

JOURNAL OF THE FLORIDA SENATE

Wednesday, April 11, 1973

The Senate was called to order by Senator Scarborough 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.

INTRODUCTION

By Senator Johnston—

SM 528—A memorial to the Congress of the United States strongly protesting aid to the country of North Vietnam.

—was read the first time and referred to the Committee on Ways and Means.

By Senator de la Parte—

SB 529—A bill to be entitled An act relating to special deputy sheriffs; amending §30.09(4), Florida Statutes, 1972 Supplement, as amended by §1, chapter 72-307, Laws of Florida; providing for appointments, powers and qualifications; providing an effective date.

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

By Senator Sykes—

SB 530—A bill to be entitled An act relating to the dedication of roads; amending §337.31, Florida Statutes, renumbering subsection (2) as subsection (3) and adding a new subsection (2) to said section; to provide procedures when private roads shall be deemed dedicated to the public; providing a one year period for civil actions against the governing authority; providing a saving clause; providing severability; providing an effective date.

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

By Senator Brantley—

SB 531—A bill to be entitled An act relating to corporations and other entities required to pay a tax on net income; amending Sections 608.3205(3), 608.34(1), and 608.35(1), Florida Statutes; extending time for filing annual report by making delinquent date July 1 rather than March 1; extending time from 30 days to 90 days after January 1 for sending notice of failure to file the required annual report and filing fee; extending date from March 1 to July 1 when penalty commences for failure to file report and pay taxes; providing for severability, providing an effective date.

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

By Senator Pettigrew—

SB 532—A bill to be entitled An Act relating to court costs and costs incident thereto, and the right to proceed in forma pauperis; amending sections 57.081(1) and (3), Florida Statutes; providing for the right of plaintiffs and defendants to proceed in forma pauperis in all the courts of the state; providing for applicability in probate and guardianship matters, other matters, and appeals therefrom; providing an effective date.

—was read the first time by title and referred to the Committees on Judiciary and Ways and Means.

By Senators Lane (31st) and Henderson—

SB 533—A bill to be entitled An Act relating to career service; amending section 110.051, Florida Statutes, by adding a new paragraph (m) to subsection (2) to exempt certain positions within the public service commission from the provisions of the chapter; providing an effective date.

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

By Senator Deeb—

SB 534—A bill to be entitled An act relating to the uniform state traffic control law; amending section 316.198(1), Florida Statutes, to require coverage of loose materials being transported on highways; adding new subsection (3) to provide penalties; providing an effective date.

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

By Senators Ware, Deeb, Saylor, Plante, Weber, Henderson, Sykes, Johnson, Gallen and Gillespie—

SB 535—A bill to be entitled An act relating to public schools; providing a supplemental appropriation for the state's portion of the 1972-73 minimum foundation program K-12; providing an effective date.

—was read the first time by title and referred to the Committees on Education and Ways and Means.

By Senator Deeb—

SB 536—A bill to be entitled An act relating to Pinellas County; providing that municipal governments located in said county shall not profit from any service rendered to subscribers of the service; providing that municipal governments in said county shall not charge any subscriber an amount greater nor less than the proportionate actual cost incurred by the municipality in rendering the service; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 536.

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

By the Committee on Governmental Operations—

SB 537—A bill to be entitled An act relating to the department of administration; amending subsection 20.31 (3), Florida Statutes; deleting the division of management improvement and providing for the division of management and budget; providing an effective date.

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

By Senator Johnson—

SB 538—A bill to be entitled An act relating to sales and use taxes; adding paragraph (f) to subsection (2) of §212.02, Florida Statutes; amending §212.02(3)(d) and (4), Florida Statutes, and adding subsection (18) to said section; adding a new subsection (7) to §212.05, Florida Statutes; amending §212.06(1)(a), Florida Statutes, adding paragraph (k) to subsection (2) of said section, and amending subsections (3), (5) and (8) of said section; amending §212.07(9), Florida Statutes; amending §212.08(7), Florida Statutes, 1972 Supplement, as amended by §1, chapter 72-289, Laws of Florida, adding paragraph (j) to said subsection; to extend taxation to advertising; defining "advertising" and "advertising services" and including the term within the terms "sale" and "gross sales"; levying a tax of four percent on the sale of advertising and advertising services; excluding the dissemination of advertising intended for use outside the state where eighty-five percent of gross advertising revenues are derived annually from persons having their principal residence or place of business outside the state; providing for liability of any person who cannot prove that the tax levied on advertising was paid to his vendor; exempting advertising required by the law from taxation; providing an effective date.

