



Journal of the Senate

Number 18

Thursday, April 28, 1977

The Senate was called to order by Senator Spicola 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 Barron, Gallen, Ware, Scarborough, W. D. Childers, Spicola, Hair, McClain, Scott, Williamson, Peterson and Holloway—

SB 1108—A bill to be entitled An act relating to the Florida Evidence Code; repealing chapter 76-237, Laws of Florida; providing an effective date with retroactive effect and reviving prior law.

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

By Senator Barron—

SB 1109—A bill to be entitled An act relating to geophysical activities; amending s. 377.22(2), Florida Statutes, 1976 Supplement; amending ss. 377.24(1)-(3), 377.242, 377.244(1), Florida Statutes; providing for regulation by the Department of Natural Resources of certain geophysical activities; requiring precautions to be taken to minimize the environmental impact of such activities; providing for inspection of all geophysical activities, drilling operations, and producing wells requiring a permit; requiring notice of intention to drill wells for oil or gas or to conduct geophysical surveys on state lands or in areas of critical state concern; providing for processing fees; requiring geophysical surveyors to register with the department; requiring permits to conduct geophysical surveys on state lands or in areas of critical state concern; providing for application for permit; requiring holes drilled for geophysical surveys and abandoned wells and dry holes to be plugged; requiring notice of intention to abandon dry holes or geophysical survey holes; providing for processing fees; authorizing the department to issue permits to conduct geophysical surveys on state lands or in areas of critical state concern; authorizing department to issue permits for surface geophysical exploratory operations; requiring applicant to post bond with the department; providing an effective date.

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

By Senators W. D. Childers and Tobiassen—

SM 1110—A memorial to the Congress of the United States urging the Government to maintain its diplomatic relations and the Mutual Defense Treaty with the Republic of China; and for other purposes.

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

By Senators Graham, W. D. Childers and Barron—

SB 1111—A bill to be entitled An act providing for biennial budgeting for state agencies; amending s. 216.011(1)(c), (h), Florida Statutes; providing for definition of "biennium" and "approved budget"; amending s. 216.023, Florida Statutes; requiring certain state agencies to submit budgets in even-numbered years and the other state agencies to submit budgets in odd-numbered years; amending ss. 216.031, 216.043, Florida Statutes; conforming language; amending s. 216.162, Florida Statutes; specifying the contents of the recommended budget; amending s. 216.181(1), Florida Statutes; amending s. 216.262

(1)(e), (f), Florida Statutes, 1976 Supplement; amending ss. 216.271(1), 216.275, Florida Statutes; conforming language; amending s. 216.301, Florida Statutes; requiring certification by the head of the affected state agency of certain balances of appropriations not disbursed and providing for reversion of certain unencumbered balances; amending s. 216.311, Florida Statutes; conforming language; providing for the orderly implementation of biennial budgeting procedures; providing an effective date.

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

By Senator Gordon—

SB 1112—A bill to be entitled An act relating to health-care facilities and services; amending s. 381.493, Florida Statutes; providing a title, legislative intent, and definitions; amending s. 381.494, Florida Statutes; requiring entities embarking on certain health-related projects to obtain a certificate of need prior to commencement of such projects; providing procedures and requirements for applications; providing procedures to be followed by health systems agencies in recommending issuance or denial of the certificate by the Department of Health and Rehabilitative Services; providing expanded criteria to be considered by such agencies; providing for applications relating to osteopathic facilities; providing requirements for agency recommendations; providing the duties and responsibilities of the department in issuing or denying certificates of need; providing for the expiration of certificates; amending s. 381.495, Florida Statutes; providing exemptions from licensing requirements for certain projects and requiring the prompt execution of those projects; amending s. 381.496, Florida Statutes, relating to exemption for emergency repairs and replacement; providing clarifying language; amending s. 381.497, Florida Statutes; providing for exemptions from the act for certain projects; prohibiting the acquisition of certain medical equipment after October 1, 1977; providing penalties; adding s. 641.22(7), Florida Statutes; requiring that a certificate of need be obtained before the Department of Insurance issues a certificate of authority to a health maintenance organization; amending s. 400.471(3), Florida Statutes; requiring that a certificate of need be obtained before a home health agency is licensed; providing an effective date.

—was read the first time by title and referred to the Committees on Health and Rehabilitative Services, and Commerce.

By Senator Henderson—

SB 1113—A bill to be entitled An act relating to game and freshwater fish; amending s. 372.9903(1), Florida Statutes, increasing to a felony of the third degree the penalty for the possession or transportation of commercial quantities of freshwater game fish; providing an effective date.

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

By Senator Henderson—

SB 1114—A bill to be entitled An act relating to game and freshwater fish; amending s. 372.57, Florida Statutes, 1976 Supplement, increasing the fees charged for all fishing and hunting licenses; eliminating non-statewide hunting or trapping licenses; eliminating reduced license fees for nonresidents hunting and fishing for short periods of time; eliminating an exemption from the requirement of purchasing a fishing license for persons fishing in certain man-made ponds; eliminating private hunting preserve licenses; eliminating special fishing

and hunting licenses for aliens; providing a flat 25 cent fee which county tax collectors shall charge for the issuance of any fishing, hunting, or trapping license; providing for the distribution of increased revenues; providing an effective date.

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

By Senator Lewis—

SB 1115—A bill to be entitled An act relating to unemployment compensation; amending s. 443.07(5)(a), Florida Statutes, providing that employers liable for reimbursement payments, rather than contributions, for the payment of unemployment benefits shall be notified of the initial determination of the validity of an unemployment compensation claim prior to the payment of benefits to the employee; amending s. 443.08(6), Florida Statutes, providing that the state, rather than the political subdivision is liable for reimbursement payments for benefits wrongfully paid; providing an effective date.

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

By Senator MacKay—

SB 1116—A bill to be entitled An act relating to motor carriers; amending ss. 323.03(3)(c), 323.04(3)(c), Florida Statutes; requiring the Florida Public Service Commission to issue a certificate to operate as a common carrier or private contract carrier in a territory or on a line already served by certificate holders if existing certificate holders fail to affirmatively demonstrate that they provide service and facilities reasonably required by the commission; providing an effective date.

