



Journal of the Senate

Number 9

Friday, April 20, 1979

The Senate was called to order by Senator Vogt 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 Senator Tobiassen—

SB 954—A bill to be entitled An act relating to subsurface rights to real property; amending s. 193.481(2), Florida Statutes; requiring a property appraiser to separately assess subsurface rights; requiring certain owners of subsurface rights to report certain information to the property appraiser; providing that the subsurface rights revert to the owner of the real property if such report is not timely made; providing an effective date.

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

By Senator Ware—

SB 955—A bill to be entitled An act relating to regulation of boats; amending s. 371.65(7), Florida Statutes; relating to exemption of certain boats from licensure; providing an effective date.

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

By Senator Anderson—

SB 956—A bill to be entitled An act relating to saltwater fisheries and conservation; adding subsection (13) to s. 370.08, Florida Statutes, 1978 Supplement, prohibiting the taking of saltwater fish with traps with a volume greater than 2.25 cubic feet; providing exceptions; prohibiting possession except for the purpose of transporting such traps across Florida waters with a permit; requiring all traps to be attached to buoys; providing a penalty; providing an effective date.

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

By Senator McClain—

SB 957—A bill to be entitled An act relating to the office of supervisor of elections; amending s. 98.161(1), Florida Statutes, providing for nonpartisan election of county supervisors of elections; creating ss. 98.1611, 98.1613, 98.1615, and 98.1617, Florida Statutes; providing time and procedure for qualifying; providing qualifying fee; providing candidate's oath; providing election procedures; providing limitations on political activity; providing for limitations on campaign contributions and expenses; providing an effective date.

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

By Senator Dunn—

SB 958—A bill to be entitled An act relating to the practice of architecture; providing purposes and definitions; creating the Board of Architecture within the Division of Professions of the Department of Professional and Occupational Regulation and prescribing its composition, powers, and duties; authorizing the board to adopt certain rules regulating the practice of architecture; authorizing the board to establish certain fees; providing for the disposition of such fees; prescribing re-

quirements for the examination and registration of architects; requiring each registrant to have a seal; prescribing requirements for the formation and registration of partnerships and professional service corporations engaged in the practice of architecture; prohibiting any county or municipality from issuing a building permit to any applicant under certain circumstances; providing for the issuance, renewal, suspension, and revocation of registrations and the discipline of registrants; providing for civil penalties; prohibiting unauthorized practice or use of certain titles or registration certificates or giving false or forged evidence in order to obtain registration; providing penalties; providing for the filing of complaints against practitioners; providing civil remedies; amending ss. 20.30(4), 215.37(1), Florida Statutes, 1978 Supplement, and s. 455.01, Florida Statutes; deleting references to abolished boards; providing for repeal of the act; providing a retroactive effective date.

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

By Senator Holloway—

SB 959—A bill to be entitled An act relating to county government; amending ss. 125.011(2) and 125.012(14), Florida Statutes, adding public mass transportation facilities to those projects authorized to be constructed by counties; providing an effective date.

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

By Senator Johnston—

SB 960—A bill to be entitled An act relating to the State Career Service System; amending s. 110.051(2)(n), Florida Statutes, 1978 Supplement, specifying positions of the Department of Health and Rehabilitative Services which are to be exempt from the system; providing an effective date.

—was read the first time by title and referred to the Committee on Health and Rehabilitative Services, Ways and Means Subcommittee E and the Committee on Ways and Means.

By Senator Vogt—

SB 961—A bill to be entitled An act relating to railroads; creating s. 350.071, Florida Statutes; providing procedure for the establishment of railroad freight rates; authorizing the Florida Public Service Commission to disapprove or prohibit the use of unreasonable freight rates; authorizing the commission to adopt certain rules; amending s. 350.12(1), Florida Statutes, 1978 Supplement; providing duties and powers of the commission with respect to railroad freight rates; 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 Ware—

SB 962—A bill to be entitled An act for the relief of the City of St. Petersburg; providing an appropriation to compensate the city for its loss of revenue sustained by overpayment of motor vehicle license taxes on city buses; providing an effective date.

—was read the first time by title and referred to the Special Master and the Committees on Transportation and Ways and Means.

