

1985

Session Law 85-103

Florida Senate & House of Representatives

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FLORIDA LEGISLATURE

History of Legislation ***1985 Regular Session*** ***1984 Special Session A***



prepared by:

Joint Legislative Management Committee
Legislative Information Division
Capitol Building, Room 826 - 488-4371

FLORIDA LEGISLATURE—REGULAR SESSION—1985

HISTORY OF HOUSE BILLS

H 1095 (CONTINUED)

04/15/85 HOUSE Subreferred to Subcommittee on Health and Life Insurance
 04/19/85 HOUSE On subcommittee agenda—Health Care & Insurance, 04/23/85, 8 00 am, 16 HOB
 04/23/85 HOUSE Subcommittee Recommendation pending ratification by full Committee Favorable, with 1 amendment, On Committee agenda, pending subcommittee action—Health Care & Insurance, 04/23/85, 3 30 pm, 21 HOB—Temporarily postponed
 05/06/85 HOUSE On Committee agenda—Health Care & Insurance, 05/08/85, 4 00 pm, 21 HOB
 05/16/85 HOUSE Comm Report CS by Health Care & Insurance, placed on Calendar -HJ 405
 05/24/85 HOUSE Placed on Consent Calendar
 05/27/85 HOUSE CS read first and second times, Amendments adopted, Read third time, CS passed as amended, YEAS 101 NAYS 0 -HJ 663
 05/27/85 SENATE In Messages
 05/28/85 SENATE Received, Substituted for CS/SB 701, Passed, YEAS 34 NAYS 0 -SJ 555
 05/28/85 Ordered enrolled
 06/12/85 Signed by Officers and presented to Governor
 06/19/85 Approved by Governor, Chapter No 85-274

H 1096 GENERAL BILL by Wallace; Mills (Identical S 683)

Water & Sewer Systems, amends provision re requirement that individual potable water wells & onsite sewage disposal systems be connected to a central system when available Amends 381 272 Effective Date 10/01/85
 04/05/85 HOUSE Filed
 04/08/85 HOUSE Introduced, referred to Natural Resources -HJ 108
 04/10/85 HOUSE Subreferred to Subcommittee on Environmental Quality
 05/31/85 HOUSE Died in Committee on Natural Resources

H 1097 GENERAL BILL by Hazouri (Identical S 712)

Sales Tax, provides exemption for facilities, equipment & materials necessary to comply with specified environmental improvement requirements Amends 212 051 Effective Date 07/01/85
 04/05/85 HOUSE Filed
 04/08/85 HOUSE Introduced, referred to Natural Resources, Finance & Taxation, Appropriations -HJ 108
 04/10/85 HOUSE Subreferred to Subcommittee on Environmental Quality
 04/18/85 HOUSE Withdrawn from Natural Resources -HJ 157, Now in Finance & Taxation
 05/08/85 HOUSE Subreferred to Subcommittee on Sales Tax
 05/21/85 HOUSE On Committee agenda—Finance & Taxation, 05/22/85, 3 30 pm or upon adjournment of session, Morris Hall
 05/23/85 HOUSE Comm Report, Favorable with 1 amendment(s) by Finance & Taxation -HJ 569, Now in Appropriations
 05/31/85 HOUSE Died in Committee on Appropriations

H 1098 GENERAL BILL/ENG by Souto; Dunbar (Compare CS/H 997, S 886, CS/S 980, S 1033)

Mechanics Liens, changes circumstances in which lessor is subject to such liens, provides conditions under which a contract for improvements between lessee & contractor may be rendered voidable; includes interior design services within group of professional services for which liens may attach; creates right of lien for certain interior design services Amends 713 10, 03, creates 713 79. Effective Date 10/01/85.
 04/05/85 HOUSE Filed
 04/08/85 HOUSE Introduced, referred to Judiciary -HJ 108
 04/12/85 HOUSE Subreferred to Subcommittee on Consumer, Probate and Family Law, On subcommittee agenda—Judiciary, 04/16/85, 1 15 pm, 212 HOB
 04/16/85 HOUSE Subcommittee Recommendation pending ratification by full Committee, Favorable; On Committee agenda, pending subcommittee action—Judiciary, 04/17/85, 3 30 pm, 214C
 04/17/85 HOUSE Preliminary Committee Report by Judiciary, Favorable, to Calendar
 04/19/85 HOUSE Comm Report Favorable by Judiciary, placed on Calendar -HJ 181
 05/06/85 HOUSE Placed on Special Order Calendar, Read second time, Amendments adopted -HJ 257
 05/07/85 HOUSE Read third time; Amendment adopted, Passed as amended, YEAS 109 NAYS 0 -HJ 269
 05/08/85 SENATE In Messages
 05/14/85 SENATE Received, referred to Judiciary-Civil -SJ 283
 05/17/85 SENATE On Committee agenda—Judiciary-Civil, 05/21/85, 9 00 am, Room B
 05/21/85 SENATE Comm Report Favorable with 2 amendment(s) by Judiciary-Civil, placed on Calendar -SJ 323
 05/22/85 SENATE Substituted for SB 1033 -SJ 366, Passed as amended, YEAS 31 NAYS 0 -SJ 367
 05/23/85 SENATE Reconsidered, Passed as amended, YEAS 29 NAYS 0 -SJ 401
 05/23/85 HOUSE In Messages
 05/24/85 HOUSE Received, placed on Calendar -HJ 573

H 1098 (CONTINUED)

05/27/85 HOUSE Concurred in amendments totaling 4, Refused to concur in amendments totaling 2, Requested Senate to recede, Passed as further amended, YEAS 101 NAYS 1 -HJ 595
 05/27/85 SENATE In Messages, Receded, Passed as amended, YEAS 28 NAYS 0 -SJ 503
 05/28/85 Ordered engrossed, then enrolled
 06/04/85 Signed by Officers and presented to Governor
 06/10/85 Approved by Governor, Chapter No 85-103

H 1099 GENERAL BILL by Wallace; Jamerson (Compare CS/H 660, S 66, S 821)

Education; includes academically talented students within definition of "exceptional student"; provides an academically talented cost factor in Fla Education Finance Program Amends 228 041, 236 081 Effective Date 07/01/85
 04/05/85 HOUSE Filed
 04/08/85 HOUSE Introduced, referred to Education, K - 12, Appropriations -HJ 108
 04/19/85 HOUSE On subcommittee agenda—Education, K - 12, 04/23/85, 11 00 am, 217 HOB
 04/23/85 HOUSE Subcommittee Recommendation pending ratification by full Committee Favorable, as a Committee Substitute, combined with HB 660, On Committee agenda, pending subcommittee action—Education, K - 12, 04/24/85, 3 30 pm, 214C
 04/24/85 HOUSE Preliminary Committee Report by Education, K - 12 Favorable, as Committee Substitute, with 3 ams, combined with H 660
 05/14/85 HOUSE Comm Report CS by Education, K - 12, CS combines this bill and 660, Laid on table under Rule, refer to CS/HB 660 (Died in House Committee on Appropriations) -HJ 347

H 1100 GENERAL BILL by Silver; Dunbar (Similar S 1208, Compare H 1355, ENG/S 743)

County Officials' Compensation, increases salaries of clerks of circuit courts & county comptrollers, provides nothing contained herein shall be construed to preclude any additional annual salary percentage increases based on increase for state career service employees Amends 145 051 Effective Date 10/01/85
 04/05/85 HOUSE Filed
 04/08/85 HOUSE Introduced, referred to Judiciary, Appropriations -HJ 108
 04/18/85 HOUSE Subreferred to Subcommittee on Consumer, Probate and Family Law, On subcommittee agenda—Judiciary, 04/22/85, 1 00 pm, 415 HOB
 04/22/85 HOUSE Subcommittee Recommendation pending ratification by full Committee Favorable, On Committee agenda, pending subcommittee action—Judiciary, 04/23/85, 1 15 pm, 214C
 04/23/85 HOUSE Preliminary Committee Report by Judiciary Favorable
 04/25/85 HOUSE Comm Report, Favorable by Judiciary -HJ 209, Now in Appropriations
 04/30/85 HOUSE On Committee agenda—Appropriations, 05/02/85, 8 00 am, Morris Hall—Temporarily postponed
 05/31/85 HOUSE Died in Committee on Appropriations, Iden /Sim / Compare bill passed, refer to SB 743 (Ch 85-322)

H 1101 GENERAL BILL by Hazouri; Tobiassen (Compare ENG/S 1003)

Education; amends provision re comprehensive management information system to require superintendent to review report & recommendations of district reports-control committee; requires a report Amends 229 555 Effective Date 07/01/85
 04/08/85 HOUSE Filed, Introduced, referred to Education, K - 12, Appropriations -HJ 108
 04/11/85 HOUSE On subcommittee agenda—Education, K - 12, 04/15/85, 3 30 pm, 217 HOB—Not taken up
 04/15/85 HOUSE On Committee agenda, pending subcommittee action—Education, K - 12, 04/17/85, 10:00 am, 214C
 04/19/85 HOUSE On subcommittee agenda—Education, K - 12, 04/23/85, 11 00 am, 217 HOB
 04/23/85 HOUSE Subcommittee Recommendation pending ratification by full Committee, Favorable, On Committee agenda, pending subcommittee action—Education, K - 12, 04/24/85, 3 30 pm, 214C—Not taken up
 04/29/85 HOUSE On Committee agenda—Education, K - 12, 05/01/85, 8 00 am, 214C
 05/01/85 HOUSE Preliminary Committee Report by Education, K - 12 Favorable
 05/14/85 HOUSE Comm Report Favorable by Education, K - 12 -HJ 347, Now in Appropriations
 05/20/85 HOUSE Withdrawn from Appropriations -HJ 451, Placed on Calendar
 05/24/85 HOUSE Placed on Consent Calendar
 05/28/85 HOUSE Iden /Sim Senate Bill substituted, Laid on table under Rule, Iden /Sim /Compare Bill passed, refer to SB 1003 (Ch 85-191) -HJ 690

H 1102 GENERAL BILL/CS by Appropriations; Bell; Morgan; Gardner (Similar CS/S 507, Compare CS/H 843, ENG/H 1381)

(CONTINUED ON NEXT PAGE)

FLORIDA LEGISLATURE—REGULAR SESSION—1985

HISTORY OF HOUSE BILLS

H 995 (CONTINUED)

- 04/05/85 HOUSE Introduced, referred to Governmental Operations; Appropriations -HJ 93
- 04/15/85 HOUSE Subreferred to Subcommittee on Executive Organization, On Committee agenda—Governmental Operations, 04/17/85, 10 15 am, 413C, for subcommittee ratification
- 04/18/85 HOUSE Withdrawn from Governmental Operations, Appropriations, Withdrawn from further cons., Iden/Sim/Compare Bill passed, refer to SB 217 (Ch 85-110) -HJ 157

H 996 GENERAL BILL by Carlton; Morgan

- Lobbying**, provides procedures for employees of political subdivisions to register as lobbyists & record time spent in lobbying, provides penalty Amends 11 061 Effective Date Upon becoming law
- 04/04/85 HOUSE Filed
 - 04/05/85 HOUSE Introduced, referred to Ethics & Elections, Appropriations -HJ 93
 - 04/18/85 HOUSE Subreferred to Subcommittee on Ethics, On subcommittee agenda—Ethics & Elections, 04/22/85, 2 30 pm, 217 HOB
 - 04/22/85 HOUSE Subcommittee Recommendation pending ratification by full Committee. Favorable, On Committee agenda—Ethics & Elections, 04/24/85, 1 15 pm, 212 HOB
 - 04/24/85 HOUSE Preliminary Committee Report by Ethics & Elections Favorable, with 1 amendment
 - 05/01/85 HOUSE Comm Report. Favorable with 1 amendment(s) by Ethics & Elections -HJ 242, Now in Appropriations
 - 05/20/85 HOUSE Withdrawn from Appropriations -HJ 451, Placed on Calendar
 - 05/24/85 HOUSE Placed on Consent Calendar
 - 05/28/85 HOUSE Withdrawn from Calendar and from further consideration -HJ 690

H 997 GENERAL BILL/CS by Judiciary; Hanson; Gallagher (Identical CS/S 980, Similar S 898, Compare ENG/H 1098)

- Lien**, includes interior design services within group of professional services for which liens may attach, creates right of lien for certain interior design services Amends 713 03, creates 713 79 Effective Date. Upon becoming law
- 04/04/85 HOUSE Filed
 - 04/05/85 HOUSE Introduced, referred to Judiciary -HJ 93
 - 04/12/85 HOUSE Subreferred to Subcommittee on Consumer, Probate and Family Law, On subcommittee agenda—Judiciary, 04/16/85, 1 15 pm, 212 HOB
 - 04/16/85 HOUSE Subcommittee Recommendation pending ratification by full Committee. Favorable, with amendment(s); On Committee agenda, pending subcommittee action—Judiciary, 04/17/85, 3 30 pm, 214C
 - 04/17/85 HOUSE Preliminary Committee Report by Judiciary: Favorable, with amendment(s), to Calendar
 - 04/24/85 HOUSE Comm Report CS by Judiciary, placed on Calendar -HJ 203
 - 05/24/85 HOUSE Placed on Consent Calendar
 - 05/28/85 HOUSE Retained on Regular Calendar
 - 05/31/85 HOUSE Died on Calendar, Iden /Sim /Compare Bill passed, refer to HB 1098 (Ch. 85-103)

