



Journal of the Senate

Number 16

Tuesday, April 26, 1977

The Senate was called to order by Senator Skinner 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 Senators MacKay, Saylor, Peterson and Lewis—

SB 942—A bill to be entitled An act relating to tax reform; repealing part II of chapter 218, Florida Statutes, the Florida Revenue Sharing Act of 1972; amending s. 323.16, Florida Statutes, 1976 Supplement; amending ss. 199.292(4), 210.20(2), 206.605, 206.45(4), Florida Statutes, to conform to this act and to provide that funds previously designated for deposit in revenue sharing trust funds and in the Municipal Financial Assistance Trust Fund be deposited in the General Revenue Fund; amending s. 203.05, Florida Statutes, deleting the provisions relating to the distribution of taxes on gross receipts of express companies to counties and providing for the deposit of such taxes in the General Revenue Fund; amending ss. 211.02, 211.06(1), Florida Statutes; deleting provisions relating to the oil and gas tax trust fund and distributions from that fund to counties and providing that all taxes collected on the producing or severing of oil and gas be deposited in the General Revenue Fund; amending s. 320.081(3), (4), Florida Statutes; deleting provisions relating to the deposit of mobile home license fees in the License Tax Collection Trust Fund and distributions from that fund to county school boards, boards of county commissioners and to cities and providing for the deposit of such fees in the General Revenue Fund; amending ss. 550.069(1), 550.13, 550.16(8), (9), 550.161(1), 550.163(3), 550.26(4), 550.39(2), 550.42(2), Florida Statutes; deleting provisions relating to the distribution to counties of fees and taxes derived from parimutuel pools; providing that such parimutuel fees and taxes be deposited in the General Revenue Fund; repealing ss. 550.131, 550.14, 550.30, Florida Statutes, relating to the use of such parimutuel fees and taxes by counties and to the guaranteeing of distributions to counties; amending s. 561.342, Florida Statutes; deleting the provisions relating to the return to county tax collectors and to municipal officers of a percentage of the taxes for beer, wine, and liquor licenses; amending ss. 624.501(5)-(9), 624.504, Florida Statutes; deleting provisions relating to county license taxes for certain insurance agents and solicitors and increasing the state license tax for the same agents and solicitors; repealing ss. 624.505, 624.506, Florida Statutes, relating to the collection and deposit of such county license taxes; repealing ss. 175.032(4), 175.091(1), 175.101-175.122, 175.141, 175.151, 175.351, 185.02(4), 185.07(1), 185.08-185.10, 185.12, 185.13, 185.35, Florida Statutes, relating to municipalities levying a tax on insurance companies on the gross receipts of premiums from casualty or property insurance covering property within the municipality and the deposit of funds derived from those taxes in the Municipal Firemen's Pension Trust Fund, the Municipal Police Officers' Retirement Fund, or other municipal funds providing pension benefits to firemen or pension or relief benefits to policemen; amending ss. 624.509(3)(f), (4), 624.510(3), 624.514(1), 624.520, 624.522(5)(b), Florida Statutes, to conform to this act; repealing s. 196.032, Florida Statutes, relating to the replacement of revenues lost by counties, municipalities and special districts as a result of certain additional tax exemptions for homesteads; repealing s. 200.132, Florida Statutes, relating to the Municipal Financial Assistance Trust Fund and distributions from such fund to municipalities and certain counties; repealing s. 215.22(12), (13), (19), (24), Florida Statutes, to conform to this act; creating s. 212.047, Florida Statutes; amending s. 212.02(9), Florida Statutes, 1976 Supplement, and adding subsections (19)-(21) to said section; amending ss. 212.05(1)(a), (2)-(6), 212.055(1), 212.12(1), (5)-(7), (9)-(11), Florida Statutes, 1976 Supplement; amending ss. 212.03(1), (3), (6), 212.031(1)(c), (d), 212.04(1), 212.06(1)(a),

