



Journal of the Senate

Number 15

Wednesday, May 2, 1979

The Senate was called to order by Senator Carlucci 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. Senator Henderson represented the Committee on Rules and Calendar and the Minority Party.

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 321 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Hattaway—

HB 321—A bill to be entitled An act for the relief of Dennis Dube; providing an appropriation to compensate him for injuries received due to the negligence of the Department of Health and Rehabilitative Services; providing an effective date.

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

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has passed HB 26 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Eckhart—

HB 26—A bill to be entitled An act relating to actions against municipalities; repealing s. 95.241, Florida Statutes, to remove provisions which provide that notice of claims of injury against municipalities need not be given; providing an effective date.

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

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has adopted HM 753 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representatives Brantley and Crotty—

HM 753—A memorial to the Congress of the United States, urging Congress to propose an amendment to the Privacy Act of 1974 to allow verification of an applicant's Social Security number at the time of application for food stamps.

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

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 295 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Martinez—

HB 295—A bill to be entitled An act relating to the Municipal Firemen's Pension Trust Fund; amending s. 175.021, Florida Statutes, restating the legislative declaration to conform to the act; amending s. 175.032(1), Florida Statutes, replacing the term "fireman" with "firefighter" and defining "volunteer firefighter"; amending s. 175.041(1), Florida Statutes, and adding a new subsection (2), changing the compliance standards for equipment owned by municipal and volunteer fire departments for purposes of the creation of a pension trust fund; amending s. 175.311, Florida Statutes, prohibiting certain discrimination in any pension plan; amending the introductory paragraph of s. 175.351, Florida Statutes, replacing the term fireman with firefighter; directing that changes in terminology in the Florida Statutes be made; 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.

The Honorable Philip D. Lewis, President

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

HB 318	HB 1395	HB 1493
HB 1494	HB 143	HB 1546
HB 1579	HB 1086	

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representatives Moffitt and Davis—

HB 318—A bill to be entitled An act relating to personnel of the school system; providing legislative intent; adding paragraph (f) to s. 231.17(2), Florida Statutes, 1978 Supplement, to require competency in the identification, assessment, and prescription of instruction for exceptional students for teacher certification beginning July 1, 1981; amending s. 236.0811(2), Florida Statutes, 1978 Supplement, to require each school district plan for inservice training to include provision for such competencies; providing an effective date.

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

By Representatives Price and Sheldon—

HB 1395—A bill to be entitled An act relating to the Public Employees Relations Commission; creating s. 447.606, Florida Statutes; prohibiting ex parte communications; providing a procedure when ex parte communications are received; providing an exception; providing penalties; 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.

By the Committee on Retirement, Personnel & Collective Bargaining—

HB 1493—A bill to be entitled An act relating to the certification of public employee collective bargaining agents; amending s. 447.203(3)(d), (4)(a) and (5), Florida Statutes, deleting the procedural limitations on applications for designation of managerial and confidential employees, and revising the definitions of "managerial employees" and "confidential employees"; amending s. 447.307(2), and (3)(a) and (d), Florida Statutes, and adding subsection (5) to said section, clarifying the procedure for intervention in certification proceedings; providing for judicial enforcement of orders assessing election costs; providing certain limitations on new elections; providing a pro-

cedure for decertification of bargaining agents; 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.

By the Committee on Retirement, Personnel & Collective Bargaining—

HB 1494—A bill to be entitled An act relating to the Public Employees Relations Commission; amending s. 447.205(1) and (2), Florida Statutes, deleting the Governor's power to remove commissioners; deleting provisions relating to the alternate commissioner and the quorum requirement for the conduct of business; providing for the term of the chairman and revising certain provisions relating to the salaries of the commissioners; amending s. 447.207(2), (5), (6) and (7), Florida Statutes, limiting the issuance of certain subpoenas; clarifying certain provisions relating to commission rulemaking, commission resolution of unfair labor practices and strikes, and petition for declaratory statement; identifying parties before the commission and specifying that certain agency actions do not constitute rules; 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.