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

By Senators MacKay, Plante and Glisson—

SB 1117—A bill to be entitled An act relating to the Division of Purchasing of the Department of General Services; authorizing the division to purchase or construct a warehouse to be used for the purchase, storage, and distribution of commodities for state agencies; providing an appropriation; providing an effective date.

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

By Senators MacKay and Gordon—

SB 1118—A bill to be entitled An act relating to district school boards; prohibiting a district school board from using public funds to pay membership fees to any organization for the purpose of receiving approval for meeting specific requirements of the organization; providing an exception; providing an effective date.

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

By Senator MacKay—

SB 1119—A bill to be entitled An act relating to the Board of Regents; amending s. 240.103(2), Florida Statutes; authorizing the Board of Regents to settle uncollectible delinquent accounts; providing an effective date.

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

By Senators MacKay, Wilson, Firestone, Gordon, Vogt, Dunn, Johnston, Graham and Castor—

SB 1120—A bill to be entitled An act relating to sex discrimination in the granting of faculty salaries at state universities; amending s. 241.735(2), (3), Florida Statutes, 1976 Supplement; providing for salary inequality studies to be made on an annual basis; providing that salary increases to female faculty members as a result of such studies be retroactive to the academic year for which the study is performed;

requiring the Commissioner of Education to make annual reports of the results of such studies; deleting obsolete provisions; providing an effective date.

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

By Senator McClain—

SB 1121—A bill to be entitled An act relating to the public defender; amending s. 27.52(2)(d), Florida Statutes, providing that parents of minors represented by special assistant public defenders are liable for certain costs of representation; providing an effective date.

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

By Senator Myers—

SB 1122—A bill to be entitled An act relating to parents; amending s. 741.24, Florida Statutes, relating to civil actions against parents for willful destruction or theft of property by minors; providing for recovery against parents of a minor for theft of property; increasing amount recovered to \$5,000; providing an effective date.

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

By Senator Poston—

SB 1123—A bill to be entitled An act relating to professional driver training schools and instructors; creating s. 488.015, Florida Statutes; providing definitions; amending ss. 488.02, 488.03, 488.04, 488.05, 488.06, Florida Statutes; providing for promulgation of rules controlling professional driver training schools and instructors by the Department of Highway Safety and Motor Vehicles; providing for licensing and certification of such schools and instructors; providing for motor vehicle identification certificates for vehicles used for driver instruction; prescribing fees; providing for revocation or suspension of licenses and certificates; creating s. 488.08, Florida Statutes; providing for disposition of fees received under this chapter; providing penalties; providing an exemption from operation of act; repealing s. 488.01, Florida Statutes; relating to licensing of drivers' schools; providing an effective date.

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

By Senator Poston—

SB 1124—A bill to be entitled An act relating to ad valorem taxation; amending s. 195.027(4), Florida Statutes, 1976 Supplement; providing that the assessed value of tangible personal property not exceed its depreciated value; providing an effective date.

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

By Senator Saylor—

SB 1125—A bill to be entitled An act relating to the Canal Authority Act; transferring the Canal Authority to the Division of Resource Management of the Department of Natural Resources as the Bureau of Waterways by a type three transfer; providing that funds be maintained in the Cross Florida Barge Canal Trust Fund; prohibiting the department from making expenditures for the purpose of acquiring land for constructing, operating, or promoting the canal; requiring the department to develop a management plan for the canal area; empowering the department to retain lands and acquire other lands, including the acquisition of lands acquired in less than fee simple by condemnation; providing for the sale of certain state lands and providing for the distribution of funds derived from such sale; providing for use of certain funds; providing for the vesting of title to acquire lands in the Board of Trustees of the Internal Improvement Trust Fund; providing a tax exemption; providing for annual reports by the department to the Legislature; authorizing the department to contract with and make assignments, transfers, and conveyances to the United States; amending s. 20.25(12), Florida Statutes, to conform

to this act; requiring the public sale of property owned by the Cross Florida Canal Navigation District and providing for the return of certain funds of the Cross Florida Canal Navigation District to the counties in the district; repealing parts I and II of chapter 374, Florida Statutes, relating to the creation, duties, and powers of the Canal Authority and of the Cross Florida Canal Navigation District; providing an effective date.

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

By Senator Scarborough (by request)—

SB 1126—A bill to be entitled An act relating to securities; creating ss. 517.50-517.65, Florida Statutes; providing a short title; providing definitions; prohibiting fraudulent, deceitful, or misleading practices in securities transactions; requiring prospectus disclosures, merit regulation, and filing of disclosure statements with the Department of Banking and Finance; authorizing issuance of stop orders by the department under certain conditions; providing prospectus requirements; imposing a prospectus filing fee; providing for service on foreign issuers; authorizing the department to adopt rules; providing exemptions; providing for the notification of the Department of Banking and Finance with regard to securities registered under the securities laws of the United States or exempt therefrom by virtue of Regulation A; providing civil liability for violations of the act and for the making of misleading statements; requiring registration of brokers, dealers, agents, and investment advisers and prescribing the fees therefor; prohibiting certain persons from engaging in the securities business as a broker, dealer, agent, or investment adviser; permitting the department to make investigations and issue and enforce subpoenas; providing for temporary exemption from the public records act; providing for injunctions to restrain potential violators of securities laws; providing criminal and civil penalties for violation of this act; granting cease and desist powers to the department; providing for burden of proof on person claiming an exemption; providing for service of process on the Department of Banking and Finance in actions arising out of the sale of securities; adding s. 95.11(4)(e), Florida Statutes; providing a statute of limitations with regard to certain sections related to securities; providing a saving clause for certain civil actions, criminal prosecutions, administration proceedings, offers, or sales; providing that all registrations under prior law and orders relating to them remain valid; renumbering ss. 517.32 and 517.33, Florida Statutes, as ss. 517.66 and 517.67, Florida Statutes, respectively; repealing ss. 517.01-517.311, Florida Statutes, relating to the sale of securities; providing an effective date.

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

By Senator Scott—

SB 1127—A bill to be entitled An act relating to the Division of Florida Land Sales and Condominiums of the Department of Business Regulation; amending s. 718.501(3)(b), Florida Statutes, 1976 Supplement, requiring the division to assess a \$25 civil penalty with respect to complaints filed under the Condominium Law under certain circumstances and transmit such penalty to the person filing the complaint; providing an effective date.

