordinating councils;

(h) Activities undertaken to assess and strengthen cooperation between business and industry and vocational education, including the process used to identify employer needs;

(i) Procedures used to assure that unwarranted program duplication does not occur within and between planning regions;

(j) Corrective measures taken as a result of deficiencies identified by program performance and compliance audits and program reviews; and

(k) Actions taken by school boards and community college district boards of trustees in response to recommendations made by regional coordinating councils for vocational education.

(2) REGIONAL AND LOCAL PLANS.—Plans developed by regional coordinating councils and local institutions shall, to the maximum extent feasible, conform to a standardized statewide format. The Commissioner of Education, in cooperation and consultation with regional coordinating councils and local institutions, shall be responsible for developing this format. The format shall be designed in such a manner as to allow each regional coordinating council and local institution adequate flexibility to respond to local goals, objectives, and priorities.

Section 50. Paragraph (g) of subsection (3) of section 229.551, Florida Statutes, is amended to read:

229.551 Educational management.—

(3) As a part of the system of educational accountability, the department shall:

(g) Conduct program evaluations for vocational education. These evaluations shall cover attainment of goals and objectives, manpower needs and placement, productivity, cost-efficiency, and resource requirements. Funding for vocational education shall reflect the results of these evaluations. *Any secondary job preparatory vocational program in which the average placement rate of persons completing the program is less than 50 percent for any given year, and any postsecondary job preparatory vocational program in which the average placement rate is less than 60 percent for any given year, shall be automatically reviewed by the Department of Education. The program review shall be submitted to the appropriate regional coordinating councils and shall be accompanied by a plan for improving the program's placement rate. Any job preparatory vocational program in which the average placement rate of persons completing the program is less than 70 percent for 3 consecutive years, beginning with the 1985-1986 school year, shall be ineligible for future state funding. The state board shall adopt rules to implement this part. For the purposes of this section, a student in a secondary job preparatory vocational program shall be considered to be a "placement" if he has become employed in an occupation requiring the use of the competencies acquired in his vocational program, has entered the military, or has continued on to postsecondary education. A student in a postsecondary job preparatory vocational program shall be considered a "placement" if he has become employed in an occupation requiring the use of competencies acquired in his vocational program, has entered the military, or has continued on to related postsecondary education.*

Section 51. Section 240.355, Florida Statutes, is amended to read:

240.355 State Board of Education rules.—

(1) The State Board of Education shall adopt rules which will enable each community college district board of trustees to initiate and provide comprehensive vocational education programs. The State Board of Education shall adopt procedures for determining the extent to which minimum requirements are being met. Furthermore, procedures shall include examination of the employment performance of program graduates. The minimum requirements so adopted shall include standards of educational output, with particular emphasis on job placement and satisfactory performance in employment. All such procedures should take into account the cost of the procedure. Whenever possible, proven research methods, including sampling, shall be utilized. It shall be the further responsibility of community college placement personnel to make written recommendations to the president of the community college for consideration by the board of trustees concerning areas of curriculum deficiency which have an adverse effect on the employability of job candidates or progress in subsequent educational activities. *Wherever possible, vocational fundamental courses shall be developed for knowledge and competencies basic to clusters of occupations.*

(2) The State Board of Education shall develop guidelines to determine the criteria by which the level of degree or certificate shall be assigned to a program. The guidelines shall ensure that such assignments are made at the lowest level possible commensurate with sound professional practice; however, the guidelines shall also ensure that assignments are upgraded for programs that increase in technical complexity or general education requirements beyond the parameters of a certificate program.

(3) The State Board of Education shall, by rule, adopt common definitions for associate in science degrees and for certificates.

(4) The State Board of Education shall, by rule, adopt basic skills standards to be met by all vocational students prior to completion of job preparatory vocational programs.

Section 52. Section 230.645, Florida Statutes, is amended to read:

230.645 Postsecondary student fees.—

(1) It is the intent of the Legislature that the State Board of Education shall establish a fee per full-time equivalent student that shall be the same for all students with a high school diploma or its equivalent enrolled in adult basic, adult high school, vocational preparatory, job preparatory, and supplemental programs offered at the postsecondary level by school districts or by the community colleges in comparable programs. Adult basic, adult high school, and vocational preparatory programs are described in s. 228.072. Job preparatory programs shall include those programs leading to a job entry level certificate which generally require more than 450 hours of instruction. Supplemental programs are those programs designed to upgrade or update skills and knowledge of employed individuals through less than 450 hours of instruction. Specific criteria and procedures for the classification of these programs shall be provided through rules of the State Board of Education which shall be adopted on or before February 1, 1985.

(2) Unless otherwise provided by law, all students enrolled in the specified programs shall pay matriculation and tuition fees. Unless otherwise provided by law, any student enrolled in these programs who does not pay the required fee shall not be counted for state funding purposes.

(3) Each district school board shall establish a postsecondary vocational fee which may vary no more than 10 percent from the fee specifed in the General Appropriations Act. The nonresident tuition fee shall be at least twice the amount of the matriculation fee. Vocational supplemental programs may charge differential fees if the average annual fee varies no more than 10 percent from the fee provided in the General Appropriations Act.

(4)~~(1)~~ Any dependent child of a special risk member as defined in s. 121.021(15) shall be entitled to a full waiver of postsecondary student fees at any area vocational-technical school or any other public vocational-technical postsecondary school if the special risk member was killed in the line of duty. This waiver shall apply until the child's 25th birthday. To qualify for this waiver, the child shall be required to meet regular admission requirements.

(5)~~(2)~~ The state board shall adopt rules permitting the deferral of registration and tuition fees for any student receiving financial aid from a federal or state assistance program when such aid is delayed in being transmitted to the student through circumstances beyond the control of the student. Failure to make timely application for such aid shall be insufficient reason to receive such deferral.

(a) Any veteran or other eligible student receiving benefits under chapter 32, chapter 34, or chapter 35, 38 U.S.C., shall be entitled to one deferment each academic year and an additional deferment each time there is a delay in the receipt of his benefits.

(b) In adopting such rules, the state board is required to enforce the collection of or otherwise settle delinquent accounts.

(6) No school district shall grant any fee waiver, except as authorized by law or rules of the State Board of Education. Rules may be developed for fee waivers only when it is necessary to assure students a vocational education opportunity who have documented absolute financial needs which cannot be met by existing sources of student financial aid.

Section 53. Subsection (2) of section 240.60, Florida Statutes, is amended to read:

240.60 College career work experience program.—

(2) *No participating institution shall expend funds provided pursuant to this section for student employment within the institution.* ~~Each participating university or college shall give priority to students who work as science laboratory assistants in high schools.~~

Section 54. Section 240.604, Florida Statutes, is created to read:

240.604 Public school work experience program.—

(1) There is established the public school work experience program to be administered by the Department of Education. The purpose of the program is to provide work-study financial assistance to students who serve in the public schools of this state.

(2) Students who participate in the public school work experience program shall serve in public elementary and secondary schools as science laboratory assistants or teacher aides or in public postsecondary schools as mentors who tutor and counsel educationally disadvantaged freshmen. The program shall be available to:

(a) Any student attending a state university or community college who is at least a sophomore.

(b) Any student attending a nonprofit Florida college or university which is accredited by a member of the Council on Postsecondary

Accreditation, the credits of which are acceptable, without qualification, for transfer to a state university; which grants baccalaureate or associate degrees; which is not a previously sectarian institution; and which is located in and chartered by the state.

(3) Each participating university or community college may use up to 5 percent of its public school work experience funds to train and supervise student mentors.

(4)(a) To be eligible to participate in the public school work experience program a student shall:

1. Be enrolled at an eligible institution as no less than a half-time undergraduate student and in good standing as defined by the institution;

2. Have been a resident of the state continuously for the 2 years immediately preceding application and not be a resident of another state;

3. Have completed the freshman year; and

4. Demonstrate financial need and academic merit as defined by the institution.

(b) As a condition for renewal of financial assistance under the public school work experience program, a student shall earn an initial grade point average of at least 3.0 on a 4.0 scale, or its equivalent, for the previous term, maintain at least an overall 3.0 average, or its equivalent, for college work or have an average below 3.0, or its equivalent, for only the previous term, and be eligible for continued enrollment in the institution.

(5) Each participating postsecondary institution may enter into contractual agreements with public schools for the purpose of establishing the public school work experience program. The receiving school shall be responsible for providing 20 percent of the wages for a student employed pursuant to this section. The sponsoring postsecondary institution shall provide the remaining 80 percent from money it receives from the Public School Work Experience Program Trust Fund.

(6) There is created the Public School Work Experience Program Trust Fund. The Comptroller shall authorize expenditures from this fund upon receipt of vouchers approved by the Department of Education. Any balance at the end of a fiscal year shall remain in the fund and be available for carrying out the purposes of the public school work experience program.

Section 55. Critical Teacher Shortage Trust Fund.—There is created the Critical Teacher Shortage Trust Fund. The Comptroller shall authorize expenditures from this fund upon receipt of vouchers approved by the Department of Education for the critical teacher shortage programs established in s. 231.621, s. 240.4062, or s. 240.4064. All scholarship loan repayments pursuant to s. 240.4062 shall be deposited in the Critical Teacher Shortage Trust Fund. Any remaining balance at the end of any fiscal year shall remain in the fund and be available for the critical teacher shortage programs in future years.

Section 56. Subsection (4) of section 240.4062, Florida Statutes, is amended to read:

240.4062 Teacher scholarship loan *programs* ~~program~~.—

(4) *A* ~~The~~ scholarship loan must be paid back within 10 years of completion of *a* ~~the~~ program of studies. Credit for *repayment* ~~payment for 1 year~~ of *a* ~~the~~ scholarship loan shall be *as follows:*

(a) Twenty-five percent of the loan principal and accrued interest shall be retired after the first year of teaching;

(b) One-third of the loan principal and accrued interest shall be retired after the second year of teaching;

(c) Fifty percent of the loan principal and accrued interest shall be retired after the third year of teaching; and

(d) The remaining loan principal and accrued interest shall be retired after the fourth year of teaching. However, credit for fifty percent of the loan principal and accrued interest shall be retired after the first year of teaching and the remainder of the principal and accrued interest shall be retired after the second year of teaching if the recipient teaches at a high-density, low-economic urban school or at a low-density, low-economic rural school, as identified by the state board.

~~granted for each 2 school years of teaching in public schools in this state; however, credit for payment for 1 year of the scholarship loan shall be granted for each school year of teaching if the scholarship loan recipient teaches at a high-density, low-economic urban school or at a low-density, low-economic rural school, as identified by the district school board.~~ Any person who fails to complete an appropriate program of studies or who fails to teach in a public school or developmental research school in this state as specified in this subsection is responsible for repaying the loan plus interest at prevailing rates. Repayment schedules and applicable interest rates shall be determined by rules of the State Board of Education.

Section 57. The Adult Literacy Act.—

(1) SHORT TITLE.—This section may be cited as the "Adult Literacy Act."

(2) PURPOSE.—The purpose of this section is to alleviate illiteracy among the adult population of this state.

(3) ADMINISTRATION.—

(a) There is created an adult individualized literacy instruction program for adults possessing less than a fourth grade education. The Commissioner of Education shall have responsibility for administration of this section, in coordination with the State Board of Community Colleges, local school boards, and the Division of Library Services of the Department of State. The administration of the program shall be pursuant to rules adopted by the State Board of Education.

(b) Local adult individualized instruction programs may be coordinated with local public library systems. Using funds appropriated for the program, county library systems may hire program coordinators, who shall offer training workshops to volunteer tutors and oversee operation of literacy instruction at the local level. The local sponsor may also purchase training modules for training tutors to teach basic reading and English as a second language. Using funds appropriated for the program, each cooperating local library system shall purchase a collection of reading materials of high interest and low vocabulary appropriate for use by students of English as a second language and students of basic reading.

(4) GOAL AND EVALUATION.—

(a) The goal of this section is the reduction, by 1995, of adult illiteracy in this state to 2 percent of the adult population of the state.

(b) To determine the success of the program, the participating local sponsor shall submit to the Legislature and the State Board of Education an annual report which shall contain, but not be limited to, the following information:

1. The number of clients, as indicated by pretesting and post-testing, or employment, or earning of General Education Degrees.

2. The progress made toward reducing adult illiteracy to 2 percent of the adult population within the local sponsor's service area.

(5) FUNDING.—Funding for the adult individualized literacy instruction program shall be provided through the federal "State-Administered Adult Education Program." Additional funding may be provided from legislative appropriations, as well as private sources, in order to achieve maximum benefits for eliminating adult illiteracy in the state in accordance with the approved state plan.

Section 58. Section 231.172, Florida Statutes, is created to read:

231.172 Alternate certification program for secondary education.—

(1) There is established an experimental alternate certification program for the purpose of attracting arts and science graduates to teach in the secondary schools of this state, particularly in areas of critical shortage.

(2) Certification requirements shall include:

(a) Maintenance of an overall grade point average of 2.75 on a 4.0 scale.

(b) A bachelor's degree from an accredited college or university in an arts and science discipline with a major in the subject area in which the graduate is hired to teach.

(c) A passing score on the Florida Teacher Certification Examination. Effective June 1, 1986, candidates shall be required to receive a passing score on a subject matter component or an equivalent nationally available subject matter examination.

(d) Satisfactory completion of a modified beginning teacher program during the first half of the school year which may include a reduced teaching load and the guidance of a master teacher and for which the candidate will receive compensation as a beginning teacher.

(e) Successful completion of Florida's Beginning Teacher Program during the second half of the candidacy year.

(3) Teachers who complete the certification requirements of subsection (2) shall receive a regular certificate to teach in the schools of this state.

(4) The Department of Education, universities, and school districts shall work cooperatively to develop implementation procedures for submission to the State Board of Education, in accordance with s. 231.546(1)(e). Each school district shall be encouraged to participate, and shall receive, in addition to funds received through the Florida Education Finance Program, state funding for each candidate equivalent to the amount per full-time equivalent student currently allocated to colleges of education for upper division undergraduate teacher education programs.

(5) Evaluative data on program participants shall be collected by the Department of Education and compared to similar data for college of education graduates and arts and science graduates pursuing certification through the provisions of State Board of Education Rule 6A-4.04(3). The evaluation shall be designed in such a way as to assure that the wide diversity of teacher preparation programs offered in the state are adequately represented in the sample. The research design shall include comparisons of:

(a) Teacher effectiveness as provided by the Florida Performance Measurement System;

(b) Teacher certification examination results;

(c) SAT/ACT and CLAST scores;

(d) College grade point averages; and

(e) Pupil performance measures.

(6) Periodic reports of the effectiveness of the alternate certification program shall be submitted by the Department of Education to the State Board of Education beginning in January 1986, and a formal evaluation of the program's effect and value shall be submitted in June 1990.

Section 59. Paragraph (b) of subsection (1), and paragraph (a) of subsection (3) of section 231.17, Florida Statutes, are 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 to any person possessing the qualifications for such a certificate as prescribed herein and by rules 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 such qualifications, and meets the other requirements of law. Each applicant for certification shall:

(b) Be at least 18 years of age or have received a bachelor's degree from an accredited institution of higher learning; however, beginning August 1, 1985, at least 30 of the total number of semester hours required for the baccalaureate degree for a secondary school teacher shall be earned in ~~upper division~~ courses offered by a college other than a college of education in the field of specialization;

(3)(a) No individual shall be issued an initial regular certificate until he has successfully completed a yearlong beginning teacher program *or has demonstrated successful instructional performance on a department approved instructional personnel performance evaluation system.* The yearlong beginning teacher program shall be *required* for all teachers without a regular certificate *with less than one full school year or equivalent of successful teaching experience as defined in s 228.041(16), or who have not demonstrated successful performance using a department approved instructional personnel performance evaluation system* and shall be conducted during an individual's initial year of employment in a school district in this state. A teacher participating in the beginning teacher program shall be a member of the bargaining unit with the same rights as any other first-year teacher and shall receive full pay according to the adopted salary schedule of the district. The requirement for a yearlong beginning teacher program may be met by teaching in a nonpublic school with an approved beginning teacher program. The beginning teacher program shall include, but is not limited to, the following conditions:

1. Each school district shall submit a request for approval of a beginning teacher program to the Commissioner of Education. The commissioner shall develop criteria for approval after consultation with the Education Standards Commission. Nonpublic schools also may submit a plan for approval of a beginning teacher program.

2. Beginning teacher activities shall be based on classroom application of the competencies described in subsection (2).

3. Successful completion of the beginning teacher program means that the superintendent or chief administrator has verified to the Department of Education that the beginning teacher has successfully completed the program.

4. A beginning teacher who has successfully completed the beginning teacher program shall have the same reemployment rights as any other teacher on probationary service.

Section 60. Subsection (2) of section 240.245, Florida Statutes, is amended to read:

240.245 Evaluations of faculty members; report.—

(2) *The Board of Regents shall establish criteria for evaluating the quantity and quality of service to public schools by university faculty members and require consideration of this service in promotion, tenure, and other reward measures.* Each university shall ensure that the following policies are implemented:

(a) Flexible criteria for rewarding faculty members, consistent with the university's educational goals and objectives, shall be established, which criteria shall include quality teaching *and service to public schools* as ~~a~~ major *factors* ~~factor~~ in determining salary adjustments, promotions, reemployment, or tenure.

(b) Measures shall be taken to increase the recognition, reinforcements, and rewards given quality teaching *and service to public schools.* Such measures might include grants for professional development, curriculum improvement, and instructional innovation, as well as awards of varying kinds for meritorious teaching.

(c) The means of identifying and evaluating quality teachers *and outstanding service to public schools* shall be determined in accordance with established guidelines of the university.

(d) The Vice Presidents for Academic Affairs for the nine state universities shall disseminate information to all faculty members which clearly states that service to public schools shall be one of the criteria used to determine salary adjustments, promotions, reemployment, and tenure for faculty members.

Section 61. Section 240.149, Florida Statutes, is created to read:

240.149 Vocational preparatory instruction.—

(1) Each area vocational-technical center shall provide vocational preparatory instruction through which students receive basic skills education.

(2) Students who enroll in a vocational program of 450 clock hours or more shall complete an entry-level examination prior to admission into the program. The state board shall designate examinations currently in existence, the results of which are comparable across institutions, to assess student mastery of basic skills. Any student deemed to lack a minimal level of basic skills shall be referred to vocational preparatory instruction for a structured program of basic skills instruction. Such instruction may include the provision of English as a second language. No such student shall receive a certificate of vocational program completion until he has demonstrated mastery of the basic skills. Exceptional students, as defined in s. 228.041, may be exempt from the provisions of this section.

(3) The state board shall, by rule, implement the provisions of this section. Such rules shall also establish statewide standards of basic skills mastery for vocational programs of less than 1800 hours.

