



Journal of the Senate

Number 28

Tuesday, May 16, 1978

The Senate was called to order by Senator Henderson 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.

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 1367 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Hawkins—

HB 1367—A bill to be entitled An act relating to the North Naples Fire Control District, Collier County; amending section 1 of chapter 61-2032, Laws of Florida, as amended, changing the boundaries of the 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.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 1534 and HB 1535 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Ward and others—

HB 1534—A bill to be entitled An act relating to Okaloosa County; authorizing the acquisition, construction, erection, building, enlarging, improving, furnishing, and equipping of capital projects of Okaloosa County and of the district school board of Okaloosa County; authorizing the issuance of certificates of indebtedness by the county and by the school board to finance the cost of such projects; authorizing the pledging to the payment of the principal of, and interest on, such certificates of indebtedness of the race track funds and jai alai fronton funds allocated to the board of county commissioners of said county or the school board out of such funds accruing annually to the county pursuant to chapters 550 and 551, Florida Statutes, the rentals and royalties derived by the county or the school board under leases or other agreements with respect to the lands or the mineral rights appertaining thereto belonging to said county or said school board, the second oil and gas severance taxes accruing to said county pursuant to the provisions of s. 211.06(1)(b), Florida Statutes, and other moneys of said county or of said school board derived from sources other than ad valorem taxation and legally available for such purposes; providing for the allocation of said county's share of such second oil and gas severance taxes equally between said board of county commissioners and said school board; 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 Representative McPherson and others—

HB 1535—A bill to be entitled An act relating to the City of Dania, Broward County; extending and enlarging and designating the corporate limits of the City of Dania, Broward

County, Florida, by including previously unincorporated lands within Broward County, Florida, which are contiguous and immediately adjacent to the City of Dania, Broward County, Florida; providing for the implementation and delivery of services to the annexed territory; providing for jurisdiction and powers of the City of Dania; and providing for 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.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has adopted as amended HM 1254 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Adams and others—

HM 1254—A memorial to the Congress of the United States, urging the use of all available peaceful means to seek freedom of Jews and Anatoly Shcharanski 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.

The Honorable Lew Brantley, President

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

HB 1177	HB 1144	HB 1737
HB 1526	HB 1141	HB 1470

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Allen—

HB 1177—A bill to be entitled An act relating to The Lower Florida Keys Hospital District, Monroe County; amending section 8 of chapter 67-1724, Laws of Florida, authorizing the establishment of an ambulance service, and such other services related to the operation and maintenance of a hospital; amending section 34 of chapter 67-1724, Laws of Florida, providing for the regulation of any nursing home, nursing home staff, ambulance service, and such other services as the hospital may establish; providing a liability clause; 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 Representative Burrall—

HB 1144—A bill to be entitled An act relating to DeSoto County; creating the Fort Ogden Fire Protection and Rescue Service District within the county; providing definitions; providing for the election, membership, terms, compensation, and duties of the board of commissioners of the district; providing for the filling of vacancies on the board; authorizing the board to employ necessary personnel; authorizing the board to levy special assessments on the property within the district; providing a schedule of maximum rates of assessments for certain types of property; authorizing the property appraiser and tax

collector of the county to take certain actions to assist the board; providing that assessments by the board shall be enforced as are tax assessments by the county; authorizing the board to borrow money, to issue revenue anticipation certificates, and to pledge certain liens; exempting the commissioners from certain liability; restricting the use of funds of the district by the board; authorizing the board to purchase certain fire equipment and a fire department; authorizing the board to adopt rules and regulations; requiring the board to make annual reports; authorizing the board to enact a fire prevention code; providing for a referendum.