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

By Senator Skinner—

SB 1128—A bill to be entitled An act relating to institutions of higher learning; creating s. 241.195, Florida Statutes, authorizing and directing the Institute of Food and Agricultural Sciences at the University of Florida to pay the employer's share of premiums for federal health insurance for certain employees of the institute; 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 Senator Skinner—

SB 1129—A bill to be entitled An act relating to autopsies; amending s. 872.04, Florida Statutes, defining "autopsy"; providing conditions under which consent is required and methods by which it may be given; providing an effective date.

—was read the first time by title and referred to the Committee on Health and Rehabilitative Services.

By Senator Spicola—

SB 1130—A bill to be entitled An act relating to negligence; adding subsection (14) to s. 768.28, Florida Statutes, providing for venue with respect to tort actions brought under the waiver of sovereign immunity law; amending s. 768.30, Florida Statutes, providing that the venue provisions are retroactive; providing an effective date.

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

By Senator Spicola—

SB 1131—A bill to be entitled An act relating to endangered and threatened species of fish and wildlife; creating the Florida Endangered and Threatened Species Act; providing a declaration of policy and definitions; providing for an advisory council; encouraging a cooperative public education program; providing for an annual report from the Game and Fresh Water Fish Commission; providing an appropriation; providing an effective date.

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

By Senators Pat Thomas, Poston, Scarborough, Gallen and Myers—

SB 1132—A bill to be entitled An act relating to canines, felines, and other companion animals; creating ss. 534.61-534.67, Florida Statutes; providing for optional registration and identification of such animals and application fees therefor; providing for tattooing of such animals with a registration number and for issuance of certificate of title to owner and assignment of title to subsequent purchasers; requiring the Department of Agriculture and Consumer Services to keep records indicating the ownership of registered animals and to furnish copies upon request to any law enforcement agency; requiring department to furnish finder of lost animal with name of owner upon request; providing that finder is entitled to fee from owner for boarding animal; providing for disposition of fees received by the department; prohibiting any mutilation of tattooed registration number; prohibiting any person from tattooing or having tattooed on any animal a number assigned to another animal; providing penalty for such violations; providing penalties for theft or unlawful possession of any registered animal; providing an effective date.

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

By Senator Pat Thomas—

SB 1133—A bill to be entitled An act relating to interest rates; amending s. 687.03(3), Florida Statutes, 1976 Supplement; providing a formula for the spreading of an advance or forbearance on certain loans for the purpose of computing interest; providing an effective date.

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

By Senator Trask—

SB 1134—A bill to be entitled An act relating to the Retail Installment Sales Act; amending s. 520.34(5), Florida Statutes; increasing finance charge limitation; providing an effective date.

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

By Senator Trask—

SB 1135—A bill to be entitled An act relating to the Bicentennial Commission of Florida; requiring the Department of Commerce upon the abolishment of the commission to administer and enforce such grants and contracts of the commission as remain in effect at the time of its abolishment; providing an effective date.

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

By Senator Vogt—

SB 1136—A bill to be entitled An act relating to the Department of Banking and Finance; amending s. 17.27(1)-(3), Florida Statutes, providing that the department may destroy general correspondence and records in accordance with the schedule and notices established by the Division of Archives, History, and Records Management of the Department of State; requiring approval by the Auditor General of schedules and notices relating to financial matters; providing an effective date.

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

By Senator Vogt—

SB 1137—A bill to be entitled An act relating to septic tanks and grease interceptor manufacturers, contractors, and servicers; creating ss. 381.601-381.611, Florida Statutes; providing legislative intent; providing powers and duties of the Department of Health and Rehabilitative Services; providing for inspections of septic tanks and grease interceptors by the department; requiring persons, members of firms, and officers of corporations engaged in business as septic tank or grease interceptor manufacturers or contractors or as a pump-out or service operators to be licensed; providing requirements and fees for such licenses; providing for renewal, denial, revocation, or suspension of such licenses; creating a board of examiners; requiring licensees to furnish a bond; providing penalties; authorizing the department to grant certain exemptions; providing an appropriation; providing an effective date.

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

By Senators Ware and MacKay—

SB 1138—A bill to be entitled An act relating to management of water resources; amending s. 373.507, Florida Statutes, 1976 Supplement; providing for performance audits of each water management district, basin, and taxing authority subject to chapter 373, Florida Statutes; providing an effective date.

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

By Senator Ware—

SB 1139—A bill to be entitled An act relating to workmen's compensation; amending s. 440.32, Florida Statutes, to provide a penalty for obtaining benefits by a false claim with fraudulent intent; providing an effective date.

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

By Senator Williamson—

SB 1140—A bill to be entitled An act relating to the Beverage Law; amending s. 562.11, Florida Statutes, relating to the illegal furnishing of alcoholic beverages to minors, to provide that such a violation must be knowingly committed; providing an effective date.

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

By Senator Williamson—

SB 1141—A bill to be entitled An act relating to the Beverage Law; amending s. 562.111, Florida Statutes, relating to the

possession of alcoholic beverages by minors; providing that no minor 14 years of age or older, nor his or her parents or guardian, nor any other person shall have a right of action against any licensee or his agents or employees arising from the voluntary purchase or consumption of alcoholic beverages by said minor; providing a penalty; providing an effective date.