By Representatives Mica and A. E. Johnson—

HB 143—A bill to be entitled An act relating to issuing worthless checks and drafts; amending s. 832.07(1)(a), Florida Statutes, reducing the time period for restitution; providing an effective date.

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

By the Committee on Retirement, Personnel & Collective Bargaining—

HB 1086—A bill to be entitled An act relating to the registration of public employee organizations; amending s. 447.02(1), Florida Statutes, clarifying the definition of the term "labor organization"; amending s. 447.305, Florida Statutes, revising the procedures and requirements for registration of public employee organizations; 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.

By the Committee on Regulated Industries & Licensing—

HB 1546—A bill to be entitled An act relating to the Beverage Law; creating s. 562.51, Florida Statutes, providing that a person selling or furnishing alcoholic beverages to another person is not thereby liable for injury or damage caused by or resulting from the intoxication of such other person; providing an exception for the sale or furnishing of alcoholic beverages to a minor; providing an effective date.

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

By the Committee on Tourism & Economic Development—

HB 1579—A bill to be entitled An act relating to research and development authorities; amending ss. 23.145, 23.146, 23.147, and 23.148, Florida Statutes, 1978 Supplement, to revise the purpose, definitions, membership, and powers of the Florida Research and Development Commission; amending s. 159.26, Florida Statutes, and amending s. 159.27(5), Florida Statutes, and adding a subsection, to include research and development parks within the Florida Industrial Development Financing Act; creating part V of chapter 159, Florida Statutes, to provide for research and development authorities to finance and refinance projects related to the establishment of research and development parks; providing definitions; providing for a resolution declaring a need for an authority; providing membership of an authority; requiring a petition to the Florida Research and Development Commission for designation as a research and development authority; specifying contents of the petition; providing for creation of an authority by local ordinance; providing powers of an authority to include the issuance and sale of revenue bonds and the acquisition of property as a site for a research and development park; providing for the grand-

fathering in of certain research and development authorities; specifying requirements and qualities of revenue bonds; providing a tax exemption for research and development authority projects; providing for bond validation; repealing s. 23.149, Florida Statutes, 1978 Supplement, relating to powers of the Florida Research and Development Commission; providing an effective date.

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

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 279 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Mica—

HB 279—A bill to be entitled An act relating to insurance for school board employees; amending s. 112.08(1), Florida Statutes, authorizing school boards to include the dependents of the officers and employees of said boards under any group insurance plan; amending s. 112.0801, Florida Statutes, authorizing counties, municipalities, and school boards, which provide group insurance plans for employees to continue such coverage with respect to retired employees under certain circumstances; providing an effective date.

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

The Honorable Philip D. Lewis, President

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

HB 678 HB 1543 HB 1547
HB 1548

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Judiciary and Representatives Thompson and Morgan—

HB 678—A bill to be entitled An act relating to judgments; amending s. 55.01, Florida Statutes, requiring every final judgment to contain the address at which service of process was effected or the last known address of the judgment debtor; providing an effective date.

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

By the Committee on Transportation—

HB 1543—A bill to be entitled An act relating to transportation; creating s. 334.215, Florida Statutes, providing for the creation of a metropolitan planning organization within each urbanized area in the state where a planning organization is necessary to meet federal requirements for obtaining and expending federal transportation funds; providing for membership and appointment; providing for the designation of certain existing organizations as metropolitan planning organizations; providing for the appointment of technical and citizens advisory committees; providing for the powers and duties of metropolitan planning organizations, advisory committees and the Department of Transportation; providing for cooperative agreements with certain agencies, receipt of federal funding, and charter county option; providing for the invalidity of provisions of the act which are in conflict with federal requirements; requiring the full operation of all metropolitan planning organizations by January 1, 1980; providing an effective date.