(5)(a), 212.08(3), (6), (7)(e), 212.10, 212.11(1), 212.14(1), (4), (6), 212.15(3), 212.151, 212.17(3), (4), (7), 212.18(3), 212.21(2)-(4), Florida Statutes; increasing the tax on sales, use, storage, consumption, rentals, admissions, communications services, and other transactions taxed under chapter 212, Florida Statutes; providing for a tax on certain services; providing a definition; requiring a certificate of registration for persons engaged in the business of performing taxable services and conditions therefor; providing for the collection and remission of taxes; providing for tax returns, credits, assessments, liens, and warrants; providing for notice to creditors of persons performing taxable services who are delinquent in their taxes; providing for writs of garnishment; providing for the keeping, auditing, and examining of records and accounts; prohibiting the absorption, refund, or noncollection of taxes; providing for liability of persons giving consideration for taxable services; providing for hearings; providing for jurisdiction of suits; providing for designation of agent for service of process; providing exemptions; providing for interest; providing penalties; amending ss. 220.11(2), 220.63(2), Florida Statutes; increasing the income tax on corporations, organizations, associations and other artificial entities; increasing the franchise tax on banks and savings associations; providing an effective date.

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

By Senators MacKay, Saylor and Peterson—

SJR 943—A joint resolution proposing amendments to Section 9, Article VII and Section 9, Article XII of the State Constitution and the repeal of Section 19, Article XII of the State Constitution of 1885 which was incorporated by reference in Section 9, Article XII of the State Constitution; relating to finance and taxation.

—was read the first time by title and referred to the Committees on Appropriations, and Rules and Calendar.

By Senator MacKay—

SB 944—A bill to be entitled An act relating to traffic safety; amending s. 234.082, Florida Statutes, which requires that school boards notify appropriate agencies of highway hazards to pupils, to provide for notification of the entity responsible for correction of the hazard; requiring such entities, rather than the school books, to take precautions to safeguard pupils until the hazard is corrected; providing an effective date.

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

By Senators W. D. Childers and Tobiassen—

SB 945—A bill to be entitled An act relating to the Florida Uniform Traffic Control Law; amending s. 316.292(1) and (3), Florida Statutes, providing that privately owned vehicles of volunteer firemen may display or use red lights while in transit between the volunteer fireman's home and the fire station under certain circumstances; providing an effective date.

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

By Senator Henderson—

SB 946—A bill to be entitled An act relating to insurance; amending s. 627.410(1), Florida Statutes, eliminating the requirement that group certificates issued with respect to group

insurance policies effectuated and delivered outside Florida but covering Florida residents shall be filed with the Department of Insurance at the department's request; providing an effective date.

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

By Senator Holloway—

SB 947—A bill to be entitled An act relating to the rate of wages for laborers, mechanics, and apprentices employed on public works construction; adding s. 215.19(9), Florida Statutes; defining wages to include overtime and premium pay and fringe benefits; providing an effective date.

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

By Senator Holloway—

SB 948—A bill to be entitled An act relating to marriage and family counseling; creating the "Marriage and Family Counselors Licensing Act"; providing for objects and purposes of the act; providing definitions and applications of the act; creating the Florida Board of Marriage and Family Counselors within the Division of Professions of the Department of Professional and Occupational Regulation; providing for composition, terms, officers, and meetings of the board and for expenses of the members; requiring persons to obtain a license to practice marriage and family counseling; providing for a fee; providing procedures and requirements for licensure; providing qualifications; requiring display of licenses; authorizing the board to waive license requirements for certain applicants; providing exemptions from licensure requirements for certain persons; excluding certain persons from the exemptions from the licensure requirements; providing for the renewal of licenses; providing procedures for the refusal to grant or renew a license and for the revocation or suspension of a license; providing for the reinstatement of licenses; providing for injunctive relief; providing for cease and desist orders; providing for the disposition of fees; providing penalties; providing for privileged communication between a marriage and family counselor and the person counseled; amending s. 215.37(1), Florida Statutes, to conform to the provisions of this act; providing severability; providing an effective date.

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

By Senator Holloway—

SB 949—A bill to be entitled An act relating to contracts for the construction, repair, alteration, or improvement of educational facilities; amending s. 235.32, Florida Statutes; deleting the requirement that the contractor and the contract be exempt from the requirements of s. 215.19, Florida Statutes, relating to the rate of wages for laborers, mechanics, and apprentices employed on public works; providing an effective date.

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

By Senators Lewis and Myers—

SB 950—A bill to be entitled An act relating to transportation; amending s. 206.46, Florida Statutes; authorizing moneys in the State Transportation Trust Fund to be used for right-of-way acquisition; amending s. 334.02(5), Florida Statutes; providing that certain costs associated with operation of primary roads be borne by the Department of Transportation; amending s. 339.08(2)(b), Florida Statutes; authorizing the first gas tax to also be used for right-of-way acquisition; repealing s. 339.10, Florida Statutes, which section authorizes advances of first gas tax funds to counties for certain purposes; providing an effective date.