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

By Senator Williamson—

SB 1142—A bill to be entitled An act relating to the Florida Cemetery Act; amending the introductory paragraph and paragraph (c) of subsection (6) of s. 559.33, Florida Statutes, 1976 Supplement; amending ss. 559.37(6), (7), 559.41, Florida Statutes, 1976 Supplement; amending ss. 559.43(1), 559.441, 559.481(1), 559.49(1), 559.50, 559.51, Florida Statutes; creating ss. 559.371-559.374, Florida Statutes; providing for notice requirements; providing for revocation or suspension of license for failure to remit to the merchandise fund; deleting the provision that the suspension or revocation order not be effective until 30 days after a copy thereof has been furnished to the licensee; authorizing the appointment of a receiver or administrator for the property and operation of a cemetery; prescribing duties of an administrator; providing for cease and desist orders to be issued by the Department of Banking and Finance for violations of law or department rules; allowing attorneys' fees to the prevailing party in certain civil litigation; providing for personal liability of cemetery owners, officers or directors for income from the care and maintenance trust fund not used for the care and maintenance of a cemetery; providing civil penalty for violation of cease and desist orders of the department; providing for suspension of license upon failure to pay such fine; providing for fines collected to be paid to the Regulatory Trust Fund; authorizing political subdivisions to maintain an abandoned cemetery and to recover value of services performed from owner; providing that the care and maintenance trust fund shall be established with a trust company operating under the provisions of chapter 660, Florida Statutes, or a state or national bank holding trust powers under the provisions of said chapter; providing that all sold and unsold burial spaces shall be included in the determination that \$200 per space is on deposit in the care and maintenance trust fund; requiring a minimum deposit on each burial right provided without charge; requiring deposit within a specified period after the calendar month in which payments are received; requiring deposit in trust with a bank, trust company, or savings and loan association or notice to the department if trust funds are deposited in a trust account with the cemetery company as trustee; requiring cemetery company to issue power of attorney and indemnification agreements to protect purchasers; providing for refunds to purchasers if cemetery company fails or refuses to perform contract as agreed; requiring trustee to file annual report to the department at the end of each fiscal year; requiring production of trust fund records by any bank or savings and loan association if requested by the department; requiring applicant for license to record a notice in the public records prior to the issuance of the license; requiring a bond by existing cemetery companies operating under s. 559.35, Florida Statutes; providing for maximum liability on surety bond; increasing criminal penalties for certain violations of this act; providing that any officer, director, employee, or agent who improperly withdraws trust funds or who delivers or discloses false information or reports to the department or any person who willfully violates any provisions of the Florida Cemetery Act is guilty of a felony of the third degree; providing an effective date.

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

By Senator Winn—

SB 1143—A bill to be entitled An act relating to group insurance for public officers and employees; amending s. 112.08, Florida Statutes, 1976 Supplement; authorizing local governmental units to provide for insurance for the dependents of officers or employees; deleting the requirement that local governmental units advertise for competitive bids before entering into a contract for insurance; deleting the provision that self-insurance plans are subject to approval by the Department of Insurance; authorizing the commingling of insurance payments; providing for the determination and fixing of the portion of

the cost of the fund, plan, or program to be paid by an officer or employee; providing an effective date.

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

By Senator Gordon—

SB 1144—A bill to be entitled An act relating to student assistance grants; amending s. 239.461(2), Florida Statutes; changing the requirements relating to the eligibility of a student applying for a student assistance grant from the State Student Assistance Grant Fund; providing an effective date.

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

By Senator Gordon—

SB 1145—A bill to be entitled An act relating to medical assistance for the needy; amending s. 409.266, Florida Statutes; conforming the statute to the reorganization of the Department of Health and Rehabilitative Services; authorizing the department to contract with certified health maintenance organizations for provision of medical services; providing an effective date.

—was read the first time by title and referred to the Committees on Health and Rehabilitative Services, and Appropriations.

By Senator Holloway—

SB 1146—A bill to be entitled An act relating to vehicles operated on public roadways; prohibiting the sale, lease, installation, or replacement of certain equipment for use in or on any vehicle that is not in compliance with the requirements of chapter 316, Florida Statutes, or the rules adopted thereunder; providing a penalty; providing an effective date.

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

By Senator Williamson—

SB 1147—A bill to be entitled An act relating to workmen's compensation; adding s. 440.15(11), Florida Statutes; providing for the reduction of workmen's compensation benefits for any week in which unemployment compensation benefits were received; providing an effective date.

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

By Senator McClain—

SB 1148—A bill to be entitled An act relating to firearms and weapons; creating the "Florida Firearm Act of 1977"; providing legislative intent; adding subsections (15), (16), and (17) to s. 790.001, Florida Statutes, 1976 Supplement, providing definitions; amending s. 790.01, Florida Statutes, 1976 Supplement, relating to carrying concealed weapons and penalties therefor; amending s. 790.05, Florida Statutes, 1976 Supplement, relating to penalty for carrying a firearm or electric weapon without a license; amending s. 790.06, Florida Statutes, 1976 Supplement, relating to procuring a license to carry a firearm or electric weapon; creating s. 790.235, Florida Statutes, prohibiting certain sales of firearms or electric weapons or devices; amending s. 790.25(3), Florida Statutes, providing for lawful possession and use of firearms and other weapons; creating s. 790.27, Florida Statutes, providing for unlawful use and disposition of shotguns, rifles, or pistols; providing penalties; providing an effective date.

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

By Senator Ware—

SB 1149—A bill to be entitled An act relating to parole; providing for the retention of jurisdiction by judges in criminal cases under certain circumstances; requiring the Parole and Probation Commission to notify the court of original jurisdiction whenever an offender over whom the court has retained

jurisdiction has become eligible for parole; requiring the judge of the court to retain jurisdiction over the offender or refuse such jurisdiction; providing that when the judge decides to retain jurisdiction he may decide whether or not the offender shall be paroled; providing an effective date.

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

By Senator Pat Thomas—

SB 1150—A bill to be entitled An act relating to retirement; amending s. 121.091(9), Florida Statutes, eliminating certain restrictions on the employment of a person who has retired under the Florida Retirement System; authorizing such reemployment for 600 hours per year with a monetary earnings limit per year, without suspension of benefits; prohibiting reemployment after retirement within 1 month with any employer within the system; providing that a retired person holding public office is subject to the same reemployment limitations as any other member of the system and also applying these limitations to retired persons who are independent contractors; amending s. 121.046(4), Florida Statutes, to provide these same reemployment restrictions to members of the Judicial Retirement System; amending s. 122.16, Florida Statutes, to apply these same reemployment limitations to members of the State and County Retirement System; amending s. 238.181, Florida Statutes, to apply these same reemployment limitations to the retirement system for school teachers; adding subsection (11) to s. 121.091, Florida Statutes, relating to reinstatement of membership in the Florida Retirement System after retirement; providing an effective date.

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

By Senator Plante—

SB 1151—A bill to be entitled An act relating to banking; amending s. 659.06(2)(a), Florida Statutes, 1976 Supplement, to provide that certain facilities providing services to customers may be located on the property on which the main banking house of the parent or branch bank is situated or on property contiguous thereto, and defining contiguous property; declaring legislative intent; providing an effective date.

