



Journal of the Senate

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The Senate was called to order by Senator Myers 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 McClain and MacKay—

SB 636—A bill to be entitled An act relating to workmen's compensation; amending s. 20.17(3)(a), Florida Statutes; establishing salaries for industrial relations commissioners; amending s. 440.02(9), Florida Statutes; changing the definition of "disability" to require physical impairment and to include diminution of wage-earning capacity; amending s. 440.12(2), Florida Statutes; providing that the average weekly wage shall be adjusted to the nearest dollar; amending s. 440.13(3)(a), Florida Statutes; providing that fees or charges for treatment may be limited by rule; amending s. 440.15(3)(u), (10)(c), (11), and adding s. 440.15(3)(v), (w), Florida Statutes; changing the provision for diminution of wage-earning capacity; providing circumstances for acceptance of wage earning loss; providing for adoption of rules; requiring a claimant, on demand, to authorize the release of unemployment compensation information relating to him; providing for reduction of compensation benefits for permanent total disability when unemployment compensation is received; amending s. 440.20(10), Florida Statutes; providing for discharge of liability by lump sum or periodic payments; providing circumstances for disapproval of an agreement for such discharge of liability; amending s. 440.25(3)(b), Florida Statutes; providing a procedure for selecting a disinterested doctor to make objective testimony; limiting the extent of an award for disability; amending s. 440.34(1), (3), (5), Florida Statutes; providing for determination of attorney's fees by judges of industrial claims and specifying the portion payable by the employer or carrier under certain circumstances; increasing penalty for receiving consideration or a gratuity for certain services with respect to claims; increasing penalty for soliciting business with respect to claims or awards for compensation; providing a penalty for making, presenting, causing to be presented, or preparing false, incomplete, or misleading statements with respect to claims; providing a penalty for fraud with respect to workmen's compensation law; providing that such fraud is grounds for imposition of administrative penalties by various licensing boards; establishing a cause of action for damages resulting from such violations; creating s. 440.442, Florida Statutes; establishing a code of conduct for, and procedures for the discipline of judges of industrial claims and industrial relations commissioners; amending s. 440.45(1), (3), Florida Statutes; providing for appointment from nominations and salaries for judges of industrial claims; amending s. 443.12(7), Florida Statutes; providing circumstances for the release of unemployment compensation information; providing severability; providing an effective date.

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

By Senator McClain—

SB 637—A bill to be entitled An act relating to life insurance; amending s. 626.9541(17)(a), Florida Statutes; permitting the solicitation or sale of life insurance, or collection of life insurance premiums, through a credit card facility or organization under certain circumstances; providing an effective date.

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

By Senator MacKay—

SB 638—A bill to be entitled An act relating to the State Apprenticeship Council; amending s. 446.031(1), Florida Stat-

utes; providing that the council shall be advisory to the Bureau of Apprenticeship and Training of the Division of Labor of the Department of Commerce; modifying the voting power of certain members; providing that the Secretary of Commerce shall appoint ten members to the council, five such members to represent industries which participate in a collective bargaining agreement and five members to represent industries which do not participate in such an agreement; providing for terms of members; providing for expiration of terms of members currently serving; amending s. 446.071, Florida Statutes; providing for approval of sponsors by the bureau whenever a demand is made if such sponsors meet standards established by the division; providing an effective date.

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

By Senator Henderson—

SB 639—A bill to be entitled An act relating to seized, abandoned, wrecked, or derelict property; amending s. 705.03, Florida Statutes, providing for the payment of the sale proceeds of such property to the county rather than to the state for the benefit of the state school fund; amending s. 705.06, Florida Statutes, similarly providing for the payment of the moneys derived from property wrongfully withheld to the county rather than to the state; providing an effective date.

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

By Senator Wilson—

SB 640—A bill to be entitled An act relating to elections; amending s. 98.081(1), Florida Statutes; providing for the removal of names from the voter registration books under certain circumstances; providing an effective date.

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

By Senator Firestone—

SB 641—A bill to be entitled An act relating to turnpike projects; adding s. 340.12(4), Florida Statutes, to provide that the toll per mile shall be uniform throughout the length of a project; providing an effective date.