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

By Senator Poston—

SB 951—A bill to be entitled An act relating to state officers and employees; amending s. 110.111(1), Florida Statutes; providing penalties for willful violations of any law or rule of the

state career service system by any state officer; providing an effective date.

—was read the first time by title and referred to the Committee on Personnel, Retirement and Collective Bargaining.

By Senator Poston—

SB 952—A bill to be entitled An act relating to ad valorem taxation of tangible personal property; adding s. 195.027(4)(c), Florida Statutes, 1976 Supplement; providing that the assessed value of any item of tangible personal property shall be the depreciated value of such item when depreciated pursuant to any method allowed by the United States Internal Revenue Code; providing an effective date.

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

By Senator Poston—

SB 953—A bill to be entitled An act relating to pay periods for state officers and employees; amending s. 112.055, Florida Statutes, to provide for consultation with the Department of Banking and Finance before approval of pay periods is granted by the Department of Administration; providing an effective date.

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

By Senator Renick—

SB 954—A bill to be entitled An act relating to automotive repair; creating the Automotive Repair Act; providing definitions; providing exemptions; creating a Bureau of Automotive Repair within the Division of Consumer Services of the Department of Agriculture and Consumer Services to administer the act under the division; providing for the appointment of a bureau chief; providing for the powers and duties of the director of the division; creating the Advisory Board of the Bureau of Automotive Repair and prescribing duties, etc., thereof; requiring all automotive repair dealers to be registered and providing procedures therefor; authorizing the director of the division to refuse to validate, or to invalidate, registration for certain acts or omissions; providing duties of automotive repair dealers; requiring the bureau to design a sign notifying consumers of their rights which must be placed in all dealer locations; providing for enforcement; authorizing the adoption of rules along certain lines; creating the Automotive Repair Fund; providing fees; providing a penalty; providing an effective date.

—was read the first time by title and referred to the Committees on Commerce, Governmental Operations, and Appropriations.

By Senator Saylor—

SB 955—A bill to be entitled An act relating to the collection of ad valorem taxes; authorizing the taxpayer to make payment of ad valorem taxes in installments; providing for an initial payment when choosing the installment option; providing that discounts shall not apply when installment payments are elected; providing that the Department of Revenue shall issue such rules and prepare such forms as necessary to effectuate the intent of this act; providing an effective date.

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

By Senator Trask—

SB 956—A bill to be entitled An act relating to the Veterinary Medical Practice Act; amending s. 474.041, Florida Statutes; eliminating the restriction on the appointment to the State Board of Veterinary Medicine of licensed doctors of veterinary medicine who graduated from the same veterinary college; providing an effective date.

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

By Senator Williamson—

SB 957—A bill to be entitled An act relating to the construction industry; amending s. 468.105(1)(a), Florida Statutes, and amending s. 468.106(3), Florida Statutes, and adding a new subsection (5), requiring applicants for registration or certification by the Florida Construction Industry Licensing Board to furnish payment bonds against certain claims; repealing ss. 713.02(6) and 713.23, Florida Statutes, relating to payment bonds furnished by contractors and liens; providing an effective date.

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

By the Committee on Transportation—

SB 958—A bill to be entitled An act relating to state uniform traffic control; amending s. 316.072(3), Florida Statutes, as transferred from s. 316.051, Florida Statutes, 1976 Supplement; providing that failure or refusal to comply with an order of a police officer or member of a fire department relating to traffic control is a misdemeanor; amending s. 316.655(4), Florida Statutes, as transferred from s. 316.026, Florida Statutes, 1976 Supplement; conforming language; adding s. 318.17(6), Florida Statutes, 1976 Supplement; excepting such violations from designation as noncriminal traffic infractions; providing an effective date.