Section 62. Paragraph (c) of subsection (2) of section 236.013, Florida Statutes, is amended to read:

236.013 Definitions.—Notwithstanding the provisions of s. 228.041, the following terms shall be defined as follows for the purpose of this act:

(2) A "full-time equivalent student" in each program of the district is defined in terms of full-time students and part-time students as follows:

(c) A "full-time equivalent student" is:

1. A full-time student in any one of the programs listed under the cost factors in s. 236.081(1)(c); or

2. A combination of full-time or part-time students in any one of the programs listed under the cost factors in s. 236.081(1)(c) which is the equivalent of one full-time student based on the following calculations:

a. A full-time student, except postsecondary and adult students and senior high school students enrolled in adult education when such courses are required for high school graduation, in a combination of programs listed under the cost factors in s. 236.081(1)(c) shall be a fraction of a full-time equivalent membership in each special program equal to the number of net hours per week for which he is a member, divided by 25; the difference between that fraction or sum of fractions and twenty-five twenty-fifths of the week for each full-time student shall be presumed to be the balance of the student's time not spent in said special education programs and shall be recorded as time in the appropriate basic program.

b. A student in the basic half-day kindergarten program of not less than 12½ net hours shall earn one-half of a full-time equivalent membership.

c. A half-day kindergarten student in a combination of programs listed under the cost factors in s. 236.081(1)(c) shall be a fraction of a full-time equivalent membership in each special program equal to the number of net hours or major portion thereof per week for which he is a member divided by 25; the difference between that fraction and twelve and one-half twenty-fifths of the week for each full-time student in membership in a half-day kindergarten program shall be presumed to be the balance of the student's time not spent in said special education programs and shall be recorded as time in the appropriate basic program.

d. A part-time student, except postsecondary and adult, shall be a fraction of a full-time equivalent membership in each basic and special program equal to the number of net hours or major fraction thereof per week for which he is a member, divided by 25.

e. All postsecondary and adult students and senior high school students enrolled in adult education when such courses are required for high school graduation shall be a portion of a full-time equivalent membership in each special program equal to the net hours or major fraction thereof per fiscal year for which he is a member, divided by 900.

f. A full-time student who is part of a program authorized by subparagraph (a)3. in a combination of programs listed under the cost factors in s. 236.081(1)(c) shall be a fraction of a full-time equivalent membership in each regular or special program equal to the number of net hours per week times the number of weeks for which he is a member, divided by 900.

3. A student in membership in a program scheduled for more or less than 180 school days shall be a fraction of a full-time equivalent membership equal to the number of days more or less in proportion thereto times the applicable computations set forth in subparagraphs 1. and 2.; however, for the purposes of this subparagraph, membership in programs scheduled for more than 180 days shall be limited to:

a. Special programs for exceptional students;

b. Special vocational-technical programs;

c. Special adult general education programs;

d. Alternative education programs provided for students in Department of Health and Rehabilitative Services residential care facilities;

e. The Florida Primary Education Program or an approved alternative, as provided in s. 230.2312, for those students who were receiving the preventative instructional strategies for all of the last 45 days of the 180-day term and in need of such additional instruction;

f. The Florida Progress in Middle Childhood Education Program, as provided in s. 230.2314, for those students in grades 4 or 5 who were receiving the preventive instructional strategies for all of the last 45 days of the 180-day term and are in need of such additional instruction;

g.~~f.~~ Basic programs of educational alternatives *for those students who were in membership in an educational alternative program for all of the last 30 days of the 180-day term and in need of such additional instruction;* ~~and~~

h.~~g.~~ Other basic programs offered for promotion or credit instruction as defined by rules of the state board*; and*.

i. ~~Membership in programs scheduled for less than 180 days may include membership in programs~~ *Programs* which modify the school year to accommodate the needs of children who have moved with their parents for the purpose of engaging in the farm labor or fish industries, provided that such programs are approved by the commissioner.

4. The department shall determine and implement an equitable method of equivalent funding for experimental schools and for schools operating under emergency conditions, which have been approved by the department under the provisions of s. 228.041(13) to operate for less than the minimum school day.

Section 63. A full-time equivalent student is a student in grades 4 through 8 who is participating in a student-teacher adviser program conducted during homeroom period, who shall be a fraction of a full-time equivalent membership based on net hours in the program, with a maximum of 36 net hours in any fiscal year. Each district's program shall be approved by the Department of Education.

Section 64. Subsections (1) and (3) of section 242.62, Florida Statutes, are amended to read:

242.62 Appropriation to first accredited medical school.—

(1) *Subject to the provisions hereinafter set forth, the Legislature shall provide an annual appropriation to the first accredited medical school. Such payments shall be made semiannually at the beginning of the first and third quarters.* ~~Unless otherwise provided for in the annual appropriations act and subject to the provisions hereinafter set forth, the state shall pay the first accredited and approved medical school established in the state the sum of $6,500 per year for each student admitted and enrolled in the 4-year medical doctorate curriculum in such institution and the sum of $8,500 per year for each student admitted and enrolled in a medical doctorate curriculum of not more than 3 years' duration in such institution. Such payments shall be made in semiannual installments.~~

(3) The Department of Education shall, within 60 days of the receipt of the student enrollment of said medical school, pay to the school, each year, the *amount appropriated* ~~sum provided in subsection (1)~~ for *students* ~~each student~~ accepted and approved for enrollment in such medical institution, provided *each* ~~the~~ medical student is a legal resident of the state or, if the student is not of legal age, his parents or legal guardian are residents of the state at the time of the student's acceptance and approval as a medical student~~; and provided the enrollment of the first accredited medical school shall consist of not more than 470 such Florida residents, unless otherwise provided for in the annual appropriations act~~. In the event any student resigns or is dismissed from such medical institution for any reason whatsoever before the end of a school year, then the medical institution shall, within 30 days from such dismissal or resignation, remit to the state, through the Department of Education, a pro rata amount of the sum before paid by the state to the medical institution, said amount to be computed by dividing the total number of days in the school year into the sum paid for that student and multiplying the result by the total number of days remaining in such school year after such resignation or dismissal.

Section 65. Paragraph (b) 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 powers 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.

(b) Textbooks.—Provide for proper requisitioning, distribution, accounting, storage, care, and use of all textbooks and other books furnished by the state and furnish such other textbooks and library books as may be needed. *The school board shall be responsible for assuring that instructional materials used in the district are consistent with district goals and objectives and curriculum frameworks approved by the State Board of Education, as well as state and district performance standards provided for in ss. 229.565 and 232.2454.*

Section 66. Subsection (1) of section 233.07, Florida Statutes, is amended to read:

233.07 State instructional materials councils; appointment; term; compensation.—

(1) Each school year, not later than April 15, the Commissioner of Education shall appoint state instructional materials councils composed of persons actively engaged in teaching or in the supervision of teaching in the public elementary or secondary schools and representing the major fields and levels in which instructional materials are used in the public schools of the state and, in addition, lay citizens not professionally connected with education. There shall be councils for the recommendation of instructional materials for the elementary and secondary grades as may be found necessary by the Commissioner of Education. *Council members shall receive training pursuant to s. 233.095 in competencies related to the evaluation and selection of instructional materials.*

(a) There shall be nine members on each council: Four shall be classroom teachers *who are certified in an area directly related to the academic area or level being considered for adoption,* two shall be lay persons, one shall be a school board member, and two shall be supervisors of teachers. *Personnel designated as associate master teachers or master teachers, pursuant to s. 231.533, or selected as a teacher of the year at the school, district, regional, or state level pursuant to the provisions of the program conducted by the Department of Education, shall be encouraged to serve on instructional materials councils.*

(b) The commissioner shall determine annually the areas in which instructional materials shall be submitted for adoption. One of the factors upon which he shall base his decision shall be the desires of the school districts. He shall also determine the number of titles to be adopted in each area, not to exceed 15.

Section 67. Subsections (3) and (4) of section 233.09, Florida Statutes, are amended to read:

233.09 Duties of each state instructional materials council.—The duties of each state instructional materials council shall be:

(3) CRITERIA AND PROCEDURES.—To adopt criteria and procedures for evaluating instructional materials submitted by publishers and manufacturers in each adoption. Included in these criteria and procedures shall be the following minimum standards:

(a) Provisions which afford each publisher or manufacturer or his representative an opportunity to present to members of the state instructional materials councils the merits of each instructional material submitted in each adoption;

(b) Forms on which a district superintendent or his designee shall submit the results of the district instructional materials council's recommendations; and

(c) Guidelines for district instructional materials councils, professional associations, and individuals for evaluating instructional materials for state adoption; however, the following minimum standards shall apply:

1. No district instructional materials council shall consist of fewer than six persons. Two shall be lay persons and three shall be teachers, it being the intent of the Legislature that councils of six or more persons include at least one-third lay persons and one-half teachers as a part of their total membership. *Teachers serving on district instructional materials councils shall be certified in an area directly related to the academic area or level being considered for adoption. Personnel designated as associate master teachers or master teachers pursuant to s. 231.533, or selected as a teacher of the year at the school, district, regional, or state level pursuant to the provisions of the program conducted by the Department of Education, shall be encouraged to serve on instructional materials councils.*

2. No district instructional materials council shall deny any publisher or manufacturer or his representative time to present his product equal to that time given any other publisher or manufacturer or his representative.

3. Evaluations by district instructional materials councils, professional associations, and individuals shall be submitted in such form and manner as shall be prescribed by the state council. Each instructional material shall be ranked numerically as to its choice in relation to all other materials of the same type evaluated, and no two materials in the same subject area may receive the same numerical rating.

4. District instructional materials councils, professional associations, and individuals who evaluate instructional materials and submit their findings and recommendations to the state council shall do so in accordance with the provisions of subsection (4).

(4) EVALUATION OF INSTRUCTIONAL MATERIALS.—To evaluate carefully all instructional materials submitted, to ascertain which instructional materials, if any, submitted for consideration best implement the curricular objectives *included within applicable curriculum frameworks approved by the State Board of Education and the state and district performance standards provided for in ss. 229.565 and 232.2454* ~~of the schools of the state~~. The councils shall file with the Commissioner of Education a written statement of the criteria and procedures used in the evaluation of instructional materials, and certified copies of such statements shall be made available to the public upon request. The state instructional materials councils shall be prohibited from conducting their assigned duties until such written statements are on file with the Commissioner of Education.

(a) When recommending instructional materials for use in the schools, each council shall include only instructional materials which, in its determination, accurately portray the cultural and racial diversity of our society, including men and women in professional, vocational, and executive roles, and the role and contributions of the entrepreneur and labor in the total development of Florida and the United States.

(b) When recommending instructional materials for use in the schools, each council shall include only materials which accurately portray, whenever appropriate, man's place in ecological systems, including the necessity for the protection of our environment and conservation of our natural resources and the effects on the human system of the use of tobacco, alcohol, controlled substances, and other dangerous substances.

(c) When recommending instructional materials for use in the schools, each council shall require such materials as it deems necessary and proper to encourage thrift, fire prevention, and humane treatment of people and animals.

(d) When recommending instructional materials for use in the schools, each council shall require, when appropriate to the comprehension of pupils, that materials for social science, history, or civics classes contain the Declaration of Independence and the Constitution of the United States. No instructional materials shall be recommended by any council for use in the schools which, in its determination, contain any matter reflecting unfairly upon persons because of their race, color, creed, national origin, ancestry, gender, or occupation.

(e) All instructional materials recommended by each council for use in the schools shall be, to the satisfaction of each council, accurate, objective, and current and suited to the needs and comprehension of pupils at their respective grade levels. *No instructional materials councils shall recommend for statewide adoption any material which, by its design, is written for pupils who function below grade level, unless such materials are to be used to provide instruction to students in compensatory and remedial programs pursuant to ss. 236.0841 and 236.088 or to exceptional students as defined in s. 228.041.*

(f) When recommending instructional materials for use in the schools, each council shall have the recommendations of all districts which submit evaluations on ~~more than half~~ the materials submitted for adoption in that particular subject area aggregated and presented to the members to aid them in the selection process; however, such aggregation shall be weighted in accordance with the full-time equivalent student percentage of each district. No instructional materials shall be evaluated or recommended for adoption unless each of the district councils shall have been loaned the specified number of samples.

(g) In addition to relying on statements of publishers or manufacturers of instructional material, any council may conduct, or cause to be conducted, an independent investigation as to the compliance of submitted materials with the requirements of this section.

(h) In the event that, after good faith acquisition of instructional materials by a district school board, the instructional materials are found to be not in accordance with the requirements of this subsection and the school board is unable to acquire other instructional materials which meet the requirements of this subsection in time for them to be used as intended, the school board may use the acquired materials, but only for that academic year.

Section 68. Section 233.095, Florida Statutes, is created to read:

233.095 Training programs for instructional materials councils members.—The Department of Education shall develop a training program, to be provided through summer inservice institutes, for persons selected to serve on state and district instructional materials councils. The program shall be structured to assist council members in developing the skills necessary to make valid and objective decisions regarding the content and rigor of instructional materials. Effective July 1, 1985, all persons on instructional materials councils shall have completed this training program prior to beginning the review and selection process.

Section 69. Paragraph (b) of subsection (1) of section 233.165, Florida Statutes, is amended to read:

233.165 Standards for selection.—

(1) In the selection of *instructional materials* ~~textbooks~~, library books, and other reading material used in the public school system, the standards used to determine the propriety of the material shall include:

(b) The educational purpose to be served by the material. *In considering instructional materials for classroom use, priority shall be given to the selection of materials which encompass the state and district performance standards provided for in ss. 229.565 and 232.2454 and which include the instructional objectives contained within the curriculum frameworks approved by the State Board of Education, to the extent that appropriate curriculum frameworks have been approved by the board.*

Section 70. Subsection (1) of section 233.17, Florida Statutes, is amended to read:

233.17 Term of adoption for instructional materials.—

(1) The term of adoption of any instructional materials shall be for a 6-year period beginning on April 1 following the adoption, unless the contract is extended as prescribed in s. 233.16(2). *However, the State Board of Education may approve, by rule, terms of adoption of less than 6 years for materials in content areas which require more frequent revision.*

Section 71. Section 233.25, Florida Statutes, is amended to read:

233.25 Duties, responsibilities, and requirements of publishers and manufacturers of instructional materials.—Publishers and manufacturers of instructional materials, or their representatives, shall:

(1) Comply with all provisions of this section.

(2) Loan copies of such printed materials in quantities to be determined by the Department of Education to those districts participating in preadoption evaluations or in lieu thereof, in the case of nonprint instructional materials, descriptions and representative selections therefrom. At the conclusion of the review process, if the district does not return such nonprint instructional materials to the publishers and manufacturers, at their expense, the publishers and manufacturers shall be entitled to reimbursement by the district for the retail value of such materials.

(3) Submit, at a time designated in s. 233.14, the following information:

(a) Detailed specifications of the physical characteristics of such material. The publisher or manufacturer shall comply with such specifications if the material is adopted and purchased in completed form.

(b) Written proof of the use of the learner-verification and revision process during prepublication development and postpublication revision of the material in question. For purposes of this section, "learner verification" is defined as the empirical process of data gathering and analysis by which a publisher of curriculum material has improved the instructional effectiveness of that product before it reaches the market and then continues to gather data from learners in order to improve the quality and reliability of that material during its full market life. ~~Failing such proof, if the publisher wishes to submit material for adoption, he must satisfy the state instructional materials council that he will systematically gather and utilize learner-verification data to revise the material in question to better meet the needs of learners throughout the state.~~ Such text revision should be interpreted as including specific revision of the materials themselves, revision of the teachers' materials, and revision of the teachers' skill through retraining, it being the intent of the Legislature that learner-verification and revision data shall include data gathered directly from learners; may include the results of criterion-referenced and group-normed tests, direct learner comments, or information gathered from written questionnaires from individual or small group interviews; and may not preclude the use of secondary data gathered from teachers, supervisors, parents, and all appropriate participants and observers of the teaching-learning process.

(4) Effective June 1, 1985, by August 1 of the year that a council is considering a specific academic area for adoption, all publishers or manufacturers shall submit to the council a written description of how materials meet each of the criteria statements adopted by the council pursuant to s. 233.09(3). The description shall include an explanation of the function and goals of the instructional materials program, including the rationale for the program's design, and the relationship between each of the components comprising the program. Such reports shall be made available to each school district.

(5)~~(4)~~ Make available for purchase by any district board any diagnostic, criterion-referenced, or other tests that they may develop.

(6)~~(5)~~ Furnish the instructional materials offered by them at a price in the state which, including all costs of transportation to their depositories, shall not exceed the lowest price at which they offer said instructional materials for adoption or sale to any state or school district in the United States.

(7)~~(6)~~ Reduce automatically the price of said instructional materials to any governing board to the extent that reductions are made elsewhere in the United States.

(8)~~(7)~~ Provide any instructional materials free of charge in the state to the same extent as that received by any state or school district in the United States.

(9)~~(8)~~ Guarantee that all copies of any instructional materials sold in Florida shall be at least equal in quality to the copies of such instructional materials that are sold elsewhere in the United States and shall be kept revised, free from all errors, and up-to-date as may be required by the state board.

(10)~~(9)~~ Agree that any supplementary material developed at the district or state level does not violate the author's or publisher's copyright, provided such material is developed in accordance with the doctrine of fair use.

(11)~~(10)~~ Not in any way, directly or indirectly, become associated or connected with any combination in restraint of trade in instructional materials, nor enter into any understanding, agreement, or combination to control prices or restrict competition in the sale of instructional materials for use in the state.

(12)~~(11)~~ Maintain, or contract with, a depository in the state and maintain there an inventory sufficient to receive and fill orders for instructional materials.

(13)~~(12)~~ Grant, without prior written request, for any copyright held by the publisher or its agencies automatic permission to the Department of Education or its agencies for the reproduction of textbooks and supplementary materials in Braille or large print or in the form of sound recordings, for use by visually handicapped students.

(14)~~(13)~~ Upon the willful failure of the publisher or manufacturer to comply with the requirements of this section, be liable to the state board in the amount of 3 times the total sum which the publisher or manufacturer was paid in excess of the price required under subsections ~~(5) and~~ (6) *and (7)* and in the amount of 3 times the total value of the instructional materials and services which the district board is entitled to receive free of charge under subsection *(8)* ~~(7)~~.

Section 72. Subsections (2) and (4) of section 233.34, Florida Statutes, are amended to read:

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

(2) Each school district shall use the annual allocation for the purchase of instructional materials included on the state-adopted list. *No less than 50 percent of the annual allocation shall be used to purchase items which will be used to provide instruction to students enrolled at the grade level or levels for which the materials are designed.* However, up to 50 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. *The Department of Education shall periodically survey districts which have selected materials which are not on the state adopted list, in order to determine the rationale for each material's selection. The Commissioner of Education shall provide this information to the appropriate state and district instructional materials adoption councils. The State Board of Education shall adopt rules relating to the frequency and content of the survey.*

(4) District school boards are authorized to issue purchase orders *subsequent to March 15 in an aggregate amount not to exceed 20 percent of the current year's allocation, and* subsequent to May 1 in an aggregate amount not to exceed 90 percent of the current year's allocation, for the purpose of expediting the delivery of instructional materials which are to be paid for from the ensuing year's allocation.