By Senator Stuart—

SB 963—A bill to be entitled An act relating to the Fictitious Name Statute; amending s. 865.09, Florida Statutes; redefining "business"; providing the form for a fictitious business name statement to be filed by any person engaging in business under a fictitious name; providing a penalty for violation of the Fictitious Name Statute; authorizing the Department of Legal Affairs to bring proceedings to enjoin violators; providing an effective date.

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

By Senator Fechtel—

SB 964—A bill to be entitled An act relating to corrections; adding subsection (3) to s. 944.291, Florida Statutes, 1978 Supplement, requiring the Department of Corrections to issue an identification card containing certain information to prisoners released on gain-time; requiring such prisoners to produce such card and identify their status to certain law enforcement officers; specifying penalty for violation; providing an effective date.

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

By Senators Peterson and Trask—

SB 965—A bill to be entitled An act relating to agriculture and plant industry; amending s. 581.141, Florida Statutes, 1978 Supplement; authorizing the Department of Agriculture and Consumer Services to impose fines for violations of chapter 581, Florida Statutes; providing a time limitation for payment of such fine and sanctions for failure to pay; providing an effective date.

—was read the first time by title and referred to the Committees on Agriculture and Ways and Means.

By Senator Maxwell—

SB 966—A bill to be entitled An act relating to personnel of the school system; amending ss. 231.17(6)(a) and 231.28, Florida Statutes, 1978 Supplement, and creating s. 231.285, Florida Statutes, to provide for the revocation and suspension of teaching certificates by the Teaching Practices Commission; providing procedures for hearings and issuance of a final order; amending s. 231.57, Florida Statutes, 1978 Supplement, and s. 231.58, Florida Statutes, to replace the Professional Practices Council with the Teaching Practices Commission; providing for membership, appointment and removal, election of officers, funding, and duties of the commission; amending s. 231.54, Florida Statutes, and repealing s. 231.59, Florida Statutes, to conform to the act; repealing paragraph (rr) of subsection (1) of section 4 of chapter 78-323, Laws of Florida, and adding a subsection thereto, to provide for repeal of the commission effective July 1, 1982; providing for conditional repeal; providing an effective date.

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

By Senator Trask—

SB 967—A bill to be entitled An act relating to the animal industry; renumbering s. 585.155(3), (4), Florida Statutes, and adding a new subsection (3) to said section; requiring each owner of a cattle herd to enroll such herd in a program of whole herd brucellosis vaccination upon funding and approval of such a program by the United States Department of Agriculture; authorizing the Department of Agriculture and Consumer Services to exempt certain herds; providing penalties; providing an effective date.

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

By Senator Hair—

SB 968—A bill to be entitled An act relating to elections; amending ss. 97.102(1), 98.251, 99.021(1)(a), 101.64(1), 106.011(4), 106.07(1), (2), 106.142, 106.22(2), Florida Statutes,

and ss. 105.031(4), 106.08(2), Florida Statutes, 1978 Supplement; authorizing an elector who changes his residence after the close of the registration books to vote on statewide issues; limiting distribution of reprints of the election code; deleting references to statements of contributions and expenditures from the oaths of candidates; exempting certain statements in certain newsletters from the definition of "political advertisement"; providing that costs of printing and distribution of such newsletters are not expenditures; changing due dates of certain campaign finance reports; requiring certain reports to include information on previously unreported contributions and expenditures; providing that a candidate for statewide office need not file copies of his campaign finance reports with his supervisor of elections; allowing certain candidates and committees to retain contributions received within 5 days of certain elections; requiring the Division of Elections of the Department of State to publish manuals or brochures setting forth certain recommendations and information; providing an effective date.