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

By Senators Sayler and Graham—

SB 959—A bill to be entitled An act relating to municipal pension and retirement trust funds for firemen and policemen; amending ss. 175.021, 175.032(1), Florida Statutes; providing for the inclusion of rescue personnel in the definition of "fireman" under the Municipal Firemen's Pension Trust Fund Act and conforming the legislative declaration; amending s. 175.041(1), Florida Statutes; providing a change in the approval of fire fighting equipment; amending s. 175.121, Florida Statutes; removing the limitation on expenditure of trust fund moneys by the Department of Insurance in administering the act; requiring the department to withhold state funds from noncomplying municipalities; amending s. 175.321, Florida Statutes; clarifying the applicability of chapter 175, Florida Statutes, and specifically identifying the portions of the chapter which are inapplicable to municipalities with their own pension plans for firemen or for firemen and other employees; amending s. 175.351(13), Florida Statutes; requiring exclusive use of the premium tax to provide firemen benefits in addition to those provided other employees in municipalities with their own pension plans; amending s. 185.10, Florida Statutes; requiring the Department of Insurance to withhold state funds from a municipality not meeting the requirements for participation in the distribution of Municipal Police Officers' Retirement Trust Fund moneys; amending s. 185.24, Florida Statutes; deleting the limitation on appropriations to the department for administering such trust fund moneys; amending s. 185.32, Florida Statutes; providing for the applicability of chapter 185, Florida Statutes, to Municipal Police Officers' Retirement Trust Funds and identifying the portions of the chapter not applying to municipalities which have their own such plans for policemen or for policemen and other employees; amending s. 185.35(2), Florida Statutes; requiring the use of premium tax revenue exclusively to provide policemen benefits in addition to those provided other municipal employees; providing an effective date.

—was read the first time by title and referred to the Committee on Personnel, Retirement and Collective Bargaining.

SB 960 was introduced out of order on April 25, and referred to the Committee on Judiciary-Criminal.

By Senator Castor—

SB 961—A bill to be entitled An act relating to public meetings; adding a new subsection (2) to s. 286.011, Florida Statutes, prohibiting public meetings from certain locations; providing an effective date.

—was read the first time by title and referred to the Committees on Economic, Community and Consumer Affairs; Governmental Operations; and Rules and Calendar.

By Senator Chamberlin—

SB 962—A bill to be entitled An act relating to alcoholic beverage licenses; adding paragraph (f) to s. 561.29(1), Florida Statutes, providing that discrimination by a licensee in favor of or against any person on the basis of race, color, creed, or sex shall be grounds for suspension or revocation of license; providing an effective date.

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

By Senator Chamberlin—

SB 963—A bill to be entitled An act relating to ad valorem tax exemption; amending s. 196.011(1), Florida Statutes, 1976 Supplement, and s. 196.131(1), Florida Statutes; changing the date for annual application for homestead exemption; providing for application by certification on the original tax bill for certain exemptions; providing for application by short form for disability exemptions; providing for proof of timely filing of certification; providing an effective date.

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

By Senator Chamberlin—

SB 964—A bill to be entitled An act relating to condominiums; creating s. 718.122, Florida Statutes; providing legislative intent; providing that a condominium lease of recreational or community facilities is presumptively unconscionable if it contains all of certain enumerated elements; providing that such presumption is rebuttable; providing an effective date.

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

By Senator Chamberlin—

SB 965—A bill to be entitled An act relating to civil actions for unpaid wages; creating s. 448.08, Florida Statutes; authorizing the award of costs and a reasonable attorney's fee to a successful litigant in an action for unpaid wages; providing an effective date.

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

By Senator Firestone—

SB 966—A bill to be entitled An act relating to workmen's compensation; repealing s. 440.51(5), Florida Statutes, which provides that the amount assessed against and paid by an insurance carrier under the provisions of s. 440.51, Florida Statutes, shall 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 Committee on Commerce.

By Senator Glisson—

SB 967—A bill to be entitled An act relating to osteopathic physicians; creating s. 459.151, Florida Statutes, providing legislative intent; providing definitions; authorizing osteopathic physicians to utilize assistants under certain circumstances; providing that trainees may also perform services required of osteopathic physician's assistants; requiring such assistants to be approved by the State Board of Osteopathic Medical Examiners; providing for application approval; providing a penalty; requiring a report to the Legislature; providing for revocation of approval; providing for rules; providing that the board may consult with appropriate medical organizations in setting up the program; providing fees; providing for the effect of the law; limiting liability; providing an effective date.

—was read the first time by title and referred to the Committees on Health and Rehabilitative Services; and Finance, Taxation and Claims.

