



Journal of the Senate

Number 9

Friday, April 14, 1978

The Senate was called to order by Senator Firestone 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 and Peterson—

SB 732—A bill to be entitled An act relating to education; amending s. 229.832, Florida Statutes; authorizing the Department of Education to establish and operate through grants, regional diagnostic and learning resource centers for exceptional children rather than regional diagnostic and resource centers; deleting the provision specifying the number and location of such centers; prescribing duties and responsibilities of the centers; amending s. 236.081(5), Florida Statutes; providing for funding for diagnostic and learning resource centers as a general categorical program; deleting provision providing for the funding of exceptional child support services as transitional categorical programs; requiring the Department of Education to develop an operational plan for the system of diagnostic and learning resource centers; prescribing the contents of such plan; requiring a copy of such plan to be transmitted to specified committees of the Legislature; repealing s. 229.831, Florida Statutes, which provides legislative intent; repealing s. 229.833, Florida Statutes, as amended, which prescribes functions and responsibilities of the centers of the regional diagnostic and resource system; repealing s. 229.834, Florida Statutes, which allows services of the diagnostic and resource centers to be provided to other than public school students; repealing s. 229.835, Florida Statutes, as amended, which prescribes the duties and responsibilities of the state coordinator of the diagnostic and resource system; repealing s. 229.836, Florida Statutes, which prescribes the duties and responsibilities of the district school boards with respect to the diagnostic and resource system; repealing s. 229.837, Florida Statutes, which prescribes the duties of each director of a diagnostic and resource center; repealing ss. 229.838, 229.839, Florida Statutes, which provide for grants to school districts for special education support services, provide that such services utilize and supplement services by certain agencies, and prohibit funds from being used for certain purposes; providing an effective date.

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

By Senator Plante—

SB 733—A bill to be entitled An act relating to moneys received by the state; amending s. 215.32, Florida Statutes, as amended; establishing the Federal Aid Trust Fund; prohibiting an agency from consolidating funds in its Federal Aid Trust Fund account with other trust funds; prohibiting expenditure of funds in the Federal Revenue Sharing Fund or the Federal Aid Trust Fund except pursuant to appropriations by the Legislature; prohibiting the Comptroller from issuing a warrant for funds derived in whole or in part from federal funds or which funds will be used as matching funds unless the federal funds have been appropriated by the Legislature; amending s. 216.212, Florida Statutes, as amended; prohibiting the expenditure of federal funds unless appropriated by the Legislature; providing appropriation for federal funds received prior to the effective date of this act; providing an effective date.

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

By Senator Dunn—

SB 734—A bill to be entitled An act relating to hazardous waste management; creating part VII of chapter 403, Florida

Statutes; providing definitions; requiring the Department of Environmental Regulation to conduct a study and develop a plan for hazardous waste management; requiring the department to adopt criteria for determination of hazardousness; requiring the department to adopt rules for handling hazardous wastes, including rules prescribing procedures for storage, treatment, containerization, labeling, transportation, testing, reporting and disposal of hazardous wastes; requiring the issuance of permits; providing requirements for liability insurance, evidence of financial responsibility, and certification of personnel for any facility involved in the treatment or disposal of hazardous waste; authorizing the department to enter and inspect any place where hazardous wastes are handled; authorizing the department to issue any order necessary to eliminate any imminent hazard created by hazardous wastes; providing for injunctive relief; providing penalties; providing an effective date.

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

By Senator Myers—

SB 735—A bill to be entitled An act relating to performance bonds for highway construction and maintenance contracts; amending s. 337.18(1), Florida Statutes; permitting the contractor to choose, within certain limits, the form of such security regardless of the type of contract or the contract price; providing for waiver of such bond for certain contracts; providing an effective date.

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

By Senator Spicola—

SB 736—A bill to be entitled An act relating to clerks of the circuit courts; repealing s. 28.2401(1)(a), Florida Statutes, relating to a \$5 fee charged for depositing the will of a decedent with 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 Senators McClain, Lewis and Spicola—

SM 737—A memorial to the Congress of the United States, petitioning that a convention be called pursuant to Article V of the United States Constitution, to consider amending same to protect the right to life of all unborn persons; providing that the purview of such convention be limited strictly to the consideration of this amendment; providing that this application to the Congress be a continuing application until the convention herein applied for is convened.