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

By Senator Ware—

SB 1152—A bill to be entitled An act relating to workmen's compensation; adding paragraph (d) to s. 120.52(1), Florida Statutes, 1976 Supplement, and creating s. 440.021, Florida Statutes; providing that in the adjudication of workmen's compensation claims the Industrial Relations Commission and judges of industrial claims are exempt from the Administrative Procedure Act; amending ss. 120.54(15) and 120.57(1)(a), Florida Statutes, 1976 Supplement, relating to certain exemptions under said act for said commission and judges; providing an effective date.

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

By Senator Gorman—

SB 1153—A bill to be entitled An act relating to collective bargaining; amending s. 447.401, Florida Statutes, providing that no certified employee organization shall be required to process a grievance for any public employee who is not a member of the organization; providing an effective date.

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

By Senators Zinkil, Williamson and Jon Thomas—

SB 1154—A bill to be entitled An act relating to the Port Everglades Authority, Broward County; amending section 1, Article 4, Part VI, chapter 59-1157, Laws of Florida, as amended; deleting the requirement that an applicant for a franchise to engage in the business of the operation of a stevedoring concern, cargo handling operation, or tug boat or towing

operation in the port jurisdictional area establish to the satisfaction of the Port Commission that such franchise is needed for the public interest, convenience and necessity; 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 Senators Wilson and Vogt—

SB 1155—A bill to be entitled An act relating to Brevard County; authorizing the Board of County Commissioners of Brevard County to issue or grant a nonexclusive franchise to any person, municipality or private corporation to construct, maintain, repair, operate and remove lines, poles and facilities within the unincorporated areas of Brevard County, Florida, for the transmission of water, sewage, gas, power, telephone and other public utilities under, on, over, across and along any county highway or any public road, easement, right-of-way or highway; requiring the execution of such nonexclusive franchise as a condition of the use of said county highways or public roads, easements, rights-of-way or highways; providing for the term, provisions, and conditions relating to such non-exclusive franchise; providing for the payment of a fee to Brevard County for such right and privilege; providing severability; 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 Senators Zinkil, Williamson, Scott and Jon Thomas—

SB 1156—A bill to be entitled An act relating to the Port Everglades Authority, Broward County; amending section 6, Article 1, Part II of chapter 59-1157, as amended; authorizing the Port Commission to determine and fix the salaries of the Port Commission in an amount not to exceed \$625 per month for each commissioner; 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 Senators Zinkil, Williamson, Scott and Jon Thomas—

SB 1157—A bill to be entitled An act relating to the Port Everglades Authority, Broward County; amending section 1, Article 1, Part II, chapter 59-1157, Laws of Florida; changing the date on which each term of office of a newly elected commissioner of the Port Commission of the Port Everglades Authority shall begin; amending section 9, Part IV, chapter 59-1157, Laws of Florida, as amended; providing the term for which a commissioner appointed by the Governor shall serve; amending section 2, Part IV, chapter 59-1157, Laws of Florida, as amended; providing that the election districts for the election of Port Commissioners shall correspond to the County Commission districts of Broward County as established and existing on January 1, 1975; amending section 10, Article 1, Part I, chapter 59-1157, Laws of Florida; providing that the fiscal year of the Port Everglades Authority shall begin on the first day of January each year and end on the last day of December 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 Gordon—

SB 1158—A bill to be entitled An act relating to scholarship loans; amending s. 239.67(4), (5)(a), Florida Statutes, 1976 Supplement; changing the eligibility requirements for applicants for scholarship loans from the Student Financial Aid Fund; providing an effective date.

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

By Senator Scarborough—

SB 1159—A bill to be entitled An act relating to the sales and use tax; amending s. 212.08(4), (8), Florida Statutes; clarifying the taxable status of certain vessels engaged in interstate or foreign commerce; limiting the tax imposed on certain carriers to the extent provided by the pro-rata formula; 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 Pat Thomas—

SB 1160—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.021(17), Florida Statutes, 1976 Supplement, redefining the term creditable service to include certain periods of reemployment of retired members; creating s. 121.092, Florida Statutes, providing for the purchase of such creditable service; 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 Senator Wilson—

SB 1161—A bill to be entitled An act relating to elections; adding subsection (6) to s. 98.051, Florida Statutes; providing that voter registration books shall be open on election day to accept voter registrations; creating s. 98.052, Florida Statutes; providing a procedure whereby a person may register and vote on election day; providing for forms; providing duties for the deputy supervisor of elections; prohibiting certain acts relating to completing registration; providing a penalty; providing an effective date.

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

By Senator Skinner—

SB 1162—A bill to be entitled An act relating to freshwater fish or frog dealers; amending s. 372.65, Florida Statutes; providing for ten separate classes of licenses, and requirements and fees therefor; permitting certain license substitution; requiring that a licensed person be aboard a commercial fishing boat; restricting sale by and purchase from unlicensed persons; providing an effective date.

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

By Senators Ware, Plante, Scott, Scarborough and Henderson—

SB 1163—A bill to be entitled An act relating to professional liability insurers; amending s. 768.55(1), Florida Statutes; requiring insurers to report certain information on professional liability policies issued to members of the Florida Bar; providing an effective date.

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

By Senator Pat Thomas—

SB 1164—A bill to be entitled An act relating to financing of public schools; creating s. 236.255, Florida Statutes, authorizing district school boards participating in state funding to levy additional millage; providing a formula for the calculation of the additional local effort requiring the Department of Revenue to certify certain information to district school boards; entitling school boards levying the additional millage to certain funds; providing for proportional reduction in district allocations under certain circumstances; providing an appropriation; providing an effective date.

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

By Senators Gordon, Winn, Graham, Castor, Wilson, Plante, MacKay and Glisson—

SB 1165—A bill to be entitled An act relating to the Florida Human Relations Act; amending ss. 13.201(1), (2), 13.211, 13.221, 13.231, 13.241 and 13.251, Florida Statutes; creating s. 13.261, Florida Statutes; renaming the act the Florida Human Rights Act; adding age, handicap, and marital status as factors upon which discrimination is not to be based; providing additional definitions; renaming the Commission on Human Relations and restructuring it; providing compensation for members; clarifying powers and functions of the commission; giving the commission subpoena power enforceable in civil court; defining unlawful employment practices; providing administrative and judicial remedies; providing severability; providing an effective date.