By Senator Glisson—

SB 968—A bill to be entitled An act relating to jai-alai frontons; creating s. 551.18, Florida Statutes; providing for two additional charity days at jai-alai frontons for the purpose of establishing a retirement fund for jai-alai players, jai-alai players' managers, and members of the players' department; authorizing the establishment of a nonprofit corporation to manage and administer such funds; providing the means for determining profits; providing for the composition of the board of directors of the nonprofit corporation; requiring the filing of an unaudited financial statement with the Division of Pari-mutuel Wagering at least quarterly; providing an effective date.

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

By Senator Hair—

SB 969—A bill to be entitled An act relating to alimony; amending s. 61.08(2), Florida Statutes; providing that, in a proceeding for dissolution of marriage, the primary homemaker in a marriage of substantial duration shall be entitled to permanent alimony under certain circumstances; providing an effective date.

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

By Senator Hair—

SB 970—A bill to be entitled An act relating to water or sewer utilities; amending s. 367.081(2), Florida Statutes, relating to the procedure for fixing and changing rates, to require that hearings be held to accommodate the greatest number of customers of the utility; providing an effective date.

—was read the first time by title and referred to the Committee on Economic, Community and Consumer Affairs.

By Senator Henderson—

SB 971—A bill to be entitled An act relating to homestead tax exemption; amending s. 196.041, Florida Statutes; providing that a person having an equitable or beneficial interest in property held in trust for his benefit shall not be denied homestead tax exemption if the deed recites that the settlor or grantor may at any time revoke or amend the trust without the consent of any other person and reacquire title to the property; providing that conveyances made prior to July 1, 1977 which contain such a recitation are entitled to the same benefits; providing an effective date.

—was read the first time by title and referred to the Committees on Judiciary-Civil; and Finance, Taxation and Claims.

By Senator Holloway—

SB 972—A bill to be entitled An act relating to yacht and ship brokers; amending ss. 537.04(7) and 537.12, Florida Statutes, to permit the Division of General Regulation of the Department of Business Regulation to deny a license to, and assess a civil penalty against, any person engaging in business as a yacht or ship salesman or broker without a license therefor; providing a penalty; providing an effective date.

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

By Senator Johnston—

SB 973—A bill to be entitled An act relating to the sale of beverages; providing definitions; requiring every container of certain beverages sold in the state to have a clearly indicated refund value of not less than 5 cents; requiring dealers and distributors of such beverages to accept the return of beverage containers and to pay the required refund; providing a penalty; providing an effective date.

—was read the first time by title and referred to the Committees on Commerce; Judiciary-Criminal; and Finance, Taxation and Claims.

By Senator Johnston—

SB 974—A bill to be entitled An act relating to levies upon property by sheriffs, amending s. 30.30(1), Florida Statutes; providing for levy on property in the possession of the defendant; providing an effective date.

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

By Senator Myers—

SB 975—A bill to be entitled An act relating to motor vehicle licenses; creating ss. 125.0167, 320.0802, Florida Statutes; authorizing each charter county to levy, by ordinance, an annual license surtax on the operation of motor vehicles and mobile homes presently taxed under s. 320.08, Florida Statutes; providing procedure for adoption of the enabling ordinance; providing for establishment of a county transportation trust fund for deposit of revenues; providing for use of funds for county transportation purposes; providing for administration and collection of the proceeds of the license surtax; providing an effective date.

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

By Senator Peterson (by request)—

SB 976—A bill to be entitled An act relating to the Florida Education Council; amending s. 244.07, Florida Statutes; prescribing the membership and duties of the council; requiring the Department of Education to support the activities of the council through existing resources; providing an effective date.

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

By Senators Plante and Henderson—

SB 977—A bill to be entitled An act relating to unemployment compensation; amending s. 443.05(1), Florida Statutes, relating to eligibility for benefits; requiring proof of application for suitable work; amending s. 443.06(1) and (2), Florida Statutes, and adding a new subsection (3); providing for period of disqualification for an individual who left his employment without good cause, who was discharged for misconduct, or who fails to apply for or accept suitable work; deleting provisions which exempt certain individuals voluntarily leaving temporary employment from disqualification; providing factors to be considered in determining if work is suitable; providing that termination of certain seasonal or temporary employment does not qualify an individual for benefits; providing an effective date.

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

By Senator Plante—

SJR 978—A joint resolution proposing an amendment to Section 1, Article VII of the State Constitution, relating to spending and taxation by the state and units of local government, to limit such spending and taxation.

