

JOURNAL OF THE FLORIDA SENATE

Thursday, May 1, 1975

The Senate was called to order by Senator Brantley 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 Saunders—

SB 685—A bill to be entitled an Act relating to the Workmen's Compensation Law; repealing s.440.51(5), Florida Statutes, which provides that the amount assessed against and paid by an insurance carrier be allowed as a deduction against the amount of any other tax levied by the state upon the premiums, assessments or deposits for workmen's compensation insurance on contracts or policies of such insurance carrier; providing an effective date.

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

By Senator Poston—

SB 686—A bill to be entitled An act relating to transportation; creating ss.339.40-339.51, Florida Statutes; providing state technical and financial assistance to local communities for planning, development, construction and administration of mass transportation facilities and services; providing a short title, legislative intent and definitions; providing powers and duties of the secretary of transportation; providing for assistance from other agencies; providing for inspections, investigations and hearings; requiring the secretary of transportation to develop a comprehensive statewide plan for mass transportation facilities; requiring reports to the governor and legislature; providing for aid and funding for mass transportation projects and providing procedures therefor; authorizing land use controls; providing severability; providing an effective date.

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

By Senator Plante—

SB 687—A bill to be entitled An act relating to legislative planning; creating s.11.140, Florida Statutes, providing for an annual meeting between the Florida congressional delegation and a 17-member delegation representing the Florida legislative and executive branches for the purpose of planning legislative needs; providing for the appointment of delegates; providing a choice of location and assigning coordinating responsibilities; providing an effective date.

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

By Senator Trask—

SB 688—A bill to be entitled An act relating to taxation on fuels; amending s.206.47(7), (9), Florida Statutes; providing for the return to the counties of that portion of the second gas tax which presently goes to the Department of Transportation; providing an effective date.

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

By Senator Dunn (by request)—

SB 689—A bill to be entitled An act relating to inspection of public records for boards assigned to the Department of Professional and Occupational Regulation creating subsection (13) of section 20.30, Florida Statutes, providing for public inspection at all reasonable times; providing for limited confidentiality of investigative reports until official board action; providing an effective date.

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

By Senator Graham—

SB 690—A bill to be entitled An act relating to the Land Conservation Act of 1972; creating s.259.08, Florida Statutes, authorizing the governor and cabinet to acquire by eminent domain certain designated areas; requiring the Division of Recreation and Parks of the Department of Natural Resources to recommend definite boundaries for areas designated; requiring the governor and cabinet to establish definite boundaries; 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 J. Thomas—

SB 691—A bill to be entitled An act relating to motor carriers; limiting the period of extension of credit by or to motor carriers operating for the transportation in bulk of road building and construction aggregates; providing exceptions; providing penalties; providing an effective date.

—was read the first time by title and referred to the Committees on Commerce and Judiciary-Criminal.

By Senators Glisson and Graham—

SB 692—A bill to be entitled An act relating to the Florida Public Service Commission; creating s.366.071, Florida Statutes; requiring the establishment of certain public utility rates and charges at levels lower than average cost of providing service; providing for an investigation of rates; providing an effective date.

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

By Senator Brantley—

SB 693—A bill to be entitled An act relating to legal advertisements; amending s.49.10(1)(b), Florida Statutes, 1974 Supplement; providing for the posting of notices of action for insolvent and poverty-stricken persons except in a county having a designated record newspaper; creating s.50.071, Florida Statutes; establishing court docket funds in certain counties; providing for an additional \$1 filing fee; providing for the designation of record newspapers; providing for disbursement of funds; providing for the establishment of court docket funds by other counties; providing for the publication of notices of service of process without charge for insolvent and poverty-stricken persons; providing an effective date.

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

By Senator Poston—

SB 694—A bill to be entitled An act relating to transportation of public school students; adding s.236.083(9), Florida Statutes, 1974 Supplement; providing that funds available for payment of student transportation services may be paid to local general purpose transit systems for transportation of such students; providing an effective date.

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

By Senators Plante, Holloway, Saylor, Wilson, Vogt, Renick, Deeb, J. Thomas, Firestone and Henderson—

SB 695—A bill to be entitled An act relating to elections; requiring that polling places be accessible and usable by physically handicapped persons; adding s.97.063(6), Florida Statutes; providing for a sworn statement of physical disability; providing a penalty; amending s.97.065, Florida Statutes; providing for two witnesses to attest absentee registration application; adding s.98.051(6), Florida Statutes; providing for the registration of physically handicapped persons by mail; providing an effective date.

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

By Senators Plante, Saylor, J. Thomas, Spicola, Brantley, Henderson, Firestone, Renick and Gallen—

SB 696—A bill to be entitled An act relating to physically handicapped persons; providing that buildings which are supported directly or indirectly by public funds be made accessible to physically handicapped persons; requiring that such buildings have an accessible entrance and exit on habitable and usable grade levels; requiring such buildings to contain accessible rest-rooms; requiring designated parking spaces for the physically handicapped; providing for waiver of entrance and exit requirements; providing an effective date.