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

By Senator Firestone—

SB 642—A bill to be entitled An act relating to municipal pension and retirement trust funds for firemen and police officers; amending s. 175.121, Florida Statutes; removing the limitation on the expenditure of trust fund moneys by the Department of Insurance in administering the Municipal Firemen's Pension Trust Fund Act; requiring the department to withhold state funds from any municipality not meeting the requirements of the Municipal Firemen's Pension Trust Fund Act; amending s. 175.201, Florida Statutes; allowing benefit payments to a beneficiary if death occurs after 10 years of service but before retirement; amending s. 175.211, Florida Statutes; allowing benefit payments to a beneficiary or estate if death occurs before age 50 and before retirement; amending s. 175.291, Florida Statutes; clarifying the right of the Board of Trustees of the Municipal Firemen's Pension Trust Fund to employ independent legal counsel; amending s. 175.321, Florida Statutes; providing for the application of chapter 175, Florida Statutes, and specifically identifying the portions of the chapter which are inapplicable to any municipality which has its own pension plan for firemen or for firemen and other

employees; amending s. 175.351(13), Florida Statutes; requiring exclusive use of the premium tax to provide benefits to firemen in addition to those provided to other municipal employees; creating s. 175.371, Florida Statutes; providing for the transfer of any or all members to another retirement system; amending s. 185.10, Florida Statutes; requiring the Department of Insurance to withhold state funds from any municipality not meeting the requirements for participation in the distribution of Municipal Police Officers' Retirement Trust Fund moneys; adding s. 185.19(3), Florida Statutes; allowing benefit payments to a beneficiary or estate if death occurs after age 50 and before retirement; amending s. 185.21, Florida Statutes; allowing benefit payments to a beneficiary if death occurs after 10 years of service but before retirement; amending s. 185.24, Florida Statutes; deleting the limitation on appropriations to the department for administering chapter 185, Florida Statutes; amending s. 185.29, Florida Statutes; clarifying the right of the Board of Trustees of the Municipal Police Officers' Retirement Trust Fund to employ independent legal counsel; 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 applicable to any municipality which has its own such plan for police officers or for police officers and other employees; amending s. 185.35(2), Florida Statutes; requiring the use of premium tax revenue exclusively to provide benefits to police officers in addition to those provided to other municipal employees; creating s. 185.38, Florida Statutes; providing for the transfer of any or all members to another retirement system; 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 Firestone—

SB 643—A bill to be entitled An act relating to eminent domain; amending ss. 73.091, 73.092, Florida Statutes; providing for jury assessment of attorney's fees in eminent domain proceedings; providing an effective date.

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

By Senator Firestone—

SB 644—A bill to be entitled An act relating to registration of electors; creating s. 97.0625, Florida Statutes; providing for registration of electors by mail; providing application procedures for such registration; providing grounds for denial; providing penalties for fraudulently swearing to an application for voter registration; repealing s. 97.063, Florida Statutes, relating to absentee registration; providing an effective date.

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

By Senator Firestone—

SB 645—A bill to be entitled An act relating to the Administrative Procedure Act; amending s. 120.50, Florida Statutes, removing an exemption providing that the determination of rate revisions or hearings thereon with respect to the automobile Joint Underwriting Association shall not be subject to the Administrative Procedure Act; providing an effective date.

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

By Senator Myers—

SB 646—A bill to be entitled An act relating to the disposition of unclaimed personal property; amending s. 925.06(1), Florida Statutes; providing that unclaimed personal property, in custody after a criminal proceeding, may be retained by sheriffs for departmental use, and title shall permanently vest in the county, if the property is not claimed within a specified period; providing an effective date.