H 998 GENERAL BILL/CS by Natural Resources; Hodges; Sansom (Compare CS/ENG/S 782)

- Aquatic Preserves**, reverses boundaries of certain aquatic preserves, creates Guana River Marsh Aquatic Preserve & Big Bend Seagrasses Aquatic Preserve. Amends 258.39 Effective Date Upon becoming law.
- 04/04/85 HOUSE Filed
 - 04/05/85 HOUSE Introduced, referred to Natural Resources, Appropriations -HJ 93
 - 04/10/85 HOUSE Subreferred to Subcommittee on Water and Living Resources
 - 04/19/85 HOUSE On subcommittee agenda—Natural Resources, 04/23/85, 10 00 am, 24 HOB
 - 04/23/85 HOUSE Subcommittee Recommendation pending ratification by full Committee Favorable, with amendment(s), On Committee agenda, pending subcommittee action—Natural Resources, 04/24/85, 3 30 pm, Morris Hall
 - 04/24/85 HOUSE Preliminary Committee Report by Natural Resources Favorable, as a Committee Substitute
 - 05/06/85 HOUSE Comm Report CS by Natural Resources -HJ 261, Now in Appropriations
 - 05/23/85 HOUSE On Committee agenda—Appropriations, 05/23/85, 1 15 pm, Morris Hall—No action taken
 - 05/29/85 HOUSE Withdrawn from Appropriations -HJ 830, Placed on Calendar
 - 05/30/85 HOUSE Placed on Special Order Calendar, Iden /Sim Senate Bill substituted, Laid on table under Rule, Iden /Sim / Compare Bill passed, refer to CS/SB 762 (Ch 85-345) -HJ 904

H 999 GENERAL BILL by Canady (Identical S 407)

- Rural Manpower Services Program**, repeals provisions which provided for such program Repeals 446 40- 44 Effective Date Upon becoming law
- 04/04/85 HOUSE Filed

H 999 (CONTINUED)

- 04/05/85 HOUSE Introduced, referred to Commerce, Appropriations -HJ 93
- 04/08/85 HOUSE Subreferred to Subcommittee on Labor, Employment Security and Oversight
- 04/15/85 HOUSE On Committee agenda—Commerce, 04/17/85, 3 30 pm, 317C, for subcommittee ratification
- 04/18/85 HOUSE On subcommittee agenda—Commerce, 04/22/85, 1 00 pm, 16 HOB
- 04/22/85 HOUSE Subcommittee Recommendation pending ratification by full Committee Favorable. On Committee agenda, pending subcommittee action—Commerce, 04/23/85, 1 15 pm, 317C
- 04/23/85 HOUSE Preliminary Committee Report by Commerce Favorable
- 04/24/85 HOUSE Comm Report Favorable by Commerce -HJ 203, Now in Appropriations
- 05/02/85 HOUSE Withdrawn from Appropriations -HJ 232, Placed on Calendar
- 05/24/85 HOUSE Placed on Consent Calendar
- 05/27/85 HOUSE Read second and third times, Passed, YEAS 104 NAYS 0 -HJ 595
- 05/27/85 SENATE In Messages
- 05/28/85 SENATE Received, referred to Agriculture, Personnel, Retirement and Collective Bargaining, Appropriations -SJ 532
- 05/31/85 SENATE Died in Committee on Agriculture

H 1000 GENERAL BILL/CS/CS by Appropriations, Health & Rehabilitative Services; Canady (Similar CS/S 964, Compare CS/ENG/H 1020, CS/CS/ENG/S 1183)

- Emergency Medical Services**, increases fine for leaving scene of accident & provides for deposit of portion of such fine in Emergency Medical Services Trust Fund, increases fines for reckless driving & for DUI & provides for similar deposit of portion of such fines, eliminates certain provisions re grants to local agencies, etc Amends 316 061, 192., 193, 318.18, 401.113 Effective Date 10/01/85
- 04/04/85 HOUSE Filed
 - 04/05/85 HOUSE Introduced, referred to Health & Rehabilitative Services, Appropriations -HJ 94
 - 04/15/85 HOUSE On Committee agenda—Health & Rehabilitative Services, 04/17/85, 8 00 am, 317C, for subcommittee ratification
 - 04/19/85 HOUSE Subreferred to Subcommittee on Health and Economic Services, On Committee agenda—Health & Rehabilitative Services, 04/23/85, 3 30 pm, 317C, for subcommittee ratification, On subcommittee agenda—Health & Rehabilitative Services, 04/23/85, 8 00 am, 24 HOB
 - 04/23/85 HOUSE Subcommittee Recommendation pending ratification by full Committee. Favorable, with 2 amendments, On Committee agenda, pending subcommittee action—Health & Rehabilitative Services, 04/23/85, 3.30 pm, 317C, Preliminary Committee Report by Health & Rehabilitative Services Favorable, as a Committee Substitute
 - 05/01/85 HOUSE Comm Report CS by Health & Rehabilitative Services -HJ 243, Now in Appropriations
 - 05/10/85 HOUSE On Committee agenda—Appropriations, 05/14/85, 1 15 pm, Morris Hall
 - 05/14/85 HOUSE Preliminary Committee Report by Appropriations Favorable, as a CS/CS, to Calendar
 - 05/21/85 HOUSE Comm Report CS/CS by Appropriations, placed on Calendar -HJ 494
 - 05/30/85 HOUSE Placed on Special Order Calendar
 - 05/31/85 HOUSE Died on Calendar, Iden /Sim /Compare Bill passed, refer to CS/SB 964 (Ch 85-337) & CS/CS/SB 1183 (Ch 85-250) & CS/HB 1020 (Ch 85-167)

H 1001 GENERAL BILL by Lawson; Morgan; Bell; Gonzalez-Quevedo (Identical S 1104)

- State Employment**, establishes tuition waiver program for training & education of state employees, provides eligibility requirements & restrictions, provides for rules, provides funding for state employee fee-waived students, provides maximum number of credit hours for fiscal year 1985-86. Creates 110 141, 240.123 Effective Date 08/15/85, except D O A rulemaking authority shall take effect upon becoming law
- 04/05/85 HOUSE Filed, Introduced, referred to Retirement, Personnel & Collective Bargaining, Appropriations -HJ 94
 - 04/08/85 HOUSE On subcommittee agenda—Retirement, Personnel & Collective Bargaining, 04/10/85, 1 15 pm, 317C
 - 04/10/85 HOUSE Subcommittee Recommendation pending ratification by full Committee Favorable
 - 04/12/85 HOUSE On Committee agenda—Retirement, Personnel & Collective Bargaining, 04/16/85, 3 30 pm, 317C
 - 04/16/85 HOUSE Preliminary Committee Report by Retirement, Personnel & Collective Bargaining Favorable
 - 05/01/85 HOUSE Comm Report Favorable by Retirement, Personnel & Collective Bargaining -HJ 242, Now in Appropriations
 - 05/10/85 HOUSE On Committee agenda—Appropriations, 05/14/85, 1 15 pm, Morris Hall
 - 05/14/85 HOUSE Preliminary Committee Report by Appropriations Favorable, to Calendar
 - 05/15/85 HOUSE Comm Report Favorable by Appropriations, placed on Calendar -HJ 378

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FLORIDA LEGISLATURE—REGULAR SESSION—1985

HISTORY OF SENATE BILLS

S 887 (CONTINUED)

05/17/85 SENATE On Committee agenda—Judiciary-Civil, 05/21/85, 9 00 am, Room B
 05/21/85 SENATE Comm Report Favorable by Judiciary-Civil -SJ 322
 05/22/85 SENATE Now in Commerce -SJ 322
 05/31/85 SENATE Died in Committee on Commerce

S 888 GENERAL BILL by D. Childers and others (Compare ENG/S 998)

Silver Palm Train, requires D O T to encourage use of Silver Palm Train Effective Date Upon becoming law
 04/11/85 SENATE Filed
 04/19/85 SENATE Introduced, referred to Transportation, Appropriations -SJ 135
 04/23/85 SENATE Extension of time granted Committee Transportation
 05/03/85 SENATE On Committee agenda—Transportation, 05/07/85, 2 00 pm, Room C
 05/06/85 SENATE Extension of time granted Committee Transportation
 05/07/85 SENATE Comm Report Favorable with 2 amendment(s) by Transportation -SJ 239
 05/08/85 SENATE Now in Appropriations -SJ 239
 05/13/85 SENATE Extension of time granted Committee Appropriations
 05/27/85 SENATE Extension of time granted Committee Appropriations
 05/31/85 SENATE Died in Committee on Appropriations, Iden /Sim / Compare bill passed, refer to SM 998 (Filed with Secretary of State)

S 889 GENERAL BILL/CS by Governmental Operations; Stuart (Compare ENG/H 1266, CS/CS/S 1150)

Warrants, Vouchers & Invoices, requires Banking & Finance Dept. to monitor compliance with invoice processing time limits & penalty payments, requires dept to report compliance rates, late payments, interest payments, & recommended corrective actions to agency heads, requires dept. to develop computer system to monitor payment process Amends 215 422. Effective Date 10/01/85.
 04/11/85 SENATE Filed
 04/19/85 SENATE Introduced, referred to Governmental Operations, Commerce, Appropriations -SJ 135
 04/26/85 SENATE On Committee agenda—Governmental Operations, 04/30/85, 2 00 pm, Room H
 04/30/85 SENATE Comm Report CS by Governmental Operations -SJ 219, CS read first time 05/07/85 -SJ 223
 05/02/85 SENATE Now in Commerce -SJ 219
 05/13/85 SENATE Extension of time granted Committee Commerce
 05/28/85 SENATE Extension of time granted Committee Commerce
 05/31/85 SENATE Died in Committee on Commerce, Iden /Sim /Compare bill passed, refer to HB 1266 (Ch 85-104)

S 890 GENERAL BILL by Castor (Identical H 675)

Child Custody, authorizes court in child custody proceedings to enter necessary protective orders, exempts parents who have abducted child from certain notice requirements, expands criminal provisions re removal or concealment of children subject to custody proceedings, authorizes law enforcement officer to take child into protective custody under certain circumstances, etc Amends Ch 61, 787 04, creates 787.041, 042, 05 Effective Date. 10/01/85.
 04/11/85 SENATE Filed
 04/19/85 SENATE Introduced, referred to Judiciary-Civil, Judiciary-Criminal -SJ 135
 04/26/85 SENATE On Committee agenda—Judiciary-Civil, 05/01/85, 9:00 am, Room B—Not considered, Extension of time granted Committee Judiciary-Civil
 05/03/85 SENATE On Committee agenda—Judiciary-Civil, 05/07/85, 2 00 pm, Room B—Temporarily postponed
 05/13/85 SENATE Extension of time granted Committee Judiciary-Civil
 05/17/85 SENATE On Committee agenda—Judiciary-Civil, 05/21/85, 9:00 am, Room B
 05/21/85 SENATE Comm. Report Favorable with 2 amendment(s) by Judiciary-Civil -SJ 322
 05/22/85 SENATE Now in Judiciary-Criminal -SJ 323
 05/31/85 SENATE Died in Committee on Judiciary-Criminal

S 891 GENERAL BILL by Fox (Identical H 595)

Domestic Violence, provides legislative intent, redefines "domestic violence" by expanding definition of what constitutes such violence & who constitutes a victim of such violence, provides remedies, provides for enforcement of those remedies & for penalties, requires that certain particulars be in police report of alleged incident of domestic violence Amends 415.601, 602, 741 29, 30 Effective Date 10/01/85
 04/11/85 SENATE Filed
 04/19/85 SENATE Introduced, referred to Health and Rehabilitative Services, Judiciary-Civil -SJ 135
 04/30/85 SENATE Extension of time granted Committee Health and Rehabilitative Services
 05/15/85 SENATE Extension of time granted Committee Health and Rehabilitative Services
 05/21/85 SENATE Extension of time granted Committee Health and Rehabilitative Services
 05/31/85 SENATE Died in Committee on Health and Rehabilitative Services