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

By Senator Williamson—

SB 1166—A bill to be entitled An act relating to bail; amending s. 903.26(2), (5)(c), Florida Statutes; requiring the court to notify the surety agent and surety company within a specified time upon declaring forfeiture of bail bonds or money deposited as bail; providing for the discharge of a forfeiture upon determination that at the time of the required appearance the defendant was adjudicated insane and confined in an institution or hospital or was confined in jail or prison; providing an effective date.

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

By Senator Scott—

SB 1167—A bill to be entitled An act relating to trusts; amending s. 737.303(1), Florida Statutes; providing for notification of a trustee's acceptance of the trust and his name and address to current income beneficiaries and vested remaindermen; adding s. 737.306(4), Florida Statutes; providing that issues of liability between a trust estate and the trustee individually may be determined in certain proceedings; amending s. 737.401, Florida Statutes, eliminating the provision that an instrument that is not a trust may incorporate any part of the trust part by reference; amending s. 737.405, Florida Statutes; providing for clarification; renumbering and amending s. 738.151, Florida Statutes, relating to final accounting under the Trust Accounting Law; providing an effective date.

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

By Senator Poston—

SB 1168—A bill to be entitled An act relating to nursing homes; adding subsection (3) to s. 409.266, Florida Statutes; requiring the processing of medicaid applications for nursing home care to be completed within 30 days; providing that ownership of a burial plot shall not be a consideration for eligibility; providing for regional payment differentials based on a cost-related basis; providing for regional differentials in determining at-home spouse subsistence; providing for the allowability of cost of physical therapy; providing an effective date.

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

By Senator Johnston—

SB 1169—A bill to be entitled An act relating to condominiums; adding s. 718.103(19), (20), Florida Statutes, 1976 Supplement; defining "time-share estate" and "time-share unit"; adding s. 718.104(4)(n), Florida Statutes, 1976 Supplement; requiring time-share estates to be provided for in the declaration of a condominium; creating s. 718.1045, Florida Statutes; prohibiting the creation of such estates if not provided for in the declaration; creating s. 718.1065, Florida Statutes; prohibiting actions for partition of time-share units; amending s. 718.110(1), Florida Statutes, 1976 Supplement, and adding a new subsection to said section; requiring unanimous

consent of unit owners and lienholders for amendment of declaration to authorize the creation of time-share estates; amending s. 718.116(1), Florida Statutes, 1976 Supplement; prescribing liability of owners of time-share estates for assessments and charges; amending s. 718.403(6), Florida Statutes, 1976 Supplement, and adding a new paragraph to subsection (2) of said section; requiring time-share estates to be provided in the original declaration of a phrase condominium; amending s. 718.503(3)(b), Florida Statutes, 1976 Supplement, and adding a new paragraph to subsection (1) of said section; amending s. 718.504(5), Florida Statutes, 1976 Supplement; providing for disclosure of time-share estates in contracts for sale or transfer of units, in sales brochures, and in prospectuses or offering circulars; providing an effective date.

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

By Senator Williamson—

SB 1170—A bill to be entitled An act relating to liens on real property; amending ss. 697.04(3), 713.07(3), Florida Statutes; providing that any mortgage or other instrument providing for future advances secured by a lien on real property shall have priority over mechanics' liens attaching subsequently only to the extent of advances made prior to attachment of such liens; providing an effective date.

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

By Senator Ware (by request)—

SB 1171—A bill to be entitled An act relating to workmen's compensation; adding subsections (20) and (21) to s. 440.02, Florida Statutes; providing definitions; amending s. 440.13(1), Florida Statutes, and adding subsection (4); requiring the filing of certain medical reports with the Bureau of Workmen's Compensation; providing for furnishing certain reports to opposing parties and to the injured employee or his attorney; providing for transportation costs for injured employee; amending s. 440.20(5) and (10), Florida Statutes, and adding new subsections (11) and (13); providing conditions under which penalties for nonpayment of compensation are deemed to be waived; providing for investigations with regard to stipulation that a proposed final settlement not be subject to modification or review; specifying use of certain tables; providing for approval of discharge of employer's liability for future payments of compensation by advance payments; providing for reimbursement of employer after certain payments by carrier; amending s. 440.25(3)(c) and (4)(b), Florida Statutes; providing for delivery of copies of compensation orders; providing procedures whereby an appellant may be relieved of making a deposit and paying certain costs; providing an effective date.

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

By Senators Barron and W. D. Childers—

SB 1172—A bill to be entitled An act relating to the Mortgage Brokerage Act; amending ss. 494.02(2), 494.071(2), 494.10, Florida Statutes; adding ss. 494.05(1)(j), 494.08(8)-(10), Florida Statutes; creating ss. 494.042-494.045, 494.091-494.093, Florida Statutes; redefining "mortgage loan"; providing for the establishment of a Mortgage Brokerage Guaranty Fund; providing for funding from additional license and renewal fees paid by mortgage brokers and solicitors; providing conditions giving rise to recovery from such fund; providing for payment from fund; providing for investment of funds; providing that failure to issue satisfaction of mortgage when funds are not disbursed to the mortgagor is grounds for suspension of license; providing for court-appointed receiver upon application of the Department of Banking and Finance; requiring delivery of a title insurance policy, opinion of title, or title letter unless waived by lender; requiring mortgages or instruments securing notes to be recorded before delivery to permanent lender unless waived; requiring a statement of balance owed on existing mortgages with delivery of a mortgage or instrument securing a note to certain lenders; prescribing liability of directors, officers, or agents who participate in unlawful transactions; providing for statutory and common-law remedies; prohibiting certain fraudulent practices; providing a penalty; revising other penalties under chapter 494, Florida Statutes; repealing s. 494.04(12), Florida Statutes, relating to

surety bonds required of mortgage brokers; 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 Senators Plante, Winn, Ware, Henderson, McClain, Gorman, Hair, Poston, Jon Thomas and Barron—