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

By Senator Poston—

SB 979—A bill to be entitled An act relating to payment of road construction contracts; amending s. 337.141, Florida Statutes; changing the documents which must be submitted before final payment; defining the terms "dispute or pending claim"; providing an effective date.

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

By Senator Poston—

SB 980—A bill to be entitled An act relating to proceedings supplemental to eminent domain; creating s. 74.076, Florida Statutes; amending s. 74.051(3), Florida Statutes; creating

the Eminent Domain Trust Fund in the State Treasury; providing that all funds deposited with a Circuit Court for the purpose of acquiring property for roads or other transportation purposes be transferred to such fund; providing for administration of the fund and for the costs thereof; authorizing investment of funds in such fund by the Treasurer; providing an effective date.

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

By Senator Poston—

SB 981—A bill to be entitled An act relating to state officers and employees; amending s. 110.051(2), Florida Statutes, 1976 Supplement; providing that all state employees are eligible for participation in the meritorious service awards program; providing an effective date.

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

By Senator Poston—

SB 982—A bill to be entitled An act relating to motor vehicle dealer franchise agreements; amending s. 320.641(1)(a), Florida Statutes; providing an exemption from the notice requirement relating to the cancellation, discontinuation, or nonrenewal of a franchise agreement; providing an effective date.

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

By Senator Renick—

SB 983—A bill to be entitled An act relating to hunting; creating s. 372.5715, Florida Statutes, requiring a certificate of competency and safety in the handling of firearms for certain hunters; requiring the Game and Fresh Water Fish Commission to prescribe a course of instruction and a competency examination; providing for issuance of such certificates; providing for acceptance of certificates issued outside the state; providing a penalty; providing an effective date.

—was read the first time by title and referred to the Committees on Natural Resources and Conservation, Commerce, and Appropriations.

By Senator Renick—

SB 984—A bill to be entitled An act relating to saltwater fisheries and conservation; amending s. 370.13(2)(h) and (3), Florida Statutes, 1976 Supplement; providing for the revocation of the permit of any person, firm, or corporation which violates provisions relating to the taking or possessing of stone crabs during certain months; repealing s. 370.132, Florida Statutes, abolishing redundant provisions relating to the closed season for stone crabs; providing an effective date.

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

By Senator Scarborough—

SB 985—A bill to be entitled An act relating to the Retail Installment Sales Act; adding s. 520.32(3), Florida Statutes; to provide an exemption from the license and fee requirements for certain retail sellers; providing an effective date.

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

By Senator Scott—

SB 986—A bill to be entitled An act relating to the State Disaster Preparedness Act of 1974; amending s. 252.38(3), Florida Statutes; providing for the appointment of directors of local disaster agencies in accordance with a county's home rule charter; providing an effective date.

—was read the first time by title and referred to the Committee on Economic, Community and Consumer Affairs.

By Senator Scott—

SB 987—A bill to be entitled An act relating to the Department of Offender Rehabilitation; requiring the department to

develop a plan for furnishing health and medical services to prisoners; providing certain requirements for such plan; providing for a report to the Legislature; providing for a period during which physicians, osteopaths, and chiropractors employed by the department are not required to be licensed; amending ss. 458.13(2)(j), 459.03(5), 460.262(1)(e), (2), Florida Statutes, to conform to this act; providing an effective date.

—was read the first time by title and referred to the Committees on Corrections, Probation and Parole; and Commerce.

By Senator Scott—

SB 988—A bill to be entitled An act relating to the Fictitious Name Statute; amending s. 865.09(3), Florida Statutes; providing that fictitious name registrations expire 5 years from the date recorded; providing for renewal of such registrations; providing an effective date.

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

By Senator Skinner—

SB 989—A bill to be entitled An act relating to agriculture; creating s. 585.435, Florida Statutes; requiring female calves intended to be used for dairy breeding purposes to be vaccinated between two to six months of age with brucella abortus vaccine under the supervision of a licensed veterinarian; prescribing a procedure for permanent identification of vaccinated calves; requiring a record of the vaccination to be sent to the Department of Agriculture and Consumer Services; requiring the vaccine used to be approved and produced under license of the United States Department of Agriculture; providing a penalty; providing an effective date.