S 892 LOCAL BILL by Vogt and others

St. Cloud/Corporate Limits, (Osceola Co) defines corporate limits of city to include "1984 Waste Water Disposal" Tract & "Mt. Peace Cemetery" Tract, two noncontiguous real property parcels, wholly owned by the city, provides that procedure for future adjustments to boundaries of said tracts shall be by annexations thereto & contractions thereof as otherwise provided by general law, etc Effective Date Upon becoming law
 04/11/85 SENATE Filed
 04/19/85 SENATE Introduced, referred to Rules and Calendar -SJ 135
 04/29/85 SENATE Extension of time granted Committee Rules and Calendar
 05/08/85 SENATE Withdrawn from Rules and Calendar, Indefinitely postponed -SJ 243

S 893 GENERAL BILL by Langley (Identical H 872)

Ad Valorem Taxation, eliminates requirement that annual application be made for exemptions, repeals provision which provides for annual notice of homestead exemption Amends 196 011, 101, 131, 151, 193, repeals 196 111 Effective Date 01/01/86
 04/11/85 SENATE Filed
 04/19/85 SENATE Introduced, referred to Finance, Taxation and Claims -SJ 135
 05/03/85 SENATE Extension of time granted Committee Finance, Taxation and Claims
 05/16/85 SENATE Extension of time granted Committee Finance, Taxation and Claims
 05/31/85 SENATE Died in Committee on Finance, Taxation and Claims

S 894 GENERAL BILL by Castor and others (Similar CS/H 733, Compare ENG/S 28)

Postsecondary Schools, requires certain rules re athletic activities to conform to certain postsecondary athletic scholarship requirements Creates 232 426 Effective Date 07/01/85
 04/11/85 SENATE Filed
 04/19/85 SENATE Introduced, referred to Education -SJ 135
 05/03/85 SENATE Extension of time granted Committee Education
 05/20/85 SENATE Extension of time granted Committee Education
 05/31/85 SENATE Died in Committee on Education

S 895 GENERAL BILL/ENG by Langley (Similar CS/H 857, Compare S 1071)

Parking Ticket Violations, permits counties or municipalities to increase fines for illegal parking in disabled persons' reserved spaces, directs clerk of court or traffic violations bureau to provide list of persons with 5 or more outstanding parking violations to tax collector or license tag agent, provides that any person whose name appears on list shall not be issued tag or revalidation sticker, etc Amends 316 008, 1967, 320 03 Effective Date 07/01/85
 04/11/85 SENATE Filed
 04/19/85 SENATE Introduced, referred to Transportation -SJ 135
 04/23/85 SENATE Extension of time granted Committee Transportation, On Committee agenda—Transportation, 04/25/85, 2 00 pm, Room C
 04/25/85 SENATE Comm Report: Favorable with 3 amendment(s) by Transportation, placed on Calendar -SJ 194
 05/02/85 SENATE Placed on Special Order Calendar, Passed as amended, YEAS 36 NAYS 0 -SJ 216
 05/07/85 HOUSE In Messages
 05/08/85 HOUSE Received, referred to Judiciary, Appropriations -HJ 283
 05/13/85 HOUSE Withdrawn from -Appropriations -HJ 326
 05/20/85 HOUSE On Committee agenda—Judiciary, 05/21/85, 1 15 pm, 214C
 05/21/85 HOUSE Preliminary Committee Report by Judiciary Favorable, with amendment(s)
 05/23/85 HOUSE Comm Report Favorable with 2 amendment(s) by Judiciary, placed on Calendar -HJ 569
 05/28/85 HOUSE Placed on Special Order Calendar
 05/29/85 HOUSE Substituted for CS/HB 857, Read second time, Amendments adopted; Read third time; Passed as amended, YEAS 97 NAYS 8 -HJ 834
 05/29/85 SENATE In Messages
 05/30/85 SENATE Concurred, Passed as amended, YEAS 34 NAYS 0
 05/30/85 Ordered engrossed, then enrolled -SJ 703
 06/14/85 Signed by Officers and presented to Governor
 06/20/85 Approved by Governor, Chapter No 85-325

S 896 GENERAL BILL by McPherson (Similar CS/H 997, CS/S 980, Compare ENG/H 1098)

Liens, allows persons performing interior design services to acquire a lien on certain real property Amends 713 03, creates 713 031 Effective Date Upon becoming law
 04/11/85 SENATE Filed
 04/19/85 SENATE Introduced, referred to Economic, Community and Consumer Affairs, Judiciary-Civil -SJ 135
 05/01/85 SENATE Extension of time granted Committee Economic, Community and Consumer Affairs
 05/13/85 SENATE Extension of time granted Committee Economic, Community and Consumer Affairs
 05/24/85 SENATE Extension of time granted Committee Economic, Community and Consumer Affairs

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FLORIDA LEGISLATURE—REGULAR SESSION—1985

HISTORY OF SENATE BILLS

S 896 (CONTINUED)

05/31/85 SENATE Died in Committee on Economic, Community and Consumer Affairs, Iden /Sim /Compare bill passed, refer to HB 1098 (Ch 85-103)

S 897 GENERAL BILL/CS by Commerce; Fox (Similar CS/ENG/H 1026)

Insurance, defines "commercially domiciled insurer", revises provisions re payment of dividends or distributions by domestic stock insurers, provides for change of domicile of foreign or domestic insurers, provides for effects of re-domestication, provides for registration of members of insurance holding companies, etc Creates 624 075, 628 520, 525, 530, 535, 801-.803, amends 607 234, 625 301, 628 011, 031, 035, 371 Effective Date 10/01/85

04/11/85 SENATE Filed
 04/19/85 SENATE Introduced, referred to Commerce, Judiciary-Criminal -SJ 135
 04/30/85 SENATE On Committee agenda--Commerce, 05/02/85, 2 00 pm, Room A
 05/02/85 SENATE Comm Report CS by Commerce -SJ 219, CS read first time 05/07/85 -SJ 223
 05/06/85 SENATE Now in Judiciary-Criminal -SJ 219
 05/15/85 SENATE Withdrawn from Judiciary-Criminal -SJ 296, Placed on Calendar
 05/28/85 SENATE Placed on Special Order Calendar
 05/29/85 SENATE Placed on Special Order Calendar, Amendments adopted, Iden /Sim House Bill substituted -SJ 675, Laid on table under Rule, Iden./Sim./Compare Bill passed, refer to CS/HB 1026 (Ch 85-214) -SJ 676

S 898 GENERAL BILL/CS by Governmental Operations; McPherson (Identical CS/H 341)

Ethics Code, changes certain deadlines re disclosure of financial interests; provides penalties; provides financial disclosure requirements re certain newly appointed officers & employees, provides for certain forms, requires filing of statement of contributions received by elected public officers, provides time limitations for Ethics Commission's investigative jurisdiction of violations of code, etc Amends Ch 112, 111 011 Effective Date 01/01/86

04/11/85 SENATE Filed
 04/19/85 SENATE Introduced, referred to Governmental Operations; Judiciary-Civil, Rules and Calendar -SJ 135
 04/26/85 SENATE On Committee agenda--Governmental Operations, 04/30/85, 2 00 pm, Room H
 04/30/85 SENATE Comm Report CS by Governmental Operations -SJ 219, CS read first time 05/07/85 -SJ 223
 05/03/85 SENATE Now in Judiciary-Civil -SJ 219; On Committee agenda--Judiciary-Civil, 05/07/85, 2 00 pm, Room B
 05/07/85 SENATE Comm Report Favorable by Judiciary-Civil -SJ 240
 05/08/85 SENATE Now in Rules and Calendar -SJ 240
 05/14/85 SENATE On Committee agenda--Rules and Calendar, 05/16/85, 12 30 pm, Room 1C--Not considered
 05/20/85 SENATE Extension of time granted Committee Rules and Calendar; On Committee agenda--Rules and Calendar, 05/22/85, 1 00 pm, Room 1C--Not considered
 05/23/85 SENATE On Committee agenda--Rules and Calendar, 05/27/85, 12:00 noon, Room 1C
 05/27/85 SENATE Comm. Report Favorable by Rules and Calendar, placed on Calendar -SJ 589
 05/31/85 SENATE Died on Calendar

S 899 GENERAL BILL by Fox (Compare ENG/H 1319)

Public Swimming & Bathing Facilities, authorizes HRS Dept. to adopt construction & maintenance standards, requires engineer certification for public swimming pool construction or modification, provides for right of entry for inspection purposes; provides for reporting & investigation of complaints re public swimming pools, provides for an injunction to restrain violations; provides for administrative fines, provides exemptions, etc Amends Ch. 514. Effective Date. 10/01/85

04/11/85 SENATE Filed
 04/19/85 SENATE Introduced, referred to Health and Rehabilitative Services; Appropriations -SJ 135
 04/30/85 SENATE Extension of time granted Committee Health and Rehabilitative Services
 05/10/85 SENATE On Committee agenda--Health and Rehabilitative Services, 05/14/85, 2 00 pm, Room A--Temporarily postponed
 05/15/85 SENATE Extension of time granted Committee Health and Rehabilitative Services
 05/16/85 SENATE On Committee agenda--Health and Rehabilitative Services, 05/20/85, 2 00 pm, Room A
 05/20/85 SENATE Comm Report Favorable by Health and Rehabilitative Services -SJ 322
 05/21/85 SENATE Now in Appropriations -SJ 322
 05/27/85 SENATE Withdrawn from Appropriations -SJ 499, Placed on Calendar
 05/30/85 SENATE Placed on Special Order Calendar; Iden /Sim House Bill substituted, Laid on table under Rule, Iden /Sim / Compare Bill passed, refer to HB 1319 (Ch 85-173) -SJ 719

S 900 GENERAL BILL by Carlucci

Mentally Disordered Sex Offenders, repeals provisions re treatment & custody of such offenders, provides for transfer of such offenders in custody of HRS Dept to Corrections Dept., provides credit for time served Repeals Ch 917 Effective Date 10/01/86, except ss 2, 4, upon becoming law

04/11/85 SENATE Filed
 04/19/85 SENATE Introduced, referred to Health and Rehabilitative Services, Corrections, Probation and Parole, Appropriations -SJ 136
 04/30/85 SENATE Extension of time granted Committee Health and Rehabilitative Services
 05/15/85 SENATE Extension of time granted Committee Health and Rehabilitative Services
 05/21/85 SENATE Extension of time granted Committee Health and Rehabilitative Services
 05/31/85 SENATE Died in Committee on Health and Rehabilitative Services

S 901 GENERAL BILL by Gersten (Identical H 588)

Security of Communications, requires communications common carriers to provide certain warning when intercepting or monitoring a communication Amends 934 03 Effective Date 10/01/85

04/12/85 SENATE Filed
 04/19/85 SENATE Introduced, referred to Commerce -SJ 136
 05/03/85 SENATE Extension of time granted Committee Commerce
 05/20/85 SENATE Extension of time granted Committee Commerce
 05/31/85 SENATE Died in Committee on Commerce

S 902 GENERAL BILL by Gersten (Compare CS/S 778)

Hospitals, prohibits denial of certain emergency care or transfer of patient in need thereof, prohibits inquiry into patient's financial condition prior to rendering such emergency care Amends 395 0143, 0145 Effective Date Upon becoming law.

04/12/85 SENATE Filed
 04/19/85 SENATE Introduced, referred to Health and Rehabilitative Services, Commerce -SJ 136
 04/30/85 SENATE Extension of time granted Committee Health and Rehabilitative Services
 05/15/85 SENATE Extension of time granted Committee Health and Rehabilitative Services
 05/16/85 SENATE On Committee agenda--Health and Rehabilitative Services, 05/20/85, 2:00 pm, Room A
 05/20/85 SENATE CS combines this bill and 776, Comm Report CS by Health and Rehabilitative Services, refer to CS/SB 776 -SJ 323
 05/31/85 SENATE Died in Committee on Commerce

S 903 GENERAL BILL by McPherson (Similar ENG/H 706, ENG/S 972, Compare CS/ENG/H 963)

Pari-mutuel Wagering; provides that bonding requirements shall not apply to nonwagering licenses, amends provision re horseracing awards, purses & prizes, provides moneys for promotion of owning & breeding standardbred horses in state, provides conforming language, exempts nonwagering permits from certain pari-mutuel statutes, provides for nonwagering permits Amends 550 15, 262, 263, 50 Effective Date 10/01/85

04/12/85 SENATE Filed
 04/19/85 SENATE Introduced, referred to Commerce; Finance, Taxation and Claims; Appropriations -SJ 136
 05/03/85 SENATE Extension of time granted Committee Commerce
 05/07/85 SENATE On Committee agenda--Commerce, 05/09/85, 12.30 pm, Room A--Not considered
 05/09/85 SENATE On Committee agenda--Commerce, 05/13/85, 2 00 pm, Room A
 05/13/85 SENATE Comm Report Favorable by Commerce -SJ 294
 05/15/85 SENATE Now in Finance, Taxation and Claims -SJ 294
 05/24/85 SENATE Extension of time granted Committee Finance, Taxation and Claims
 05/28/85 SENATE Withdrawn from Finance, Taxation and Claims, Appropriations -SJ 588, Placed on Calendar
 05/31/85 SENATE Died on Calendar, Iden./Sim /Compare Bill passed, refer to SB 972 (Ch 85-117)