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

By Senators Zinkil, Winn, Brantley, Poston, Dunn, Jon Thomas, Wilson, Trask, MacKay, Renick, Tobiassen, Chamberlin, Castor, McClain, Firestone, Graham, Don Childers, Holloway and Lewis—

SM 738—A memorial to the Congress of the United States, urging the use of all available peaceful means to seek freedom of Jews being held against their will in the Soviet Union.

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

By Senator Tobiassen—

SB 739—A bill to be entitled An act relating to the state career service system; amending s. 110.022(1), Florida Statutes, eliminating geographical pay differential rates for personnel employed by the state and grandfathering in persons currently receiving such rates; providing an effective date.

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

By Senator Tobiassen—

SB 740—A bill to be entitled An act relating to education; creating a Professional Standards and Practices Commission; providing for appointment and removal of members; providing for organization, meetings, expenses, powers and duties, and employees; abolishing the Professional Practices Council; providing for the transfer of certain powers, duties, functions, property, and personnel to the commission; creating the Professional Standards and Practices Trust Fund; transferring the unexpended balances of the Professional Practices Advisory Council Trust Fund and of the Educational Certification and Service Trust Fund to the new fund; providing for reimbursement of a school district required to employ a substitute while one of its employees is absent from employment while performing duties as a member of the commission; providing for substitution of the commission for the State Board of Education in certain proceedings; amending ss. 231.02, 231.14, 231.15, 231.16, 231.29(1) and (2), 231.36(2), (3)(a), (4) and (6), 231.601(4), 231.603(1), (3) and (4), 231.606(2), 231.608, 231.609(1) and (4), and 231.610(3), Florida Statutes; conforming terminology to the changes made by this act; deleting obsolete provisions; amending s. 231.17, Florida Statutes; providing for issuance of certificates to persons meeting the qualifications for such certificates prescribed by rules of the commission; providing for appeal of denials of requests for certification; providing for reciprocity in the granting of certificates; amending s. 231.24, Florida Statutes; allowing the extension of certificates issued under the provisions of s. 231.17, Florida Statutes, for successive periods of time under rules established by the commission; amending s. 231.28, Florida Statutes; providing for the suspension and revocation of certificates by the commission; amending s. 231.30, Florida Statutes; providing that certification fees be set by the commission and that such revenues be deposited in the Professional Standards and Practices Trust Fund; abolishing the Professional Practices Advisory Council Trust Fund and the Educational Certification and Service Trust Fund; amending ss. 231.40 and 231.48(2), Florida Statutes; deleting references to mandatory retirement at the age of 70 years; amending s. 231.602(1), Florida Statutes, and adding a subsection; defining "commission" for purposes of the Teacher Education Center Act of 1973; repealing ss. 231.031, 231.10, 231.20, 231.3505, 231.54, 231.55, 231.57, 231.58, 231.59, 231.604, 231.611, Florida Statutes, relating to maximum age of instructional personnel, to the Florida Council on Teacher Education, to issuance of graduate certificates, to employment of directors of vocational education, to the Professional Teaching Practices Act, to the State Council for Teacher Education Centers, and to procedures in determining approval of teacher education centers; reinstating chapter 231, Florida Statutes, which is scheduled for repeal by the Regulatory Reform Act of 1976, as amended, on July 1, 1982; providing an effective date.

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

By Senator McClain—

SB 741—A bill to be entitled An act relating to insurance; amending s. 627.733(3)(a), Florida Statutes; specifying the required security for owners or registrants of motor vehicles required to be registered and licensed in this state; providing an effective date.

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

By Senator Castor—

SB 742—A bill to be entitled An act relating to education; amending s. 236.088, Florida Statutes, the "Florida Compensatory Education Act of 1977," to provide definitions; requiring the district compensatory education program description to

include inservice training programs; providing that the result of state as well as district assessment tests shall determine student participation; providing for the funding of inservice training for personnel participating in compensatory education programs; providing for approval or disapproval of district programs by the Commissioner of Education; deleting the requirement for cost effectiveness evaluations; providing an effective date.