Section 73. Section 233.37, Florida Statutes, is amended to read:

233.37 Schools to continue to use instructional materials until unserviceable.—When a change of instructional materials has been made for any subject *by action of the State Board of Education, the superintendent of each district shall submit to the Commissioner of Education an implementation plan for utilizing these new materials in each school. If old materials continue to be used in the subject, for 3 years beyond the date of the expiration of the most recent adoption, the superintendent shall submit justification for doing so, pursuant to rules adopted by the State Board of Education.*~~, each superintendent shall designate which schools of his district shall use the old instructional materials which he has on hand or in the schools of his district, and all such instructional materials shall continue to be used until they are in such physical condition as to make them unsuitable for further use or until the content is obsolete. The superintendent shall not requisition copies of newly adopted instructional materials for those pupils for whom copies of old instructional materials are available.~~ Under rules of the state board, or rules of the district school board which have been approved by the commissioner, the district school board may dispose of the instructional materials of the old adoption when they have become unserviceable, upon such terms and conditions as shall yield their fair salvage value.

Section 74. Section 233.43, Florida Statutes, is amended to read:

233.43 Duties of superintendent relating to instructional materials.—The duties and responsibilities of each superintendent for the requisition, purchase, receipt, storage, distribution, use, conservation, records, and reports of, and management practices and property accountability concerning, instructional materials shall be prescribed by policies of the district school board, and such policies shall also provide for an evaluation of any instructional materials to be requisitioned that have not been used previously in the schools of the district. *The superintendent shall compile any comments made by classroom teachers regarding the instructional materials in use in the school pursuant to s. 233.46(1). These comments shall be submitted annually to the Commissioner of Education, on forms provided for this purpose by the department, pursuant to rules adopted by the State Board of Education. The commissioner shall provide these reports to state and district instructional materials adoption councils.*

Section 75. Present subsections (1), (2), (3), (4), (5), and (6) of section 233.46, Florida Statutes, are renumbered as subsections (2), (3), (4), (5), (6), and (7), respectively, and a new subsection (1) is added to said section to read:

233.46 Duties of principals.—The duties and responsibilities of principals for *instructional materials* ~~textbook~~ management and care shall include:

(1) INSTRUCTIONAL MATERIALS.—

(a) The principal shall be responsible for assuring that instructional materials are used to provide instruction to students enrolled at the grade level or levels for which the materials are designed, pursuant to policies of the school board.

(b) The principal shall provide the instructional staff with the opportunity to offer annual written comments, on forms provided for the purpose by the Department of Education, concerning instructional materials in use in the school and shall submit all such comments to the superintendent.

Section 76. For the purpose of providing housing for students attending Chipola Junior College, an educational institution located in Marianna, Jackson County, Florida, the Board of Trustees of Chipola Junior College is authorized to operate from auxiliary funds that certain dormitory which was constructed in 1964 and is located on or adjacent to the campus of that college and owned by Chipola Dormitory Authority, a public corporation created by chapter 61-2286, Laws of Florida.

Section 77. The Board of Trustees of Chipola Junior College and the Chipola Dormitory Authority are authorized from auxiliary funds to enter into agreements in effectuation of the above purpose, and past agreements for that purpose are hereby validated.

Section 78. For the purpose of providing housing for students attending Lake City Community College, an educational institution located in Lake City, Columbia County, Florida, the Board of Trustees of Lake City Community College is authorized to operate from auxiliary funds Granger Hall, a dormitory which was in operation at the time the college was created and is located on the college campus, and to operate Foundation Hall, a dormitory which was acquired by lease or purchase dated May 1, 1974, from the Lake City Community College Foundation, Inc., and is located in the vicinity of the college campus.

Section 79. The Board of Trustees of Lake City Community College is authorized to enter into agreements in effectuation of the above purpose, and past agreements for that purpose are hereby validated.

Section 80. Any vocational course as defined in s. 228.041(22), Florida Statutes, may be taken to satisfy the high school graduation requirement for one-half credit in practical arts or exploratory vocational education as provided in s. 232.246(1)(b)8., Florida Statutes.

Section 81. Subsection (3) is added to section 232.23, Florida Statutes, to read:

232.23 Procedures for maintenance and transfer of pupil records.—

(3) Acceptance of transfer work and credit for pupils shall be prescribed by rules of the State Board of Education.

Section 82. Section 240.1201, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 240.1201, F.S., for present text.)

240.1201 Determining resident status for tuition purposes.—For the purpose of assessing tuition fees in public community colleges and universities, students shall be classified as residents for tuition purposes or nonresidents for tuition purposes.

(1) As defined under this section:

(a) A "legal resident" or "resident" is a person who has maintained his residence in Florida for the preceding year, has purchased a home which is occupied by him as his residence, or has established a domicile in Florida pursuant to s. 222.17.

(b) A "resident for tuition purposes" is a person who qualifies as provided in subsection (2) for the in-state tuition rate; a "nonresident for tuition purposes" is a person who does not qualify for the in-state tuition rate.

(c) "Institution of higher education" means any of the constituent institutions under the jurisdiction of the State University System or the State Community College System.

(d) "Dependent child" means any person, whether or not living with his parent, who is eligible to be claimed by his parent as a dependent under the Federal Income Tax Code.

(e) "Parent" means the natural or adoptive parent or legal guardian of a dependent child.

(2) To qualify as a resident for tuition purposes:

(a) A person, or, if a dependent child, his parent or parents, shall have established legal residence in Florida and shall have maintained legal residence in Florida for at least 12 months immediately prior to his qualification.

(b) Every applicant for admission to an institution of higher education shall be required to make a statement as to length of residence in the state and, further, shall establish that his presence, or, if a dependent child, the presence of his parent or parents, in the state currently is, and during the requisite 12-month qualifying period was, for the purpose of maintaining a bona fide domicile, rather than for the purpose of maintaining a mere temporary residence or abode incident to enrollment in an institution of higher education.

However, with respect to a dependent child living with an adult relative other than the child's parent, such child may qualify as a resident for tuition purposes if the adult relative is a legal resident who has maintained legal residence in Florida for at least 12 months immediately prior to the child's qualification, provided that the dependent child has resided continuously with such relative for the 5 years immediately prior to the child's qualification, during which time the adult relative shall have exercised day-to-day care, supervision, and control of the child.

(3) An individual shall not be classified as a resident for tuition purposes and, thus, shall not be eligible to receive the in-state tuition rate, until he has provided such evidence related to legal residence and its duration as may be required by officials of the institution of higher education from which the individual seeks the in-state tuition rate.

(4) With respect to a dependent child, the legal residence of such individual's parent or parents shall be prima facie evidence of the individual's legal residence, which evidence may be reinforced or rebutted, relative to the age and general circumstances of the individual, by the other evidence of legal residence required of or presented by the individual. However, the legal residence of an individual whose parent or parents are domiciled outside this state shall not be prima facie evidence of the individual's legal residence if the individual has lived in this state for 5 consecutive years prior to enrolling or reregistering at the institution of higher education at which resident status for tuition purposes is sought.

(5) In making domiciliary determinations related to the classification of persons as residents or nonresidents for tuition purposes, the domicile of a married person, irrespective of sex, shall be determined, as in the case of an unmarried person, by reference to all relevant evidence of domiciliary intent. For the purposes of this section:

(a) No person shall be precluded from establishing or maintaining legal residence in Florida and subsequently qualifying or continuing to qualify as a resident for tuition purposes solely by reason of marriage to a person domiciled outside Florida even when said person's spouse continues to be domiciled outside of Florida, provided that such person maintains his legal residence in Florida.

(b) No person shall be deemed to have established or maintained a legal residence in Florida and subsequently to have qualified or continued to qualify as a resident for tuition purposes solely by reason of marriage to a person domiciled in Florida.

(c) In determining the domicile of a married person, irrespective of sex, the fact of marriage and the place of domicile of his or her spouse shall be deemed relevant evidence to be considered in ascertaining domiciliary intent.

(6) Any nonresident person, irrespective of sex, who marries a legal resident of this state or marries a person who later becomes a legal resident, may, upon becoming a legal resident of this state, accede to the benefit of the spouse's immediately precedent duration as a legal resident for purposes of satisfying the 12-month durational requirement of this section.

(7) No person shall lose his or her resident status for tuition purposes solely by reason of serving, or, if a dependent child, by reason of his parent or parents serving, in the Armed Forces outside this state.

(8) A person who has been properly classified as a resident for tuition purposes, but who, while enrolled in an institution of higher education in this state, loses his resident tuition status because he, or, if a dependent child, his parent or parents, establish domicile or legal residence elsewhere, shall continue to enjoy the in-state tuition rate for a statutory grace period. This grace period shall be measured from the date on which the circumstances arose that culminated in loss of resident tuition status and shall continue for 12 months. However, if the 12-month grace period ends during a semester or academic term for which such a former resident is enrolled, such grace period shall be extended to the end of that semester or academic term.

(9) The legal residence of a dependent child whose parents are divorced, separated, or otherwise living apart shall be deemed to be Florida if either parent is a legal resident of Florida, regardless of which parent is entitled to claim, and does in fact claim, the minor as a dependent pursuant to federal individual income tax provisions.

(10) Any person who ceases to be enrolled at or graduates from an institution of higher education while classified as a resident for tuition purposes and who subsequently abandons Florida domicile shall be permitted to reenroll at an institution of higher education in this state as a resident for tuition purposes without necessity of meeting the 12-month durational requirement of this section if the person has reestablished Florida domicile within 12 months of such abandonment and continuously maintains the reestablished Florida domicile during the period of enrollment. The benefit of this subsection shall not be accorded more than once to any one person.

Section 83. Section 230.2314, Florida Statutes, is created to read:

230.2314 Florida Progress In Middle Childhood Education Program (PRIME); legislative intent and purpose.—

(1) LEGISLATIVE INTENT.—It is the finding of the Legislature that the transition from childhood to adulthood, occurring between the ages of 9 and 14, is the period during which students are in the middle grades. Between entry into grade 4 and the exit from grade 8, students must accomplish a number of complex and significant developmental tasks. These tasks must be mastered if students are to enter the high school years at a readiness level which will enable them to complete their high school careers and successfully enter adult society. It is the intent of the Legislature to establish programs which recognize the developmental diversity and needs of these students and which result in schools which have the structure, organization, curriculum, services, and personnel appropriate to facilitate this transition.

(2) PURPOSE.—The Florida Progress in Middle Childhood Education Program is hereby created to assure that all students have an appropriate program to enhance their development to their maximum potential. All students who have completed the 5th and 8th grades of the public education system and laboratory schools shall have achieved levels of competence in the basic skills, as required by s. 229.565. This program is designed to build upon the program required by s. 230.2312, the Florida Primary Education Program, and shall integrate with high school performance standards as specified in s. 232.2454 and graduation requirements set forth in s. 232.246.

(3) DEFINITIONS.—For purposes of this section:

(a) "Preventive strategies" means the use of those instructional strategies which shall serve a student with identified or potential learning problems which are considered correctable.

(b) "Enrichment strategies" means the use of those instructional strategies which shall serve a promising learner, defined as one who can emotionally, socially, mentally, and educationally accept exceptional challenges and who has demonstrated proclivities toward creativity and would most likely benefit from additional query or investigative activities.

(c) "Intermediate resource teacher" means a person designated as such by the school, who shall serve as a teacher in a self-contained setting, a resource teacher in the regular classroom assisting students, a resource room teacher, an itinerant resource teacher, or a teacher in any other appropriate setting. Such person shall not be used in an administrative or quasi-administrative role. A role definition and set of required competencies, in addition to 3 years' teaching experience and certification in elementary education, for an intermediate resource teacher shall include at least the following:

1. Knowledge of grade 4 and grade 5 curriculum and development and sequential learning patterns.

2. Ability to teach the basic skills and basic subjects.

3. Ability to apply learning theory to individualized teaching programs.

4. Ability to maintain records and conduct re-evaluations regarding progress and classroom instruction.

5. Ability to assist in the development and implementation of student preventive and enrichment strategies based on available data.

6. Ability to suggest appropriate educational strategies, materials, and techniques for students to parents and support personnel.

7. Ability to use observation techniques in screening, identification, ongoing evaluation, and planning for students.

(d) "Year" means the daily scheduled study, or its equivalent, for a full 180-day school year.

(4) GENERAL REQUIREMENTS FOR GRADES 4 AND 5.—

(a) By the beginning of the 1985-1986 school year and each year thereafter, each district school board and laboratory school shall implement a pupil progression plan, established pursuant to s. 232.245, which provides for the regularly scheduled study of mathematics, science, language arts, reading, art, music, and social studies, for all students in grades 4 and 5. Each district's and laboratory school's pupil progression plan shall also provide for regularly scheduled physical education, as determined by the school district, in grades 4 and 5. Each plan shall include provisions for teaching computer literacy, when resources are available, critical thinking skills, and other related skills in the context of the subjects of mathematics, science, language arts, reading, and social studies. The Department of Education is authorized to waive any of the provisions of this paragraph if a school district or laboratory school requests such waiver for approved Chapter I or state compensatory education programs. Such a waiver shall only be granted in order to provide additional instructional time for reading, writing, oral language development, or mathematics.

(b) By the beginning of the 1985-1986 school year and each year thereafter, each district school board and laboratory school shall conduct an educational screening program, and a vision and hearing screening program to the fullest extent feasible, for all students entering Florida schools for the first time during grades 4 and 5. Such screening shall include verification of a student's prior attendance and grade level, within or without the State of Florida, at the time of admission to a Florida school. This verification is required prior to a student's progression to the next grade level. In the absence of any verification, the child shall be administered the standard test used in the district or laboratory school to determine at what grade level the child is functioning and shall be placed in the appropriate program as indicated by the test results. The screening program shall be such that all public school students and laboratory school students in grades 4 and 5 shall be screened prior to the end of the eighth week of their initial public school or laboratory school experience in Florida. Educational screening shall be performed with the classroom teacher acting as the primary screening agent, with final decisions for assessment to be made by the principal after considering the recommendations of the teacher and any school-based or itinerant resource persons that are involved. The use of a screening instrument or instruments shall provide objective data regarding basic subjects and minimum performance standards. A listing of suggested screening, identification, and assessment instruments, along with descriptions, interpretations, suggested techniques and uses, and other information deemed necessary for the classroom teacher, shall be developed by the Department of Education with the assistance of selected district school-based and laboratory school-based personnel and shall be updated annually, or as needed, and disseminated for use by teachers and other appropriate personnel.

(5) GENERAL REQUIREMENTS FOR GRADES 6, 7, AND 8.—

(a) By the beginning of the 1985-1986 school year and each year thereafter, students entering the 6th grade shall receive instruction in grades 6 through 8 in the following basic subjects:

1. Three years in mathematics.

2. Three years in communications, which shall be defined to include experiences in reading, writing, and speaking. Developmental reading shall be provided at each grade level for those students for whom the district or laboratory school deems it appropriate.

3. A minimum of 3 years in science, which shall include instruction in life science and instruction in earth science or physical science.

4. A minimum of 3 years in social studies, which shall include the study of United States, civics, and the study of Florida history.

5. Each district's and laboratory school's pupil progression plan shall include provisions for teaching computer literacy, when resources are available, critical thinking skills, and other related skills in the context of the basic skills as specified in subparagraphs 1.-4.

6. Physical education shall be regularly scheduled each year as determined by each district school board.

(b) By the beginning of the 1985-1986 school year and each year thereafter, there shall be provision of a series of experiences for student development through exposure to experiences to be selected from, but not limited to, the following: art, music, foreign languages, exploratory vocational education, and health. Such experiences shall be on a regularly scheduled basis in grades 6 through 8.

(c) The Department of Education is authorized to waive any of the provisions of paragraph (a) or paragraph (b) if a school district or laboratory school requests such waiver for approved Chapter I or state compensatory education programs. Such a waiver shall only be granted in order to provide additional instructional time for reading, writing, oral language development, or mathematics.

(d) Each district school board and laboratory school shall establish grade-level promotion policies and include such requirements in its pupil progression plan.

(e) By June 30, 1987, the Department of Education, in conjunction with local school districts and laboratory schools, shall develop common course offerings in the major subject areas in grades 6, 7, and 8 for inclusion in the 1987-1988 Course Code Directory.

(f) By June 30, 1986, the Department of Education, in conjunction with local school districts and laboratory schools, shall develop curriculum frameworks for each course in the basic subject areas of mathematics, communications, science, and social studies in grades 6, 7, and 8 included in the Course Code Directory. A curriculum framework is a set of broad guidelines which aids educational personnel in the production of specific instructional plans for a given subject or area of study. Each curriculum framework developed by the department shall be approved by the State Board of Education.

(6) FLORIDA GRADES 4 AND 5 ENHANCEMENT PROGRAM.—There is created the Florida Grades 4 and 5 Enhancement Program.

(a) To be eligible to receive funds under this subsection a school district or laboratory school shall submit to the Department of Education a proposed program plan designed to assure that each student in grades 4 and 5 shall have a program consistent with the intent and purposes of the Florida Progress in Middle Childhood Education Program. Each such initial plan shall be submitted by May 1, 1985, or by May 1 of a subsequent year, in the manner and format prescribed by the department. Any district or laboratory school denied approval by the department by June 1, 1985, or by June 1 of a subsequent year, shall be denied funds for this program for the subsequent year. A school district or laboratory school may apply to the department for approval to update or amend its approved plan for a school year, provided that such application is made 60 days prior to the beginning of the next fiscal year or at such earlier date as may be required by the department. The department shall make the final determination as to the approval or disapproval of all proposed plans, plan updates, and amendments.

(b) In order to be approved, a program proposal shall include:

1. Provision for screening procedures as specified in paragraph (4)(b).

2. Procedures whereby preventive instructional strategies shall be updated or continued for students in grades 4 and 5.

3. Procedures whereby additional screening and further assessment may occur.

4. Procedures for identification, assignment, and termination of preventive instructional strategies to students.

5. Procedures for identification and assignment of enrichment instructional strategies to students.

6. Provisions for intermediate resource teachers.

7. During the initial year first priority shall be given for staff development programs. Such programs shall address at least the competencies specified in paragraph (3)(c) for all appropriate personnel.

8. Provision of an articulation plan from kindergarten through grade 3 to grades 4 and 5.

9. Maintenance of assessment profiles which facilitate efficient individual planning and annual aggregation of developmental academic and social data on students.