S 904 GENERAL BILL/CS by Rules and Calendar; McPherson (Similar ENG/H 1311)

Per Diem & Travel, prescribes reimbursement rates for certain traveling in & out of state Amends 112 061 Effective Date 07/01/85, or upon becoming law, whichever occurs later

04/12/85 SENATE Filed
 04/19/85 SENATE Introduced, referred to Personnel, Retirement and Collective Bargaining, Rules and Calendar, Appropriations -SJ 136
 05/02/85 SENATE On Committee agenda--Personnel, Retirement and Collective Bargaining, 05/06/85, 3 00 pm, Room C
 05/03/85 SENATE Extension of time granted Committee Personnel, Retirement and Collective Bargaining
 05/06/85 SENATE Comm Report Favorable by Personnel, Retirement and Collective Bargaining -SJ 240
 05/07/85 SENATE Now in Rules and Calendar -SJ 240
 05/14/85 SENATE On Committee agenda--Rules and Calendar, 05/16/85, 12 30 pm, Room 1C

(CONTINUED ON NEXT PAGE)

FLORIDA LEGISLATURE—REGULAR SESSION—1985

HISTORY OF SENATE BILLS

S 973 (CONTINUED)

- 05/29/85 SENATE Placed on Special Order Calendar. CS passed, YEAS 29 NAYS 0 -SJ 650
- 05/29/85 HOUSE In Messages
- 05/30/85 HOUSE Received, placed on Calendar -HJ 884, Read second time, Amendments adopted, Read third time, CS passed as amended, YEAS 80 NAYS 0 -HJ 943
- 05/30/85 SENATE In Messages, Concurred, CS passed as amended, YEAS 28 NAYS 0
- 05/30/85 Ordered engrossed, then enrolled -SJ 965
- 06/12/85 Signed by Officers and presented to Governor
- 06/19/85 Approved by Governor, Chapter No 85-245

S 974 GENERAL BILL/CS by Commerce; Thomas (Similar H 1068, S 788)

- Insurance, amends provision re venue of summary proceeding against insurers brought under insolvency law, prohibits intervention in insurer delinquency proceedings & provides for exclusiveness of claims procedure re insurer receivership estate, revises time periods for continuation of certain insurance policies, provides for invalidity of a transfer after filing of original petition in any delinquency proceeding, etc Amends Ch 631 Effective Date 10/01/85
- 04/15/85 SENATE Filed
- 04/19/85 SENATE Introduced, referred to Commerce, Judiciary-Civil -SJ 142
- 04/30/85 SENATE On Committee agenda—Commerce, 05/02/85, 2:00 pm, Room A
- 05/02/85 SENATE Comm Report CS by Commerce -SJ 219, CS read first time 05/07/85 -SJ 224
- 05/06/85 SENATE Now in Judiciary-Civil -SJ 219
- 05/13/85 SENATE Extension of time granted Committee Judiciary-Civil, On Committee agenda—Judiciary-Civil, 05/15/85, 4:00 pm, Room B—Temporarily postponed
- 05/17/85 SENATE On Committee agenda—Judiciary-Civil, 05/21/85, 9:00 am, Room B—Not considered
- 05/22/85 SENATE Withdrawn from Judiciary-Civil -SJ 331, Placed on Calendar
- 05/27/85 SENATE Placed on Special Order Calendar
- 05/29/85 SENATE Placed on Special Order Calendar, CS passed, YEAS 31 NAYS 0 -SJ 651
- 05/29/85 HOUSE In Messages
- 05/30/85 HOUSE Received, placed on Calendar -HJ 884, Substituted for HB 1068, Read second time, Read third time, CS passed, YEAS 107 NAYS 0 -HJ 894
- 05/30/85 Ordered enrolled -SJ 699
- 06/17/85 Signed by Officers and presented to Governor
- 06/24/85 Approved by Governor, Chapter No. 85-339

S 975 GENERAL BILL by Thomas

- Half-cent Sales Tax Proceeds, prescribes eligibility for supplemental distribution of funds from Local Government Half-cent Sales Tax Clearing Trust Fund Amends 218 65. Effective Date. 07/01/85, or upon becoming law, whichever occurs later
- 04/15/85 SENATE Filed
- 04/19/85 SENATE Introduced, referred to Finance, Taxation and Claims; Appropriations -SJ 142
- 05/03/85 SENATE Extension of time granted Committee Finance, Taxation and Claims
- 05/10/85 SENATE On Committee agenda—Finance, Taxation and Claims, 05/14/85, 12:30 pm, Room 1C—Temporarily postponed
- 05/16/85 SENATE Extension of time granted Committee Finance, Taxation and Claims
- 05/31/85 SENATE Died in Committee on Finance, Taxation and Claims

S 976 GENERAL BILL by Thomas and others (Identical H 962)

- Motor Vehicle Insurance, prohibits stacking of uninsured motorist coverage, provides applicability Amends 627 4132 Effective Date 10/01/85
- 04/15/85 SENATE Filed
- 04/19/85 SENATE Introduced, referred to Commerce -SJ 142
- 04/30/85 SENATE On Committee agenda—Commerce, 05/02/85, 2:00 pm, Room A—Temporarily postponed
- 05/03/85 SENATE Extension of time granted Committee Commerce
- 05/09/85 SENATE On Committee agenda—Commerce, 05/13/85, 2:00 pm, Room A—Not considered
- 05/16/85 SENATE On Committee agenda—Commerce, 05/20/85, 10:00 am, Room A—Not considered
- 05/20/85 SENATE Extension of time granted Committee Commerce
- 05/31/85 SENATE Died in Committee on Commerce

S 977 GENERAL BILL/CS by Governmental Operations; Dunn (Similar CS/H 447, Compare CS/S 346, CS/ENG/S 1320)

- Public Records & Meetings, revises provisions re confidentiality of active or former law enforcement personnel records, revises penalties for violation of public records & public meetings provisions, provides for enforcement of said provisions by Ethics Commission, provides that actions taken in violation of public meeting provisions are voidable, etc Amends 119 07, 10, 286 011, creates 119 13, 286 0115. Effective Date 10/01/85
- 04/15/85 SENATE Filed
- 04/19/85 SENATE Introduced, referred to Governmental Operations, Judiciary-Criminal, Rules and Calendar -SJ 142

S 977 (CONTINUED)

- 04/26/85 SENATE On Committee agenda—Governmental Operations, 04/30/85, 2:00 pm, Room H
- 04/30/85 SENATE Comm Report CS by Governmental Operations -SJ 219, CS read first time 05/07/85 -SJ 224
- 05/03/85 SENATE Now in Judiciary-Criminal -SJ 219
- 05/16/85 SENATE On Committee agenda—Judiciary-Criminal, 05/20/85, 10:30 am, Room C
- 05/20/85 SENATE Comm Report Favorable by Judiciary-Criminal -SJ 323
- 05/21/85 SENATE Now in Rules and Calendar -SJ 323
- 05/31/85 SENATE Died in Committee on Rules and Calendar, Iden /Sim / Compare bill passed, refer to CS/SB 346 (Ch 85-18) & CS/SB 1320 (Ch 85-301)

S 978 GENERAL BILL by Kiser (Identical H 941)

- Traffic Control, requires driver of vehicle which strikes child age 14 or younger to contact a parent or guardian of child & police officer, provides penalty Amends 316 062 Effective Date 10/01/85
- 04/15/85 SENATE Filed
- 04/19/85 SENATE Introduced, referred to Transportation -SJ 142
- 04/23/85 SENATE Extension of time granted Committee Transportation
- 05/03/85 SENATE On Committee agenda—Transportation, 05/07/85, 2:00 pm, Room C—Temporarily postponed
- 05/06/85 SENATE Extension of time granted Committee Transportation
- 05/13/85 SENATE On Committee agenda—Transportation, 05/15/85, 4:00 pm, Room C
- 05/15/85 SENATE Comm Report Favorable with 3 amendment(s) by Transportation, placed on Calendar -SJ 309
- 05/31/85 SENATE Died on Calendar

S 979 GENERAL BILL by Kiser (Similar CS/ENG/H 246)

- Contracting, prohibits persons or entities who are required to be registered as contractors from maintaining suits on debts representing contracting work done while unregistered, etc Creates 489.1295 Effective Date 10/01/85
- 04/15/85 SENATE Filed
- 04/19/85 SENATE Introduced, referred to Judiciary-Civil -SJ 142
- 04/26/85 SENATE On Committee agenda—Judiciary-Civil, 05/01/85, 9:00 am, Room B, Extension of time granted Committee Judiciary-Civil
- 05/01/85 SENATE Comm Report. Favorable with 4 amendment(s) by Judiciary-Civil, placed on Calendar -SJ 210
- 05/31/85 SENATE Died on Calendar

S 980 GENERAL BILL/CS by Judiciary-Civil; Kiser (Identical CS/H 997, Similar S 896, Compare ENG/H 1098)

- Lien, includes interior design services within group of professional services for which liens may attach, creates right of lien for certain interior design services Amends 713 03; creates 713 79 Effective Date Upon becoming law
- 04/15/85 SENATE Filed
- 04/19/85 SENATE Introduced, referred to Judiciary-Civil -SJ 142
- 04/26/85 SENATE Extension of time granted Committee Judiciary-Civil
- 05/13/85 SENATE Extension of time granted Committee Judiciary-Civil
- 05/17/85 SENATE On Committee agenda—Judiciary-Civil, 05/21/85, 9:00 am, Room B
- 05/21/85 SENATE Comm Report CS by Judiciary-Civil, placed on Calendar -SJ 384
- 05/23/85 SENATE CS read first time -SJ 384
- 05/31/85 SENATE Died on Calendar, Iden /Sim /Compare Bill passed, refer to HB 1098 (Ch 85-103)

S 981 GENERAL BILL by Kiser (Identical H 983)

- Mortgage Foreclosure, provides for foreclosure with respect to default of a commercial borrower Creates 702 065 Effective Date 10/01/85
- 04/15/85 SENATE Filed
- 04/19/85 SENATE Introduced, referred to Judiciary-Civil -SJ 142
- 04/26/85 SENATE On Committee agenda—Judiciary-Civil, 05/01/85, 9:00 am, Room B—Temporarily postponed, Extension of time granted Committee Judiciary-Civil
- 05/13/85 SENATE Extension of time granted Committee Judiciary-Civil
- 05/27/85 SENATE Extension of time granted Committee Judiciary-Civil
- 05/31/85 SENATE Died in Committee on Judiciary-Civil

S 982 GENERAL BILL/CS by Commerce; Kiser (Similar ENG/H 984)

- Health Insurance Policies, requires refunds of a portion of certain annual or semi-annual premiums paid by persons 64 years of age, provides that act applies to policies existing, renewed, or issued on or after specified date Creates 627 6401 Effective Date Upon becoming law
- 04/15/85 SENATE Filed
- 04/19/85 SENATE Introduced, referred to Commerce -SJ 143
- 04/30/85 SENATE On Committee agenda—Commerce, 05/02/85, 2:00 pm, Room A
- 05/02/85 SENATE Comm Report CS by Commerce, placed on Calendar -SJ 219
- 05/07/85 SENATE CS read first time -SJ 224
- 05/30/85 SENATE Placed on Consent Calendar, Iden /Sim House Bill substituted, Laid on table under Rule, Iden /Sim /Compare Bill passed, refer to HB 984 (Ch 85-136) -SJ 905

FLORIDA LEGISLATURE—REGULAR SESSION—1985

HISTORY OF SENATE BILLS

S 1027 (CONTINUED)

- 04/19/85 SENATE Introduced, referred to Economic, Community and Consumer Affairs -SJ 146
- 05/01/85 SENATE Extension of time granted Committee Economic, Community and Consumer Affairs
- 05/13/85 SENATE Extension of time granted Committee Economic, Community and Consumer Affairs
- 05/24/85 SENATE Extension of time granted Committee Economic, Community and Consumer Affairs
- 05/31/85 SENATE Died in Committee on Economic, Community and Consumer Affairs

S 1028 GENERAL BILL by Castor (Similar CS/H 756, S 1037)

- Family Mediation Practice Act, creates said act, creates Family Mediation Board, provides for its membership, compensation for travel expenses, certain procedures, powers & duties, provides for licensing family mediators, provides for fees, license renewal & expiration, provides for confidentiality, provides for legislative appropriation, prohibits certain acts, provides penalties, etc Effective Date 10/01/85
- 04/16/85 SENATE Filed
 - 04/19/85 SENATE Introduced, referred to Economic, Community and Consumer Affairs, Governmental Operations, Appropriations -SJ 146
 - 05/01/85 SENATE Extension of time granted Committee Economic, Community and Consumer Affairs
 - 05/13/85 SENATE Extension of time granted Committee Economic, Community and Consumer Affairs
 - 05/16/85 SENATE On Committee agenda—Economic, Community and Consumer Affairs, 05/20/85, 10:00 am, Room H—Not considered
 - 05/24/85 SENATE Extension of time granted Committee Economic, Community and Consumer Affairs
 - 05/31/85 SENATE Died in Committee on Economic, Community and Consumer Affairs

