

JOURNAL OF THE FLORIDA SENATE

Friday, April 9, 1971

The Senate was called to order by the President at 8:30 a.m. for the purpose of conducting the order of business of Introduction and reference of Resolutions, Memorials, Bills and Joint Resolutions, pursuant to Rule 4.3.

BILLS REFERRED TO SUBCOMMITTEES

Finance and Taxation Subcommittee: Senate Bills 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656 and House Bill 753 (7 days to report to the Committee on Ways and Means)

Senator Bell was excused from attendance upon committee meetings this day.

INTRODUCTION

By Senator Broxson—

SB 605—A bill to be entitled An act relating to local law enforcement officers' salaries; amending Section 163.555, Florida Statutes, to provide for a minimum annual salary of \$6,200 after January 1, 1974; a minimum annual salary of \$7,000 after January 1, 1975; and a minimum annual salary of \$7,800 after January 1, 1976, for local law enforcement officers; providing an effective date.

Was read the first time by title and referred to the Committee on Ways and Means.

By Senator Broxson—

SB 606—A bill to be entitled An act relating to the forfeiture of a corporate charter or the revocation to do business in this state for certain criminal practices; adding section 932.601, Florida Statutes; providing the Attorney General with subpoena powers to be used in pursuance of his authority under sections 932.58, 932.59, and 932.60, Florida Statutes (revocation of corporate charter for illegal conduct); providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary—Civil A.

By Senator Brannen—

SB 607—A bill to be entitled An act relating to the election laws of the state; amending §§98.311 and 98.312, Florida Statutes; deleting requirement that county judge furnish the department of state with list of mentally incompetent persons and the clerk furnish the department of state with list of persons convicted of felonies; deleting requirement that department of state compile lists of names for monthly distribution to supervisor of elections; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary—Civil B.

By Senator Brannen—

SB 608—A bill to be entitled An act relating to elections; creating §101.681, Florida Statutes, to provide that boards of county commissioners, upon recommendation of the supervisor of elections, may authorize the use of voting machines for absentee electors at the offices of the supervisor; providing the board shall authorize a maximum number of machines and appoint election boards; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary—Civil B.

By Senator Saunders—

SB 609—A bill to be entitled An act relating to the practice of dentistry; amending §466.13, Florida Statutes, to permit application to practice dentistry by a person who has declared his intention of becoming a citizen of the United States; providing an effective date.

Was read the first time by title and referred to the Committee on Health, Welfare and Institutions.

By Senators Saunders and Boyd—

SB 610—A bill to be entitled An act relating to the compensation of county officials; amending section 145.121(2)(b), Florida Statutes, pertaining to adjustment of compensation increase; providing a retrospective effective date of October 1, 1970.

Was read the first time by title and referred to the Committee on Ways and Means.

By Senator Saunders—

SB 611—A bill to be entitled An act relating to the board of regents; authorizing payment to the City of Gainesville for water services; providing an effective date.

Was read the first time by title and referred to the Committees on Universities and Community Colleges and Ways and Means.

By Senator Saunders—

SB 612—A bill to be entitled An act relating to municipal electric utilities; creating the municipal electric cooperative act; providing purposes, legislative findings and legislative intent; providing authority for municipalities to organize municipal electric cooperatives, to enter cooperative agreements for the construction of electric generating facilities, the interchange of electrical energy and the transmission of electrical energy over the transmission lines and facilities of public utilities as defined in chapter 366, Florida Statutes; providing authority to construct, maintain and operate electric transmission lines throughout the state; providing eminent domain power for the exercise of the powers and purposes of the act; providing authority for municipalities to organize nonprofit corporations under chapter 617, Florida Statutes; providing authority for municipalities to exercise general municipal powers and the powers conferred by this act through municipal electric cooperatives organized under chapter 617, Florida Statutes; providing an effective date.

Was read the first time by title and referred to the Committees on Commerce and Governmental Efficiency.

By Senator Lewis (43rd)—

SB 613—A bill to be entitled An act relating to air and water pollution control; amending chapter 403, Florida Statutes; providing emergency procedure to protect human health and safety; authorizing the executive director to order immediate reduction or discontinuance of emission of air contaminant; providing public hearing; providing an effective date.

Was read the first time by title and referred to the Committee on Natural Resources and Conservation.

By Senator Lewis (43rd)—

SB 614—A bill to be entitled An act relating to air and water pollution control; amending section 403.061, Florida Statutes; providing for a requirement that operations that may pollute provide monitoring and source tests at the operator's expense; requiring the department to develop a plan for land use and transportation control to achieve and maintain air quality standards; providing an effective date.

Was read the first time by title and referred to the Committee on Natural Resources and Conservation.

By Senator Lewis (43rd)—

SB 615—A bill to be entitled An act relating to air and water pollution control; amending section 403.141, Florida Statutes; relating to civil liability and assessment of damages caused by air pollution; providing for recovery of expenses and costs in tracing and restoring; providing an effective date.