10. Provision for reducing class size where such a strategy shall enhance student learning in a cost-effective manner.

(c) The annual allocation to each district that is eligible to receive funds under this subsection shall be distributed through the Florida Educational Finance Program on a pro rata student basis, as specified by department guidelines or necessary rules prescribed by the State Board of Education. The annual allocation to each laboratory school that is eligible to receive funds under this subsection shall be distributed through the education and general budget. Funds from this subsection shall not be distributed until a district's plan or a laboratory school's plan has been approved pursuant to paragraph (a). Any undistributed amounts shall revert to the General Revenue Fund pursuant to state law.

(7) FLORIDA GRADES 6 THROUGH 8 ENHANCEMENT PROGRAM.—

(a) There is created the Florida Grades 6 through 8 Enhancement Program. Funds provided under this subsection shall be used by school districts and laboratory schools to implement those concepts shown by research to be effective in meeting the needs of students in grades 6 through 8. Such concepts shall include programs of study and the organization of instruction in grades 6 through 8 which:

1. Encourage a gradually increasing degree of independence for students.

2. Encourage teachers and other professionals to develop and share a significant pool of information about students.

3. Encourage the implementation of a continuous, comprehensive assessment program which insures the monitoring of student development and the implementation of intervention strategies if problems are identified.

4. Encourage the development of a continuous systematic program to assist in affective development and decision-making skills.

5. Encourage the implementation of an instructional program which introduces the formal academic disciplines to students and requires exploration of the basic elements of these disciplines in preparation for the required elements of the high school program.

6. Encourage the students to explore appropriate vocational and fine arts subjects.

7. Assure articulation with kindergarten through grade 5 and grades 9 through 12.

8. Provide for a continuous assessment profile of the student's social and academic progress.

(b) To be eligible to receive funds under this subsection, each school district and laboratory school shall submit to the Department of Education a proposed long-term implementation plan. Each such initial plan shall be submitted by May 1, 1985, or by May 1 of a subsequent year, in the manner and format prescribed by the department. Any district or laboratory school denied approval by the department by June 1, 1985, or by June 1 of a subsequent year, shall be denied funds for this program for the subsequent year. A school district or laboratory school may apply to the department for approval to update or amend its approved plan for a school year, provided that such application is made 60 days prior to the beginning of the next fiscal year or at such earlier date as may be required by the department. The department shall make the final determination as to the approval or disapproval of all proposed plans and plan updates and amendments.

(c) The annual allocation to each district eligible to receive funds under this subsection shall be distributed through the Florida Educational Finance Program on a pro rata student basis, as specified by department guidelines or necessary rules prescribed by the State Board of Education. The annual allocation to each laboratory school that is eligible to receive funds under this subsection shall be distributed through the education and general budget. Funds from this subsection shall not be distributed until a district's plan or a laboratory school's plan has been approved pursuant to paragraph (b). Any undistributed amounts shall revert to the General Revenue Fund pursuant to state law.

(8) PLAN SUBMISSION ALTERNATIVES.—A school district or laboratory school may submit separate plans as specified in subsection (6) or subsection (7), or it may submit a unified plan for the programs specified in subsections (6) and (7).

Section 84. College of education faculty retraining program.—

(1) The Department of Education, in cooperation with the Board of Regents and the State Board of Independent Colleges and Universities, is authorized and directed to establish one or more approved postdoctoral training programs to retrain currently employed college or university faculty to deliver training or inservice training programs related to middle childhood education programs for instructional personnel, student services personnel, and school district administrators.

(2) The department is authorized to award grants to a college or university located in and approved by the state to develop retraining programs. Such programs shall meet the following criteria, in addition to other criteria specified by the department:

(a) The program shall be voluntary and participants shall have a doctoral degree and at least 2 years of full-time teaching experience at a college or university.

(b) Each prospective participant shall be nominated by the college of education's dean or equivalent individual at the prospective participant's institution.

(c) The retraining program shall be conducted by postsecondary faculty, district school personnel, or laboratory school personnel who demonstrate outstanding training, expertise, and experience in middle grade education.

(d) The content of the program shall include as a minimum the following subject content areas: the middle grades, understanding the middle grade student, planning and evaluating middle grade programs, middle grade curriculum development, and teaming and interdisciplinary instruction in the middle grades. The department shall specify guidelines for additional content areas for the training of administrators and student services personnel. When validated competencies appropriate for middle grade personnel have been prescribed by state board rule, such competencies shall be substituted for the subject competency areas specified in this paragraph.

(e) Participants volunteering to be retrained under the provisions of this section shall continue their full salary and other benefits and privileges, provided that they participate full-time in the retraining program and meet other requirements specified by the department. Such requirements shall provide for a declaration to teach or provide other direct services in middle childhood education, following completion of the retraining program.

(3) The State Board of Education shall prescribe rules necessary to implement the provisions of this section.

Section 85. Section 231.613, Florida Statutes, is amended to read:

231.613 Inservice training institutes.—

(1) It is the intent of the Legislature to establish inservice training institutes for the purpose of providing rigorous inservice training for the state's public school instructional personnel as defined in s. 228.041(9). The Legislature shall determine annually in the General Appropriations Act the subject area or areas of instruction for the institutes and the grade levels and ~~subject area~~ specialities of participating instructional personnel.

(2) ~~Not later than July 1, 1984,~~ Each public school district shall separately, or in cooperation with an adjoining district or districts, establish an inservice training institute which shall meet the following criteria:

(a) Operate for the number of hours or days specified in the General Appropriations Act.

(b) Operate at a time other than the regular school year for students.

(c) Annually provide rigorous inservice training for district instructional personnel as designated by the Legislature in subsection (1).

(d) Utilize school district, ~~or~~ community college, *university, or other approved* facilities as the site for inservice institutes.

(e) Utilize public or private university, college, or community college personnel or teacher education centers to conduct inservice institute training.

~~(f) Operate summer camps for public school students in the areas of mathematics, science, computer, or foreign language instruction as a clinical component of the institute.~~

(3) ~~Not later than December 1, 1983, and~~ By December 1 *of* each year ~~thereafter~~, each district or group of districts establishing an inservice institute shall submit to the department for approval a plan describing how inservice institute training shall be provided for that year. Such plans shall be submitted in a manner and form as prescribed by state board rule, and shall contain:

(a) An estimate of costs for providing inservice activities.

(b) Procedures to evaluate institute activities *consistent with s. 231.608(1)* and the impact such activities have on instructional effectiveness and student achievement.

(c) Such other items as may be required by the state board.

(4) Instructional personnel participating in an inservice training institute may receive compensation for this training as provided for in the General Appropriations Act.

(5) Instructional personnel may use successful participation in an institute for certificate extension or to add new areas to a teaching certificate if a procedure for determining successful participant completion of an institute is included in the approved institute plan of their district.

(6) Funding for the institutes established pursuant to this section shall be provided annually in the General Appropriations Act.

(7) No full-time equivalent students shall be reported by a community college or university as a result of such instruction.

Section 86. Paragraph (a) of subsection (2) of section 236.0811, Florida Statutes, is amended to read:

236.0811 Educational training.—

(2)(a)*1.* Pursuant to rules of the State Board of Education, each district shall develop and submit to the commissioner for approval a 5-year master plan for inservice educational training. The plan shall be based on an assessment of the inservice educational training needs of the district conducted by a committee which includes parents, classroom teachers, and other educational personnel. The plan shall include a component consisting of competencies in the identification, assessment, and prescription of instruction for exceptional students. The plan shall be updated annually by July 1 and shall include inservice activities for all district employees from all fund sources.

2. Effective no later than July 1, 1985, each school district's plan for inservice educational training submitted pursuant to this paragraph shall include inservice components which may be used for certificate extension or a new endorsement in each of the following areas: a study of the middle grades, understanding the middle grade student, organizing interdisciplinary instruction in the middle grades, curriculum development in the middle grades, developing critical thinking and creative thinking in middle grade students, counseling functions of the middle grade teacher, developing creative learning materials for the middle grades, and planning and evaluating middle grade programs.
The department is authorized to waive one or more of these inservice areas if the district can document its unsuccessful attempt to secure a competent trainer or sufficient enrollment, or when the department determines that specific validated competencies may be substituted in lieu of such inservice areas.

Section 87. Model school adjustment programs.—

(1) GOAL AND INTENT.—

(a) The goal of this program is to develop and evaluate one or more research-based model prevention programs for grades 4 through 8 students likely to become academic underachievers, failures, truants, dropouts, or severe behavioral problems. Such students shall be currently ineligible or inappropriate for existing educational alternative or exceptional education programs.

(b) To accomplish the goal of this program it is desirable to jointly coordinate the development and evaluation of such programs with a research effort aimed at identifying and validating those characteristics which are predictive of the student population specified in paragraph (a).

(2) RESEARCH AND VALIDATION PROJECTS, AND MODEL PROGRAMS.—During the 1984-1985 and 1985-1986 fiscal years, the Department of Education is authorized and directed to contract with public postsecondary institutions, school districts, other public or private entities, or any combination thereof. The proposals for such contracts shall be reviewed, with the department to make the final determination as to whether each proposal is approved or disapproved. Such proposal shall be designed to:

(a) Conduct research and validation projects to establish a data base and instruments to provide for the identification of grades 4 through 8 students as specified in subsection (1). Such research design should emphasize the following components:

1. Review existing research to cull the most potent variables associated with school failure in general.

2. Conduct a controlled "backtrack study" in at least six diverse Florida public school districts in grades 5 through 12, which utilizes the variables identified in subparagraph 1. to historically review student profiles at specific points in each student's education background.

3. Construct and validate identification instruments and procedures to identify student groups specified in subsection (1) at different points in grades 4 through 8, based upon the findings of subparagraph 2.

4. Determine the incidence of each student population specified in subsection (1).

(b) Conduct and evaluate up to 10 model prevention programs for public school students as specified in subsection (1) in one or more of grades 4 through 8. During the 1985-1986 school year, such programs shall utilize to the fullest extent possible the research findings specified in paragraph (a). Priority for funding such programs shall be given to those proposals which:

1. Delineate criteria, a rationale, and procedures for student selection.

2. Demonstrate the potential contract recipient's expertise and experience to provide educational programs to motivate or modify such students by helping the student to develop his or her self-esteem and sense of responsibility; channel behaviors in more positive directions; provide relevant educational experiences compatible with the student's curriculum; and provide opportunities for voluntary community service.

3. Conduct programs during the normal school day and include opportunities for weekend and vacation experiences; or conduct programs during the summer months. Such programs may utilize outdoor and environmental activities.

4. Emphasize parental participation or the participation of selected school personnel.

(3) DROPOUT PREVENTION.—Effective during the 1986-1987 school year and each school year thereafter:

(a) Every school district shall cause to be established within each school in the district a remediation program under which qualified school personnel, under the authority of school administrators, shall meet with, counsel, and otherwise professionally assist those students who have been identified as potential school dropouts, and where possible, the parents or legal guardians of such students, in an attempt to alleviate the conditions and problems contributing to the behavioral factors which have led to the identification of such students as potential school dropouts.

(b) Every district school board shall take such action as may be necessary to ensure that school counselors within the district are familiar with the student dropout profile, are adequately trained in identifying those students who fit such profile, and are well grounded in appropriate counseling techniques and procedures deemed effective in such cases.

(c) School counselors shall report any student deemed to fit the student dropout profile to the school principal or his designated representative so that steps toward initiating remediation procedures may be immediately taken by the school administration.

(4) REPORTING.—The department shall submit a written interim status report to the Legislature and Governor on the implementation of this section on or before April 1, 1985. Such report shall include, but not be limited to, a description and progress report on all research and validation projects and model prevention programs as specified in subsection (2), and the report shall contain recommended funding and programmatic revisions, if necessary, to implement the second year of the program. Such report shall also include recommendations for modifying the state's educational system to reduce Florida's student dropout rate. In addition, the report shall include recommendations for modifying the state's alternative education program. A final report shall be submitted by the department on or before April 1, 1986. The written report shall include specific recommendations to encourage or mandate the use of model materials and findings statewide, effective with the 1986-1987 fiscal year.

Section 88. Subsection (4) of section 230.2315, Florida Statutes, is amended to read:

230.2315 Educational alternative programs.—

(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. *State Board of Education rules shall prescribe a definition of "positive program" to comply with the legislative intent of this section.*

Section 89. Interagency student services.—

(1) It is the intent of the Legislature that through interagency planning and sharing of resources the public schools, the laboratory schools, and the Department of Health and Rehabilitative Services shall demonstrate procedures to achieve:

(a) Increased student learning and student time on task.

(b) Reduced health, behavioral, truancy, and drug and alcohol problems among students.

(c) Increased efficiency and effectiveness of school and Department of Health and Rehabilitative Services personnel and resources.

(2) To implement the intent of this section, pilot schools, beginning with grades 4 through 8, shall be selected to demonstrate the results of joint public school, laboratory school, and Department of Health and Rehabilitative Services planning and implementation of student services intensely focused on a school site and on the school's geographical attendance area to accomplish the goals specified in subsection (1). The Department of Health and Rehabilitative Services is authorized to assign staff and resources to a school site to provide student services according to guidelines adopted by the local school board or laboratory school. All services and programs provided on the school site shall be coordinated by the school principal.

(3) The Department of Education is authorized and directed to award grants to school districts and laboratory schools for pilot demonstration schools. Applications by school districts shall be jointly signed by the district school superintendent and Department of Health and Rehabilitative Services district administrator. Applications by laboratory schools shall be jointly signed by the laboratory school director and Department of Health and Rehabilitative Services district administrator. Applications shall be reviewed by a joint Department of Education and Department of Health and Rehabilitative Services review committee. Site visits to the schools by the review committee may be made before final selection. The application shall show that sufficient joint planning has occurred and that needs assessment data are adequately described.

(4) The State Board of Education and the Department of Health and Rehabilitative Services are authorized to adopt rules to carry out the intent of this section.

(5) The majority of funds for interagency student services shall come from redirecting existing resources and increased efficiency. Each of four pilot schools shall be allocated funds to use in supporting such items as clerical assistance for needs assessment, data collection, space renovation, planning committees, evaluation design and plan for determining cost effectiveness and cost benefit.

Section 90. District multi-agency coordinating councils.—

(1) In order to improve the coordination and delivery of services to public school students, each district school board is authorized to apply to the Department of Education for funds to facilitate the establishment of a multi-agency coordinating council. Each council shall be composed of the chief executive officer, or his designee, of each participating agency or entity. Council members shall include representatives from school systems, the Department of Health and Rehabilitative Services, the judiciary, and other entities determined by the district school board. Priority for awarding funds under the provisions of this section shall be given to school districts selected to participate in the interagency student services program as specified in section 89.

(2) Duties and responsibilities of each district council shall be to jointly:

(a) Develop local procedures to coordinate the delivery of services to public school students in kindergarten through grade 12, with initial emphasis on grades 4 through 8.

(b) Review and provide local guidelines for the development and assessment of interagency student services programs, established pursuant to section 89.

(c) Develop local guidelines for school-based service plans which shall be coordination of the delivery of student services.

(d) Develop, and revise as necessary, a district-level multi-agency coordinating plan by February 1, 1987.

(3) One school district authorized to receive funds under the provisions of this section shall receive separate funding to develop a computer-supported program for coordinating the delivery of services to school-age youth receiving services from public or private sector agencies. Such computer-supported program shall be designed to function on a state level.

Section 91. Section 236.0817, Florida Statutes, is created to read:

236.0817 Developmental research schools; eligibility for categorical funding.—For the purposes of allocating categorical funds for ss. 230.2312, 236.088, 236.089, and 236.1223, the Department of Education shall include developmental research schools in the allocation of funds.

Section 92. Capital outlay study.—The Department of Education is authorized and directed to conduct a study to determine the short-term and long-term fiscal and programmatic impact of renovating or expanding schools housing grades 10 through 12 students to house grade 9 students in those schools to better implement the increased educational requirements of chapter 83-324, Laws of Florida. The department shall submit its final report to the Legislature on or before February 1, 1985.

Section 93. Center for Middle Grades Education.—

(1) There is hereby established within the Department of Education the Center for Middle Grades Education which shall provide services to middle grade educators. For purposes of this section, middle grades or middle level means grades 4 through 9, or some combination thereof. Educators throughout the United States and in foreign countries who are directly involved in middle level education shall be served by the center. Special emphasis shall be on middle level education in Florida.

(2) The center shall provide services to middle level instructional personnel, counselors, and administrators designed to increase the efficiency of such educators in planning, implementing, and conducting effective programs for early adolescent learners. The center shall perform the following activities:

(a) Serve as a clearinghouse in order to receive, evaluate, and disseminate materials pertinent to middle level education. This also includes developing and maintaining a professional curriculum library, including media and software relevant to this educational level.

(b) Provide a program for ongoing staff development offerings for instructional personnel, counselors, and administrators through the development of a model based on continuing certification renewal.

(c) Institute a series of seminar/workshop experiences which will utilize noted local, regional, and national experts in each of the identified topical areas. The seminar/workshop series will be publicized nationally for those sessions which deal with topics of a national scope.

(d) Provide consultive services on a short-term basis through conducting workshops and inservice sessions on topics identified by educational personnel. Each session shall be planned and presented in accordance with the recognized need of the group involved.

(e) Provide access to research information in the area of middle level education through a national and international information search source. Computer equipment as well as a subscription will be utilized to accommodate this service.

(f) Prepare, and make available, a yearbook on middle level education which will be an annual report of activities and research efforts in which the staff of the center has been involved. Such a report shall become the definitive report of the current status of middle level education in America.

(3) The center shall be funded by legislative appropriation and income derived from inservice sessions, workshops, and the sale of materials and searches.

Section 94. Sections 83 through 93 shall be implemented in the 1984-1985 school year and thereafter only to the extent as specifically funded and authorized by law.

Section 95. Sections 95 through 104 shall be known and may be cited as the "Florida Accountability in Curriculum, Educational Instructional Materials, and Testing Act (FACET) of 1984."

Section 96. Intent.—The Legislature recognizes that student achievement, curriculum, and instructional materials are interrelated. Therefore, to enhance quality education and upgrade student achievement, a coordinated effort is needed to ensure that the diverse needs of our public school students are met with the best available instructional materials and assessment instruments and procedures.

Section 97. Florida Accountability in Curriculum, Educational Instructional Materials, and Testing.—

(1)(a) Subject to State Board of Education review and approval, by April 1, 1985, the Department of Education shall develop guidelines for the identification or development, evaluation, oversight, and revision of:

1. Curriculum frameworks as specified in section 99 of this act.

2. Student performance standards as specified in ss. 232.2454(1) and 229.565(1) and (2), Florida Statutes.

3. Model standards and procedures for the adoption of state and district instructional materials and software consistent with curriculum frameworks and student performance standards as specified in this paragraph. Such models shall provide Florida's diverse student populations with the highest quality instructional materials and software in the most cost-effective manner possible. Such models shall include a component to ensure the production of instructional materials and software by the state, or a consortium of states, when economical or superior quality instructional materials or software are unavailable from commercial sources by special contract.