S 1029 GENERAL BILL by Carlucci

- Legislative Review/Sunrise Act, prescribes criteria for legislative review of proposals for establishment of regulation of a profession, occupation, business, or industry not already subject to state regulation; requires committee of first reference to obtain certain information & to make recommendations concerning enactment or modification of such proposals Effective Date: Upon becoming law.
- 04/16/85 SENATE Filed
 - 04/19/85 SENATE Introduced, referred to Governmental Operations, Rules and Calendar -SJ 146
 - 04/26/85 SENATE On Committee agenda—Governmental Operations, 04/30/85, 2:00 pm, Room H
 - 04/30/85 SENATE Comm Report Favorable by Governmental Operations -SJ 210
 - 05/01/85 SENATE Now in Rules and Calendar -SJ 210
 - 05/07/85 SENATE On Committee agenda—Rules and Calendar, 05/09/85, 1:00 pm, Room 1C—Not considered
 - 05/13/85 SENATE Extension of time granted Committee Rules and Calendar
 - 05/14/85 SENATE On Committee agenda—Rules and Calendar, 05/16/85, 12:30 pm, Room 1C—Not considered
 - 05/20/85 SENATE On Committee agenda—Rules and Calendar, 05/22/85, 1:00 pm, Room 1C—Not considered
 - 05/23/85 SENATE On Committee agenda—Rules and Calendar, 05/27/85, 12:00 noon, Room 1C
 - 05/27/85 SENATE Comm Report Favorable by Rules and Calendar, placed on Calendar -SJ 589
 - 05/31/85 SENATE Died on Calendar

S 1030 GENERAL BILL by Barron and others (Compare ENG/H 1352)

- Medical Incident Compensation Law, creates said law, provides standards of care & procedures for recovery re medical negligence, applies law to all health care providers & requires them to secure compensation for patients as condition to licensure or relicensure, specifies coverage for medical incidents, specifies liability for compensation, etc Creates 768 61, Ch. 442; repeals 768 45, 47-51, 56 Effective Date Upon becoming law
- 04/16/85 SENATE Filed
 - 04/19/85 SENATE Introduced, referred to Commerce, Judiciary-Civil -SJ 146
 - 05/03/85 SENATE Extension of time granted Committee Commerce
 - 05/20/85 SENATE Extension of time granted Committee Commerce
 - 05/31/85 SENATE Died in Committee on Commerce, Iden /Sim /Compare bill passed, refer to HB 1352 (Ch 85-175)

S 1031 GENERAL BILL/ENG by Hill (Compare ENG/H 289, CS/H 960, ENG/H 1299, CS/ENG/S 55, ENG/S 309, S 439, CS/ENG/S 732, S 1216)

- Corrections, includes correctional facilities operated by private entities in state system, authorizes D G S to enter into lease-purchase agreements to provide correctional facilities, authorizes D O C to contract with private entities for certain services, extends limits of confinement re certain inmates in certain rehab programs, increases monthly supervision fee, etc Amends Chs 944-946, 20 315 Effective Date 06/24/85
- 04/16/85 SENATE Filed
 - 04/19/85 SENATE Introduced, referred to Corrections, Probation and Parole; Appropriations -SJ 146

S 1031 (CONTINUED)

- 04/25/85 SENATE On Committee agenda—Corrections, Probation and Parole, 04/29/85, 2:00 pm, Room B, Extension of time granted Committee Corrections, Probation and Parole
- 04/29/85 SENATE Comm Report Favorable with 1 amendment(s) by Corrections, Probation and Parole -SJ 202
- 04/30/85 SENATE Now in Appropriations -SJ 202
- 05/13/85 SENATE Extension of time granted Committee Appropriations
- 05/16/85 SENATE Withdrawn from Appropriations -SJ 314, Placed on Calendar
- 05/23/85 SENATE Placed on Special Order Calendar, Passed as amended, YEAS 32 NAYS 0 -SJ 402, Immediately certified -SJ 405
- 05/24/85 HOUSE In Messages
- 05/27/85 HOUSE Received, placed on Calendar -HJ 587, Substituted for HB 1299, Read second time -HJ 593, Amendments adopted, Read third time, Passed as amended, YEAS 100 NAYS 0 -HJ 613
- 05/27/85 SENATE In Messages
- 05/29/85 SENATE Amendments to House amendments adopted -SJ 668, Concurred in House amendments as amended, Requested House to concur, Passed as amended, YEAS 29 NAYS 0 -SJ 669
- 05/29/85 HOUSE In Messages
- 05/30/85 HOUSE Concurred, Passed as further amended, YEAS 113 NAYS 0 -HJ 912
- 05/30/85 Ordered engrossed, then enrolled -SJ 699
- 06/17/85 Signed by Officers and presented to Governor
- 06/24/85 Approved by Governor, Chapter No 85-340

S 1032 GENERAL BILL/CS by Health and Rehabilitative Services; Fox and others (Similar CS/H 821)

- Children/Treatment, provides rights of children re alcohol, drug abuse, & mental health treatment services, provides for involuntary examination of emotionally disturbed or substance-abusing children, provides for voluntary admission to a residential treatment program, provides for involuntary placement for emotionally disturbed or substance-abusing children, etc Amends 394 459, 465, 467, 396 082, repeals 394 4781, 50- 62, 397 099 Effective Date 10/01/85, except a 9 on 07/01/85
- 04/16/85 SENATE Filed
 - 04/19/85 SENATE Introduced, referred to Health and Rehabilitative Services, Appropriations -SJ 146
 - 04/26/85 SENATE On Committee agenda—Health and Rehabilitative Services, 04/30/85, 2:00 pm, Room A
 - 04/30/85 SENATE Comm Report CS by Health and Rehabilitative Services -SJ 211, CS read first time 05/07/85 -SJ 224
 - 05/02/85 SENATE Now in Appropriations -SJ 211
 - 05/13/85 SENATE Extension of time granted Committee Appropriations
 - 05/27/85 SENATE Extension of time granted Committee Appropriations
 - 05/31/85 SENATE Died in Committee on Appropriations

S 1033 GENERAL BILL by Kiser (Compare ENG/H 1098)

- Mechanics' Liens, changes circumstances in which lessor is subject to such liens Amends 713 10 Effective Date. 10/01/85
- 04/16/85 SENATE Filed
 - 04/19/85 SENATE Introduced, referred to Judiciary-Civil -SJ 147
 - 04/26/85 SENATE On Committee agenda—Judiciary-Civil, 05/01/85, 9:00 am, Room B, Extension of time granted Committee Judiciary-Civil
 - 05/01/85 SENATE Comm. Report. Favorable with 1 amendment(s) by Judiciary-Civil, placed on Calendar -SJ 210
 - 05/16/85 SENATE Placed on Special Order Calendar
 - 05/22/85 SENATE Placed on Special Order Calendar, Iden /Sim. House Bill substituted -SJ 366, Laid on table under Rule, Iden /Sim / Compare Bill passed, refer to HB 1098 (Ch 85-103) -SJ 367

S 1034 RESOLUTION by Neal and others (Identical H 1189)

- Dozier, Therese Knecht; commends Mrs Dozier for being named "National Teacher of the Year 1985".
- 04/16/85 SENATE Filed
 - 04/19/85 SENATE Introduced, referred to Rules and Calendar -SJ 147
 - 04/29/85 SENATE Extension of time granted Committee Rules and Calendar
 - 05/13/85 SENATE Extension of time granted Committee Rules and Calendar
 - 05/27/85 SENATE Extension of time granted Committee Rules and Calendar
 - 05/31/85 SENATE Died in Committee on Rules and Calendar, Iden /Sim / Compare bill passed, refer to HR 1189 (Adopted)

S 1035 GENERAL BILL by Kiser (Identical H 886)

- State Planning, requires Governor's Office to use, to extent feasible, services & plans of local & regional planning agencies when preparing & revising state comprehensive plan Amends 186 007 Effective Date Upon becoming law
- 04/16/85 SENATE Filed
 - 04/19/85 SENATE Introduced, referred to Natural Resources and Conservation -SJ 147
 - 05/03/85 SENATE Extension of time granted Committee Natural Resources and Conservation
 - 05/17/85 SENATE Extension of time granted Committee Natural Resources and Conservation

(CONTINUED ON NEXT PAGE)

STORAGE NAME: SS HB 1098-85

Date: April 14, 1985

Revised: _____

Final: _____

HOUSE OF REPRESENTATIVES
COMMITTEE ON JUDICIARY
STAFF ANALYSIS

BILL# HB 1098 SPONSOR Reprs. Souto, Dunbar

EFFECTIVE DATE 10/1/85 IDENTICAL/SIMILAR BILLS _____

RELATING TO Mechanic's Liens

OTHER COMMITTEES OF REFERENCE _____

I. SUMMARY:

A. Present Situation:

A mechanics' lien on improvements contracted for with a lessee extends to the interest of the lessor if the improvement was made in accordance with an agreement between the lessee and lessor. A lessor can be assured of protecting himself against mechanics' liens for improvements made by a tenant by expressly prohibiting such liability in a recorded lease.

B. Effect of Proposed Changes:

HB 1098 amends s.713.10, F.S., to expand the ways in which a lessor can give effective notice so that a lien arising from improvements made by a lessee does not attach to his interest. Rather than recording the lease in its entirety, the lessor could record a short form lease containing the pertinent facts. Further, where there are multiple rentals relating to one parcel of land, one notice could be filed which would extend to all of the tenancies.

II. ECONOMIC IMPACT:

A. Public:

Landlords' recording fees for leases can be substantially reduced.

B. Government:


Collections by the clerk of court for recording leases would be reduced.

III. COMMENTS:

Page 2
Bill #HB 1098
Date: April 14, 1985

IV. AMENDMENTS:

V. PREPARED BY Debby Kaveney

VI. STAFF DIRECTOR Richard Hixson 

Journals
of the
Florida
House of Representatives



Eighty-seventh
Regular Session
since Statehood in 1845

April 2 through May 31, 1985

[Including a record of transmittal of Acts subsequent to sine die adjournment]

to pass the licensure examination, amending s 473 311, F S., requiring applicants for renewal to complete continuing education requirements and pass an exam, amending s 473 312, F S., requiring proof of completion of required continuing education, amending s 473 313, F S., authorizing a reactivation fee, amending s 473 323, F S., providing a ground for disciplinary action by the board, repealing s 473 325, F S., relating to present certificates remaining in effect and to the licensing of public accountants as certified public accountants, providing for present licenses to remain in full force and effect, providing for future repeal and sunset review, providing an effective date

—was read the second time by title and, under Rule 8 19, referred to the Engrossing Clerk

HB 60—A bill to be entitled An act relating to transfers to minors, creating ss 710 101-710 126, F S., creating the "Florida Uniform Transfers to Minors Act" to replace the "Florida Gifts to Minors Act", providing definitions and scope, providing for the nomination of custodian, providing for various types of transfers, providing for the creation of custodial property and the designation of the initial custodian, providing restrictions, providing for the validity and effect of transfers, providing powers and duties with respect to the care of custodial property, providing for custodian's expenses, compensation, and bond, providing third party exemptions from liability and for liability to third persons, providing for replacement of custodians, providing for an accounting by and for the liability of the custodian, providing for the termination of custodianship, providing for applicability of the act and for its effect on existing custodianships, providing for uniformity of application and construction, repealing ss 710 01-710 10, F S., abolishing the "Florida Gifts to Minors Act", providing an effective date

—was read the second time by title and, under Rule 8 19, referred to the Engrossing Clerk

By the Committee on Natural Resources and Representative Crady—

CS/HB 884—A bill to be entitled An act relating to saltwater fisheries; amending sections 7 and 8, chapter 83-134, Laws of Florida, as amended, advancing the conditional repeal date of s 370 153(3)(a), F S., relating to the type of trawl a live bait shrimp producer may use, providing an effective date

—was read the first time by title On motion by Rep Crady, the rules were waived by two-thirds vote and the bill was read the second time by title and, under Rule 8 19, referred to the Engrossing Clerk

By the Committee on Health & Rehabilitative Services and Representative Gardner—

CS/HB 610—A bill to be entitled An act relating to children in foster care, amending s 409 168, F S., providing that a social services agency or guardian ad litem may submit an intent to file a petition for permanent commitment in lieu of a performance agreement within 30 days of placement; requiring filing of petition for permanent commitment or submission of performance agreement within specified time frames, providing an effective date

—was read the first time by title. On motion by Rep. Gardner, the rules were waived by two-thirds vote and the bill was read the second time by title.