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 Representative McPherson and others—

HB 1737—A bill to be entitled An act relating to Broward County; requiring and providing a method for the transfer of powers, duties, obligations and functions of water management districts created pursuant to Chapter 61-1969, Laws of Florida, as amended, to Broward County, and authorizing such transfer to municipalities; providing a method for the abolishment or dissolution of such water management districts; providing for the disposition of books, records, assets, property and funds of the district upon dissolution; providing for the continuation of existing contracts of the district upon dissolution; providing for 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 Representatives Neal and Haben—

HB 1526—A bill to be entitled An act relating to Manatee County; creating and establishing the Manatee County Civic Center Authority in said county as a public body corporate and politic for the purpose of planning, developing, constructing, acquiring, owning, reconstructing, extending, enlarging, repairing, improving, relocating, equipping, maintaining and operating facilities and sites for the holding of conventions and expositions, and civic, cultural, recreational, athletic and similar events and activities; providing for the method and manner of the appointment of and terms of the authority's membership; providing for removal of members; providing for its organization, powers, functions, financing, privileges, duties, and responsibilities; providing for competitive bidding in certain instances; authorizing condemnation in certain instances; providing definitions; providing for the issuance of bonds by Manatee County to carry out the purposes of this Act; providing for sources of revenues for paying for said authority and facilities and operation thereof and for paying for said revenue bonds, including revenues of the facilities and other legally available revenues; providing for tax exemptions; authorizing appropriations by the county and other governmental units in Manatee County for operation and maintenance of said facilities; providing for public or private subscriptions; providing for inapplicability of inconsistent laws, providing a severability clause; 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 Representative Burrall and others—

HB 1141—A bill to be entitled An act relating to Highlands County, Florida; providing for the acquisition, construction, erection, enlargement, and improvement of school buildings, and the furnishing and equipping of school buildings of the School Board of Highlands County; authorizing the issuance of certificates of indebtedness payable from the portion of racetrack funds and jai alai fronton funds accruing annually to Highlands County, and allocated to such board, to pay the cost of such projects; authorizing the issuance of refunding certificates of indebtedness to refund certificates of indebtedness payable from such racetrack and jai alai fronton funds; 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 Representative McPherson and others—

HB 1470—A bill to be entitled An act relating to Broward County; amending sections 6, 13, 27, 31(1) and (3)(e), 33(1) and (3), 34, 37(1), and 43 of chapter 27438, Laws of Florida, 1951, as amended, relating to the North Broward Hospital District; providing for exclusive authority of the board of commissioners of the district; requiring district electors to be residents, rather than freeholders; changing certain procedure with respect to board resolutions to levy taxes; providing for a single medical staff; requiring physicians employed by the district to be members of the medical staff and subject to certain by-laws, rules and regulations; raising the limit on the value of certain property the board may lease, sell, or dispose of; providing for vesting in the district of donated money or property; providing specifications for competitive bidding for certain purchases in excess of certain dollar amounts; providing for district certification of the medically indigent; repealing section 40 of chapter 27438, Laws of Florida, 1951, relating to ratification of said act; 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.

The Honorable Lew Brantley, President

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

HB 1451	HB 1537	HB 1440
HB 1533	HB 1178	

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Moffitt and others—

HB 1451—A bill to be entitled An act relating to the Tampa Port Authority; providing for reimbursement to officers and employees for necessary and reasonable expenses for travel involving sales and promotion of the Port of Tampa; providing for source of funds for reimbursements; providing for a maximum; 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 Commerce; and Rules and Calendar.

By Representative Taylor—

HB 1537—A bill to be entitled An act relating to the Loxahatchee River Environmental Control District; amending section 6(1) of chapter 71-822, Laws of Florida, providing that the director shall be responsible for the employment and removal of professional, technical, legal and clerical staff as may be necessary; providing that the director may, with the board's consent, acquire the services of consultants and enter into contracts on behalf of the governing board; amending section 6(19), of chapter 71-822, Laws of Florida, removing certain powers of regulation over systems not owned by the district as more particularly defined in chapter 71-822, Laws of Florida; repealing section 5(5) and amending sections 5(7), 6(3), 6(6), 6(11), 6(20), 6(21) and 12 of chapter 71-822, Laws of Florida, providing for the removal of all district jurisdiction over solid waste; 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 Representative Forbes and others—

HB 1440—A bill to be entitled An act relating to the Jacksonville Port Authority; amending sections 5 and 15(a) and (b) of chapter 63-1447, Laws of Florida, as amended; providing for appointment of airport guards or police with full police powers; providing certain conditions; assigning liability; pro-

viding for qualifications and rights of said guards or police; providing an increase in the maximum amount of funds expendable prior to public bidding; 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 Personnel, Retirement and Collective Bargaining; and Rules and Calendar.