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

By Senators Spicola, Castor and McClain—

SB 743—A bill to be entitled An act relating to Hillsborough County and to the City of Tampa; providing for interlocal agreements; authorizing the designation of boundaries for special water supply service districts in the unincorporated areas of Hillsborough County by such interlocal agreement; providing for the delivery of a water supply for domestic, municipal, governmental, and industrial purposes; providing for collection and disposal of sewage and other liquid wastes; providing for rates, fees, and charges inside and outside municipal boundaries based on actual cost of service; providing for interconnections between city and county for the delivery of a water supply for domestic, municipal, governmental, and industrial uses; providing for interconnections between city and county for collection and disposal of sewage and other liquid wastes; providing for a rate setting committee to set rates in certain circumstances; providing for resolution of conflict of laws; 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 Spicola, Castor and McClain—

SB 744—A bill to be entitled An act relating to Hillsborough County; creating a city-county planning commission; providing for the appointment and terms of its members; providing for its meetings, jurisdiction, and authority; providing for the appropriation of funds to the commission by the Board of County Commissioners; providing for the appointment of an executive director and the hiring of employees; providing for review and staff approval of subdivision plats, planned developments, and petitions for rezoning submitted by the City of Temple Terrace; providing severability; repealing chapters 59-1363, 61-2262, 61-2264, 63-1407, 65-1670, 70-956, 75-389, 75-402, and 76-382, Laws of Florida, relating to the Hillsborough County Planning Commission; 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 Pat Thomas—

SJR 745—A joint resolution proposing an amendment to Section 3 of Article VII of the State Constitution, relating to ad valorem taxation.

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

By Senators Pat Thomas and Sayler—

SB 746—A bill to be entitled An act relating to insurance; providing a definition; prohibiting insurers from issuing deposit term insurance policies in the state; directing the Department of Insurance to promulgate specified rules with respect to such policies in effect on the effective date of the act; providing an effective date.

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

By Senator Pat Thomas—

SB 747—A bill to be entitled An act relating to public officers and employees; amending s. 112.061(7)(d), Florida Statutes, increasing to 18 cents per mile the mileage allowance public officers and employees may be entitled to when using privately

owned vehicles for transportation for official business; providing an effective date.

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

By Senators Gordon, Barron and Plante—

SB 748—A bill to be entitled An act relating to state agencies and public officials; providing state policy; restricting the exchange of information between state agencies and public officials and INTERPOL; providing an exception; providing a definition; providing penalties; providing an effective date.

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

By Senators Myers and Gordon—

SB 749—A bill to be entitled An act relating to insurance of educational facilities; creating part III of chapter 284, Florida Statutes; creating the Florida Public Schools Fire Insurance Trust Fund and the Florida Public Community Colleges Fire Insurance Trust Fund; providing for administration and coverage of such funds; providing for the use of proceeds of certain investments; requiring district school boards and boards of trustees of public community colleges to furnish certain information to the Department of Insurance; providing for inspection of property insured under such funds; providing for the purchase of reinsurance and of risk management services; providing for coverage of certain leased property under such funds; authorizing the continuation of certain policies of insurance; providing for the adoption of rules; extending the bond of the State Treasurer and Insurance Commissioner; providing for annual appropriations; authorizing allocations for the fiscal year 1978-1979; requiring certain contracts to prohibit certain indemnification; providing an effective date.

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

By Senator Myers (by request)—

SB 750—A bill to be entitled An act relating to the Florida Retirement System; adding s. 121.081(3), Florida Statutes; providing for the recomputation of service for certain special risk members of the Florida Retirement System upon payment of contribution plus interest; 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 Graham—

SB 751—A bill to be entitled An act relating to the creation of the Florida State Commission of Investigation; creating ss. 11.701-11.7019, Florida Statutes; providing for members, appointments, terms, salaries, vacancies and removal; providing for powers and duties of the commission; providing for contempt; authorizing the adoption of necessary rules; authorizing investigations of various governmental entities; authorizing cooperation with law enforcement officials and federal authorities; requiring examination into law enforcement activities affecting other states; directing reference of certain evidence to other authorities for the prosecution of crimes or removal from office; authorizing the employment of staff; requiring reports; providing for closed meetings and records; providing for requests for assistance; prohibiting certain disclosures and providing a penalty; providing a privilege; authorizing the impounding of evidence; providing for immunity; providing for civil contempt; providing for notice to the State Attorney; providing legislative intent; providing for procedure for the commission; providing an appropriation; providing an effective date.