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

By Senator Glisson—

SB 697—A bill to be entitled An act relating to mobile home parks; amending s.83.70(7), Florida Statutes; prohibiting mobile home parks from reselling electricity or gas purchased from a municipally owned utility for more than purchase amount; providing an effective date.

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

By Senator Saunders—

SB 698—A bill to be entitled An act relating to the Outdoor Recreation and Conservation Act of 1963 and the Florida Environmental Land and Water Management Act of 1972; amending ss.375.031(1), 380.08(2), Florida Statutes; requiring a seller whose land is to be acquired by a governmental agency to disclose all financial transactions concerning the land and the amount of the tax assessment thereon since January 1, 1970; providing an effective date.

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

By Senator Johnston—

SB 699—A bill to be entitled An act relating to the right of eminent domain to counties; amending s.127.01(2), Florida Statutes; deleting the requirement that a county show necessity for the proposed taking of land for certain recreational purposes; providing an effective date.

—was read the first time by title and referred to the Committees on Judiciary-Civil and Natural Resources and Conservation.

By Senator Wilson—

SB 700—A bill to be entitled An act relating to public schools; amending s.233.064(2), Florida Statutes, providing that the course "Americanism versus Communism" be an elective rather than a required public high school course; creating s.233.0645, Florida Statutes, requiring public high schools to teach a required course entitled "American Democracy"; requiring the Department of Education and the State Textbook Council to develop the course and materials for the course; providing an effective date.

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

By Senator Brantley—

SB 701—A bill to be entitled An act relating to the Florida Comprehensive Drug Abuse Prevention and Control Act; amending s.893.13(1)(a), (b), (e), Florida Statutes; revising certain offenses and penalties relating to the sale, manufacture, delivery, or possession of specified controlled substances; providing an effective date.

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

By Senators Myers, Barron and Johnston—

SB 702—A bill to be entitled An act relating to the sales and use tax; amending s.212.12(1), Florida Statutes; revising the deduction allowed to sellers, lessors, owners and dealers for remitting the tax; providing an effective date.

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

By Senator Winn—

SJR 703—A joint resolution proposing an amendment to Section 12 of Article V of the State Constitution relating to the judicial qualifications commission; providing that upon the recommendation of the commission, the supreme court shall have the power to discipline any judge; providing for discipline of a justice of the supreme court by a panel of circuit judges; providing for selection of the panel; providing for alternates for the panel.

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

By Senator Poston—

SB 704—A bill to be entitled An act relating to towing motor vehicles; creating sections 713.78 and 715.07, Florida Statutes; providing for removal of motor vehicles from private property; providing conditions for such removal without liability; establishing liability for improper removal; establishing liens for towing and storage of motor vehicles; establishing immunity from liability for towing and storage under certain conditions; providing an effective date.

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

By Senator Myers—

SB 705—A bill to be entitled An act relating to the Florida Uniform Traffic Control Law; creating ss.316.165, 316.166, Florida Statutes; providing for the removal, without liability, of vehicles parked on private property without permission; providing that a person regularly engaged in towing motor vehicles has a lien on motor vehicles towed; providing an effective date.

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

By Senator Firestone—

SB 706—A bill to be entitled An act relating to condominiums and cooperative apartments; amending ss.711.08(2), 711.11(2)(b) and (d) and (3)(b), and 711.12(7), Florida Statutes, 1974 Supplement, ss.711.12L and 711.14(2) and (3), Florida Statutes, s.711.15(5) and (8), Florida Statutes, 1974 Supplement, s.711.18(1), Florida Statutes, ss.711.44(1)(h), and 711.62(1), Florida Statutes, 1974 Supplement, amending s.711.63(4), Florida Statutes, 1974 Supplement, and adding paragraph (d) to subsection (7) thereof, amending s.711.66(1), and (4), Florida Statutes, 1974 Supplement, and adding subsection (6) thereto, and amending s.711.71(2), Florida Statutes, 1974 Supplement; clarifying language with regard to the transfer of condominium and cooperative apartment units; changing the right of persons to hold more than 5 proxies with regard to certain meetings concerning condominiums and cooperative apartments; providing that bylaws may provide restrictions or requirements on unit appearance; providing that if the person in control of the association's books denies access to such books, any person in an action for enforcement of the provision allowing inspection of the books shall be entitled to attorney's fees from the party denying access; providing that no lien shall be enforceable for maintenance or rent payable for a recreational facility in which the fee simple title is not held by the owners or the association; prohibiting the declaration in the association bylaws of certain expenses as common expenses; providing that certain payments in a foreclosure by the association shall be discretionary at the court's option; requiring developers to pay certain common expenses during a certain time period; providing that certain lease requirements with respect to condominiums and cooperative apartments shall not apply when

the lessor is the government of the United States or of the State of Florida, or any political subdivision thereof; lowering to 50% the percentage of the number of units required to be sold before unit owners are entitled to elect at least a majority of the members of the board of administration; providing that certain judicial proceedings with regard to condominiums

and cooperative apartments shall be summary proceedings; providing an effective date.

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

The Senate adjourned at 8:40 a.m.