Representative Friedman offered the following amendment:

Amendment 1—On page 2, line 1, after "(f)" insert 1 A performance agreement need not be prepared for a child if the social services agency or guardian ad litem submits an intent to file a petition for permanent commitment within the first 30 days of placement in care

2 Upon the filing of an intent to petition for permanent placement, the Court shall schedule a hearing within 72 hours to inquire as to the representation of the natural parents by counsel, and inform the natural parents of their right to such representation If the Court determines that the natural parents are unable to afford counsel, counsel shall be appointed

3 The social services agency or guardian ad litem however, shall file a petition for permanent commitment within 30 days from the filing of an intent or shall submit a performance agreement If a performance agreement is to be submitted in lieu of a petition for permanent commitment and the preparation of the performance agreement cannot be accomplished within the time frame give, for good cause shown, the court may grant an extension for such submission for no more than 30 days

Rep Friedman moved the adoption of the amendment On motion by Rep Watt, the amendment was laid on the table Under Rule 8 19, the bill was referred to the Engrossing Clerk

THE SPEAKER PRO TEMPORE IN THE CHAIR

HB 1098—A bill to be entitled An act relating to mechanics' liens, amending s 713 10, F S., changing the circumstances in which a lessor is subject to such liens, providing an effective date

—was read the second time by title

Representatives Dunbar and Souto offered the following amendment:

Amendment 1—On page 1, lines 19 and 20, strike "In the absence of fraud on the part of the lessor, the" and insert The

Rep Dunbar moved the adoption of the amendment, which was adopted

Representatives Dunbar and Souto offered the following amendment

Amendment 2—On page 2, line 3, strike "specific"

Rep Dunbar moved the adoption of the amendment During consideration thereof, without objection, the amendment was withdrawn

Representatives Ward and Dunbar offered the following amendment

Amendment 3—On page 1, line 19, after the period insert When the lease expressly prohibits such liability, as aforesaid, the lessee shall notify the contractor making any improvements at such prohibition of liability, and the knowing or willful violation at this provision by the lessee shall render the contract between the lessee and the contractor voidable at the option of the contractor

Rep Dunbar moved the adoption of the amendment, which was adopted Under Rule 8 19, the bill was referred to the Engrossing Clerk

HB 1206—A bill to be entitled An act relating to commercial feed, repealing section 2 of chapter 84-186, Laws of Florida, relating to the repeal of inspection fees imposed on the distribution of commercial feed, the reporting system and bonding requirements relative thereto, providing an effective date.

—was read the second time by title and, under Rule 8.19, referred to the Engrossing Clerk

HB 486—A bill to be entitled An act relating to the Department of Transportation, creating s 337 2715, F S., providing for the confidentiality of appraisal and business damage reports with respect to the purchase of property by the department, providing for repeal; providing an effective date

—was read the second time by title.

The Committee on Governmental Operations offered the following amendment

Amendment 1—On page 1, lines 18 and 19 strike everything after the word "until" and on page 1, line 22, strike all of said line and insert at which time the exemption shall expire The department shall not

Rep Easley moved the adoption of the amendment, which was adopted

The Committee on Governmental Operations offered the following amendment:

Amendment 2—On page 1, line 27, strike everything after the period and on page 1, line 28, strike "337 271, and if" and insert If

Be It Resolved by the House of Representatives of the State of Florida, the Senate Concurring

That the House of Representatives and the Senate of the State of Florida do hereby declare 1984/1985 as the "Year of the Gator" and formally congratulate the University of Florida Fighting Gator Football Team on its championship performance

BE IT FURTHER RESOLVED that a copy of this resolution be presented to the President of the University of Florida, Marshall Criser, and to the Head Football Coach, Galen Hall, as a tangible token of the sentiments expressed herein

—was taken up and read the second time in full On motion by Rep Mills, the concurrent resolution was adopted and, under the rule, immediately certified to the Senate

Rep Mills recognized Coach Galen Hall and his wife, Elaine, President Marshall Criser and his wife, Paula, and some of the staff and team, who were seated in the gallery Rep Carlton presented to the Speaker a "Gator" T-shirt and a framed, autographed picture of the football team

→ **HB 1098**—A bill to be entitled An act relating to mechanics' liens, amending s 713 10, F S, changing the circumstances in which a lessor is subject to such liens, providing an effective date

—was read the third time by title

The Committee on Rules & Calendar offered the following amendment

Amendment 4—On page 1, lines 21, 22, 24, strike "at" and insert "of" and on page 1, line 24, strike "option" and insert option

Rep Dunbar moved the adoption of the amendment, which was adopted without objection

The question recurred on the passage of HB 1098 The vote was

Yeas—109

The Chair	Evans-Jones	Johnson, R. C	Rochlin
Abrams	Figg	Jones, C F	Ros-Lehtinen
Allen	Friedman	Jones, D L	Sample
Armstrong	Frishe	Kelly	Sanderson
Bass	Gallagher	Kimmel	Sansom
Bell	Garcia	Kutun	Selph
Brantley	Gardner	Lawson	Shackelford
Bronson	Gibbons	Lewis	Shelley
Brown, C.	Gonzalez-	Liberti	Silver
Brown, T C	Quevedo	Lippman	Simon
Burke	Gordon	Lombard	Simone
Burnsed	Grant	Mackenzie	Souto
Canady	Grindle	Martinez	Stewart
Carlton	Gustafson	McEwan	Thomas, D L
Carpenter	Gutman	Messersmith	Thomas, J
Casas	Hanson	Metcalf	Titone
Clark	Hargrett	Mitchell	Tobiasen
Clements	Harris	Morgan	Tobin
Combee	Hawkins, L R.	Morse	Upchurch
Crady	Hawkins, M E	Nergard	Wallace
Crotty	Hazouri	Pajcic	Watt
Dantzler	Hill	Patchett	Webster
Davis	Hodges	Peeples	Weinstock
Deutsch	Hollingsworth	Press	Wetherell
Drage	Irvine	Reaves	Woodruff
Dudley	Jamerson	Reddick	Young
Dunbar	Jennings	Renke	
Easley	Johnson, B L	Robinson	

Nays—None

Votes after roll call

Yeas—Arnold, Bankhead

So the bill passed, as amended, and was certified to the Senate after engrossment.

HB 1206—A bill to be entitled An act relating to commercial feed, repealing section 2 of chapter 84-186, Laws of Florida, relating to the repeal of inspection fees imposed on the distribution of commercial feed, the reporting system and bonding requirements relative thereto, providing an effective date

—was read the third time by title. On passage, the vote was

Yeas—109

The Chair	Figg	Kelly	Rochlin
Abrams	Friedman	Kimmel	Ros-Lehtinen
Allen	Frishe	Kutun	Sample
Bankhead	Gallagher	Lawson	Sanderson
Bass	Garcia	Lewis	Sansom
Bell	Gardner	Liberti	Selph
Brantley	Gibbons	Lippman	Shackelford
Bronson	Gonzalez-	Locke	Shelley
Brown, C	Quevedo	Logan	Silver
Brown, T C	Grant	Lombard	Simon
Burke	Grindle	Mackenzie	Simone
Burnsed	Gustafson	Martinez	Smith
Canady	Gutman	McEwan	Souto
Carlton	Hanson	Meffert	Stewart
Carpenter	Hargrett	Messersmith	Thomas, D L
Casas	Harris	Metcalf	Thomas, J
Clark	Hawkins, L R	Mills	Titone
Clements	Hawkins, M E	Mitchell	Tobiasen
Combee	Hazouri	Morgan	Tobin
Crotty	Hill	Morse	Upchurch
Dantzler	Hodges	Nergard	Watt
Davis	Hollingsworth	Pajcic	Webster
Deutsch	Irvine	Patchett	Weinstock
Drage	Jennings	Peeples	Wetherell
Dudley	Johnson, B. L	Reaves	Woodruff
Dunbar	Johnson, R C	Reddick	Young
Easley	Jones, C F	Renke	
Evans-Jones	Jones, D L	Robinson	

Nays—None

Votes after roll call

Yeas—Arnold

So the bill passed and was certified to the Senate

HB 985—A bill to be entitled An act relating to pilots, piloting, and pilotage, amending s 310 002, F S., relating to definitions; amending s 310 071, F S, modifying application procedure to require documentation of qualifications, modifying age, health, education, and experience requirements for certification as a deputy pilot, creating s 310 073, F S, providing modified age, health, education, and experience requirements for licensure as a state pilot, creating s 310 075, F S, requiring licensed state pilots in each port to submit to the Board of Pilot Commissioners for its approval a deputy pilot training program, providing for an initial period as an "observer trainee", requiring trainees to document compliance with training requirements, providing for gradual increase of the limits and specifications under which a deputy pilot is authorized to pilot, providing prerequisites to completion of the program, creating s 310 083, F S, providing for renewal of license or certificate upon documentation of good physical and mental health and upon payment of a renewal application fee, providing for rules, amending s 310 101, F S, expanding present and providing additional grounds for disciplinary action and providing administrative penalties therefor, amending s. 310.111, F.S, requiring marine incident reports within certain time frames, depending upon the nature of the incident, requiring written reports in addition to initial reports in all cases, saving chapter 310, F.S., from Sunset repeal, providing for future review and repeal, providing an effective date

—was read the third time by title. On passage, the vote was

Yeas—112

The Chair	Armstrong	Bass	Bronson
Abrams	Arnold	Bell	Brown, C
Allen	Bankhead	Brantley,	Brown, T C.

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

<u>ANALYST</u>	<u>STAFF DIRECTOR</u>	<u>REFERENCE</u>	<u>ACTION</u>
1. <u>Christensen</u>	<u>JC Lester</u>	1. <u>JCI</u>	_____
2. _____	_____	2. _____	_____
3. _____	_____	3. _____	_____

SUBJECT:

Mechanics' Liens

BILL NO. AND SPONSOR:

HB 1098 by
Reps. Souto, Dunbar

I. SUMMARY:

A. Present Situation:

Section 713.10, F.S., relating to mechanics' liens, provides that when an improvement is made by a lessee in accordance with an agreement between a lessee and lessor, liens shall extend to the interest of the lessor. However, such liens shall not so extend if the lessor has recorded the lease and the terms of the lease expressly prohibit the lessor's liability.

B. Effect of Proposed Changes:

This bill provides that when the lease expressly prohibits such liability (of the lessor for mechanics' liens), the lessee shall notify the contractor making improvements of the prohibition; the knowing and willful violation of this provision by the lessee renders the contract between lessee and contractor voidable at the contractor's option. The bill also deletes a phrase presently qualifying a method by which a lessor may prevent mechanics' liens from extending to his interest, which qualification provides that such method is only available in the absence of fraud on the part of the lessor.

This bill provides the following additional methods by which a lessor can prevent a mechanic's lien, for improvements made by a lessee, from extending to the lessor's interest in leased property: (1) the lessor can record a short form of the lease, which lease expressly prohibits the lessor's liability; (2) in regard to multiple leases for premises on a parcel of land, each of which prohibit the lessor's liability, the lessor can record a notice setting forth the name of the lessor, the legal description of the parcel of land to which the notice applies, and the specific language contained in the various leases prohibiting the lessor's liability along with a statement that all the leases contain such language.

II. ECONOMIC IMPACT AND FISCAL NOTE:

A. Public:

Recording fees for lessors, desirous of preventing the extension of mechanics' liens to their interests pursuant to s. 713.10, F.S., may be reduced.

B. Government:

Collections by the clerk for recording leases may be reduced.

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Tallahassee, FL 32399-0250

Series 18 Carton 1554

REVISED: _____

BILL NO. HB 1098

DATE: May 20, 1985

Page 2

III. COMMENTS:

This bill is similar to 1985 Senate Bill 1033 which is presently on the Senate Calendar.

IV. AMENDMENTS:

None.

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

<u>ANALYST</u>	<u>STAFF DIRECTOR</u>	<u>REFERENCE</u>	<u>ACTION</u>
1. <u>Christensen</u>	<u>JC Lester</u>	1. <u>JCI</u>	<u>Fav/2 amend.</u>
2. _____	_____	2. _____	_____
3. _____	_____	3. _____	_____

SUBJECT:

Mechanics' Liens

BILL NO. AND SPONSOR:

HB 1098 by
Reps. Souto, Dunbar

I. SUMMARY:

A. Present Situation:

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B. Effect of Proposed Changes:

This bill provides that when the lease expressly prohibits such liability (of the lessor for mechanics' liens), the lessee shall notify the contractor making improvements of the prohibition; the knowing and willful violation of this provision by the lessee renders the contract between lessee and contractor voidable at the contractor's option. The bill also deletes a phrase presently qualifying a method by which a lessor may prevent mechanics' liens from extending to his interest, which qualification provides that such method is only available in the absence of fraud on the part of the lessor.