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

By Senator Graham—

SB 752—A bill to be entitled An act relating to statewide grand juries; amending s. 905.32, Florida Statutes; amending legislative intent; creating s. 905.365, Florida Statutes; creating the Office of Special Prosecutor and Statewide Assistant

State Attorney; providing for the appointment, term of office, removal from office, and salary of the Special Prosecutor; providing for staff and limiting the expenses of such office; creating s. 905.368, Florida Statutes; establishing powers and duties of the Special Prosecutor; providing for issuance of subpoenas by the Special Prosecutor and providing penalties for refusal to obey the same; exempting the records of the Special Prosecutor from the provision of chapter 119, Florida Statutes; providing an appropriation; providing an effective date.

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

By Senator Hair—

SB 753—A bill to be entitled An act relating to the vacation of plats; amending s. 177.101(3), (4), Florida Statutes; requiring a county to vacate a plat under certain circumstances; providing for such vacation when property taxes are being contested pursuant to s. 194.171, Florida Statutes; providing an effective date.

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

By Senator McClain—

SB 754—A bill to be entitled An act relating to fire investigation; amending s. 633.111, Florida Statutes, requiring the State Fire Marshal to maintain certain records; creating s. 633.175, Florida Statutes, requiring insurance company personnel to release information to the State Fire Marshal or an agent appointed pursuant to s. 633.02, Florida Statutes, with respect to an insurance claim relating to loss of real or personal property upon request; providing specified information to be released; requiring insurance companies to report certain information relative to fire losses; limiting liability with respect to such information; providing for the confidentiality of disclosed information; providing a penalty; providing an effective date.

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

By Senator Castor—

SB 755—A bill to be entitled An act relating to education; amending s. 228.195, Florida Statutes, relating to administration and funding of school food and nutrition programs; providing an effective date.

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

By Senator Plante—

SB 756—A bill to be entitled An act relating to warranties; amending s. 634.301(3), Florida Statutes; providing that part II of chapter 634, Florida Statutes, applies only to warranties sold in connection with the sale or inspection of residential property; adding s. 634.301(9), (10), Florida Statutes; providing additional definitions; amending s. 634.308(3)(a), Florida Statutes; authorizing the immediate suspension of the license of a home warranty association which is financially impaired; amending s. 634.318, Florida Statutes; increasing the registration fee of contracting sales agents; creating s. 634.329, Florida Statutes; providing for dissolution or liquidation of corporations subject to part II of chapter 634, Florida Statutes; creating part III of chapter 634, Florida Statutes, consisting of ss. 634.401-634.431, Florida Statutes; providing definitions; providing for promulgation of rules by the Department of Insurance; requiring persons who provide service warranties to be licensed; providing qualifications for licensure; requiring deposits, bonds, or letters of credit to be filed with the department; establishing financial requirements; providing procedures for the application, issuance, and renewal of licenses and for the payment of license fees; providing grounds, procedures, and duration of the suspension or revocation of a license; providing for imposition of administrative fine in lieu of suspension or revocation; providing for departmental approval of service warranty forms; requiring service warranty associations to file statements with the department; authorizing the department to impose a

premium tax; providing a penalty; providing for the examination of service warranty associations; providing for the appointment of the Insurance Commissioner to receive service of legal process and for service procedures in actions against associations; requiring the registration of persons who solicit, negotiate, advertise, or effectuate service warranty contracts; providing for the reporting and accounting of funds; providing grounds and procedures for compulsory and discretionary refusal, suspension, or revocation of registrations of sales representatives; providing for administrative fines; providing for the disposition of taxes and fees; restricting the business practices of associations; prohibiting an insurer or association from fronting for an unauthorized insurer or unlicensed association; providing for the dissolution or liquidation of associations; providing a penalty; providing an effective date.

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

By Senator Williamson—

SB 757—A bill to be entitled An act relating to judgments; amending s. 55.03, Florida Statutes; providing that all judgments shall bear interest from the date of the incident or occurrence giving rise to the cause of action; providing an effective date.

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

By Senator Gallen—

SB 758—A bill to be entitled An act relating to the Beverage Law; amending s. 561.221, Florida Statutes; providing that a manufacturer of malt beverages or wine not be prohibited from obtaining up to two vendor's licenses for the sale of alcoholic beverages; providing an effective date.