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

By Senators Castor, McClain and Spicola—

SB 990—A bill to be entitled An act relating to Hillsborough County and municipalities within the county; amending sections 4-6, chapter 67-1507, Laws of Florida, as amended by chapter 75-399, Laws of Florida; changing the method of preparation of the proposed annual capital improvements budget and 5-year capital improvements program for the county and each municipality; requiring the staff of the county planning commission to meet separately with representatives of the county and of the municipalities by February 15 of each year to assist in the development of capital improvements budgets and programs; requiring that priority systems be a part of such budgets and programs; requiring the proposed capital improvements budget and 5-year capital improvement program of the county and each municipality to be submitted to their respective executive authorities by June 1 of each year; requiring the executive authorities to review the proposed capital improvements budgets and 5-year programs and submit them to the county planning commission; changing the date by which the county planning commission is required to submit its report and recommendations on the budgets and programs to the executive authorities of Tampa, Plant City, and Temple Terrace to August 1 of each year; providing an effective date.

Proof of publication of the required notice was attached.

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

By Senator Glisson—

SJR 991—A joint resolution proposing amendments to Sections 4 and 5, Article IV of the State Constitution, to provide for the creation of the cabinet office of Secretary of Health.

—was read the first time by title and referred to the Committees on Health and Rehabilitative Services, Governmental Operations, and Rules and Calendar.

By Senator Jon Thomas—

SB 992—A bill to be entitled An act relating to Lake Okechobee; prohibiting the backpumping of waters into the lake;

providing for waiver by the Department of Natural Resources; providing an effective date.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed HB 1601 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Transportation and Representative Jones and others—

HB 1601—A bill to be entitled An act relating to transportation; creating s. 334.215, Florida Statutes, providing for the creation of a metropolitan planning organization within each urbanized area in the state where a planning organization is necessary to meet federal requirements for obtaining and expending federal transportation funds; providing for membership and appointment; providing for the designation of certain existing organizations as metropolitan planning organizations; providing for the appointment of technical and citizens advisory committees; providing for the powers and duties of metropolitan planning organizations and advisory committees; providing for the invalidity of provisions of the act which are in conflict with federal requirements; providing for coordination with existing planning agencies; requiring the full operation of all metropolitan planning organizations by July 1, 1978; providing an effective date.

—was read the first time by title and referred to the Committees on Transportation; Governmental Operations; and Economic, Community and Consumer Affairs.

The Honorable Lew Brantley, President

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

HB 526	HB 688	HB 1129
HB 275	HB 46	HB 45
HB 1581	HB 1082	HB 1436

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Culbreath—

HB 526—A bill to be entitled An act relating to the Administrative Procedure Act; adding subsection (3) to s. 120.63, Florida Statutes, 1976 Supplement, exempting the Division of Pari-mutuel Wagering of the Department of Business Regulation from certain hearing and notice requirements for certain hearings by stewards, judges, and boards of judges; requiring the Division of Pari-mutuel Wagering to adopt alternative procedures, including a hearing upon reasonable notice; providing an effective date.

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

By Representatives Nuckolls and Lockward—

HB 688—A bill to be entitled An act relating to corporations; creating s. 607.0245, Florida Statutes, prohibiting the use of the words "veteran" or "veterans" in the name of any nonprofit association or prospective corporation except upon prior approval of the Division of Veterans' Affairs of the Department of Community Affairs; providing an effective date.

—was read the first time by title and referred to the Committee on Economic, Community and Consumer Affairs.

By the Committee on Corrections, Probation, & Parole—

HB 1129—A bill to be entitled An act relating to correctional officers; amending s. 944.585(2), Florida Statutes, and adding a subsection thereto; requiring correctional officers to obtain a

certificate of compliance within 12 months of appointment; provides that no correctional officer shall become a permanent state employee until he has received the certificate of compliance; providing an extension of time in which to receive training for certain employees; providing an effective date.

—was read the first time by title and referred to the Committee on Corrections, Probation and Parole.

By Representatives Eckhart and Black—

HB 275—A bill to be entitled An act relating to motor vehicle inspection certificates; creating s. 627.7395, Florida Statutes, prohibiting insurers who issue automobile liability insurance from utilizing violations for failure to have a current valid inspection certificate as a factor in the setting of premiums for insurance coverage; providing an effective date.

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

By Representative Easley—

HB 46—A bill to be entitled An act relating to State Uniform Traffic Control; amending s. 316.123(2) and creating s. 316.1235, Florida Statutes, providing procedures for stopping and proceeding at four-way stop intersections and intersections in which the traffic lights are inoperative; providing an effective date.