This bill provides the following additional methods by which a lessor can prevent a mechanic's lien, for improvements made by a lessee, from extending to the lessor's interest in leased property: (1) the lessor can record a short form of the lease, which lease expressly prohibits the lessor's liability; (2) in regard to multiple leases for premises on a parcel of land, each of which prohibit the lessor's liability, the lessor can record a notice setting forth the name of the lessor, the legal description of the parcel of land to which the notice applies, and the specific language contained in the various leases prohibiting the lessor's liability along with a statement that all the leases contain such language.

II. ECONOMIC IMPACT AND FISCAL NOTE:

A. Public:

Recording fees for lessors, desirous of preventing the extension of mechanics' liens to their interests pursuant to s. 713.10, F.S., may be reduced.

B. Government:

Collections by the clerk for recording leases may be reduced.

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Tallahassee, FL 32399-0250

files 18 Carton 1554

III. COMMENTS:

This bill is similar to 1985 Senate Bill 1033 which is presently on the Senate Calendar.

IV. AMENDMENTS:

#1 by Judiciary-Civil:

Revises amendatory language to clarify that when a lease expressly provides that the interest of the lessor shall not be subject to liens for improvements made by a lessee, the lessee shall notify the contractor making improvements of such provisions in the lease; the knowing or willful failure of the lessee to so notify the contractor renders the contract between lessee and contractor voidable at the contractor's option.

#2 by Judiciary-Civil:

Title amendment.

May 21, 1985

SENATE COMMITTEE AMENDMENT

SB _____

No. 1
(reported favorably)

HB 1098

The Committee on...Judiciary-Civil...recommended the following amendment which was moved by Senator.....and adopted: and failed:

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Amendment

On page 1....., lines 19-23....., strike all of said lines

If amendment is text from another bill insert:

Bill No.	Draft No.	With Changes?	No <u>-</u> Yes
----------	-----------	---------------	--------------------

and insert:

interest of such lessor. When the lease expressly provides that the interest of the lessor shall not be subject to liens for improvements made by the lessee, the lessee shall notify the contractor making any such improvements of such provision(s) in the lease, and the knowing or willful failure of the lessee to provide such notice to the contractor shall render the contract between the

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85h1098/jc101

CODING: Words stricken are deletions; words underlined are additions.

* Amendment No. 1, taken up by committee: 05-21-85 Adopted X *
* Offered by Senator Kiser Failed *

(Amendment No. _____ Adopted _____ Failed _____ Date ___/___/___)

May 21, 1985

SB _____

No. 2
(reported favorably)

HB 1098

The Committee on...Judiciary-Civil....recommended the following amendment which was moved by Senator.....and adopted: and failed:

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Title Amendment

In title, on page 1....., line 4....., after the semicolon (;)

If amendment is text from another bill insert:

Bill No.	Draft No.	With Changes?	No	Yes

insert:

providing conditions under which a contract for improvements between a lessee and a contractor may be rendered voidable;

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

 * Amendment No. 2, taken up by committee: 05-21-85 Adopted X *
 * Offered by Senator Kiser Failed *

 (Amendment No. Adopted Failed Date / /)

Journal
of the
S E N A T E
State of Florida

SEVENTEENTH REGULAR SESSION
UNDER THE CONSTITUTION AS REVISED IN 1968
APRIL 2 THROUGH MAY 31, 1985



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Yeas—33

Mr President	Frank	Johnson	Plummer
Barron	Gersten	Kirkpatrick	Scott
Beard	Girardeau	Kiser	Stuart
Carlucci	Gordon	Langley	Thurman
Childers, D	Grant	Malchon	Vogt
Childers, W D	Grizzle	Margolis	Weinstein
Crawford	Hair	Meek	
Dunn	Hill	Myers	
Fox	Jennings	Peterson	

Nays—None

Vote after roll call

Yea—Castor, Jenne, Neal

On motion by Senator Girardeau, the rules were waived and SB 832 after being engrossed was ordered immediately certified to the House

On motion by Senator Malchon, the rules were waived and the Senate reverted to—

MESSAGES FROM THE HOUSE OF REPRESENTATIVES*The Honorable Harry A Johnston, II, President*

I am directed to inform the Senate that the House of Representatives has passed CS for HB 135 and requests the concurrence of the Senate

Allen Morris, Clerk

By the Committee on Education, K-12 and Representative Friedman—

CS for HB 135—A bill to be entitled An act relating to elementary and secondary schools; providing legislative intent with respect to biological experimentation; providing state policy with respect to experiments conducted on living subjects, providing exemptions, providing a penalty, providing an effective date.

—was read the first time by title.

SPECIAL ORDER, continued

On motions by Senator Malchon, by two-thirds vote CS for HB 135, a companion measure, was substituted for CS for SB 133 and by two-thirds vote read the second time by title. On motion by Senator Malchon, by two-thirds vote CS for HB 135 was read the third time by title, passed and certified to the House. The vote on passage was

Yeas—26

Barron	Dunn	Johnson	Scott
Carlucci	Frank	Kirkpatrick	Stuart
Castor	Gersten	Malchon	Thurman
Childers, D	Girardeau	Margolis	Vogt
Childers, W. D	Grant	Meek	Weinstein
Crawford	Hair	Peterson	
Deratany	Jennings	Plummer	

Nays—4

Gordon Grizzle Kiser Myers

Vote after roll call

Yea—Fox, Jenne, Neal

Nay—Langley

CS for SB 133 was laid on the table.

The President presiding

CS for SB 1152—A bill to be entitled An act relating to appellate court filing fees; amending s 25.241, F.S.; increasing Supreme Court filing fees; providing an exemption from the requirement to pay the Clerk of the Supreme Court a filing fee for the State of Florida when appearing as appellant or petitioner; amending s 35.22, F.S.; providing a similar exemption with respect to payment of filing fees in the district courts of appeal; increasing district courts of appeal filing fees; providing an effective date

—was read the second time by title. On motion by Senator Dunn, by two-thirds vote CS for SB 1152 was read the third time by title, passed and certified to the House. The vote on passage was

Yeas—31

Mr President	Frank	Jennings	Meek
Barron	Gersten	Johnson	Myers
Beard	Girardeau	Kirkpatrick	Plummer
Castor	Gordon	Kiser	Scott
Childers, D.	Grizzle	Langley	Stuart
Childers, W D	Hair	Malchon	Vogt
Crawford	Hill	Mann	Weinstein
Dunn	Jenne	Margolis	

Nays—None

Vote after roll call

Yea—Fox, Neal

On motion by Senator Kiser—

HB 1098—A bill to be entitled An act relating to mechanics' liens; amending s 713.10, F.S., changing the circumstances in which a lessor is subject to such liens; providing an effective date

—a companion measure, was substituted for SB 1033 and read the second time by title

The Committee on Judiciary-Civil recommended the following amendment which was moved by Senator Kiser and adopted:

Amendment 1—On page 1, strike all of lines 19-23 and insert interest of such lessor *When the lease expressly provides that the interest of the lessor shall not be subject to liens for improvements made by the lessee, the lessee shall notify the contractor making any such improvements of such provision(s) in the lease, and the knowing or willful failure of the lessee to provide such notice to the contractor shall render the contract between the*

Senators Kiser and McPherson offered the following amendment which was moved by Senator Kiser and adopted:

Amendment 2—On page 2, between lines 13 and 14, insert new sections 2 and 3 to read

Section 2. Subsections (1) and (2) of section 713.03, Florida Statutes, are amended to read.

713.03 Liens for professional services.—

(1) Any person who performs services as architect, landscape architect, *interior designer*, engineer or land surveyor, subject to compliance with and the limitations imposed by this part, shall have a lien on the real property improved for any money that shall be owing to him for his services in preparing plans, specifications or drawings used in connection with improving the real property or for his services in supervising any portion of the work of improving the real property, rendered in accordance with his contract and with the direct contract

(2) Any architect, landscape architect, *interior designer*, engineer or land surveyor who has a direct contract and who in the practice of his profession shall perform services, by himself or others, in connection with a specific parcel of real property and subject to said compliances and limitations, shall have a lien upon such real property for the money owing to him for his professional services, regardless of whether such real property is actually improved.

Section 3. Section 713.79, Florida Statutes, is created to read:

713.79 *Liens for interior design services* —Any person who as part of his services performed as an interior designer, furnishes any articles of furniture including, but not limited to, desks, tables, lamps, area rugs, wall hangings, photographs, paintings or other works of art or any items of furnishing, subject to compliance with and the limitations imposed by this part, shall have a lien upon all such articles furnished and upon all such articles manufactured or converted from such furnishing, provided that the same shall be tangible personal property, and provided further that such furnishings are rendered in accordance with a written contract and under direct contract with the owner.

(Renumber subsequent sections.)

Senator Vogt moved the following amendment which was adopted:

Amendment 3—On page 2, between lines 13 and 14, insert:

Section 2. Section 713.1355, Florida Statutes, is created to read:

713 1355 Building and dwelling permits —

(1) For the purposes of this section, "dwelling" means any building or structure, or part thereof, which is occupied as a residence by a family, or is intended for occupancy by an individual or a family

(2) When any person applies for a building permit for the construction of improvements or for the alteration or repair of improvements to a dwelling to be located on real property, the provisions of this section shall be in addition to those contained in s. 713.135, and shall govern such section to the extent of any inconsistency therewith

(3) No county or municipality shall issue a building permit for such construction or improvements to a dwelling within the geographic limits of the issuing authority to any person other than the owner or his authorized agent, who is other than the contractor, unless the contractor is also the owner, unless the owner or such authorized agent, as evidenced by a written appointment of agency, has signed a statement of waiver allowing the contractor or the contractor's agent to apply for the building permit as provided herein. The signed, notarized statement of waiver shall be presented to the issuing authority along with the application for the building permit and shall become a part of the permit

(4) The statement of waiver shall be sufficient if it is in substantially the following form

STATEMENT OF WAIVER

State of Florida

County of . . .

Before me, the undersigned notary public, personally appeared . . . , who being duly sworn says that he is the owner of the real property described in the attached building permit application and that he hereby waives his right to apply for the building permit to . . . , whose address is In waiving this right, the undersigned acknowledges that he has read and understands the following provisions of the Mechanics' Lien Law:

(a) That the Mechanics' Lien Law (chapter 713, part I, Florida Statutes) provides a method by which a contractor, subcontractor, sub-subcontractor, laborer, building material supplier, architect, landscape architect, engineer, or land surveyor may claim a lien on real property on which he has done work or to which he has furnished materials,

(b) That a lien is a charge or encumbrance on real property which must be satisfied by the property owner and "attachment" means that if a court finds a claim of lien valid, the owner's property may be seized and sold to satisfy the lien if it is not voluntarily paid,

(c) That the failure of the property owner to comply with the Mechanics' Lien Law can result in the property owner paying twice for building or property improvements. once to a contractor and again to a laborer, supplier, or subcontractor whom the contractor failed to pay, and

(d) That a "Notice of Commencement" must be filed, however the owner should check with the construction moneylender first as premature filing can affect the loan and a performance bond from the contractor may be required to protect the property owner.

. . . (Signature)

Sworn to and subscribed before me this . . . day of . . . 19. . . . notary public . . . My Commission Expires . . .

(5) The statement of waiver may not be notarized by the contractor or any of his employees or agents.

(6) Errors or the omission of any of the details herein specified in the statement of waiver shall not affect the validity of such waiver if the trial court determines that the error or omission is not substantial.

(Renumber subsequent section.)

The Committee on Judiciary-Civil recommended the following amendment which was moved by Senator Kiser and adopted:

Amendment 4—In title, on page 1, line 4, after the semicolon (;) insert: providing conditions under which a contract for improvements between a lessee and a contractor may be rendered voidable;

Senator Vogt moved the following amendment which was adopted

Amendment 5—On page 1, line 4, after the semicolon (;) insert.

creating s. 713 1355, F S ; providing a definition, providing additional requirements with respect to an application for a building permit for a dwelling, allowing persons other than the owner to apply for such permit, providing for a statement of waiver acknowledging certain provisions of the mechanics' lien law,

Senators Kiser and McPherson offered the following amendment which was moved by Senator Kiser and adopted

Amendment 6—On page 1, line 4, after the semicolon (;) insert: amending s. 713.03, F S., including interior design services within a group of professional services for which liens may attach, creating s. 713.79, F S, creating a right of lien for certain interior design services,

On motion by Senator Kiser, by two-thirds vote HB 1098 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—31

Mr President	Gersten	Kirkpatrick	Plummer
Beard	Girardeau	Kiser	Scott
Carlucci	Gordon	Langley	Stuart
Childers, W D.	Grizzle	Mann	Thomas
Crawford	Hair	Margolis	Thurman
Deratany	Hill	Meek	Vogt
Fox	Jennings	Myers	Weinstein
Frank	Johnson	Peterson	

Nays—None

Vote after roll call:

Yea—Castor, Dunn, Jenne, Neal

SB 1033 was laid on the table.