SB 1173—A bill to be entitled An act relating to governmental reorganization; creating s. 20.35, Florida Statutes, which creates a Department of Tourism and Economic Development to be headed by the Florida Tourism and Economic Development Commission; transferring the divisions of Tourism and Economic Development of the Department of Commerce to the new department; transferring the Division of Hotels and Restaurants of the Department of Business Regulation to the new department and renaming it the Division of Lodging and Food Services; providing for powers and duties of the new department and the commission; creating the Economic Development Advisory Council within the Division of Economic Development and the Tourism Advisory Council within the Division of Tourist Information and Promotion; amending s. 20.17(1)-(3), (5), (6), and (10), Florida Statutes, changing the name of the Department of Commerce to the Department of Commerce and Labor; amending s. 154.04, Florida Statutes, prohibiting state, county, or municipal health units from inspecting certain establishments under the Division of Lodging and Food Services of the new department, providing an exemption; amending s. 381.061(2), Florida Statutes, and the introductory paragraph of said section, exempting public food service and lodging establishments from jurisdiction of the Department of Health and Rehabilitative Services and placing them under the Division of Lodging and Food Services; amending s. 509.241 (1)(a) and (2)(b), Florida Statutes; providing for inclusion of mobile home parks and trailer courts within the definition of "public lodging establishment," for the purposes of chapter 509, Florida Statutes, which provides for the regulation of such establishments by the Division of Hotels and Restaurants; exempting certain retail grocery stores offering take out food services from regulation; repealing s. 20.16(2)(b), (6), and (11), Florida Statutes, and s. 20.17(4), (8), and (11), Florida Statutes, to conform to the provisions of this act; directing that certain changes be made in the Florida Statutes to conform to the provisions of this act; providing an appropriation; providing an effective date.

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

By Senator MacKay—

SB 1174—A bill to be entitled An act relating to weights and measures; adding subsection (15) to s. 531.41, Florida Statutes; requiring the Department of Agriculture and Consumer Services to inspect and test certain grain moisture measuring devices; authorizing the establishment of tolerances and certain specifications for such devices; providing an effective date.

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

By Senators Trask and Peterson—

SB 1175—A bill to be entitled An act relating to road and bridge districts; amending s. 336.66, Florida Statutes, providing that a board of county commissioners may at any time abolish such a district and, upon so doing, shall assume all liabilities, obligations, and responsibilities thereof; providing an effective date.

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

By Senator Poston—

SB 1176—A bill to be entitled An act relating to driver licenses; creating s. 322.291, Florida Statutes; requiring certain persons whose driving privileges have been revoked or suspended to enroll in an approved driver training or alcohol education course before the driving privilege is reinstated; pro-

viding for suspension of the driver's license until such course is successfully completed; providing an effective date.

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

By Senator Ware—

SB 1177—A bill to be entitled An act relating to workmen's compensation; adding subsection (11) to s. 440.15, Florida Statutes, to provide for a reduction in certain benefits for an employee who is also receiving unemployment compensation; providing an effective date.

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

By Senator Castor—

SB 1178—A bill to be entitled An act relating to the Department of Professional and Occupational Regulation; adding subsection (13) to s. 20.30, Florida Statutes, requiring the Governor to appoint a public member to each examining and licensing board under the Division of Professions and the Division of Occupations; providing an effective date.

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

By Senators W. D. Childers and Barron—

SB 1179—A bill to be entitled An act relating to sale of securities; revising chapter 517, Florida Statutes; providing editorial clarification throughout; amending s. 517.01, Florida Statutes, renaming the chapter as the "Florida Securities Act"; amending s. 517.02(3) and (4), Florida Statutes, and adding subsections, adding and modifying definitions; amending s. 517.05, Florida Statutes, relating to exempt securities; providing for guarantee of securities issued by a political subdivision as a condition for exemption; providing for disclosure of certain information relative to sale of certain securities; providing additional exemptions; amending s. 517.06, Florida Statutes, relating to exempt transactions, adding, modifying, and removing exemptions; amending s. 517.07, Florida Statutes, relating to registration of securities, providing for annual permits; amending s. 517.08(5), Florida Statutes, relating to registration by coordination, deleting "regulation"; amending s. 517.09(2), (3), and (5), Florida Statutes, relating to registration by qualification, providing for additional information to be submitted to the Department of Banking and Finance; amending s. 517.091(3)(c) and (j), Florida Statutes, relating to registration by announcement, modifying contents of application; amending s. 517.10, Florida Statutes, relating to consent to service, providing that nonresident dealers are subject thereto; amending s. 517.11(1), Florida Statutes, providing for denial or suspension of registration; expanding grounds for revocation, etc., to include actions by controlling persons which would be grounds if committed by the issuer; adding grounds; amending s. 517.12, Florida Statutes, relating to registration of dealers, salesmen, and investment advisers; specifying information the department may require; providing for examinations; authorizing the department to require maintenance of a minimum net capital; requiring posting of a bond; providing right of action for violation of chapter; providing for annual fees; restricting use of confusingly similar names; amending s. 517.16, Florida Statutes, providing for revocation, denial, or suspension of dealers', investment advisers', and salesmen's registration upon certain grounds; amending s. 517.19, Florida Statutes, modifying provisions relating to injunctive relief; amending s. 517.20(1) and (6), Florida Statutes, and adding a new subsection (1) and subsection (8); adding certain investigation powers relative to hearings; removing certain notice requirements; providing for confidentiality of investigation materials for a certain period; amending s. 517.21(1), Florida Statutes, relating to remedies for unlawful sale, providing liability for damages; amending ss. 517.24, 517.28, and 517.301, Florida Statutes, providing clarification; amending s. 517.302, Florida Statutes, providing a civil penalty; creating s. 517.34, Florida Statutes, providing for cease and desist orders; repealing ss. 517.13, 517.14, 517.15, and 517.27, Florida Statutes, relating to form of dealer's bond, deposits in lieu of bond, bond of dealer in federal, state, etc., securities, and uniformity of

interpretation of the chapter; providing severability; providing an effective date.

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

By Senator Barron—

SB 1180—A bill to be entitled An act relating to homestead tax exemption; amending s. 196.101(4), Florida Statutes, 1976 Supplement; providing for the exclusion of income of a quadriplegic's child who is a full time student living at home, in determining gross income for homestead tax exemption purposes; providing an effective date.