Was read the first time by title and referred to the Committee on Natural Resources and Conservation.

By Senator Lewis (43rd)—

SB 616—A bill to be entitled An act relating to the prevention and abatement of air, land, and water pollution, and excessive and unnecessary noise; relating to the attorney general; providing the attorney general with authority to commence a judicial action to abate or prevent air, land, and water pollution and excessive and unnecessary noise; providing for a court to restrain continuation of pollution; providing for a hearing; providing for appropriate order by a court; providing an effective date.

Was read the first time by title and referred to the Committee on Natural Resources and Conservation.

By Senator Lewis (43rd)—

SB 617—A bill to be entitled An act relating to air and water pollution control; amending section 403.161, Florida Statutes; relating to violations of department rules, regulations, standards, and orders; prohibiting the operation, construction, etc., of a possible source of pollution without a valid permit; relating to violations; providing that violation is a misdemeanor; providing penalty; providing an offense for each day of violation; relating to violations that injure or kill; providing that such violations are a felony; providing a penalty; relating to procedure to penalize violators; providing for alternative enforcement procedures; providing an effective date.

Was read the first time by title and referred to the Committees on Natural Resources and Conservation and Judiciary—Criminal.

By Senator Lewis (43rd)—

SB 618—A bill to be entitled An act relating to air and water pollution control, appropriating \$500,000 to the department of air and water pollution control for educating, training and encouraging pollution control, abatement, prevention and detention; providing an effective date.

Was read the first time by title and referred to the Committees on Natural Resources and Conservation and Ways and Means.

By Senator Lewis (43rd)—

SB 619—A bill to be entitled An act relating to abatement of nuisances; amending subsection 60.05 (1), Florida Statutes; adding attorney general; providing an effective date.

Was read the first time by title and referred to the Committee on Natural Resources and Conservation.

SB 620—was introduced out of order, by unanimous consent, and passed on April 6.

By Senators Beaufort, Sayler, Arnold, Lewis (33rd), Johnson (29th) and Thomas—

SB 621—A bill to be entitled An act designating and defining Grandmother's Day; creating §683.10, Florida Statutes; providing that the second Sunday of October of each year shall be designated as Grandmother's Day; permitting the governor to issue annually a proclamation designating same; providing an effective date.

Was read the first time by title and referred to the Committee on Governmental Efficiency.

By Senator Myers—

SB 622—A bill to be entitled An act relating to cancer research and services; authorizing the department of health and rehabilitative services to contract with Florida firms for such research and services; setting a limit on the annual amount of such contracts; providing an appropriation; providing an effective date.

Was read the first time by title and referred to the Committees on Health, Welfare and Institutions and Ways and Means.

By Senators Horne, Saunders, Daniel, Henderson and Ott—

SB 623—A bill to be entitled An act relating to electrical cooperative corporations, amending 425.04, Florida Statutes, expanding the powers given to electrical cooperative corporations to include the power to engage in the business of water distribution and sanitary sewage service.

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

By Senator Poston—

SB 624—A bill to be entitled An act relating to insurance; adding subsection (4) to §624.0217, Florida Statutes, to provide that the department of insurance may revoke an insurer's certificate of authority for failure to maintain proper ratio of net written premiums to surplus as to policyholders; providing an effective date.

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

By Senators Horne, Barrow, Boyd, Beaufort, Lane, Sayler, Plante, Knopke, Bishop, Daniel, Hollahan, Deeb, Gunter, Ducker, McClain, Gong, Brannen and Pope—

SB 625—A bill to be entitled An act relating to limitation of actions; amending section 95.11 (6), Florida Statutes, to provide that actions to recover damages for injuries to the person arising out of any medical, dental or surgical treatment or operation must be brought within two (2) years; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary—Civil B.

By Senator Haverfield—

SB 626—A bill to be entitled An act relating to state institutions of higher education; providing definitions; providing presumptions for the determination of in-state and out-of-state student status; providing for adoption of rules and regulations relating thereto by the state board of education; providing for appeal; providing for waiver of tuition and for quotas; providing an effective date.

Was read the first time by title and referred to the Committees on Universities and Community Colleges and Ways and Means.

By Senator Haverfield—

SB 627—A bill to be entitled An act relating to the first accredited medical school; amending §242.62(1) and (3), Florida Statutes, and adding subsection (5) to said section; increasing the yearly payment by the state for each student admitted and enrolled; providing such payments be made in semiannual installments; increasing number of students in first medical school class; providing an appropriation; providing an effective date.

Was read the first time by title and referred to the Committees on Universities and Community Colleges and Ways and Means.

By Senator Gong—

SB 628—A bill to be entitled An act relating to corporations; amending subsection 48.091(1), Florida Statutes, relating to the designation of a resident agent upon whom service of process may be served; renumbering subsection 48.091(6) to subsection 48.091(7).