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

By Senators Chamberlin and Frank—

SB 969—A bill to be entitled An act relating to child abuse; amending s. 827.07, Florida Statutes, 1978 Supplement; providing legislative intent; providing definitions; requiring all persons who know or have reason to suspect that a child is abused or neglected to report same to the department; encouraging individuals to seek help for prevention and treatment of child abuse or neglect; providing for mandatory reporting of certain deaths and for postmortem investigations thereof; providing for photographs and x-rays to be made and for payment therefor; authorizing and providing procedures for taking a child into protective custody; providing for immunity from civil or criminal liability; providing for the abrogation of privileged communication in certain situations; providing reporting procedures; providing for departmental child protective investigations, setting out the elements thereof, and providing for multidisciplinary child protection teams; specifying the responsibilities of public agencies; requiring the department to conduct an education and training program; establishing a statewide abuse registry; providing for expunction of registry reports; requiring the department, and the state attorney in certain cases, to investigate reports of institutional child abuse and neglect; providing for the confidentiality of reports and records; allowing limited access to certain individuals; protecting the identity of persons reporting abuse or neglect; providing for appointment of guardian ad litem; providing for rules; providing penalties; providing an effective date.

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

By Senator Poole—

SB 970—A bill to be entitled An act relating to public health; providing legislative intent; requiring the Department of Health and Rehabilitative Services to plan and develop a statewide high blood pressure control program; specifying program functions; providing for evaluation of the program; establishing a High Blood Pressure Control Task Force and providing for membership thereon; providing for repeal of the task force and legislative review in accordance with the Sundown Act; authorizing the department to enter into contracts; providing for funding; providing an effective date.

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

By Senator Winn—

SB 971—A bill to be entitled An act relating to insurance; amending s. 626.9541(17)(a), Florida Statutes, 1978 Supplement, excluding the sale of life insurance, under certain circumstances, from the prohibition against the solicitation and sale of insurance to certain credit card holders or the prohibition against other acts relating to the solicitation, sale, and contracting of insurance through a credit card facility or organization; providing an effective date.

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

By Senator Anderson—

SB 972—A bill to be entitled An act relating to the Department of Natural Resources; amending s. 370.021(7), Florida Statutes, 1978 Supplement, conforming to general public record provisions, the authority of the department to retain and destroy certain documents and records; providing that copies of such reproduced records shall be admissible in evidence as originals; providing an effective date.

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

By Senator Barron—

SB 973—A bill to be entitled An act relating to campaigns; amending s. 99.012(2), Florida Statutes, defining "appointive office" for provisions prohibiting certain elected or appointed officeholders from seeking candidate qualification unless they resign their current office; providing an effective date.

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

By Senator Hill—

SB 974—A bill to be entitled An act relating to tangible personal property owned by governmental entities; amending s. 274.02, Florida Statutes, providing that when there is a change in property ownership between governmental custodians, the gaining custodian must sign for the property; providing for inventories of such property; providing an effective date.

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

By Senator Peterson—

SB 975—A bill to be entitled An act relating to the transportation of school children; amending s. 234.041(1), Florida Statutes, 1978 Supplement, providing that it is lawful for any private or church-affiliated school which picks up and delivers school children in grades K through 12 during the school week or on weekends to operate buses which are colored school bus chrome; requiring such schools to operate buses which are colored school bus chrome; providing an effective date.

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

By Senator Hill—

SB 976—A bill to be entitled An act relating to Florida A & M University; directing the Board of Regents to name the next suitable building constructed on the Florida A & M University campus the "Gwendolyn S. Cherry Building"; directing Florida A & M University to erect suitable markers; providing an effective date.

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

By Senator Vogt—

SB 977—A bill to be entitled An act relating to artesian wells; creating s. 373.207, Florida Statutes; restricting the use of water-to-air air conditioners with artesian wells under certain circumstances; providing an exception; providing remedial measures and civil penalties; providing an effective date.

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

By Senators MacKay and Skinner—

SB 978—A bill to be entitled An act relating to the University of Florida; naming the building housing The Florida State Museum the Joshua C. Dickinson, Jr., Hall; directing the University of Florida to erect suitable markers; providing an effective date.

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

By Senators Tobiassen, Peterson and Stuart—

SB 979—A bill to be entitled An act relating to metric conversion; providing legislative intent; providing definitions; providing for interstate metric coordination; providing that the Commissioner of Agriculture shall administer the act; creating the Florida Metric Council; providing powers and duties of the council; providing for the status of legal references; providing for metric conversion with respect to state statutes and rules; providing for metric conversion at the local level; providing for rounding; providing for public hearings under described circumstances; providing for the metric conversion of court rules; providing legislative guidelines; exempting certain actions required by the act from antitrust law; providing dates at which conversion shall be implemented; providing severability; providing for repeal and legislative review in accordance with the Sundown Act; providing an effective date.