4. Model standards and procedures for state and district adoption, analyses, and use of nationally normed student achievement tests or other nationally normed assessment instruments, as specified in section 98 of this act.

5. Criteria and procedures to determine the individual school programs which are most deficient in student performance. Such criteria and procedures shall take into account testing results under the provisions of ss. 229.565 and 232.2454, Florida Statutes, and section 98 of this act.

6. Model training procedures for state-level and district-level personnel assigned responsibilities for evaluating and selecting instructional materials, software, and norm-referenced achievement measures.

7. Standards for effective evaluation and comparable evaluation and testing procedures among districts.

(b) By June 30, 1986, the department shall review and recommend to the State Board of Education, for final action, approval of curriculum frameworks and uniform statewide student performance standards, instruments, and reporting procedures.

(c) The Commissioner of Education shall assure the coordination of all department functions pursuant to the provisions of sections 95 through 104.

(d) Such activities shall include, but not be limited to, activities which coordinate the department with the activities of any related council, commission, task force, institute, or consortium.

(2) The commissioner, no later than November 1 of each year, shall transmit to the State Board of Education, Speaker of the House of Representatives, President of the Senate, and chairmen of the House and Senate committees on public school education an appraisal of the programs and activities as set forth in sections 95 through 104 as to the effectiveness, efficiency, and utilization of resources, including a statement of the overall program for the coming year, the recommended level of funding for the overall program, and any other recommendations deemed appropriate by the commissioner. Such recommendations shall include, but not be limited to, necessary modifications of statutes, state board rules, and administrative procedures to implement the provisions of said sections.

Section 98. Nationally normed assessments.—After considering recommendations by the Commissioner of Education, the State Board of Education shall adopt rules necessary to permit the state by no later than the 1989-1990 school year to determine and report, to the fullest extent possible, interschool, interdistrict, interstate, regional, and national comparisons, including ranked comparisons, of nationally normed student achievement test score results, or other nationally normed assessment program score results, achieved by comparable grade or age groups, in major academic or skills areas or courses of study. Such rules shall include, but not be limited to, provisions for:

(1) Information which permits numerical rankings and other analyses which consider socioeconomic composition, aptitude, and historical student achievement; and

(2) Student assessment at grades and times during the school year which shall be least disruptive to other state or local assessment and educational programs.

Section 99. Curriculum frameworks.—

(1) Pursuant to section 97, the Department of Education shall develop, maintain, and revise as necessary curriculum frameworks for the purpose of ensuring instructional consistency and assessment within academic disciplines among Florida's public schools. A curriculum framework is a set of broad guidelines which aids educational personnel in producing specific instructional plans for a given subject area or area of study. The process for developing and periodically revising curriculum frameworks shall emphasize the recommendations of national professional organizations and instructional material consortia by subject area or area of study. Each such framework shall be initially approved by the State Board of Education by July 30, 1986.

(2) Student outcomes specified in each curriculum framework shall be used to develop uniform, statewide student performance standards and assessment instruments in those areas approved pursuant to s. 232.2454(1), Florida Statutes.

Section 100. Subsections (1), (2), (3), and (4) of section 232.2454, Florida Statutes, are renumbered as subsections (2), (3), (4), and (5), respectively, and a new subsection (1) is added to said section to read:

232.2454 Student performance standards ~~in high schools~~.—

(1) The State Board of Education shall adopt rules to provide for the development and periodic revision of uniform, statewide student performance standards, instruments, and assessment procedures to measure public school student performance in each major subject area or major area of study approved by the state board. Such rules shall be adopted in time to ensure that such assessments and related results reporting occur for all approved areas no later than the fall of the 1989-1990 school year. However, initial assessments shall not occur until the spring of the 1988-1989 school year and initial reporting shall not occur until the fall of the 1989-1990 school year. Such rules shall include, but not be limited to, provisions for information which permits numerical rankings and other analyses which consider socioeconomic composition, aptitude, and historical student achievement.

Section 101. Section 229.575, Florida Statutes, is amended to read:

229.575 Reporting procedures.—

(1) COMMISSIONER'S REPORT.—The commissioner shall annually report the status of the state system of public education. *All reports shall be received by the school districts prior to their release to the general public.* Such reports shall contain:

(a) Information about how well district instructional programs enable students to meet the minimum performance standards.

(b) Comparative numerical rankings and other appropriate analyses of Florida with other states based on the nationally normed testing program specified in section 98 of this act.

(c) Comparative numerical rankings and other appropriate analyses of districts and regions within Florida based on:

1. The nationally normed testing program specified in section 98 of this act.

2. Student performance pursuant to ss. 232.2454(1) and 229 565(1) and (2).

(d)~~(b)~~ Results of educational program evaluations.

(e)~~(c)~~ Information about the needs of education.

(f)~~(d)~~ Areas of immediate and long-range concern to state and district education decision makers.

(g)~~(e)~~ Recommendations for action.

(h)~~(f)~~ Information on policy decisions.

(i)~~(g)~~ Any other information and analyses which explain or clarify the status of the state system of public education.

(j)~~(h)~~ The comparisons required by s. 229.57.

The commissioner's annual report shall be presented to the Legislature prior to the convening of each regular session and shall be made available to the general public and the citizens of Florida through all appropriate means.

(2) DISTRICT REPORT.—Each district shall annually report on the status of education in the district. Such reports shall contain:

(a) Information about how well school instructional programs enable students to meet the minimum performance standards.

(b) Comparative numerical rankings and other appropriate analyses of Florida with other states based on the nationally normed testing program specified in section 98 of this act.

(c) Comparative numerical rankings and other appropriate analyses of districts and regions within Florida based on:

1. The nationally normed testing program specified in section 98 of this act.

2. Student performance pursuant to ss. 232.2454(1) and 229.565(1) and (2).

(d) Comparative numerical rankings and other appropriate analyses of schools within the district based on:

1. The nationally normed testing program specified in section 98 of this act.

2. Student performance pursuant to ss. 232.2454(1) and 229.565(1) and (2).

(e)~~(b)~~ Results of program evaluations.

(f)~~(c)~~ Information about the needs of education in the district.

(g)~~(d)~~ Information on district policy decisions.

(h)~~(e)~~ Any other information and analyses which explain or clarify the status of education in the district.

The district annual report shall be made available to the general public and the citizens of the district, to each school in the district, and to appropriate local news media.

(3) SCHOOL REPORT.—Each school shall report annually on its status of education. Such reports shall be based upon information for the prior school year and shall contain:

(a) Information on how well the school is meeting its goals and objectives.

(b) Interpretation and analysis of student progress, including information on how well students are achieving the minimum performance standards.

(c) Comparative numerical rankings and other appropriate analyses of Florida with other states based on the nationally normed testing program specified in section 98 of this act.

(d) Comparative numerical rankings and other appropriate analyses of districts and regions within Florida based on:

1. The nationally normed testing program specified in section 98 of this act.

2. Student performance pursuant to ss. 232.2454(1) and 229.565(1) and (2).

(e) Comparative numerical rankings and other appropriate analyses of schools within the district based on:

1. The nationally normed testing program specified in section 98 of this act.

2. Student performance pursuant to ss. 232.2454(1) and 229.565(1) and (2).

(f)~~(e)~~ Fiscal information, including the school budget.

(g)~~(d)~~ Information on the needs of the school and its students.

(h)~~(e)~~ Summaries of teacher, student, parent, and community attitudes toward the school.

(i)~~(f)~~ Any other information and analyses which explain or clarify the status of education.

The principal, with the assistance of teachers, students, and the school advisory committee, where existing, shall prepare the report which shall be published by November 1 each school year beginning with the 1977-1978 school year. The report shall be reproduced and distributed at the least possible cost and may be issued in a series or as part of existing school publications. The report shall be distributed to the parent or guardian of each student in the school and made available to all other interested citizens upon request.

Section 102. Paragraph (i) is added to subsection (3) of section 229.565, Florida Statutes, and subsection (4) of said section is amended to read:

229.565 Educational evaluation procedures.—

(3) 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:

(i) Determination of school district achievement in the performance standards specified in s. 232.2454(1).

(4) ASSISTANCE AND ADJUSTMENTS.—If discrepancies or deficiencies are found, the Commissioner of Education shall provide information and assistance to the superintendent and personnel of the district in correcting the cited deficiencies. *Priority for such assistance shall be to provide the most deficient individual school programs with research-based problem identification strategies and alternatives to improve student performance. Such alternatives shall be systematically drawn from research related to school effectiveness, teacher effectiveness, or management effectiveness.* If it is determined that approved criteria and procedures for the placement of students and the conduct of programs have not been followed by the district, appropriate adjustments in that district's full-time equivalent student count shall be made, and any excess funds shall be deducted from subsequent allocations of state funds to that district.

Section 103. Evaluation design alternatives.—

(1) The Commissioner of Education is authorized and directed to request proposals and award contracts to one or more state universities to develop comprehensive evaluation design alternatives to assess on a continuous basis the implementation and impact of major public school edu-

cation reforms. Reform legislation to be assessed shall include, but not be limited to, the major components of the following legislation and subsequent amendments thereto:

(a) Chapter 79-288, Laws of Florida (PREP).

(b) Chapter 83-324, Laws of Florida (RAISE).

(c) Chapter 83-327, Laws of Florida (Educational Reform Act of 1983).

(d) Committee Substitute for Committee Substitute for House Bill 830 (PRIME) of the 1984 legislative session or similar legislation which deals with middle childhood education, which is enacted during the 1984 legislative session.

(2) By October 1, 1984, the Commissioner of Education shall request proposals from the entities specified in subsection (1) to develop evaluation design alternatives. The commissioner's criteria for assessing such evaluation designs shall include, but not be limited to, the following:

(a) The joint development of the research design with appropriate school faculty, school district curriculum and evaluation experts, and department, Governor's Office and legislative personnel.

(b) Provision for an annual report to the commissioner which provides information for preparing the department's legislative budgets, assisting school districts in implementing the most effective and efficient practices as they pertain to the reforms, and suggested State Board of Education rule modifications.

(c) Provision for an annual report to legislators and legislative staff which recommends statutory and budgetary modifications based upon evaluation findings.

(d) Short-term and long-term cost estimates.

(e) Evaluation of relationships among the reform programs and between each reform and the programs funded under the provisions of s. 236.081, Florida Statutes.

(f) A plan to phase in the department's capacity to independently conduct such evaluations starting no later than July 1, 1987.

(3) By February 28, 1985, the State Board of Education shall approve one or more contracts with state universities to conduct the evaluations specified by this section. In the event that a contractor is deemed not meeting its stated objectives, as determined by the State Board of Education, the Legislature shall zero fund the proposal and the commissioner shall promptly call for new proposals to implement the evaluation design or an alternative.

(4) School districts and other education-related entities shall cooperate with the department and its contractors to the fullest extent possible in order to ensure the most efficient and effective evaluations.

Section 104. The State Board of Education is authorized to develop rules necessary to implement the provisions of sections 95 through 103.

Section 105. Section 231.245, Florida Statutes, is created to read:

231.245 Institute for Instructional Research and Practice and Student Educational Evaluation and Performance.—

(1) The Board of Regents is authorized and directed to establish an Institute for Instructional Research and Practice and Student Educational Evaluation and Performance. There shall be institute directors to direct the institute's activities. The directors may be located at different universities in the state and each director shall be appointed by the president of the university at which one or more of the institute's functions are located. Each director shall be responsible for the following functions and related activities:

(a) The director responsible for assembling and conducting research to validate subject area knowledge for instructional personnel shall accomplish the activities specified in paragraph (3)(a).

(b) The director responsible for teacher effectiveness and practice research shall accomplish the activities specified in paragraphs (3)(b)-(d).

(c) The director responsible for student educational evaluation and performance shall accomplish the activities specified in paragraphs (3)(e)-(i).

The institute's research functions are to be implemented with the involvement of experts in evaluation and measurement.

(2) The major purposes of the institute are to effect increases in student performance through improved knowledge and performance of teachers and instructional leadership of school administrators; to provide a knowledge base for evaluating and improving the programs of education and training in teacher education institutions; to gather data and information and conduct research designed to discover new and improved means of measuring student outcomes; to determine methods of student evaluation which are more accurate than those in present use; and to advance the state of the art in student testing and evaluation of student performance and to build a capability within Florida for meeting the many measurement challenges which confront educators and policymakers.

(3) In order to accomplish the purposes set forth in subsection (2), the instructional research and practice function shall meet the objectives set forth in paragraphs (a)-(d) and the student educational evaluation and performance research function shall meet the objectives set forth in paragraphs (e)-(i):

(a) Assembling and conducting research to validate subject area knowledge for each teaching field. The accomplishment of this objective shall include, but not be limited to:

1. Assembling subject area knowledge specific to teaching areas.

2. Validating subject area knowledge through empirical research, professional practice, and the public school curriculum.

3. Facilitating the development or validation of subject area examinations or other indicators.

(b) Assembling teacher effectiveness research and conducting research. The accomplishment of this objective shall include, but not be limited to:

1. Identifying concepts and indicators of teaching that are effective in developing higher mental processes and abstract forms of knowledge.

2. Examining class organization and modes of learning to determine optimal factors.

3. Identifying and examining the effects of school climate on student performance.

4. Measuring the effectiveness of administrators in increasing teacher effectiveness through classroom observation and conferencing in cooperation with the Florida Council on Educational Management.

(c) Developing and testing teacher evaluation systems. The accomplishment of this objective shall include, but not be limited to:

1. Researching and developing criteria and standards for judging the value and accuracy of teacher evaluation systems.

2. Conducting longitudinal research on the effect of teacher knowledge and performance on student achievement.

3. Conducting longitudinal research using classroom observation data to measure the effects of teaching context on student performance.

(d) Organizing and disseminating research and evaluation instruments as specified in this subsection and training university trainers to improve programs of teacher education. The accomplishment of this objective shall include, but not be limited to:

1. Developing and organizing a knowledge base for evaluating and improving the programs for education of teachers in the state.

2. Assessing the effects of research on preservice and inservice teacher education programs.

3. Developing training manuals and materials based on research data and testing their effectiveness in the education of teachers and in changing administrator and teacher practice.

(e) Improving diagnosis related to student performance evaluation. The accomplishment of this objective shall lead to improvements in the current methods of utilizing performance evaluation to diagnose student educational deficiencies and to prescribe remedial alternatives and initiatives to decrease those deficiencies.

(f) Developing student performance statistical studies. The institute shall cooperate with Department of Education representatives in identifying statistical analyses useful in documenting the technical quality of the student performance testing and evaluation programs; understanding the relationship of student test and evaluation results to other indicators of educational quality and educational progress; and developing a better understanding of the limitations of currently used tests and evaluation procedures as measures of student intellectual development. The institute shall encourage graduate students and scholars to capitalize upon the wealth of available data to conduct further research.

(g) Increasing utilization of available data on student performance and evaluation. The institute shall cooperate with department representatives in developing strategies to increase utilization of student performance data by individuals, public schools, institutions of higher education, and elected officials. This shall include encouragement of greater use of student test results for research. However, it also shall include use of the data by students who wish to improve their individual test performance; by schools, colleges, and universities which wish to improve the quality of their programs; and by elected officials who wish to use data properly to determine resource needs of Florida's educational system.

(h) Developing alternative student evaluation strategies. The institute shall cooperate with department representatives in the development of alternative strategies for the testing and evaluating of students. This may include methods of assessment using strategies other than multiple-choice questions or tailored testing techniques using item response theory. The intent of such efforts shall be to create student assessment techniques which are most efficient and accurate.

(i) Conducting or directing pilot projects for the purpose of field testing alternative student performance evaluation strategies, examining the relationship between effective teaching techniques and student achievement, and gathering additional research data.

(4) The institute shall provide for activities to achieve the following objectives in the areas of teacher performance, subject area evaluation, and student performance evaluation, as specified in subsection (3):

(a) Responding to invitations to bid. Future test and evaluation projects shall be written as Invitations to Bid (ITB's). These ITB's shall be discussed in advance by Department of Education representatives and institute representatives to determine if the institute has the capability to perform the tasks.

(b) Promoting training and assistance. It shall be the responsibility of the institute to encourage other institutions to respond to ITB's where appropriate and to provide advice. The institute may form a consortium of school districts or universities to assist the department on a particular project.

(c) Improving data collection methods. The institute shall cooperate with department representatives in advancing the state of the art in the collection of testing and evaluation data from universities, schools, districts, and individuals. The intent of such efforts shall be to minimize the paperwork burden placed on schools, institutions, and individuals by the testing and evaluation programs and to discover ways in which their programs can be made most efficient.

(d) Developing long-range evaluation plans. The institute shall provide leadership for long-range performance and evaluation instruments designed to improve the quality of the state's testing and evaluation programs. The institute shall confer with the department to identify areas in which changes might be made and the particular changes which should be considered.

(5) The institute is authorized and encouraged to enter into regional or national consortia related to the purposes of the section. Further, the institute is authorized and encouraged to enter into agreements with state, regional, or national centers and other postsecondary institutions established for the purpose of gathering data and information and conducting research designed to discover new and improved means of measuring student and teacher outcomes in kindergarten through postsecondary education.

Section 106. Paragraph (a) of subsection (2) and paragraph (b) of subsection (4) of section 20.15, Florida Statutes, are amended to read:

20.15 Department of Education.—There is created a Department of Education.

(2)(a) The following divisions of the Department of Education are established:

1. Division of Public Schools.
2. Division of Vocational, *Adult, and Community* Education.
3. Division of Community Colleges.
4. Division of Universities.
5. Division of Blind Services.

(4) The State Board of Education and the Commissioner of Education:

(b) Shall assign to the Division of Vocational, *Adult, and Community* Education such powers, duties, responsibilities, and functions as are necessary to ensure the greatest possible coordination, efficiency, and effectiveness of vocational, *adult, and community* education.

Section 107. The Statutory Revision Division of the Joint Legislative Management Committee shall, in editing manuscript for the next official edition of the Florida Statutes, change "Division of Vocational Education" to "Division of Vocational, Adult, and Community Education" wherever the same appears in the Florida Statutes.

Section 108. Paragraph (f) is added to subsection (2) of section 235.31, Florida Statutes, to read:

235.31 Advertising and awarding contracts; day-labor projects; prequalification of contractor.—

(2)

(f) As an option, any county, municipality, community college or district school board may set aside up to 10 percent or more of the total amount of funds allocated for the purpose of entering into construction capital projects contracts with minority business enterprises, as defined in s. 287.094. Such contracts shall be competitively bid only among minority business enterprises. Such set-aside shall be used to redress present effects of past discriminatory practices and shall be subject to periodic reassessment to account for changing needs and circumstances.