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

By Senator Barron—

SB 1181—A bill to be entitled An act relating to casualty insurance contracts; amending s. 627.7263(1), Florida Statutes, 1976 Supplement; deleting the reference to personal injury protection insurance with respect to the rental or leasing driver of a rented or leased car; amending s. 627.727(1), Florida Statutes, 1976 Supplement; removing reference to personal injury protection benefits; repealing ss. 627.730, 627.731, 627.732, 627.733, 627.734, and 627.735, Florida Statutes; repealing ss. 627.736, 627.737, 627.7375, 627.7377, 627.739, 627.741, Florida Statutes, 1976 Supplement, relating to the Florida Automobile Reparations Reform Act; providing an effective date.

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

By Senator Hair (by request)—

SB 1182—A bill to be entitled An act relating to fines and forfeitures received from violations of ordinances or misdemeanors; amending ss. 34.191(1), Florida Statutes; amending s. 316.0261, Florida Statutes, as transferred to s. 316.660, Florida Statutes, by chapter 76-31, Laws of Florida; requiring the clerk of the county court to provide a detailed report of the current status or disposition of each case with the payment of such fines and forfeitures to the county or municipality; providing an effective date.

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

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 as amended—

HB 346 HB 253 HB 1627
 HB 447

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Hazelton—

HB 346—A bill to be entitled An act relating to parole and probation; amending s. 945.30, Florida Statutes, 1976 Supplement, exempting certain persons on probation and parole from contributing to the cost of their supervision; providing that failure to pay required contributions constitutes grounds for revocation of probation or parole; substituting the Secretary of Offender Rehabilitation of the Department of Offender Rehabilitation for the Parole and Probation Commission in provisions authorizing other exemptions from such required contribution; providing an effective date.

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

By Representative Melvin and others—

HB 253—A bill to be entitled An act relating to the Department of Environmental Regulation; adding a new subsection

(27) to s. 403.061, Florida Statutes, providing that the department shall establish a permit system for spoil site approval to facilitate the provision of upland spoil sites by certain local governmental agencies sponsoring specified dredge and fill operations; providing an effective date.

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

By the Committee on Commerce—

HB 1627—A bill to be entitled An act relating to fraudulent practices; repealing s. 817.42, Florida Statutes, relating to the advertising of former or comparative prices; amending s. 817.41(5), Florida Statutes, to clarify provisions relative to award of costs, attorney's fees, and damages in civil actions brought for violation of provisions relating to misleading advertising; providing an effective date.

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

By Representative Davis (by request)—

HB 447—A bill to be entitled An act relating to the public defender; amending s. 27.52(2)(d), Florida Statutes, providing that parents of minors represented by special assistant public defenders are liable for certain costs of representation; amending subsections (1) and (2) of section 27.56, Florida Statutes, authorizing the enforcement of liens against the parents of minor children who receive assistance from the public defender or special assistant public defender; providing an effective date.

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

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 1428 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Education and Representative Robinson—

HB 1428—A bill to be entitled An act relating to education; amending s. 236.02(2), Florida Statutes, 1976 Supplement, to provide that the State Board of Education may at its discretion reduce funds allotted to a school when it has allowed the school to operate for fewer than the required number of days; providing criteria for allowing such reduced operation; providing an effective date.

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

The Honorable Lew Brantley, President

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

HB 1615 CS for HB 218 HB 1853
 HB 759 HB 760 HB 804

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Community Affairs—

HB 1615—A bill to be entitled An act relating to the Florida Interlocal Cooperation Act of 1969; amending s. 163.01(12), Florida Statutes, removing the requirement that interlocal agreements and amendments thereto be filed with the Department of Community Affairs; removing the requirement that the department keep records of, and notify other state departments about, such agreements and amendments; repealing s. 163.01(11), Florida Statutes, removing provisions which require the submission of each interlocal agreement to the Department of Legal Affairs for approval with respect to its compliance with law; 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 Criminal Justice and Representative Patchett and others—

CS for HB 218—A bill to be entitled An act relating to child abuse; adding subsection (3) to s. 827.04, Florida Statutes, providing that it is unlawful to cause a minor under 18 years of age to become a delinquent or dependent child or to continue to be a delinquent or dependent child; providing a penalty; providing an effective date.

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

By the Committee on Transportation and Representative Conway—

HB 1853—A bill to be entitled An act relating to the Department of Transportation; amending ss. 20.23(2)(d) and (3), 330.261(2), and 330.27(4), Florida Statutes, redesignating the Division of Mass Transit Operations of the Department of Transportation as the Division of Public Transportation Operations; providing an effective date.

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

By the Committee on Agriculture & General Legislation—

HB 759—A bill to be entitled An act relating to the Florida Citrus Code; amending s. 601.151(3) and (5), Florida Statutes; expanding the definition of advertising to include promotional activities approved by the Florida Citrus Commission; authorizing the Department of Citrus to use certain taxes for special advertising of fruit taxed; providing an effective date.

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

By the Committee on Agriculture & General Legislation—

HB 760—A bill to be entitled An act relating to the Florida Citrus Code; amending s. 601.157(4)(d), Florida Statutes, relating to tax on processed grapefruit products, expanding the definition of advertising to include promotional activities approved by the Florida Citrus Commission; providing an effective date.

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

By the Committee on Transportation—

HB 804—A bill to be entitled An act relating to traffic offenses; amending s. 318.19(1), Florida Statutes, relating to the requirement that infractions which result in an accident that causes a certain amount of property damage shall be subject to a mandatory hearing; repealing s. 316.040, Florida Statutes, 1976 Supplement, relating to incompetent drivers, as being duplicative of other provisions; providing an effective date.

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

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 106 and HB 682 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Health & Rehabilitative Services and Representatives Lehman and Gordon—

CS for HB 106—A bill to be entitled An act relating to mental health; creating s. 394.86, Florida Statutes, authorizing the use of certain chemical weapons in certain mental health facilities under certain circumstances; providing an effective date.

—was read the first time by title and referred to the Committee on Health and Rehabilitative Services.

By the Committee on Corrections, Probation and Parole—

HB 682—A bill to be entitled An act relating to parole and probation; amending s. 949.08, Florida Statutes; providing for the Parole and Probation Commission as well as the Department of Offender Rehabilitation to enact rules relating to compacts pertaining to parolees; providing an effective date.

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

The Senate adjourned at 8:45 a.m. to convene at 8:30 a.m. April 29, 1977 for the purpose of introduction and reference of resolutions, memorials, bills and joint resolutions and thereafter to reconvene at 9:00 a.m.