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

By Senator Gallen—

SB 759—A bill to be entitled An act relating to the Florida Health-Care Responsibility Act; adding s. 154.304(5), Florida Statutes; defining the term "county resident" for the purposes of part IV of chapter 154, Florida Statutes; providing an effective date.

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

By Senator Gallen—

SB 760—A bill to be entitled An act relating to the Florida Health-Care Responsibility Act; creating s. 154.305, Florida Statutes; providing that ultimate financial responsibility for emergency treatment, and any further in-patient treatment associated with that emergency, received at a regional referral hospital by a certified indigent patient who is a resident of the state, shall be the obligation of the county of which the certified indigent patient is a resident; providing for computation of the reimbursement rate to be paid to the regional referral hospital by the affected county; providing an effective date.

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

By Senator Gallen—

SB 761—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.051(2)(a), Florida Statutes; providing that all members who elected to transfer to the Florida Retirement System on or before July 1, 1972, shall be subject to the provisions of such system retroactively to November 30, 1970; providing for appropriate contributions; 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 Gallen—

SB 762—A bill to be entitled An act relating to trust accounts; requiring that interest on trust accounts be paid directly to beneficiaries; prohibiting payment of interest to a third party; providing an effective date.

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

By Senator Gallen—

SB 763—A bill to be entitled An act relating to motor carriers; adding s. 323.01(23), Florida Statutes; defining ride-sharing pool; adding a new subsection to s. 323.29, Florida Statutes; exempting certain motor vehicles from the provisions of chapter 323, Florida Statutes; 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 Senator Gallen—

SB 764—A bill to be entitled An act relating to health-care facilities; amending s. 381.497, Florida Statutes; providing that ss. 381.493-381.495, Florida Statutes, shall not affect any health-care facility project determined by the Department of Health and Rehabilitative Services to be exempt from the certificate of need requirement or grandfathered under the provisions of the Health Facilities and Health Services Planning Act prior to March 30, 1977; providing an effective date.

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

By Senator Glisson—

SB 765—A bill to be entitled An act relating to community colleges; adding s. 230.761(2)(c), Florida Statutes; authorizing each community college in this state to collect, as a component part of the registration and tuition fees, a student activity fee; providing for the collection, distribution, and use of such fees; providing an effective date.

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

By Senator Glisson—

SM 766—A memorial to the Congress of the United States urging that Lake Oklawaha be preserved, irrespective of the disposition of the Cross Florida Barge Canal.

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

By the Committee on Transportation—

SB 767—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. 316.625(1), Florida Statutes, 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.

By Senator Holloway—

SB 768—A bill to be entitled An act relating to special assessments; amending s. 170.01, Florida Statutes; allowing municipalities to levy special assessments for the construction of off-street parking facilities; providing an effective date.

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

By Senator Barron—

SB 769—A bill to be entitled An act relating to the Florida State University Law Review; amending s. 283.26, Florida Statutes; authorizing the granting of reprint rights, the sale of stock and inventories of published issues, and the retention of various proceeds from publication; creating a trust fund for moneys retained to be used for payment of printing or publication costs; providing an effective date.

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

By Senator Plante—

SB 770—A bill to be entitled An act relating to libraries; creating s. 257.125, Florida Statutes, and amending s. 119.07(2)(b), Florida Statutes, to require that certain registration and circulation records of public libraries shall be confidential information; providing a penalty; providing an effective date.

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

By Senator Wilson—

SB 771—A bill to be entitled An act relating to the Beach Community Hospital District, Brevard County; repealing chapter 57-1179, Laws of Florida, which creates such special tax district; 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 772—A bill to be entitled An act relating to Brevard County; declaring a public policy and purpose; providing definitions; creating a local government study commission in Brevard County to study the structures, services, functions, and operations of all governmental units and bodies located within the county, including the county government, municipal governments, public bodies corporate, and all offices, agencies, commissions, boards, authorities, and other subdivisions thereof; providing a term of existence and a manner of appointment of members to the commission and providing a method of filling vacancies; providing for the organization of the commission and manner of selecting its officers; prescribing the powers and duties of the commission; requiring an appropriation by the county; requiring the commission to recommend a plan or plans for any solution of problems disclosed as a result of the study and to submit the same to the Board of County Commissioners of Brevard County, the Brevard League of Municipalities, the Brevard Legislative Delegation; providing for public hearings on the final report of the commission; authorizing the commission to prepare a county charter; providing the manner of adoption of the recommendations of the commission; providing for referenda; providing for the disposition of property after termination of the commission; providing an effective date.