Was read the first time by title and referred to the Committee on Judiciary—Civil A.

By Senator Gong—

SB 629—A bill to be entitled An act relating to the judicial retirement system; adding subsection 123.06(3), Florida Statutes; providing a cost-of-living increase from July 1, 1971, for retired members and those members who retire on or after July 1, 1971; providing an effective date.

Was read the first time by title and referred to the Committees on Personnel, Retirement and Claims and Ways and Means.

By Senators Myers and Lane—

SB 630—A bill to be entitled An act relating to the department of health and rehabilitative services, division of mental health, repealing Section 396.101 and Section 396.111, Florida Statutes, abolishing the advisory council on alcoholic rehabilitation created thereby for the bureau of alcoholic rehabilitation, division of mental health; repealing Sections 402.01, 402.02 and 402.03, Florida Statutes, abolishing the council on training and research in mental health in Florida created for the division of mental health; amending Section 402.04, Florida Statutes, reflecting the transfer of duties of the council on training and research in mental health in Florida to the advisory council on mental health created for the division of mental health; amending Section 402.11, Florida Statutes, to increase the size and expand the duties of the advisory council on mental health created for the division of mental health; and providing an effective date.

Was read the first time by title and referred to the Committees on Health, Welfare and Institutions and Governmental Efficiency.

By Senators Myers and Lane—

SB 631—A bill to be entitled An act relating to the department of health and rehabilitative services, division of health, repealing Section 401.04, Florida Statutes, abolishing the hospital services for the indigent advisory committee created thereby for the division of health, and providing an effective date.

Was read the first time by title and referred to the Committees on Health, Welfare and Institutions and Governmental Efficiency.

By Senators Myers and Lane—

SB 632—A bill to be entitled An act relating to the department of health and rehabilitative services, division of corrections, repealing Section 945.05, Florida Statutes, and amending Section 945.06, Florida Statutes, to abolish the advisory council on adult corrections, and providing an effective date.

Was read the first time by title and referred to the Committees on Health, Welfare and Institutions and Governmental Efficiency.

By Senators Myers and Lane—

SB 633—A bill to be entitled An act relating to the department of health and rehabilitative services, providing for the establishment of the department of health and rehabilitative services as a body corporate with all powers attendant thereto, authorizing the receipt of grants, contributions, bequests, devises, and gifts of both real and personal property, authorizing sale and conveyance by the department of health and rehabilitative services of said property and deposit of the proceeds in appropriate accounts and providing an effective date.

Was read the first time by title and referred to the Committees on Health, Welfare and Institutions and Governmental Efficiency.

By Senator Sayler—

SB 634-SF—A proposal to be entitled An act relating to alcoholic beverage licenses.

Was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

By Senators Ware and Deeb—

SB 635—A bill to be entitled An act relating to Pinellas County, club alcoholic beverage licenses; excepting Italian-American Club of St. Petersburg from the provisions of section 561.20(6), Florida Statutes, as the same relates to the number of such licenses that may be issued in Pinellas County; excepting said club from the provisions of any other laws of general, special, or local nature relating to the number of licenses to be issued in Pinellas County; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 635.

Was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

By Senator Bell—

SB 636—A bill to be entitled An act relating to grounds for divorce; amending Section 61.041(3), Florida Statutes, by eliminating prohibition against a divorce in instance where both parties have been guilty of adultery, and providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary—Civil A.

By Senator Bell—

SB 637—A bill to be entitled An act relating to effect of judgement of divorce on children; amending Section 61.051, Florida Statutes, by eliminating the provision which makes the children illegitimate if born of a marriage which subsequently is dissolved by divorce granted on the ground in Section 61.041(9), Florida Statutes; and providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary—Civil A.

By Senator Hollahan—

SB 638—A bill to be entitled An act relating to governmental reorganization; amending sections 20.12 and 20.21, Florida Statutes, transferring the powers, duties, and functions of the documentary stamp tax bureau of the department of revenue under chapter 201, Florida Statutes, to the department of banking and finance; deleting that portion which transferred all powers, duties and functions of the comptroller relative to the documentary stamp tax under chapter 201, Florida Statutes, to the department of revenue; providing an effective date.

Was read the first time by title and referred to the Committee on Governmental Efficiency.

By Senator Hollahan—

SB 639—A bill to be entitled An act relating to the election laws of Florida; creating the state elections violation commission within the division of elections of the department of state; prescribing membership and method of appointment; prescribing powers and duties of the commission; prescribing procedures for oath; investigations; subpoenas; prescribing penalties; providing an effective date.

Was read the first time by title and referred to the Committee on Judiciary—Civil B.

The Senate adjourned at 8:40 a.m. to reconvene at 8:30 a.m., April 12, 1971.