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

By the Committee on Transportation and Representative Lockward—

HB 1547—A bill to be entitled An act relating to drivers' licenses; amending s. 322.125(1), Florida Statutes, to increase

the number of members on the Medical Advisory Board of the Department of Highway Safety and Motor Vehicles; providing for conditional repeal; providing an effective date.

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

By the Committee on Transportation and Representative Dunbar—

HB 1548—A bill to be entitled An act relating to operators of motor vehicles; amending s. 324.072(1), Florida Statutes, 1978 Supplement, deleting the requirement that the Department of Highway Safety and Motor Vehicles suspend motor vehicle registration of any person who failed to honor the requirements of the uniform traffic citation and whose driver's license has been suspended or revoked therefor unless it can verify financial responsibility of such person; providing an effective date.

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

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has passed by the required constitutional three-fifths vote of the membership of the House HJR 609 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Transportation—

HJR 609—A joint resolution proposing an amendment to Section 9 of Article XII of the State Constitution relating to motor vehicle fuel taxes.

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

The Honorable Philip D. Lewis, President

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

CS for HB's 619 & 917 CS for HB's 232, 361 & 393

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Regulatory Reform and Representative Lippman and others—

CS for HB's 619 and 917—A bill to be entitled An act relating to health care; creating part II of chapter 395, Florida Statutes; providing definitions; creating the Florida Hospital Commission; providing membership, powers and duties; providing for staff and the appointment of committees; creating a technical advisory committee to the commission; requiring the commission to adopt a uniform hospital accounting and reporting system; requiring hospitals to file annual reports; providing for inspection of hospital records; providing for periodic analysis of health-care costs and the financial status of hospitals; providing for the review of hospital budgets and providing procedure and guidelines for review; providing for disapproval of hospital budgets; providing sanctions; providing considerations for review; providing an exemption from disapproval for charges by physicians under certain circumstances; providing

for biennial budgets of the commission; providing for assessments against hospitals to fund the commission; creating the Hospital Commission Trust Fund; providing for annual reports of operation; providing for commission accountability; providing penalties; providing an effective date.

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

By the Committee on Veterans Affairs and Representative Brantley and others—

CS for HB's 232, 361 and 393—A bill to be entitled An act relating to motor vehicles; amending ss. 316.1955(1), (2), (4) and (6) and 316.1956, Florida Statutes, requiring governmental agencies and nongovernmental entities to provide parking spaces for certain disabled persons; providing standards for such parking spaces; prescribing the persons and vehicles which may use such parking spaces; prohibiting the unauthorized use of such parking spaces; providing a penalty; providing for enforcement by parking enforcement specialists; amending s. 316.1964, Florida Statutes, exempting certain vehicles transporting disabled persons from certain parking penalties and fees; deleting current procedures; amending s. 318.141(1), Florida Statutes, providing for the enforcement of parking infractions; amending s. 320.0842(5) and (6), Florida Statutes, prescribing that no fee shall be exacted from or no penalty shall be imposed upon certain persons parking on a public street or highway; amending s. 320.0843(1) and (2), Florida Statutes, authorizing the Department of Highway Safety and Motor Vehicles to issue the internationally accepted wheelchair plate for certain vehicles owned or leased by a person confined to a wheelchair; creating s. 320.0844, Florida Statutes, providing certain handicapped persons with exemption entitlement parking permits; repealing s. 316.1955(5), Florida Statutes, relating to the requirement that the state building code and county and municipal building codes include certain provisions for parking spaces; repealing s. 320.0806, Florida Statutes, relating to "HP" license plates; providing an effective date.

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

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 1496 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Commerce—

HB 1496—A bill to be entitled An act relating to interest and usury; amending ss. 687.04 and 687.11(1), Florida Statutes, to provide that penalties for usury shall not apply in certain situations; providing that conflicting laws are superseded; providing an effective date.

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

The Senate adjourned at 8:35 a.m. to convene at 8:30 a.m., Thursday, May 3, for the purpose of introduction and reference of resolutions, memorials, bills and joint resolutions and thereafter to reconvene at 9:00 a.m.