Proof of publication of the required notice was attached.

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

By Senator Firestone—

SB 773—A bill to be entitled An act relating to municipal police officers' retirement; amending s. 185.02(1), Florida Statutes; revising the definition of the term "police officer"; amending s. 185.05, Florida Statutes; requiring the board of trustees of each Municipal Police Officers' Retirement Fund to have two regularly employed police officers on each board; amending ss. 185.07(2), (3), 185.08(1), 185.11, 185.27, 185.35(1)(a), (1), (2), Florida Statutes; changing the word "police men" to "police officers"; amending s. 185.18, (1), (5), Florida Statutes; specifying the conditions under which a police officer may retire on disability retirement after working a specified number of years; providing a formula for the computation of

disability retirement benefits; amending s. 185.34, Florida Statutes; deleting the provision which requires that for a condition or impairment of health caused by exposure to be presumed to be suffered in line of duty the exposure must have occurred in the active performance of duty at some definite time or place; deleting the provision which provides that s. 185.34, Florida Statutes, shall not be construed to extend or otherwise affect the provisions of chapter 440, Florida Statutes; 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 W. D. Childers—

SB 774—A bill to be entitled An act relating to ad valorem taxation of tangible personal property; adding s. 195.027(4)(c), Florida Statutes; providing that the assessed value of any item of tangible personal property not exceed the depreciated value of such item when depreciated pursuant to the straight line 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 Commerce.

By Senators Scarborough, Hair, Skinner, Jon Thomas, Barron, Williamson, W. D. Childers, Trask, Henderson, Pat Thomas, Ware and Saylor—

SB 775—A bill to be entitled An act relating to the municipal public service tax; amending s. 166.231(2), Florida Statutes; limiting the public service tax on fuel oil; providing an effective date.

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

By Senator Ware—

SB 776—A bill to be entitled An act relating to insurance; amending s. 627.736(3), Florida Statutes, relating to required personal injury protection benefits; providing that an injured person who is entitled to bring suit has no right to recover damages for which personal injury protection benefits are paid, rather than such benefits which are paid or payable; providing an effective date.

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

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 CS for HB 245 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Standards & Conduct and Representative Kershaw—

CS for HB 245—A bill to be entitled An act relating to the code of ethics for public officers and employees; amending ss. 112.311, 112.312, 112.313, 112.3141, 112.3143, 112.3146, 112.317 and 112.324, Florida Statutes; creating s. 112.3171, Florida Statutes; renumbering and amending s. 116.111, Florida Statutes; providing legislative intent and declaration of policy; providing definitions; providing standards of conduct for public officers and employees; prohibiting representation of clients before certain government agencies by certain state and local officers during tenure in office; providing for disclosure of clients represented before agencies; providing standards of conduct for legislators and legislative employees; providing for voting conflicts; providing restrictions on employment of relatives; providing requirements with regard to public records; providing liability of public officers and employees benefiting

financially from breach of public trust and of persons inducing such breach; providing penalties; providing liability of persons filing frivolous complaints; providing procedures on complaints of breach of public trust; amending s. 286.012, Florida Statutes, relating to voting requirements at meetings of governmental bodies; repealing s. 112.316, Florida Statutes, relating to construction of the code of ethics for public officers and employees, and ss. 839.07-839.10, Florida Statutes, relating to offenses by public officers and employees; providing an effective date.