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

By Senators Henderson, Renick, Firestone and Ware—

SB 647—A bill to be entitled An act relating to solicitation of charitable funds; amending s. 496.02, Florida Statutes; excluding certain religious institutions from the definition of "religious institution"; excluding certain money, property, and charges from the definition of "contribution"; defining "solicit," "solicitation," "charitable purpose," "income," "professional fund-raising counsel," and "parent organization"; redefining "professional solicitor"; prescribing method of determining gross contributions and cost of fund raising; amending s. 496.021, Florida Statutes; prescribing the powers and duties of the Department of State relating to the adoption and enforcement of certain rules; requiring that certain records be made available to the department upon demand; authorizing the department to enter into reciprocal agreements; authorizing the department to subpoena witnesses and compel the production of papers for certain purposes; providing that willful false swearing to the department is punishable as perjury; amending s. 496.03, Florida Statutes; providing requirements for registration applications, financial statements, and other reports; prescribing registration and application fees; providing for issuance of certificates of registration; providing that a parent organization may file reports and financial statements for its branches, affiliates, chapters, or independent members under certain circumstances; providing a time within which required information shall be filed; providing for expiration and renewal of certificates of registration; amending s. 496.04, Florida Statutes; deleting exemptions for certain educational institutions, hospitals, veterans' groups, civic groups, other organizations, and persons soliciting contributions for the relief of an individual; providing certain exemptions; deleting requirement of application for exemption; requiring exempt organizations to maintain and make available certain records; redesignating s. 496.031, Florida Statutes, as s. 496.045, Florida Statutes, and amending said section; clarifying certain language; providing that provisions relating to professional solicitors are inapplicable to professional fund-raising counsels; amending s. 496.09, Florida Statutes; providing that certain information about contributors and contributions is exempt from the public records law and shall not be disclosed by the Department of State; redesignating s. 496.08, Florida Statutes, as s. 496.095, Florida Statutes, and amending said section; requiring the Department of State to furnish a supplemental list of registrants to any appropriate agency upon request; redesignating s. 496.12, Florida Statutes, as s. 496.105, Florida Statutes; amending s. 496.11(1), (5), (7), Florida Statutes; prohibiting solicitation by any person without certain authorization and identification; requiring submission of copies of written material used in solicitation; requiring notice of any oral contract with a professional solicitor within a certain period; amending s. 496.13(1), Florida Statutes; prohibiting solicitation without a current registration certificate; providing penalties; amending s. 496.132, Florida Statutes; providing that chapter 496, Florida Statutes, not be construed to preempt more stringent local regulations; repealing s. 496.041, Florida Statutes, relating to fees and the manner of filing registration statements; repealing s. 496.06, Florida Statutes, which prohibits solicitation or expenditure of funds for noncharitable purposes; repealing s. 496.07, Florida Statutes, relating to rules and regulations of the Department of State; repealing s. 496.10, Florida Statutes, relating to reciprocal agreements; repealing s. 496.131, Florida Statutes, relating to applicability of chapter to certain scholarship plans; repealing s. 496.11(9), (10), Florida Statutes, relating to limitations on expenditures for fund raising and on the use of certain designations in connection with fund raising; providing an effective date.

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

By Senator Gallen—

SB 648—A bill to be entitled An act relating to the Florida Health-Care Responsibility Act; adding s. 154.304(5), Florida Statutes; providing a definition of the term "county resident"; creating s. 154.305, Florida Statutes; providing for financial responsibility for indigent patients receiving emergency treatment at a hospital; amending ss. 154.308, 154.312, 154.314, Florida Statutes; extending the provisions of the act to include hospitals; providing an effective date.

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

By Senators Castor and Plante—

SB 649—A bill to be entitled An act relating to spouse abuse; providing legislative intent; providing definitions; prescribing duties and functions of the Department of Health and Rehabilitative Services with regard to spouse abuse; providing for the development and establishment of spouse abuse centers for the prevention, care, treatment, and rehabilitation of persons engaged in or subject to spouse abuse; authorizing the department to prescribe by rule the standards for accreditation of the centers; requiring the department to conduct research and furnish assistance in the area of spouse abuse; requiring the department to make an annual evaluation of each center; prescribing accreditation standards and funding requirements for centers; requiring a center to refer certain persons and their spouses to appropriate treatment or rehabilitation agencies; providing for confidentiality; requiring law enforcement officers to notify persons subject to spouse abuse of the availability of a center, if there is a center available; providing an appropriation; 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 Don Childers—

SB 650—A bill to be entitled An act relating to public schools; creating s. 228.054, Florida Statutes; providing maximum class sizes in grades 1 through 12; providing an effective date.

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

By Senator Hair—

SB 651—A bill to be entitled An act relating to public meetings; amending s. 286.011, Florida Statutes, which provides that meetings of state and local agencies shall be open to the public, to provide for assessment of attorney's fees against agencies and certain individuals found in violation of said section; providing for assessment of attorney's fees against an individual bringing an action for violation of said section under certain circumstances; prohibiting public meetings at certain locations; providing for reimbursement of attorney's fees under certain circumstances; providing an effective date.

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

By Senator McClain—

SJR 652—A joint resolution proposing amendments to Section 5 of Article II and Sections 2 and 5 of Article XI of the State Constitution abolishing the Constitutional Revision Commission.

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

The Senate adjourned at 8:45 a.m. to convene at 8:30 a.m., Monday, April 10, 1978, for the purpose of introduction and reference of resolutions, memorials, bills and joint resolutions.