By Representative Ward and others—

HB 1533—A bill to be entitled An act relating to Walton County; authorizing the acquisition, construction, erection, building, enlarging, improving, furnishing, and equipping of capital projects of Walton County and of the district school board of Walton County; authorizing the issuance of certificates of indebtedness by the county and by the school board to finance the cost of such projects; authorizing the pledging to the payment of the principal of, and interest on, such certificates of indebtedness of the race track funds and jai alai fronton funds allocated to the board of county commissioners of said county or the school board out of such funds accruing annually to the county pursuant to chapters 550 and 551, Florida Statutes, the rentals and royalties derived by the county or the school board under leases or other agreements with respect to the lands or the mineral rights appertaining thereto belonging to said county or said school board, the second oil and gas severance taxes accruing to said county pursuant to the provisions of s. 211.06(1)(b), Florida Statutes, and other moneys of said county or of said school board derived from sources other than ad valorem taxation and legally available for such purposes; providing for the allocation of said county's share of such second oil and gas severance taxes equally between said board of county commissioners and said school board; 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 Representative Allen—

HB 1178—A bill to be entitled An act relating to Monroe County; amending section 1 of chapter 69-1321, Laws of Florida, as amended, removing The Lower Florida Keys Hospital District as a member of the Career Service Council; providing for the selection of a fifth member to the Council; 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.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed as amended CS for HB 492 and HB 276 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Judiciary and Representatives Hieber and Bloom—

CS for HB 492—A bill to be entitled An act relating to the rights and obligations of condominium associations; amending s. 718.501(3)(a), Florida Statutes, lowering the annual fee each condominium association must pay to the Division of Florida Land Sales and Condominiums of the Department of Business Regulation; creating s. 718.3025, Florida Statutes, requiring written contracts for the operation, maintenance, or management of a condominium association or condominium property to clearly state the duties and responsibilities of the developer so contracting in order to be enforceable; requiring the contract to contain a time schedule for the provision of services and a fee schedule with respect to each service; requiring the contract to specify a minimum number of personnel to be employed to provide services; authorizing the association to procure outside services under certain circumstances; adding subsection (3) to s. 718.303, Florida Statutes, requiring a unit owner who sells his condominium to provide the purchaser with described information and documents; amending s. 718.401(4), Florida Statutes, providing that the court shall require a lessor to post bond or other security in certain situations as a condition to the re-

lease of rent moneys which have been paid into the court registry; providing an effective date.

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

By Representative Healey—

HB 276—A bill to be entitled An act relating to uniform traffic control; amending s. 316.295(2), Florida Statutes, deleting provisions which prohibit the operation of a motor vehicle with certain reflective window glass on the rear or side windows; exempting certain persons from the prohibition to operate a motor vehicle with nontransparent side windows based upon medical necessity; requiring the attachment of a sticker to each exempted window; providing an effective date.

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

The Honorable Lew Brantley, President

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

HB 1517	HB 1469	HB 1101
HB 1028	HB 1568	HB 1581
HB 1175	HB 1345	

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Moffitt and others—

HB 1517—A bill to be entitled An act relating to the Tampa Port Authority and the Hillsborough County Port District; providing for procedures and conditions for the granting of minor and major work permits in the submerged lands of Hillsborough County as they relate to dredge, fill, and construction projects; requiring the Hillsborough County Environmental Protection Commission and the Hillsborough County Planning Commission to make studies and recommendations concerning such permits; providing for removal of unauthorized fill; providing for the restoration of dredged materials; providing for removal of unauthorized structures; providing for enforcement and penalties; providing manner of appeal; providing severability; repealing chapter 67-1503, Laws of Florida, as amended, relating to submerged lands in the Hillsborough County Port 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 Representative McPherson and others—