Section 109. Subsection (4) is added to section 287.094, Florida Statutes, to read:

287.094 Minority business enterprise programs; penalty for false representation.—

(4) Any county, municipality, community college, or district school board may set aside up to 10 percent or more of the total amount of funds allocated for the procurement of personal property and services for the purpose of entering into contracts with minority business enterprises. Such contracts shall be competitively bid only among minority business enterprises. Such set-aside shall be used to redress present effects of past discriminatory practices and shall be subject to periodic reassessment to account for changing needs and circumstances.

Section 110. Section 944.19, Florida Statutes, is amended to read:

944.19 Vocational, adult, and academic education of prisoners under the jurisdiction of the department.—

(1) The department shall establish educational programs for the prisoners under its jurisdiction by utilizing its personnel or by arranging for instruction to be given by public or private educational agencies of the state. *Each correctional facility shall have one employee designated as supervisor of corrections education. The supervisor shall be responsible for coordinating all educational activities for the facility.*

(2) The department shall cooperate with the school boards, the community colleges, and the State Board of Education, which *shall* ~~may~~ establish and maintain classes for prisoners under the jurisdiction of the department, to provide instruction of a vocational, adult, or academic nature designed to meet the needs of such prisoners. *The State Board of Education shall continue to allocate federal funds for the provision of remedial, vocational, or special educational services to the Department of Corrections.* For the organization and operation of these classes, school boards and community colleges are authorized to expend funds available to them either from local sources or through the Florida Education Finance Program or Community College Program Fund as provided by law.

(3) All education and training provided for county and state inmates by accredited Florida educational institutions shall be by written agreement. An agreement shall be made for each course offered to inmates and shall include the course title, a description of the course, the number of inmates to be served, the total number of teaching hours, and the cost of the course. College credit courses may be offered, but shall carry full tuition and matriculation fees which shall be paid to the educational institution by the individual inmate taking the course.

(4) The department shall contract with accredited Florida educational institutions, including in such contracts all the information required in the written agreement specified in subsection (3), for the provision of additional adult basic and high school education and vocational training by using funds in its budget specified for such purpose.

(5)~~(3)~~(a) There is established the Council on Correctional Education under the secretary to be composed of nine members as follows:

1. The Chief of the Bureau of Education of the department;

2. A superintendent of a major correctional institution, to be appointed by the secretary;

3. A person knowledgeable in vocational education, to be appointed by the Commissioner of Education;

4. A person knowledgeable in adult education, to be appointed by the Commissioner of Education;

5. A person knowledgeable in elementary education, to be appointed by the Commissioner of Education;

6. A superintendent of a local school district, to be appointed by the Governor;

7. A representative of the community colleges, to be appointed by the Governor;

8. A person knowledgeable in job placement and follow-up, to be appointed by the Governor; and

9. A person knowledgeable in life skills and motivational techniques, to be appointed by the Governor.

(b) Except for the Chief of the Bureau of Education, each member shall serve a term of 4 years or, if appointed to fill a vacancy, shall serve for the unexpired portion of the term.

(c) The Governor shall appoint the chairman of the council from among the appointees.

(6)~~(4)~~ The responsibilities of the Council on Correctional Education are to:

(a) Independently monitor and assess all educational program services offered in the department and report the results of such evaluation in the annual report of its activities;

(b) Advise the department in developing goals and objectives relating to all phases of the educational program;

(c) Advise the department in development of a master plan for providing the academic, vocational, and social skills needed by inmates;

(d) Consult and cooperate with the department, universities, colleges, and school districts in the development of curricula designed uniquely for incarcerated individuals;

(e) Consult and cooperate with the department, universities, colleges, and other educational institutions concerning the preservice and inservice training of correctional educational personnel;

(f) Review and make recommendations concerning legislative budget requests by the department for education;

(g) Advise the department on the use of such funds as the Legislature may appropriate to the department for educational services to inmates;

(h) Assist the department in the design and implementation of evaluations of the educational program;

(i) Assist the department in the development of appropriate criteria for awarding gain-time for participation and achievement in educational programs;

(j) Consult and cooperate with the department concerning additional responsibilities of the council which will improve educational services to inmates; and

(k) Report the annual activities of the council to the secretary, the Commissioner of Education, the Governor, and the Legislature.

(7)~~(5)~~ The department shall provide for the delivery of educational services in correctional institutions through department staff or through contractual agreements with local school districts, community colleges, or other public or private educational agencies.

(8)~~(6)~~ The department shall prepare the budget request for the educational program as a separate, identified program component *and*~~; the budget request shall be reviewed by the council before it is submitted as a part of the legislative budget request of the department.~~ funds appropriated for education shall be used for that purpose.

(9)~~(7)~~ The department~~, with the advice of the council,~~ shall assure that correctional educational programs comply with the public policies, goals, and objectives of the state, which include, but are not limited to, the following:

(a) It is a goal of the state correctional system to provide every inmate who has *an* ~~a reasonable~~ expectation of release *from custody within 5 years* ~~into free society~~ with the opportunity to achieve functional literacy, *specifically* ~~including~~ the ability to read and write the English language, and the ability to perform routine mathematical functions prior to his release or expiration of his sentence.

(b) It is a goal of the state correctional system to provide every inmate who has *an* ~~a reasonable~~ expectation of release *from custody within 5 years* ~~into free society~~ and who has demonstrated the intellectual capacity to benefit therefrom the opportunity to obtain the equivalent of a public high school education. The highest priority in achieving this goal shall be focused on those institutions housing youthful offenders as defined in chapter 958.

(c) It is a goal of the state correctional system to assure that every inmate who has *an* ~~a reasonable~~ expectation of release *from custody* ~~into free society~~ may be released possessing general educational skills which are fundamental to career *and personal* development ~~and personal development~~ and necessary for participation in a democratic society, including skills, attitudes, and knowledge for general problem solving and survival; human relations and citizenship; moral and ethical conduct; mental and physical health; aesthetic, scientific, and cultural appreciation; and environmental and economic understanding.

(d) It is a goal of the state correctional system to assure that every inmate who has *an* ~~a reasonable~~ expectation of release *from custody within 5 years* ~~into free society~~ may be released possessing at least entry-level marketable vocational skills in one or more occupational fields for which there is a demonstrable demand in the economy of this state.

(e) It is a ~~public~~ policy of the state that inmates who demonstrate college-level aptitudes be provided the opportunity to participate in college-level academic programs which may be offered within correctional facilities.

(f) It is a ~~public~~ policy of the state that training in the fundamentals of physical education and personal health be an integral part of all academic and vocational education programs ~~in those institutions housing youthful offenders as defined in chapter 958 and that such training should be an integral part of the educational programs in other correctional institutions~~. Such training shall include instruction in personal hygiene, general health, the importance of rules and discipline in athletic contests, and regular vigorous physical exercise *and shall be emphasized in those correctional facilities housing youthful offenders as defined in chapter 958.*

(10) The department shall conduct a pilot project to evaluate a current educational program at a selected correctional facility housing youthful offenders as compared to an enhanced educational program at another designated correctional facility housing youthful offenders. The design of this project shall begin June 1, 1984, with implementation of the project beginning within 1 year. The project shall be conducted in cooperation with the Executive Office of the Governor, the Department of Education, the Division of Labor, Employment, and Training of the Department of Labor and Employment Security, and the Parole and Probation Commission.

(11)~~(8)~~ The council shall assure that correctional educational programs provide basic literacy skills, marketable vocational skills, and life skills. It is the responsibility of the council to develop educational objectives and to design an evaluation mechanism. The council shall annually report its activities to the Commissioner of Education, the secretary, and the Legislature.

(12)~~(9)~~ The Bureau of Education of the Department of Corrections shall provide the administrative support necessary to the efficient and effective operation of the council.

(13)~~(10)~~ Members of the council shall receive no compensation for their services, but shall be reimbursed for travel expenses and per diem as provided in s. 112.061.

Section 111. Effective July 1, 1985, subsection (2) of section 944.19, Florida Statutes, as amended by this act, is amended to read:

944.19 Vocational, adult, and academic education of prisoners under the jurisdiction of the department.—

(2) The department shall cooperate with the school boards, the community colleges, and the State Board of Education, which shall establish and maintain classes for prisoners under the jurisdiction of the department, to provide instruction of a vocational, adult, or academic nature designed to meet the needs of such prisoners. The State Board of Education shall continue to allocate federal funds for the provision of remedial, vocational, or special educational services to the Department of Corrections. ~~For the organization and operation of these classes, school boards and community colleges are authorized to expend funds available to them either from local sources or through the Florida Education Finance Program or Community College Program Fund as provided by law.~~

Section 112. Section 944.551, Florida Statutes, is amended to read:

944.551 Vocational education and career development services; coordination with other agencies.—

(1) The department shall coordinate and develop job training ~~and job placement~~ in cooperation with the Department of Health and Rehabilitative Services *and*, the Division of Vocational, *Adult, and Community* Education of the Department of Education. *The Division of Labor, Employment, and Training*, ~~and the Florida State Employment Service~~ of the Department of Labor and Employment Security *shall provide job placement assistance for inmates, coordinating institutional training with job placement. The Division of Labor, Employment, and Training shall train vocational placement counselors of the Department of Corrections in job counseling and shall designate one employee of the division in each employment office to work with ex-inmate job placement. In addition, insofar as practicable, the Division of Labor, Employment, and Training shall assign one employee to visit community correctional centers and institutions in each judicial circuit to coordinate the efforts of the counselor and the available community jobs.*

(2) The department shall *evaluate* ~~have the capability of evaluating~~ current job-training programs and *perform* ~~performing~~ follow-up investigations and studies to determine the effectiveness of these programs. Job histories of each offender enrolled in the program shall be maintained, tracing the offender's employment after leaving prison for a period of at least 2 years. *Such tracing shall be done with the cooperation of the Division of Labor, Employment, and Training.*

Section 113. Subsection (4) of section 242.331, Florida Statutes, is amended to read:

242.331 Florida School for the Deaf and the Blind; board of trustees.—

(4) The Board of Trustees for the Florida School for the Deaf and the Blind is a body corporate and shall have a corporate seal. Title to any gift, donation, or bequest received by the board of trustees pursuant to subsection (5) shall vest in the board of trustees. Title to all other property and other assets of the Florida School for the Deaf and the Blind shall vest in the State Board of Education; but the board of trustees shall have complete jurisdiction over the management of the school and is invested with full power and authority to appoint a president, faculty, teachers, servants, and other employees and remove the same as in its judgment may be best and fix their compensation; to determine eligibility of students and procedure for admission; to provide for the students of the Florida School for the Deaf and the Blind necessary bedding, clothing, food, and medical attendance and such other things as may be proper for the health and comfort of the students without cost to their parents or guardians, *except that the board may set tuition and other fees for nonresidents*; to provide for the proper keeping of accounts and records and for budgeting of funds; to enter into contracts; to sue and be sued; to secure public liability insurance; and to do and perform every other matter or thing requisite to the proper management, maintenance, support, and control of the Florida School for the Deaf and the Blind at the highest efficiency economically possible, taking into consideration the purposes of the establishment.

Section 114. Subsection (3) of section 240.402, Florida Statutes, is amended to read:

240.402 Florida Academic Scholars' Fund.—

(3) The award to a student attending an institution with annual tuition and registration fees of $2,000 or less shall be *no less than* $500 *and no more than $1,000.* The award to a student attending an institution with annual tuition and registration fees above $2,000 shall be *no less than* $750 *and no more than $1,500.* This award may not be used in the determination of need for purposes of s. 240.409. Payment of an award shall be transmitted, on behalf of the student, to the president of the college, university, community college, or nursing diploma school which the recipient is attending or to his representative in advance of the registration period. If a recipient does not enroll or terminates his enrollment for any reason during the academic year, the unused portion of the award, as determined by policies and rules, shall be refunded within 60 days to the department, for the purposes of this section, by the president of the college, university, community college, or nursing diploma school or by his representative.

Section 115. Latin American and Caribbean Basin Scholarship Program.—

(1) There is created the Latin American and Caribbean Basin Scholarship Program to be administered by the Department of Education. The purpose of the program is to provide support for students from Latin American and Caribbean countries to pursue postsecondary training in Florida that will enable them to address the social and economic development needs of the region.

(2) There is created the Latin American and Caribbean Basin Scholarship Trust Fund. The Comptroller shall authorize expenditures from this fund upon receipt of vouchers approved by the Department of Education. Any balance at the end of any fiscal year shall remain in the trust fund and be available for carrying out the purposes of this program.

(3) Institutions eligible to participate in the scholarship program shall include state universities and community colleges authorized by Florida law, and any independent institutions eligible to participate in the state tuition voucher program pursuant to s. 240.401, Florida Statutes. Scholarships shall not exceed $3,000 per individual in any one semester. Institutions shall seek matching funds from private businesses, public foundations, and other appropriate agencies. No college or university may receive more than 25 percent of the funds appropriated in any year.

(4) In order to be eligible to participate in the Latin American and Caribbean Basin Scholarship Program, a student:

(a) Shall be accepted for enrollment or enrolled as a a full-time undergraduate student at an eligible college or university;

(b) Shall be a citizen of a Caribbean, Central American, or South American country;

(c) Shall have declared an intention to return to his country of origin upon completion of his studies for at least the number of years equal to the number of annual awards received under this program; and

(d) Shall be in need of financial assistance. Eligible students may receive awards under this program for up to 10 semesters or the equivalent.

(5) As a condition for renewal of a scholarship, a student shall maintain a cumulative grade point average of 2.0 on a 4.0 scale or the equivalent for the period covered by scholarships previously received under this program.

(6) The State Board of Education is authorized to adopt any rules necessary for the implementation of this program and to identify areas of study which should be given priority in the use of the awards.

Section 116. Subsections (5), (6), (7), (11), (12), and (13) of section 944.19, Florida Statutes, are hereby repealed effective October 1, 1984.

Section 117. Section 246.128, Florida Statutes, as created by chapter 82-203, Laws of Florida, is hereby repealed.

Section 118. Notwithstanding section 6 of chapter 83-348, Laws of Florida, sections 14, 15, and 16 of chapter 83-327, Laws of Florida, shall take effect July 1, 1985.

Section 119. This act shall take effect upon becoming a law, except that section 24 shall take effect for the 1985-1986 school year, section 1 shall take effect August 20, 1984, sections 4, 6, 22, and 80 shall take effect July 1, 1984, and sections 72, 73, 74, 75, and 82 shall take effect July 1, 1985.

Conference Committee Amendment 2—In title, strike everything before the enacting clause and insert: A bill to be entitled An act relating to education; defining "credit" for purposes of graduation requirements; amending s. 228.041, F.S.; redefining "school day"; defining "intensive English language instruction," "matriculation fee," and "tuition"; amending s. 229.8053, F.S.; revising membership of the Florida High Technology and Industry Council; providing for granting of credit for graduation for remedial and compensatory courses; amending s. 236.081, F.S.; providing for calculation of full-time equivalent memberships; specifying that certain courses satisfy the high school graduation performing arts credit requirement; providing for feasibility study regarding a center for international vocational training; creating s. 230.2314, F.S.; providing for teachers serving as advisors; providing legislative intent; requiring district school boards to adopt and implement a process for the screening, selection, and appointment of public school principals and assistant principals; authorizing the districts to contract out for provision of certain services; specifying purpose; providing for certification of prospective public school principals and assistant principals; providing for "internship" of out-of-state principals and assistant principals; providing for a list of certified candidates; amending s. 231.087, F.S., relating to duties of the Florida Council on Educational Management, to provide for establishment of a Center for Interdisciplinary Advanced Graduate Study; providing for solicitation and evaluation of proposals; providing for periodic evaluation of the center and follow-up of its participants; providing for rules; amending s. 231.615, F.S.; specifying persons who are eligible to participate in the Visiting School Scholars Program; providing employment status and compensation of visiting school scholars; amending s. 236.089, F.S.; redefining student development services; amending s. 231.532, F.S.; revising provisions relating to district quality instruction incentives programs; revising requirements applicable thereto; specifying eligible personnel; revising provisions relating to state funding; amending s. 231.533, F.S., providing for the State Master Teacher Program; revising requirements for qualification as an associate master teacher and master teacher; specifying amount of awards to associate master teachers; providing for allocation of funds; amending s. 231.534, F.S.; providing for development and approval of subject area examinations; amending s. 236.1227, F.S., relating to the Extended School Day and Quality Instruction Incentive Categorical Program; deleting its purpose to provide funding for subject area test development and the extended school day; repealing s. 231.531, F.S., relating to the Florida Quality Instruction Incentives Council; amending s. 232.246, F.S., relating to high school graduation requirements; amending s. 232.2465, F.S., relating to the Florida Academic Scholars' Program; providing certain qualifications for nonpublic school students; amending s. 240.117, F.S.; providing conditions for college preparatory instruction offered in community colleges; providing an exception; amending s. 240.209, F.S.; providing for the preparation of budget requests; requiring 50 percent of financial aid funds to be based on need; amending s. 240.227, F.S.; providing for university budget request to be submitted to the Board of Regents; amending s. 240.241, F.S.; authorizing divisions of sponsored research to establish positions; creating s. 240.242, F.S., relating to university leasing in certain research and development parks; creating s. 240.152, F.S.; creating the Florida Endowment Fund for Higher Education; amending s. 240.311, F.S.; providing for an annual report from each community college; providing guidelines; providing for distribution of reports; requiring the State Board of Community Colleges to adopt guidelines relating to salary and benefit policies and travel by community college officials and employees; providing for administrative review of each community college; providing for review of courses offered by a community college outside of its district; amending s. 240.35, F.S.; directing the State Board of Community Colleges to establish matriculation and tuition fees for certain categories; providing certain conditions; requiring a matriculation and fee policy; requiring 50 percent of financial aid funds to be based on need; amending s. 240.323, F.S.; providing that the State Board of Community Colleges may prescribe content and custody of student records; amending s. 240.331, F.S., relating to direct-support organizations; providing for release of certain information; amending s. 240.337, F.S.; providing that rules of the State Board of Community Colleges shall prescribe the content and custody of limited access records of employees of community colleges; amending s. 215.425, F.S.; authorizing community college district boards of trustees to apply salary schedules adopted for a fiscal year for payment of all services rendered subsequent to July 1 of that fiscal year; creating s. 240.344, F.S.; authorizing community colleges to purchase retirement annuities for certain employees and providing restrictions; amending s. 240.363, F.S.; providing that any internal auditor employed by a community college shall be hired by and report to the board of trustees; authorizing the boards of trustees to contract for self-insurance services; providing a special account for paying claims; amending s. 240.339, F.S.; providing that contracts with staff be as established by rule of the State Board of Community Colleges; amending s. 240.347, F.S.; providing that moneys in the State Community College Program Fund shall be distributed as established by law and regulations of the State Board of Education and the State Board of Community Colleges; prescribing format for submission of budget requests for Community College Program Fund; amending s. 240.359, F.S.; providing for the reallocation of reductions in the Community College Program Fund; creating s. 240.362, F.S.; prohibiting certain expenditures; amending s. 240.404, F.S.; providing for certain students to continue to receive state financial assistance; amending s. 240.409, F.S.; extending the time allowed for students to receive an award; including certain counties within specified community college districts; amending section 2 of chapter 78-94, Laws of Florida, relating to the Manatee County Community College District; providing membership residency requirements for the board of trustees of the district; amending s. 228.072, F.S.; broadening the definition of "adult general education"; providing for service priorities and delivery; requiring that certain courses be evaluated and funded in separate categories; providing for the assessment of student fees; providing for establishment of level and courses of instruction to be funded through the college preparatory program; amending s. 228.074, F.S.; changing the length of terms of lay members of regional coordinating councils for vocational education, adult education, and community instructional services; creating s. 229.557, F.S.; providing for a vocational education management information system; creating s. 229.558, F.S.; providing vocational education reporting requirements; amending s. 229.551, F.S.; requiring the Department of Education to evaluate public vocational education programs; providing criteria for ineligibility of such programs for state funding; amending s. 240.355, F.S.; providing for guidelines and standards related to community college comprehensive vocational education programs; amending s. 230.645, F.S.; establishing guidelines for establishing certain postsecondary matriculation and tuition fees and restricting fee waivers; amending s. 240.60, F.S.; revising provisions relating to participants in and expenditures for the college career work experience program; creating s. 240.604, F.S.; providing a public school work experience program; creating a trust fund; creating the Critical Teacher Shortage Trust Fund; amending s. 240.4062, F.S.; revising repayment provisions for teacher scholarship loans; creating the Adult Literacy Act; stating the goal of the act; providing for the administration, evaluation, and funding of literacy instruction; creating s. 231.172, F.S.; establishing an experimental alternative certification program for secondary education teachers; providing certification requirements; providing for implementation and evaluation; amending s. 231.17, F.S.; revising certain education requirements for certification of secondary school teachers; providing alternative to the beginning teacher program; amending s. 240.245, F.S.; requiring the Board of Regents to establish a system for evaluating a faculty member's service to public schools; providing for notice; creating s. 240.149, F.S.; providing for basic skills instruction of vocational students; amending s. 236.013, F.S.; amending the definition of "full-time equivalent student"; providing a definition thereof; amending s. 242.62, F.S.; removing certain restrictions upon the annual appropriation to the first accredited medical school; amending s. 230.23, F.S.; clarifying powers and duties of school boards relating to textbooks; amending s. 233.07, F.S., relating to members of state instructional materials councils; amending s. 233.09, F.S.; providing for qualifications of teachers serving on councils; providing for evaluation criteria; restricting adoption of certain materials; creating s. 233.095, F.S.; requiring the Department of Education to develop training programs for council members; amending s. 233.165, F.S.; requiring selection standards to relate to curriculum frameworks and performance standards; amending s. 233.17, F.S.; providing for shortened textbook adoption terms; amending