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

By Representative Nelson—

HB 45—A bill to be entitled An act relating to planning and budgeting; amending s. 216.262(3), Florida Statutes, 1976 Supplement, permitting any state employee holding a position the salary of which is fixed by law to receive additional compensation from an education appropriation; providing that such compensation shall not be computed as a part of average final compensation for retirement purposes; providing limitations; providing an effective date.

—was read the first time by title and referred to the Committees on Personnel, Retirement and Collective Bargaining; and Appropriations.

By the Committee on Rules & Calendar—

HB 1581—A reviser's bill to be entitled An act relating to the Florida Statutes; amending section 20.17, Florida Statutes, relating to the Department of Commerce; deleting transient provisions which are not of general and permanent nature and which have served their purpose relating to governmental re-organization; consolidating organizationally related provisions, transferring provisions to functionally related locations, and conforming functionally related sections for clarity.

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

By Representative McPherson—

HB 1082—A bill to be entitled An act relating to per diem and traveling expenses; adding a new subsection (7) to s. 112.061, Florida Statutes, 1976 Supplement, providing for the designation of certain high cost geographical areas and increases in the maximum actual subsistence expense rates for these areas by the Department of Administration; providing an effective date.

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

By the Committee on Veterans Affairs and Representative T. Moore and others—

HB 1436—A bill to be entitled An act relating to totally and permanently disabled veterans; providing that certain disabled veterans shall not be required to pay any license or permit fee to any county or municipality in order to make cer-

tain improvements on any mobile home owned by the veteran and used as his residence; providing an effective date.

—was read the first time by title and referred to the Committee on Economic, Community and Consumer Affairs.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 592 and HB 123 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Tourism & Economic Development—

HB 592—A bill to be entitled An act relating to the Department of Commerce, creating s. 288.075, Florida Statutes, making confidential and privileged within a certain period of time certain records of the Division of Economic Development which contain or would provide information concerning the plans, intentions, or interests of any private corporation, partnership, or person to locate, relocate, or expand its manufacturing or other business activities in Florida; providing a penalty; amending s. 119.07(2)(b), Florida Statutes, relating to public records, to conform to this act; providing that nothing in this act shall be construed to waive any provision of Chapter 120, Florida Statutes, or any other provision of law requiring a public hearing; providing that no public officer or employee shall enter into a binding agreement with any corporation, partnership or person when information concerning such corporation, partnership or person is confidential pursuant to this section until 90 days after such information is made public; providing an effective date.

—was read the first time by title and referred to the Committee on Economic, Community and Consumer Affairs.

By Representative Hazelton and others—

HB 123—A bill to be entitled An act relating to public buildings; creating s. 255.27, Florida Statutes, requiring the supervisor or person in charge of a governmental building to establish rules respecting a smoking policy in the building; providing guidelines for such rules; exempting such rules from the provisions of chapter 120; providing an effective date.

—was read the first time by title and referred to the Committees on Governmental Operations and Rules and Calendar.

The Honorable Lew Brantley, President

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

HB 534 **HB 1455** **HB 77**

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Young—

HB 534—A bill to be entitled An act relating to public buildings; amending s. 255.254, Florida Statutes, requiring approval of the Governor and Cabinet prior to construction of certain state buildings the design of which utilizes an energy system other than a solar energy system under certain circumstances; providing an effective date.

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

By the Committee on the Judiciary—

HB 1455—A bill to be entitled An act relating to marketable record titles to real property; amending s. 712.06(3), Florida Statutes, relating to the filing of a claim of interest in property, to require payment by the claimant of costs of mailing notice of such claim by the clerk of the circuit court; providing an effective date.

—was read the first time by title and referred to the Committees on Judiciary-Civil; and Finance, Taxation and Claims.

By Representative Easley—

HB 77—A bill to be entitled An act relating to the Pinellas County Transportation Authority Law; repealing part I of chapter 348, Florida Statutes, consisting of ss. 348.012-348.152, eliminating the Pinellas County Transportation Authority; providing an effective date.

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

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has adopted HCR 895 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representatives Tucker and Morgan—

HCR 895—A concurrent resolution commending Edward Bruce Henderson for his services to the people of Florida.

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

The Senate adjourned at 8:40 a.m. to convene at 8:30 a.m. April 27, 1977 for the purpose of introduction and reference of resolutions, memorials, bills and joint resolutions and thereafter to reconvene at 9:00 a.m.