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

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 936 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Corrections, Probation & Parole—

HB 936—A bill to be entitled An act relating to parole; providing legislative intent; creating ss. 947.001 and 947.003, Florida Statutes; creating the "Parole Release Reform Act of 1978"; providing definitions; amending ss. 947.01(2), 947.02(2), 947.04, and 947.06, Florida Statutes, relating to the Parole and Probation Commission, to modify provisions with respect to the role of the Secretary of Offender Rehabilitation, the filling of vacancies, general organization, and procedure thereon; creating s. 947.095, Florida Statutes, providing for hearing examiner panels; amending s. 947.13(1)(a), Florida Statutes, and adding a paragraph to subsection (2) of said section, and amending s. 947.16(1) and (3), Florida Statutes, and adding a new subsection thereto, relating to powers and duties of the commission, to provide for initial hearings and for establishment of presumptive release dates; amending s. 947.135(4)(a), Florida Statutes, providing for the continuation of the mutual participation program; creating s. 947.165, Florida Statutes, providing for development and implementation of objective parole guidelines; repealing s. 947.17, Florida Statutes, relating to procedure of commission; creating ss. 947.172, 947.173, and 947.174, Florida Statutes, providing commission procedure for hearing and review of presumptive release dates and for establishment of effective release dates; amending ss. 947.175(1), 947.19, 947.20, and 947.23(1), Florida Statutes, modifying provisions relative to notice requirements, terms and conditions of parole, violation of parole, and revocation of parole, to conform to the act; providing an effective date.

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

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed as amended CS for HB 393, HB 467 and CS for HB 180 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Standards & Conduct and Representative Hattaway—

CS for HB 398—A bill to be entitled An act relating to financial disclosure; amending s. 112.3145, Florida Statutes; including constitutional officers; providing requirements for full public disclosure of financial interests and specifying who shall file such disclosure; providing for determination of applicability of disclosure requirements to certain persons by the Governor, the Cabinet, county governing bodies, certain appointing persons or bodies, and municipal electors; exempting any person who files disclosure from filing a subsequent disclosure of the same type for the same disclosure period; repealing s. 111.011, Florida Statutes, relating to statement of contributions received by elected public officers, and s. 112.3147, Florida Statutes, relating to forms; providing an effective date.

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

By the Committee on Community Affairs and Representative McPherson—

HB 467—A bill to be entitled An act relating to the county annual budget; creating s. 129.025, Florida Statutes, requiring counties to designate a county budget officer to prepare the annual county budget; amending s. 129.03, Florida Statutes, requiring specified officers to submit tentative budgets to the board of county commissioners by June 1 of each year; requiring county budget officers rather than county auditors to participate in the preparation of the county annual budget; providing an effective date.

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

By the Committee on Standards & Conduct and Representative Martin—

CS for HB 180—A bill to be entitled An act relating to the code of ethics for public officers and employees; prescribing forms to be used for financial disclosure, statements of client representation, and disclosure of specified business interests and voting conflicts; providing an effective date.

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

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed HB 701 and HB 378 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Martin—

HB 701—A bill to be entitled An act relating to ethics in government; requiring the Florida Elections Commission and the commission mandated by s. 8(f) of Art. II of the State Constitution, to submit a report to the Legislature concerning whether or not the two commissions should be merged; providing an effective date.

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

By the Committee on Community Affairs and Representative McPherson—

HB 378—A bill to be entitled An act relating to the county annual budget; amending s. 129.01(1), Florida Statutes, removing the specified lists of county funds for which a county must prepare, approve, adopt, and execute an annual budget; amending s. 129.06(1)(a) and (2), Florida Statutes, to provide for a modified accrual system of accounting, intra-departmental budget amendments, and the expenditure of receipts for an enterprise and/or proprietary fund; amending s. 129.07, Florida Statutes, allowing expenditures for individual items to exceed the budget, provided that the fund's budget is not exceeded; providing an effective date.

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

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 73 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Woodruff and others—

HB 73—A bill to be entitled An act relating to parole; amending s. 947.16(2), Florida Statutes; providing for the retention of

jurisdiction by judges in murder, robbery, aggravated assault, aggravated battery, kidnapping, sexual battery, arson, or any felony involving the use of a firearm or other deadly weapon or the use of intentional violence cases under certain circumstances; requiring the Parole and Probation Commission to notify the original sentencing court and the appropriate state attorney whenever an offender over whom the court has retained jurisdiction has become eligible for parole; requiring the court to retain jurisdiction over the offender or refuse such jurisdiction; providing for release of certain information by

the commission; providing that when the court decides to retain jurisdiction it 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.

The Senate adjourned at 8:50 a.m. to convene at 8:30 a.m., Tuesday, April 18, for the purpose of introduction and reference of resolutions, memorials, bills and joint resolutions.