s. 233.25, F.S.; deleting certain provisions which allow textbook publishers to postpone the submission of proof of learner verification; requiring publishers to submit a description of how their instructional materials meet program goals; amending s. 233.34, F.S.; requiring that a portion of each school district's materials allocation be spent on materials meeting specified criteria; providing for a survey of certain districts; authorizing school districts to issue purchase orders equal to a specified percentage of their instructional materials allocation; amending s. 233.37, F.S.; requiring a district instructional materials implementation plan; amending s. 233.43, F.S.; modifying duties of the superintendent relating to instructional materials to provide for teacher comment; amending s. 233.46, F.S.; modifying duties of the principal relating to instructional materials; authorizing Chipola Junior College and Lake City Community College to operate certain dormitories for the purpose of housing students; authorizing certain agreements for that purpose; validating past agreements; providing for satisfaction of certain graduation requirements in vocational education; amending s. 232.23, F.S., providing for transfer credit; amending s. 240.1201, F.S., modifying residency requirements; creating s. 230.2314, F.S., establishing the Florida Progress in Middle Childhood Education Program; providing general requirements for the various grades; creating enhancement programs for the various grades; providing for a college of education faculty retraining program; amending s. 231.613, F.S., relating to inservice training institutes; amending s. 236.0811, F.S., providing inservice components for the educational training plan; providing for model school adjustment programs; providing for dropout prevention; providing for reporting; amending s. 230.2315, F.S., relating to educational alternative programs; providing for interagency student services; providing for pilot demonstration schools; providing for district multi-agency coordinating councils; creating s. 236.0817, F.S., including developmental research schools in certain categorical funding; requiring a capital outlay study; establishing the Center for Middle Grades Education to provide services to educators; providing for funding; providing for implementation; creating the Florida Accountability in Curriculum, Educational Instructional Materials, and Testing Act of 1984; providing for nationally normed assessments and State Board of Education rules related thereto; providing for curriculum frameworks; amending s. 232.2454, F.S., providing for state board rules for the development of certain performance standards, instruments, and assessment procedures; amending s. 229.575, F.S., requiring additional information in annual reports by the Commissioner of Education, school districts, and schools; amending s. 229.565, F.S., requiring evaluation of school district achievement of performance standards; providing priority for assistance; authorizing the commissioner to award contracts to certain entities to develop evaluation design alternatives; authorizing the development of rules; creating s. 231.245, F.S., authorizing the establishment of an Institute for Instructional Research and Practice and Student Educational Evaluation and Performance; providing for institute directors and research functions; providing purpose and objectives; providing institute activities to achieve certain objectives; authorizing the institute to enter into consortia and agreements; amending s. 20.15, F.S.; assigning responsibility for adult and community education to the Division of Vocational Education; changing the name of the division to the Division of Vocational, Adult, and Community Education; directing that changes in terminology in the Florida Statutes be made; amending ss. 235.31 and 287.094, F.S.; authorizing the set-aside of certain funds for the purpose of contracting with minority business enterprises; amending s. 944.19, F.S., providing for supervisors of corrections education at state correctional facilities; providing for certain funding; requiring certain education for state or county inmates; providing for certain contracts for educational offerings; changing certain corrections education goals; requiring the Department of Corrections to conduct a pilot project to evaluate such offerings; repealing s. 944.19(5)-(7) and (11)-(13), F.S.; abolishing the Council on Correctional Education; amending s. 944.551, F.S., providing certain vocational education services duties for the Division of Labor, Employment, and Training of the Department of Labor and Employment Security; amending s. 242.331, F.S.; authorizing the Board of Trustees for the Florida School for the Deaf and the Blind to set certain fees; amending s. 240.402, F.S.; revising amount of awards from the Florida Academic Scholars' Fund; creating the Latin American and Caribbean Basin Scholarship Program; establishing a trust fund; providing for eligibility; repealing s. 246.128, F.S., relating to review of branch operations of nonpublic colleges; delaying the effective date of provisions relating to extension of the school day; providing effective dates.

On motion by Senator Gordon, Rule 2.19 was waived to permit certain items to be included in the conference committee report which were not in the Senate or House bills.

On motion by Senator Gordon, the conference committee report was adopted. CS for SB's 923, 836, 1081 and 884 passed as recommended and was certified to the House together with the conference committee report. The vote on passage was:

Yeas—29

Mr. President	Girardeau	Johnston	Plummer
Barron	Gordon	Kirkpatrick	Scott
Beard	Grant	Mann	Thomas
Castor	Hair	Margolis	Vogt
Childers, D.	Henderson	McPherson	Weinstein
Crawford	Hill	Meek	
Fox	Jenne	Myers	
Gersten	Jennings	Neal	

Nays—11

Carlucci	Dunn	Langley	Stuart
Childers, W. D.	Frank	Malchon	Thurman
Deratany	Grizzle	Rehm	

The Honorable Curtis Peterson, 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 1302 as amended by the Conference Committee Report and requests the concurrence of the Senate.

Allen Morris, Clerk

HB 1302—A bill to be entitled An act relating to educational facilities construction and funding; authorizing and providing funding for specified public education capital outlay projects; providing an effective date.

CONFERENCE COMMITTEE REPORT ON HB 1302

The Honorable Curtis Peterson
President of the Senate

The Honorable H. Lee Moffitt
Speaker, House of Representatives

Dear Sirs:

Your Conference Committee on the disagreeing votes of the two Houses on the Senate amendments to House Bill 1302 same being:

> An act relating to educational facilities construction and funding; authorizing and providing funding for specified public education capital outlay projects; 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.

Herbert F. Morgan,	*Harry A. Johnston, II,*
Chairman	Vice-Chairman
Samuel P. Bell, III	*Betty Castor*
Beverly B. Burnsed	*Jack D. Gordon*
Betty Easley	*Mary R. Grizzle*
Tom Gallagher	*Mattox Hair*
Winston W. Gardner, Jr.	*Gwen Margolis*
Elaine Gordon	*Patrick K. Neal*
Fred Lippman	*James A. Scott*
Jon Mills	*Pat Thomas*
Steve Pajcic	*John W. Vogt*
Managers on the part of the House of Representatives	Managers on the part of the Senate

Conference Committee Amendment 1—On page 1, strike everything after the enacting clause and insert:

Section 1. The Legislature hereby finds and determines that the items and sums designated in this section shall constitute authorized capital outlay projects within the meaning and as required by s. 9(a)(2), Art. XII of the State Constitution, as amended, and any other law. In accordance therewith, the moneys in the following items are authorized to be

expended for the enumerated authorized capital outlay projects. From moneys becoming available pursuant to the provisions of s. 9(a)(2), Art. XII of the State Constitution, as amended, there is hereby appropriated $185,243,575 for public educational projects in the 1984-1985 fiscal year. These funds shall be administered pursuant to s. 235.42, Florida Statutes. The sum designated for each specific allocation for a project is the maximum sum to be expended for each specified phase from funds accruing under s. 9(a)(2), Art. XII of the State Constitution, as amended. The scope of each project shall be planned in such a way as to provide that the amounts specified shall not be exceeded, or any excess in cost shall be funded by funds other than those appropriated herein.

(1)(a) The sum of $280,000 to the District School Board of Dade County for a community education project pursuant to s. 235.196, Florida Statutes.

(b) The sum of $2,785,000 to the District School Board of Duval County for a community education project pursuant to s. 235.196, Florida Statutes.

(c) The sum of $3,000,000 to the District School Board of Osceola County for a joint-use facility with Valencia Community College. This represents the total state commitment for planning, constructing, and equipping this project.

(d) The sum of $1,000,000 to the Board of Trustees of Brevard Community College for the initial design, site development, and construction for a joint-use facility between the Brevard County School District and Brevard Community College. The Brevard County School District shall provide matching funds on a dollar for dollar basis.

(e) The sum of $3,610,878 to the District School Board of Broward County for construction of a community education project with the City of Pembroke Pines pursuant to s. 235.196, Florida Statutes.

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

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

(h) The sum of $2,250,000 to the District School Board of Manatee County for a community education facility pursuant to s. 235.196, Florida Statutes.

(i) The sum of $3,500,000 to the Board of Trustees of Polk Community College for a joint-use facility with the University of South Florida pursuant to s. 235.195, Florida Statutes. Funds are included to provide that this project shall include facilities and equipment necessary for the University of South Florida to offer the FEEDS continuing education program for engineers in Polk County.

(j) The sum of $100,000 to the Department of Education for final completion of the satellite uplink system for the Capital Technical Center.

(k) The sum of $500,000 to the District School Board of Clay County for planning a joint-use facility with St. Johns River Community College. This project is to be planned so that the total state commitment for constructing and equipping this project shall not exceed $3,000,000. The planned costs for this project shall reflect not only a maximum state contribution of $3,000,000, but shall also reflect the ability of the district school board to raise the remaining funds.

(l) The sum of $1,450,000 to the Florida School for the Deaf and the Blind for fire code corrections, removal of asbestos, testing the high voltage distribution system, completion of renovation of Mclane Hall, and Phase I renovation of Rhyne Hall.

(m) The sum of $50,000 to the Board of Trustees of Pasco-Hernando Community College for a community educational facility pursuant to s. 235.196, Florida Statutes.

(n) The sum of $300,000 to the State Board of Education for planning the construction of a public broadcasting facility for WHRS-TV & FM, Palm Beach.

(o) The sum of $10,000,000 to the Board of Trustees of Palm Beach Junior College for planning and construction of a Fine Arts Theater. These funds shall be matched either in land or cash at a rate of two local or private dollars for every state dollar from funds not appropriated by the Legislature.

(2)(a) The sum of $22,523,541 to the school boards of the 67 school districts for remodeling, renovation, maintenance, repairs, and site improvement pursuant to s. 235.435(1), Florida Statutes.

(b) The sum of $65,860,579 to the State Board of Education for projects.

1. Section 235.222, Florida Statutes, requires that any board having received funds under the former provisions of s. 235.221, Florida Statutes, shall officially waive 80 percent of any future annual allocation, beginning with the 1982-1983 fiscal year. Twenty-one school districts collectively owe $58,241,515.

2. Under the provisions of s. 235.435(3), Florida Statutes, each school board is to receive an annual allocation of PECO funds from which the 80 percent annual repayment can be calculated. The amount to be withheld from the 21 school districts is $10,948,959, after adjustments. This sum of $10,948,959 shall be used to fund other allocations in this act.

3. The sum of $10,000,000 to school boards of the 67 school districts for continuation of improvements to public school science facilities. Funds shall be distributed pursuant to the provisions of s. 235.435(3), Florida Statutes. Funds appropriated for the 1984-1985 fiscal year should be expended based on the following order of priorities:

a. To implement the school-by-school plan to improve science facilities as required by Specific Appropriation 12, s. 1, chapter 83-350, Laws of Florida;

b. To provide science equipment to meet the program needs for science as required in chapter 83-324, Laws of Florida;

c. To provide improvements to any high school or junior high facilities as may be necessary to meet any program needs as required in chapter 83-324, Laws of Florida; and

d. To implement any educational plant survey recommendations pursuant to s. 235.15, Florida Statutes.

4. The sum of $5,400,000 to the Special Facility Construction Account to be administered pursuant to s. 235.435(2), Florida Statutes. Should no school district have qualified for these funds and levied the appropriate local millage by the date of the bond sale to finance this act, these funds shall not remain in the Special Facility Construction Account unallocated, but shall be disbursed to the 67 school districts pursuant to s. 235.435(1), Florida Statutes.

5. The sum of $50,460,579 shall be allocated pursuant to s. 235.435(3), Florida Statutes.

(c) The sum of $250,000 to the State Board of Education for removal of asbestos from district educational facilities. These funds shall be distributed to the school boards on a project-by-project basis as determined by the State Board of Education.

(d) The sum of $1,000,000 to the Board of Regents of the State University System for renovation and repairs at the laboratory schools at the University of Florida, Florida State University, Florida A & M University, and Florida Atlantic University.

(e) The sum of $2,500,000 to the District School Board of Duval County for construction of education facilities. These funds shall be matched on a dollar for dollar basis.

(f) The sum of $2,996,262 for completion of the following vocational-technical projects:

1.	Pasco County School District Marchman Skills Center	1,400,000
2.	Walton County School District Vocational Education Building	1,241,262
3.	Washington/Holmes vocational-technical programs - nursing expansion	355,000

These funds shall not be released if it cannot be demonstrated that the projects can be completed with a maximum state contribution of the amounts specified.

(g) The sum of $30,000 to the Putnam County School District for the final phase of renovation pursuant to chapter 82-240, Laws of Florida.

(h) The sum of $316,733 to the Division of Blind Services for continuing renovation, maintenance, repair, and site improvement projects at Daytona Beach and Tampa.

(3)(a) Section 235.222, Florida Statutes, requires that any board having received funds under the former provisions of s. 235.221, Florida Statutes, shall officially waive 80 percent of any future annual allocation beginning with the 1982-1983 fiscal year. Eight community colleges collectively owe $23,676,412.

(b) The sum of $16,455,538 to the community colleges shall be allocated preliminarily among the community colleges, based upon the 1983-1984 instruction units. By calculating 80 percent to be withheld on those community colleges with outstanding advances, $5,407,389 will be withheld for repayment.

(c) The sum of $11,154,798 to the boards of trustees of the 28 community colleges for the following projects:

1.	Daytona Beach - college-wide renovations	731,000
2.	St. Johns River - college-wide renovations	100,000
3.	Chipola - college-wide renovations	619,156
4.	Miami-Dade - college-wide renovations	350,000
5.	Lake City - college-wide renovations	185,955
6.	St. Petersburg Junior College - lighting improvements	230,000
7.	Pensacola Junior College - Milton Campus - Phase II	2,500,000
8.	Lake-Sumter - multi-purpose building, completion of construction	2,684,000
9.	Gulf Coast - campus lighting and athletic lighting design	196,301
10.	Daytona Beach - West Volusia Campus	1,000,000
11.	Broward Community College - North Campus - college-wide renovations	53,940
12.	Seminole Community College college-wide renovations	223,146
13.	Pensacola Junior College college-wide renovations	531,300
14.	Polk/USF - joint-use	1,750,000

(d) The sum of $1,500,000 to the Board of Trustees of Santa Fe Community College for the state contribution for a performing arts center. These funds shall be matched on a dollar for dollar basis by the participating parties.

(e) The sum of $1,717,205 to the boards of trustees of the 28 community colleges for remodeling, renovation, maintenance, repairs, and site improvement pursuant to s. 235.435(1), Florida Statutes.

(f) The sum of $3,800,740 to the Board of Trustees of Hillsborough Community College for completion of Phase I of the allied tech building at the Dale Mabry Campus.

(4)(a) The sum of $3,910,161 to the Board of Regents of the State University System for remodeling, renovation, maintenance, repairs, and site improvement pursuant to s. 235.435(1), Florida Statutes. The Board of Regents shall have the authority to approve amendments to project lists in order to accomplish emergency repair projects. Emergency repair projects shall be limited to those projects which:

1. Correct hazardous conditions.
2. Result in prevention of further deterioration of facilities.
3. Accomplish repairs required to permit continued use of the facility.