HB 1469—A bill to be entitled An act relating to the City of Hacienda Village, Broward County; extending and enlarging and designating the corporate limits of the City of Hacienda Village by including previously unincorporated lands within Broward County; providing for the implementation of and service delivery to the annexed territories; 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 Representative Hodges—

HB 1101—A bill to be entitled An act relating to Citrus County; providing that it is unlawful to take or attempt to take any fish by any means other than hook and line or rod and reel in certain waters of the Homosassa River; providing a penalty; 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 Representative Allen—

HB 1028—A bill to be entitled An act relating to Monroe County; repealing chapters 27654 and 27746, Laws of Florida,

1951, as amended, and chapters 61-2349, 71-776, 71-777, and 71-779, Laws of Florida, relating to the ownership and maintenance of a public hospital by Monroe County, the levy of taxes therefor by the City of Key West, and the administration of the affairs of said hospital after its closing; providing for the disposition of all equipment, records, and funds of said hospital; 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 Representative Fortune and others—

HB 1568—A bill to be entitled An act relating to Escambia and Santa Rosa Counties; prohibiting certain usages of certain nets for fishing in the waters of such counties; providing a penalty; 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 Representative Thompson—

HB 1581—A bill to be entitled An act relating to Franklin County; providing for the acquisition, construction, erection, enlargement, and improvement of school buildings, and the furnishing and equipping of school buildings of the school board of Franklin County; authorizing the issuance of certificates of indebtedness payable from the portion of racetrack funds and jai alai fronton funds accruing annually to Franklin County, and allocated to such board, to pay the cost of such projects; authorizing the issuance of refunding certificates of indebtedness to refund certificates of indebtedness payable from such racetrack and jai alai fronton funds; providing an effective date.

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

By Representative Allen—

HB 1175—A bill to be entitled An act relating to Monroe County, City of Key West; amending section 8 of Article 1 of the introductory chapter of chapter 23374, Laws of Florida, 1945, as amended by chapter 70-762, Laws of Florida, by authorizing the City of Key West to exercise its police powers and jurisdiction extending six hundred (600) feet into the tidal waters adjacent to its established corporate limits; repealing all laws, whether general or special, particularly chapter 23374, Laws of Florida, 1945, as amended by chapter 70-762, Laws of Florida, to the extent of conflict with this act; 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 Representative Danson and others—

HB 1345—A bill to be entitled An act relating to Sarasota County; providing legislative intent; prohibiting the Board of County Commissioners of Sarasota County from assessing special election fees against the Pinecraft Fire Control District, the Northeast Fire District, the Fruitville Area Fire Control District, the South Trail Fire Control District, and the Pinecraft Lighting District as a result of their elections for commissioners held at the second primary election; providing for a referendum.

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

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 1525 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representatives Neal and Haben—

HB 1525—A bill to be entitled An act relating to Manatee County; authorizing Manatee County to establish, construct, operate, acquire, equip, furnish and improve a public hospital and related buildings in connection therewith and to acquire land or interests in land incidental thereto; authorizing the issuance of bonds payable from taxes to pay the cost thereof; authorizing the acceptance of grants and donations; providing for a Board of Trustees and granting certain powers and authority to said Board including those powers granted under the Health Facilities Authorities Law; enumerating persons entitled to treatment at said facilities and authorizing charges and collections; authorizing additional medical centers; providing for the supervision of the Board of Trustees; granting certain powers to the Board of County Commissioners of Manatee County; providing for the condemnation of land; establishing a public purpose; establishing procedures regarding the medical treatment of indigent persons and providing for investigations and collections for said persons' medical expenses; repealing chapter 25995, Laws of Florida, 1949, chapter 57-1550, Laws of Florida, and chapter 69-574, Laws of Florida, relating to the Manatee County public hospital; 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.

The Senate adjourned at 8:35 a.m. to convene at 8:30 a.m., Wednesday, May 17, for the purpose of introduction and reference of resolutions, memorials, bills and joint resolutions and thereafter to reconvene at 9:00 a.m.