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

By Senator Anderson—

SB 980—A bill to be entitled An act relating to fruit and vegetable inspection; amending s. 603.12, Florida Statutes, providing that the Department of Agriculture and Consumer Services shall pay a portion of the expense of the inspection of certain agricultural products at the shipping point; providing for the return of unexpended funds; providing an effective date.

—was read the first time by title and referred to the Committees on Agriculture and Ways and Means.

By Senators Thomas, Henderson, Barron, Scott, Ware, Skinner, Winn, Williamson and Trask—

SB 981—A bill to be entitled An act relating to tax on cigarettes; adding s. 210.05(5), Florida Statutes, 1978 Supplement, authorizing the sale of stamped but untaxed cigarettes by agents or wholesale dealers to the Seminole Indian Tribe or members thereof for retail sale; providing an effective date.

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

By Senator Vogt—

SB 982—A bill to be entitled An act relating to environmental permitting; creating s. 403.089, Florida Statutes; providing that the Department of Environmental Regulation shall develop and adopt a consolidated license application packet for permits; providing optional use by applicant seeking permits; prescribing procedures for filing such packets; providing for interagency cost sharing; providing for preapplication conferences between affected agencies and applicant filing such a packet; providing procedures for conducting such conferences; requiring the agency, by binding letter, to notify the applicant of permits to be required; providing for participation in such conferences by the Division of State Planning of the Department of Administration, the Game and Fresh Water Fish Commission, and affected local governments and regional planning agencies; limiting the number of such conferences for each project; providing an effective date.

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

By Senator Maxwell—

SB 983—A bill to be entitled An act relating to bingo; amending s. 849.093, Florida Statutes, 1978 Supplement, which allows the conduct of bingo games by certain organizations under specified conditions, to define "bingo game"; providing an effective date.

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

By Senator Dunn—

SB 984—A bill to be entitled An act relating to noncriminal traffic infraction adjudication; creating a pilot project to be conducted in Volusia County allowing noncriminal traffic infraction adjudication by a hearing officer; requiring the Chief Justice of the Supreme Court to adopt rules relating to quali-

fications for said hearing officer; providing for the appointment of a hearing officer; providing for an evaluation of said pilot project; providing an appropriation; providing an effective date.

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

By Senator Trask—

SB 985—A bill to be entitled An act relating to environmental land and water management; amending s. 380.06(6), Florida Statutes; providing that the developer of a development of regional impact located within the jurisdiction of a local government that has adopted a zoning ordinance may request from the regional planning agency a determination of the issues to be addressed with respect to the proposed development; providing for affected state agencies to review and report on issues within their jurisdiction; directing the regional planning agency to take prescribed action with respect to such requests; providing for elimination of insubstantial or previously generated information; providing for resolution of disagreements; providing an effective date.

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

By Senator Scarborough—

SB 986—A bill to be entitled An act relating to retirement; providing, with respect to a described group of retirement systems, for an increase in retirement benefits to retirees, pensioners, and surviving spouses and beneficiaries based upon

years of creditable service; providing an appropriation; providing an effective date.

—was read the first time by title and referred to Ways and Means Subcommittee E and the Committee on Ways and Means.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 1531 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Criminal Justice and Representative Crawford—

HB 1531—A bill to be entitled An act relating to public records; adding s. 119.011(3)-(6), Florida Statutes; amending s. 119.07, Florida Statutes, 1978 Supplement, and adding subsections (3) and (4) to said section; defining certain words and phrases; providing that certain criminal intelligence and investigative information are exempt from disclosure provisions of the public record law; providing for deletion of confidential information from public records produced for inspection; providing for judicial inspection and determination; exempting confidential records received from non-Florida criminal justice agencies; providing authority to charge for costs; providing an effective date.

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

The Senate adjourned at 8:49 a.m. to convene at 8:30 a.m., Monday, April 23, for the purpose of introduction and reference of resolutions, memorials, bills and joint resolutions.