(b) The sum of $29,560,289 to the Board of Regents of the State University System for the following projects:

1.	UCF - Library, equipment	264,000
2.	UNF - corrections to Auditorium and Student Life Center	500,000
3.	USF - Engineering Building, equipment	900,000
4.	FAU/FIU/Broward Community College - Downtown Tower, utility, HVAC bridge joining Broward downtown campus and BCC/FAU/FIU tower and equipment	568,289
5.	USF - Sarasota Library, equipment	238,000
6.	UWF - Computer Center, equipment	200,000
7.	UF - Engineering/Science Library, completion of construction	9,000,000
8.	FSU/FAMU - Engineering Complex, planning and site aquisition	1,000,000
	The provisions of s. 253.023, Florida Statutes, to the contrary notwithstanding, the Board of Regents may negotiate and contract to preserve an option to acquire a site for the Florida State University/Florida A & M University engineering complex. Such option may represent a downpayment towards the site acquisition.	
9.	UCF - Business/Engineering Complex, Phase II, planning	500,000
10.	USF - Medical Center Overpass	80,000
11.	USF - Medical Center Roadway	660,000
12.	FSU - Science Library, completion of construction	6,700,000
13.	FIU - Bay Vista Library, completion of construction	7,200,000
14.	USF/Polk - joint-use	1,750,000

(5) The sum of $1,700,000 to the State Board of Education for construction of a public broadcasting facility for WUSF-FM, Tampa, on the campus of the University of South Florida. This facility may be used for the education and training of broadcasting and mass communications majors. The administration of the University of South Florida shall assure that the training program needs of communications majors are met.

Section 2. Up to $8.7 million of the funds provided in s. 3(2) of chapter 82-240, Laws of Florida, may be transferred to the University of South Florida Cancer and Chronic Disease Treatment Center, Inc., for the purchase of equipment. Such funds shall not be advanced before payment is required.

Section 3. Pursuant to s. 11 of chapter 83-333, Laws of Florida, the State Board of Education, with the approval of the Administration Commission, shall allocate from the Public Education Capital Outlay and Debt Service Trust Fund to the School Board of Franklin County an amount sufficient to plan for and to repair or replace the roof at the Chapman Elementary School.

Section 4. The Department of Education shall survey, based on existing program offerings, the need for an additional physical plant at the Northside Skills Center in Duval County.

Section 5. Pursuant to s. 13 of chapter 82-240, Laws of Florida, the proceeds from the sale of the specified property shall be deposited to the credit of the account established by the Department of Education for the

joint-use center between Daytona Beach Community College and the University of Central Florida. The funds provided pursuant to chapter 83-333, Laws of Florida, for this facility shall be released to the Board of Trustees of Daytona Beach Community College for planning purposes. However, the proposed cost of this facility shall not exceed $4,000,000, including the land sale proceeds.

Section 6. Of the funds provided pursuant to s. 1(1)(g) of chapter 82-240, Laws of Florida, $98,000 are hereby reappropriated to the Broward County School Board for the deinstitutionalization of the Sunland Training Centers.

Section 7. In addition to the purposes outlined in s. 2(2)(x), chapter 83-333, Laws of Florida, in capital improvement fees allocated to the University of Central Florida, up to $200,000 may be used for planning a multipurpose world class competition track facility.

Section 8. Up to $500,000 of the $1,500,000 allocation for Broward Community College provided in chapter 83-333, Laws of Florida, may be used for roof and associated water leak repairs.

Section 9. The remaining balance, plus interest, of the $2,700,000 appropriated by the 1982 Legislature in s. 4, chapter 82-240, Laws of Florida, to the Conservation and Renewable Energy Construction Account of the Public Education Capital Outlay and Debt Service Trust Fund is hereby appropriated for the original intent and purpose.

Section 10. (1) Pursuant to s. 240.295(2)(a), Florida Statutes, authority is granted to the Board of Regents on behalf of the J. Hillis Miller Health Center of the University of Florida to accept an academic building built from funds obtained from Shands Teaching Hospital and Clinics, Inc., and other private sources. Shands Teaching Hospital and Clinics, Inc., shall either:

(a) Deposit into escrow, cash, government obligations or instruments secured by government obligations, in an amount which will produce, as needed for construction and equipping of the academic building described in the Academic Wing Proposal presented to the Board of Regents dated March 15, 1984, a sum which is deemed to be equivalent, by agreement among the State Board of Education, Board of Regents, and the Board of Directors of Shands Teaching Hospital and Clinics, Inc., to the payments required under s. 1(15), chapter 80-414, Laws of Florida, and as provided for in the amended lease between the State Board of Education and Shands Teaching Hospital and Clinics, Inc.; or

(b) Enter into a firm lease or agreement to lease with a private entity to construct and equip the academic building described in the Academic Wing Proposal presented to the Board of Regents dated March 15, 1984.

The deposit of said funds into escrow or the execution of said lease shall discharge Shands' obligation to pay $4 million per year for 10 years as currently required by s. 1(15), chapter 80-414, Laws of Florida, and as provided for in the amended lease between the State Board of Education and Shands Teaching Hospital and Clinics, Inc. Said escrow agreement or lease shall be approved by the State Board of Education upon recommendation of the Board of Regents and the Board of Directors of the Shands Teaching Hospital and Clinics, Inc. The academic building shall be planned and constructed by the Shands Teaching Hospital and Clinics, Inc., or its designee pursuant to the appropriate educational building codes and standards of the Board of Regents and the state and with the necessary review and approval of Board of Regents staff. Planning shall begin during fiscal year 1984-1985, and construction shall begin during fiscal year 1985-1986. The entire cost of the project shall be the responsibility of Shands Teaching Hospital and Clinics, Inc. The escrow agreement shall provide that $2 million of the amount deposited shall be set aside to fund academic space at University Hospital, Jacksonville, until June 30, 1985, at which time the $2 million reverts unencumbered to the escrow account. If the Legislature appropriates funds for construction of academic space at University Hospital prior to June 30, 1985, this $2 million shall immediately revert unencumbered to the escrow account.

(2) The State Board of Education is hereby authorized to amend the existing lease between the State Board of Education and the Shands Teaching Hospital and Clinics, Inc., to carry out the intent of this section.

Section 11. The Legislature hereby directs the Department of Education to make adjustments to the final K-12 instruction units for 1980-1981 pursuant to the recommendations of the Auditor General and subsequently adjust the 1984-1985 allocation of funds derived from s. 9(d), Art. XII of the State Constitution, as amended, and s. 1(2)(b)3. of this act.

Section 12. The Board of Trustees of Seminole Community College is hereby granted authority to acquire property contiguous to the current campus which is suitable and desirable for the proposed adult education complex. No funds appropriated by the Legislature shall be used to acquire this property.

Section 13. The funds appropriated for the UF Science Library/Engineering Project as item (2)(t) within section 2 of chapter 83-333, Laws of Florida, may be expended for construction only.

Section 14. The Legislature hereby directs the Department of Education to make adjustments to the K-12 Public Education Capital Outlay sum of the digits 1984-1985 allocation pursuant to the recommendations of the Auditor General to correct the 1982-1983 allocation that was based on the 1981-1982 sum of the digits calculation and as described in the Commissioner of Education's 1984-1985 Legislative Fixed Capital Outlay Budget Request.

Section 15. The Board of Regents, pursuant to s. 240.295(2)(a), Florida Statutes, and the University of Florida are hereby granted authority to accept funds for and to construct a museum of fine arts to be named the Sam Peebles Harm Museum of Fine Arts. The museum is to be constructed on university property in the area of the Florida State Museum.

Section 16. The Board of Trustees of Pasco-Hernando Community College is hereby granted authority to acquire property in the vicinity of Gower's Corners currently leased for law enforcement programs and property adjacent thereto. No funds appropriated by the Legislature shall be used to acquire this property.

Section 17. Section 1 of this act is contingent upon validation by the courts of a public education capital outlay bond issue sufficient to ensure the implementation of this appropriation. In the event that validation by the courts is not forthcoming, there is hereby appropriated $70,000,000 from the Public Education Capital Outlay and Debt Service Trust Fund to be distributed pursuant to s. 235.435(1), Florida Statutes.

Section 18. Paragraph (a) of subsection (3) of section 1 of chapter 82-240, Laws of Florida, is amended to read:

Section 1.

(3) The sum of $35,426,441 to the Boards of Trustees of the 28 community colleges for the following allocations:

(a) The sum of $2,615,017 for remodeling, renovation, maintenance, repairs and site improvement pursuant to s. 235.435(1), Florida Statutes. From the moneys made available to the Boards of Trustees of the twenty-eight community colleges for remodeling, renovation and maintenance projects, the sum of $148,000 is appropriated to Chipola Junior College for security lighting. ~~This money is to be paid back by withholding the share Chipola would normally receive from the appropriation for this category in 1983-84 and 1984-85.~~

Section 19. The University of North Florida shall determine the priority of need with respect to a teaching gymnasium and a computer science building and report its decision to the Board of Regents no later than January 1, 1985, regarding the most critical unmet need. Whichever facility is next constructed at the University of North Florida shall be named for Jack Mathews.

Section 20. This act shall take effect July 1, 1984.

Conference Committee Amendment 2—In title, on page 1, strike existing title and insert: A bill to be entitled An act relating to educational facilities construction and funding; authorizing specified acquisitions and authorizing and providing funding for specified public education capital outlay projects and planning therefor; amending s. 1(3)(a), chapter 82-240, Laws of Florida; deleting a payback requirement for Chipola Junior College; providing an effective date.

The conference committee report was read and on motion by Senator Johnston was adopted. HB 1302 passed as recommended and was certified to the House together with the conference committee report. The vote on passage was:

Yeas—40

Mr. President	Carlucci	Childers, W. D.	Dunn
Barron	Castor	Crawford	Fox
Beard	Childers, D.	Deratany	Frank

Gersten	Hill	Mann	Rehm
Girardeau	Jenne	Margolis	Scott
Gordon	Jennings	McPherson	Stuart
Grant	Johnston	Meek	Thomas
Grizzle	Kirkpatrick	Myers	Thurman
Hair	Langley	Neal	Vogt
Henderson	Malchon	Plummer	Weinstein

Nays—None

Senator Barron presiding

Senator Scott moved that the Senate reconsider the vote by which the motion by Senator Gordon that the rules be waived and CS for SB 748 be read the third time failed. Senator Langley moved as a substitute motion that the Senate stand in informal recess. The substitute motion failed. Senator Gordon moved as a substitute motion that the Senate reconsider the vote by which Amendments 1 and 2 to CS for SB 748 were adopted.

The President presiding

Pending further consideration of the foregoing motion by Senator Gordon, on motions by Senator Hill—

HCR 296—A concurrent resolution supporting the passage of H.R. 1961 which amends Title 38, United States Code, to provide a presumption of service connection for the occurrence of certain diseases among veterans who served in Vietnam, when such diseases are related to exposure to phenoxy herbicides or other environmental hazards or conditions encountered during the Vietnam conflict.

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

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Jenne

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Reports as an entirety and passed House Bills 1300 and 1301 as amended by the Conference Committee Reports.

Allen Morris, Clerk

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has receded from House Amendment 2 to Senate Amendment 2 and House Amendment 2 to Senate Amendment 9; has concurred in Senate Amendments to House Amendment 4 to Senate Amendment 2; has concurred in Senate amendment to House Amendment 4 to Senate Amendment 9 and passed as further amended HB 619.

Allen Morris, Clerk

The Honorable Curtis Peterson, 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's 923, 836, 1081 and 884 as amended by the Conference Committee Report.

Allen Morris, Clerk

The bill contained in the foregoing message was ordered engrossed and then enrolled.

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 231, SB 893, CS for CS for SB 601, SB 847, CS for SB 706, SB 805, CS for SB 210, SB 439, CS for SB 707, Senate Bills 513, 1112, 1136, 1111, 1141, 1154, 1142, 987, CS for SB 541, CS for SB 495, Senate Bills 553, 549, 130, CS for CS for SB 753, SB 898, CS for SB 687, CS for CS for SB 775, CS for SB 497, CS for SB 752, CS for SB 782, SB 421, CS for SB's 306 and 1126, SB 896, CS for SBs 504 and 681, Senate Bills 757, 1088, 1160; has receded from House Amendments 2 and 3 and passed CS for SB 650; and has receded from House amendments and passed SB 99.

Allen Morris, Clerk

The bills contained in the foregoing message were ordered enrolled.

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments 1, 2, 3, 4 and 5 to House Amendment 1 and has concurred in Senate Amendments 1, 2 and 3 to House Amendment 2; has receded from House Amendments 1, 2 and 3 to House Amendment 1 and House Amendment 3 to House Amendment 2 and passed SB 153, as amended; has concurred in Senate amendment to House Amendment 6 and passed CS for SB 356, as amended; has concurred in Senate Amendment 1 to House Amendment 1 and has receded from House Amendments 4 and 5 to House Amendment 1 and passed SB 352, as amended; and has concurred in Senate amendments to House Amendments 2 and 5; has receded from House amendments 1, 3, 4 and 6 and House amendments to House Amendments 2 and 4 and passed CS for SB 569, as amended; and has concurred in Senate Amendment 1 to House Amendment 1 and passed SB 336 as amended.

Allen Morris, Clerk

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

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendments and passed HB's 3, 10, 18, 36, 37, 69, 77, CS for CS for HB 98, CS for HB 210, HB 248, CS for HB 282, HB's 326, 329, 349, 360, 395, CS for HB 426, CS for HB 431, HB's 475, 540, 548, 674, 676, 682, 698, CS for CS for HB 702, HB's 773, 822, 926, 927, 945, CS for HB 988, CS for HB 997, HB's 1068, 1072, 1151, CS for HB 1153, HB's 1218, 1266, 1279, and CS for HB 1312, as amended.

Allen Morris, Clerk

CO-INTRODUCERS

Senator Malchon—SB 30; Senator Gordon—SB 444; Senator W. D. Childers—SB 943

CORRECTION AND APPROVAL OF JOURNAL

The Journal of May 31 was corrected and approved as follows:

Page 620, column 2, from bottom, between lines 16 and 17 insert: Section 44. Section 403.815, Florida Statutes, is amended to read:

Page 621, column 1, between lines 25 and 26 insert: 403.021 Legislative declaration; public policy.—

Page 628, column 1, line 7, after the period insert: ~~Unless all participating counties agree to an earlier withdrawal, no county participating in a joint program may withdraw therefrom without the consent of the district administrator or earlier than 2 years after submission of the withdrawal resolution to the district administrator.~~

Page 645, column 1, line 30, after "the" insert: sentencing court, *or, with respect to pretrial intervention, as decided by the state attorney,*

Page 670, column 1, strike lines 11 through 19 and insert:

SB 997—A bill to be entitled An act relating to education; amending s. 232.425, F.S.; prescribing standards for student participation in interscholastic extracurricular activities; providing an effective date.

The Journal of May 29 was further corrected and approved as follows:

Page 319, column 1, from bottom, lines 15 and 28, insert before "CS for HB 27": CS for

Page 518, column 1, in roll call for HB 78, strike "Barron" and "Meek" and insert alphabetically: Myers

Page 518, column 2, in roll call strike "Carlucci", "Langley", "Plummer" and insert alphabetically: Jenne, McPherson, Meek

Page 626, column 1, from bottom, line 22, strike "by two-thirds vote" and insert: by unanimous consent—

Page 668, column 1, line 32, strike "by two-thirds vote" and insert: by unanimous consent—

Page 668, column 1, from bottom, line 12, after "was" insert: taken up out of order. On motions by Senator Beard, by two-thirds vote HB 1218 was

The Journal of May 24 was further corrected and approved as follows:

Page 412, column 1, strike title of CS for HB 1126 and insert:

CS for CS for HB 1126—A bill to be entitled An act relating to mobile homes; creating chapter 720, F.S., the "Florida Mobile Home Act"; providing rights with respect to mobile home tenancies and mobile home associations; providing for injunctive relief; creating provisions with respect to mobile home park restrictions, sale of mobile home parks and park owners' obligations, mobile home rental agreements, eviction proceedings and mobile home subdivisions; providing for regulation by the Division of Florida Land Sales, Condominiums, and Mobile Homes of the Department of Business Regulation; providing for an annual fee to be paid by mobile home park owners; providing for certain disclosure with respect to contracts for the rental of a mobile home lot; restricting certain types of advertising; amending s. 20.16, F.S., redesignating the Division of Florida Land Sales and Condominiums as the Division of Florida Land Sales, Condominiums, and Mobile Homes; directing the Statutory Revision Division of the Joint Legislative Management Committee to make appropriate changes in the Florida Statutes; amending s. 73.072, F.S., correcting a statutory cross-reference; repealing s. 83.750, F.S., relating to the short title of the "Florida Mobile Home Landlord and Tenant Act"; repealing s. 83.751, F.S., relating to the application of the act; repealing s. 83.752, F.S., relating to definitions; repealing s. 83.753, F.S., relating to rental agreements as an obligation of good faith; repealing s. 83.754, F.S., relating to unconscionable lot rental agreements; repealing s. 83.755, F.S., relating to prohibited or unenforceable provisions in mobile home lot rental agreements; repealing s. 83.756, F.S., relating to attorney's fees; repealing s. 83.757, F.S., relating to the mobile home park owner's access to mobile home and mobile home lot; amending s. 83.758, F.S., relating to the obligation of mobile home and mobile home park owners; repealing s. 83.759, F.S., relating to the grounds for eviction from a mobile home park and proceedings with respect thereto; repealing s. 83.7594, F.S., relating to the termination of a lease agreement; repealing s. 83.7597, F.S., relating to the removal of a mobile home owner; repealing s. 83.760, F.S., relating to the mobile home lease; repealing s. 83.7605, F.S., relating to the content of a mobile home park lease with respect to zoning; repealing s. 83.761, F.S., relating to civil remedies; repealing s. 83.762, F.S., relating to disclosure; repealing s. 83.763, F.S., relating to defenses to an action for rent or possession; repealing s. 83.764, F.S., relating to fees and rules; repealing s. 83.765, F.S., relating to restrictions on the disposal of a mobile home; repealing s. 83.795, F.S., relating to the right of mobile home owners to peaceably assemble; repealing s. 83.796, F.S., relating to the right of a mobile home owner to invite public officers or candidates for public office to the park; repealing s. 83.797, F.S., relating to injunctive relief; repealing s. 715.301, F.S., relating to tenant's right of first refusal with respect to the sale of a mobile home park; repealing ss. 715.302 and 715.303, relating to mobile home homeowners' associations and the bylaws thereof; amending s. 215.22, F.S., relating to creation of the Mobile Home Trust Fund; amending s. 418.304, F.S., revising conditions under which fees may be charged for use of recreational facilities by mobile home park recreation districts; providing effective dates.

The Journal of May 23 was further corrected and approved as follows:

Page 384, column 1, from bottom, between lines 5 and 6 insert: —was read the first time by title.

The Journal of May 17 was further corrected and approved as follows:

On pages 318 and 319 wherever "CS for HB 312" appears, insert before "CS": CS for

ENROLLING REPORTS

CS for SB 799 has been enrolled, signed by the required Constitutional Officers and presented to the Governor on June 1, 1984.

Joe Brown, Secretary

ADJOURNMENT

On motion by Senator Thomas, the Senate adjourned sine die at 9:17 p.m.