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

By Senator Lewis—

SB 539—A bill to be entitled An act relating to Florida beef; repealing sections 534.43, 534.44, 534.45, and 534.46, Florida Statutes, requiring packers, retailers, and restaurants selling beef raised, produced, and slaughtered in Florida to mark, stamp, or describe same as "produced in Florida" or "Florida beef"; providing effective date.

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

By Senator Deeb—

SB 540—A bill to be entitled An act relating to Florida institutions of higher learning; amending chapter 241, Florida Statutes, by adding a new section of 241.098, providing for the establishment of a school of osteopathic medicine to be located at the Florida international university, providing a one hundred fifty thousand dollar (\$150,000) appropriation; providing an effective date.

—was read the first time by title and referred to the Committees on Education and Ways and Means.

By Senator Trask—

SB 541—A bill to be entitled An act relating to retirement; amending Section 121.091 (9) (d), Florida Statutes, providing an effective date.

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

By Senator Gillespie—

SB 542—A bill to be entitled An act relating to probate law; amending chapter 731.30, Florida Statutes, to provide that an adopted child be regarded as a natural grandchild for the purpose of inheritance from the parents of his adopting parents; providing an effective date.

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

By Senator Deeb—

SB 543—A bill to be entitled An act relating to the Florida Watchmaker's Commission; repealing all provisions of said Chapter; providing an effective date.

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

By Senator Gillespie—

SB 544—A bill to be entitled An act relating to Volusia County enlarging the boundaries of the "Deltona Fire District", by amending Chapter 69-1707, to establish the enlarged boundaries of the district, extending all powers and duties of the existing district to the enlarged district, providing for levy and collection of ad valorem taxes, not to exceed two (2) mills on the dollar of assessed value of the real or personal property lying within the enlarged district, providing generally for the government of the enlarged district by the previously elected governing board until the next general election repealing all laws and parts of laws in conflict, providing that this act will not take effect until approved by a majority of the electors of the district voting in a special election and by a majority of the electors who are owners of freeholds in the district not wholly exempt from taxation, voting in a second special election providing for the holding of both elections within the district, providing an effective date.

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

By Senator Trask (By request)—

SB 545—A bill to be entitled An act relating to taxation; amending §194.181(2) and (5), Florida Statutes, adding subsection (6) to said section; to clarify the parties involved in tax suits; providing that the attorney for the defendant

county officer shall, upon request, represent the state official with no additional compensation; providing that a public officer may be a party plaintiff; providing an effective date.

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

By Senator Trask (By request)—

SB 546—A bill to be entitled An act relating to service of process; amending §48.111, Florida Statutes, adding subsection (4) thereto, to provide for service of process on the department of revenue in lieu of any other provision of general law and to designate that department as the only state agency or department to be so served; providing an effective date.

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

By Senator Trask (By request)—

SB 547—A bill to be entitled An act relating to taxation; amending §193.052(3), Florida Statutes, to clarify who shall file a return required by that section; providing an effective date.

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

By Senator Trask (By request)—

SB 548—A bill to be entitled An act relating to taxation; amending §193.122(1), Florida Statutes, to clarify the property subject to certification; providing an effective date.

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

By Senator Trask (By request)—

SB 549—A bill to be entitled An act relating to taxation; repealing §195.101(2), Florida Statutes, relating to the withholding of state funds from municipalities; providing an effective date.

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

By Senator Trask (By request)—

SB 550—A bill to be entitled An act relating to excise tax on documents; amending §201.01, Florida Statutes, to add the word "recorded" to taxable incidents; providing authority for the department to prescribe the methods for affixing the stamps; providing a definition of "consideration"; providing an effective date.

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

By Senator Scarborough—

SB 551—A bill to be entitled An act relating to claims bills; repealing §215.425, Florida Statutes, which prohibits the payment of certain claims except upon enactment of a bill passed by two thirds (2/3) of the members elected to each house of the legislature; providing an effective date.

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

The Senate adjourned at 8:35 a.m. to convene at 8:30 a.m., April 12, 1973, for the purpose of introduction and reference of resolutions, memorials, bills and joint resolutions.