CS for SB 713—A bill to be entitled An act relating to financial responsibility; amending s. 324.031, F.S., specifying the amount of any surety bond or deposit which must be met by certain persons to establish financial responsibility and requiring certain excess insurance under certain circumstances; amending s. 324.171, F.S.; providing different qualifications for self-insurance for private passenger and commercial vehicles; providing an effective date

—was read the second time by title.

Senator Fox moved the following amendment:

Amendment 1—On page 1, line 14, strike everything after the enacting clause and insert:

Section 1. Subsection (1) of section 627.732, Florida Statutes, is amended to read:

627.732 Definitions.—As used in ss. 627.730-627.740:

(1) "Motor vehicle" means any self-propelled vehicle with four or more wheels which is of a type both designed and required to be licensed for use on the highways of this state and any trailer or semitrailer designed for use with such vehicle and includes.

(a) A "private passenger motor vehicle," which is any motor vehicle which is a sedan, station wagon, or jeep-type vehicle ~~not used at any time as a public or livery conveyance for passengers~~ and, if not used primarily for occupational, professional, or business purposes, a motor vehicle of the pickup, panel, van, camper, or motor home type.

(b) A "commercial motor vehicle," which is any motor vehicle which is not a private passenger motor vehicle

The term "motor vehicle" does not include a mobile home or any motor vehicle which is used in mass transit or public school transportation and designed to transport more than five passengers exclusive of the operator of the motor vehicle and which is owned by a municipality, a transit or public school transportation authority, or a political subdivision of the state. Further, the term "motor vehicle" does not, except for the purposes of s. 627.732, include any motor vehicle of any type used as a taxicab or limousine

Section 2 Section 627.732, Florida Statutes, reads:

627.732 Collateral sources of indemnity.—

present—36

Mr President	Frank	Johnson	Myers
Beard	Gersten	Kirkpatrick	Neal
Carlucci	Gordon	Kiser	Peterson
Castor	Grant	Langley	Scott
Childers, D	Grizzle	Malchon	Stuart
Childers, W D	Hair	Mann	Thomas
Crawford	Hill	Margolis	Thurman
Deratany	Jenne	McPherson	Vogt
Fox	Jennings	Meek	Weinstein

On motion by Senator D Childers, the rules were waived and CS for CS for SB 1 after being engrossed was ordered immediately certified to the House

On motion by Senator Weinstein, the rules were waived and by two-thirds vote SR 1006 was withdrawn from the Committee on Rules and Calendar.

CONSIDERATION OF RESOLUTION

On motion by Senator Weinstein—

SR 1006—A resolution commending Broward Community College upon its 25th Anniversary.

WHEREAS, Broward Community College was founded in 1960 in barracks of a former naval air station in order to provide the people of Broward County access to higher education, and

WHEREAS, today, Broward Community College has grown to provide college-parallel education, vocational-technical education, and lifelong learning courses to one of every ten Broward County residents, assuring quality education to everyone who desires to benefit from the opportunity, and

WHEREAS, the facilities of the college have grown to include four campuses, two centers, and 250 outreach programs to provide even greater access to the people and to accommodate the increasing number of residents who want to learn and benefit, and

WHEREAS, national and international recognition has been bestowed upon Broward Community College for its innovative leadership in education as well as for its cooperative efforts with the business community and other public institutions, and

WHEREAS, Broward Community College has become one of the finest resources of Broward County and the State of Florida, bringing not only unique educational opportunities to all, but also artistic and cultural events to the community, and

WHEREAS, during the 1984-1985 school year, Broward Community College is celebrating its 25th anniversary, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida—

That Broward Community College is congratulated on its 25th anniversary and honored for its outstanding contributions and commitment to the people of Broward County and the State of Florida.

BE IT FURTHER RESOLVED that a copy of this resolution, with the seal of the Senate affixed, be presented to Dr. A. Hugh Adams, President of Broward Community College and an outstanding educator in this State, and to Sheldon Schlesinger, Chairman of the District Board of Trustees of Broward Community College, as a tangible token of the sentiments of the Florida Senate

—was taken up out of order by unanimous consent, read the second time in full and unanimously adopted.

RECONSIDERATION

On motion by Senator Vogt, the rules were waived and the Senate immediately reconsidered the vote by which—

HB 1098—A bill to be entitled An act relating to mechanics' liens; amending s 713.10, F.S., changing the circumstances in which a lessor is subject to such liens; providing an effective date.

—as amended passed May 22

On motion by Senator Vogt, the Senate reconsidered the vote by which HB 1098 was read the third time.

On motion by Senator Vogt, the Senate reconsidered the vote by which Amendment 3 was adopted.

Senator Vogt moved the following substitute amendment which was adopted

Amendment 7—On page 2, between lines 13 and 14, insert.

Section 2. Section 713.1355, Florida Statutes, is created to read

713.1355 Building and dwelling permits.—

(1) For the purposes of this section, "dwelling" means any building or structure, or part thereof, which is intended to be or is occupied as a single family residence.

(2) When any person applies for a building permit for the construction of a dwelling or for the alteration or repair of improvements to a dwelling to be located on real property, the provisions of this section shall be in addition to those contained in s 713.135, and shall govern such section to the extent of any inconsistency therewith.

(3) No county or municipality shall issue a building permit for such construction or improvements to a dwelling within the geographic limits of the issuing authority to any person other than the owner unless the owner has signed a statement of waiver as described in subparagraph (4). The signed, notarized statement of waiver shall be presented to the issuing authority along with the application for the building permit and shall become a part of the permit.

(4) The statement of waiver shall be in the following form.

STATEMENT OF WAIVER

State of Florida

County of . . .

Before me, the undersigned notary public, personally appeared . . . , who being duly sworn says that he is the owner of the real property described in the attached building permit application and that he hereby waives his right to apply for the building permit and hereby authorizes . . . , whose address is . . . to apply for such permit. In waiving this right, the undersigned acknowledges that he has read and understands the following provisions of the Mechanics' Lien Law:

(a) That the Mechanics' Lien Law (chapter 713, part I, Florida Statutes) provides a method by which a contractor, subcontractor, sub-subcontractor, laborer, building material supplier, architect, landscape architect, engineer, or land surveyor may claim a lien on real property on which he has done work or to which he has furnished materials;

(b) That a lien is a charge or encumbrance on real property which must be satisfied by the property owner and "attachment" means that if a court finds a claim of lien valid, the owner's property may be seized and sold to satisfy the lien if it is not voluntarily paid,

(c) That the failure of the property owner to comply with the Mechanics' Lien Law can result in the property owner paying twice for building or property improvements: once to a contractor and again to a laborer, supplier, or subcontractor whom the contractor failed to pay; and

(d) That a "Notice of Commencement" must be filed, however the owner should check with the construction moneylender first as premature filing can affect the loan and a performance bond from the contractor may be required to protect the property owner.

(e) This statement of waiver may not be notarized by the contractor or any of his employees or agents.

(Signature)

Sworn to and subscribed before me this . . . day of . . . 19 . . . notary public . . . My Commission Expires

(5) Errors or the omission of any of the details herein specified in the statement of waiver shall not affect the validity of such waiver if the trial court determines that the error or omission is not substantial.

(Renumber subsequent section.)

On motion by Senator Vogt, by two-thirds vote HB 1098 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—29

Mr President	Gordon	Mann	Stuart
Beard	Hair	Margolis	Thomas
Carlucci	Hill	McPherson	Thurman
Childers, D	Jenne	Meek	Vogt
Childers, W D	Johnson	Neal	Weinstein
Deratany	Kiser	Peterson	
Fox	Langley	Plummer	
Frank	Malchon	Scott	

Nays—None

Vote after roll call

Yea—Castor, Dunn, Gersten, Girardeau

Senator Vogt presiding

SPECIAL ORDER, continued

SB 237—A bill to be entitled An act relating to petroleum products dealers; repealing s 526 151, F.S, relating to operating restrictions on retail service stations, providing an effective date

—was read the second time by title

Two amendments were adopted to SB 237 to conform the bill to CS for HB 690

On motion by Senator Fox, the rules were waived and the Senate reverted to—

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Harry A Johnston, II, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 690 and requests the concurrence of the Senate

Allen Morris, Clerk

By the Committee on Commerce and Representative Burnsed—

CS for HB 690—A bill to be entitled An act relating to sale of motor fuel; creating the Motor Fuel Marketing Practices Act; providing definitions, prohibiting predatory practices which injure competition; prohibiting sale of motor fuel at discriminatory prices which injure competition, prohibiting discriminatory allocations; prohibiting certain unfair practices in connection with retail outlets, prohibiting certain rebates which injure competition; providing exemptions, providing for civil penalties and injunctive relief; specifying duties of the Department of Agriculture and Consumer Services and the Department of Legal Affairs; providing for private actions, providing for damages and injunctive relief; providing for attorney's fees; providing limitations on actions; repealing s 526 151, F.S , which provides restrictions on operation of retail service stations by producers and refiners and requires producers and refiners to apply equipment rental charges uniformly to retail service station dealers, specifying effect on actions begun under said section before the effective date of the act; requiring certain reports and studies; providing an effective date

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

On motion by Senator Fox, by two-thirds vote CS for HB 690 was withdrawn from the Committee on Commerce

SPECIAL ORDER, continued

On motions by Senator Fox, CS for HB 690, a companion measure, was substituted for SB 237 and by two-thirds vote read the second time by title. On motion by Senator Fox, by two-thirds vote CS for HB 690 was read the third time by title, passed and certified to the House The vote on passage was

Yeas—35

Beard	Deratany	Gordon	Jenne
Carlucci	Dunn	Grant	Jennings
Childers, D.	Fox	Grizzle	Johnson
Childers, W. D.	Frank	Hair	Kirkpatrick
Crawford	Gersten	Hill	Kiser

Langley	McPherson	Plummer	Thurman
Malchon	Meek	Scott	Vogt
Mann	Myers	Stuart	Weinstein
Margolis	Neal	Thomas	

Nays—None

Vote after roll call

Yea—Castor, Girardeau

SB 237 was laid on the table

On motion by Senator Hill, by two-thirds vote five bills relating to corrections were taken up in the following order SB 134, SB 1031, CS for SB 498, SB 309, CS for SB 732, CS for SB 55

SB 134—A bill to be entitled An act relating to the Parole and Probation Commission, amending s 947.04, F.S , requiring the commission to select a vice chairman, amending s 947 13, F S ; extending the time limit within which the commission is to submit a report; amending s 947 16, F.S , providing a time limit for certain notices, amending s 947 165, F.S.; providing for the modification of certain parole guidelines; amending s. 947.172, F.S.; deleting the requirement that the chairman sit on certain panels; amending ss. 947 22, 947.23, F.S.; providing for disposition of parole violators, providing that any number of commissioners may administer oaths, compel the attendance of witnesses, issue subpoenas, convene hearings, or make findings of fact regarding parole violations, repealing s. 947.09, F.S , relating to competitive examinations for certain full-time employees; providing an effective date

—was read the second time by title

The Committee on Corrections, Probation and Parole recommended the following amendments which were moved by Senator Hill and adopted

Amendment 1—On page 5, lines 5-12, strike all of Section 4 and renumber subsequent sections

Amendment 2—In title, on page 1, lines 8-10, strike "amending s. 947.165, F.S ; providing for the modification of certain parole guidelines;"

On motion by Senator Hill, by two-thirds vote SB 134 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—34

Beard	Gordon	Langley	Plummer
Carlucci	Grant	Malchon	Scott
Childers, D	Grizzle	Mann	Stuart
Childers, W D.	Hair	Margolis	Thomas
Crawford	Hill	McPherson	Thurman
Deratany	Jenne	Meek	Vogt
Fox	Johnson	Myers	Weinstein
Frank	Kirkpatrick	Neal	
Gersten	Kiser	Peterson	

Nays—None

Vote after roll call:

Yea—Castor, Dunn, Girardeau

SB 1031—A bill to be entitled An act relating to corrections, adding s 945.091(1)(c), F.S.; providing for extending limits of confinement of inmates in certain rehabilitative programs; providing an effective date.

—was read the second time by title.

The Committee on Corrections, Probation and Parole recommended the following amendment which was moved by Senator Hill and adopted:

Amendment 1—On page 1, line 26, after "inmate " insert The provisions of ss 216 311 and 287.057 shall apply to all contracts between the department and any private entity providing such services.

On motion by Senator Hill, by two-thirds vote SB 1031 as amended was read the third time by title, passed, ordered engrossed and then certified to the House The vote on passage was.

By Representatives Souto and Dunbar

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A bill to be entitled

An act relating to mechanics' liens; amending
s. 713.10, F.S., changing the circumstances in
which a lessor is subject to such liens;
providing an effective date.

Be It Enacted by the Legislature of the State of Florida

Section 1. Section 713.10, Florida Statutes, is
amended to read:

713.10 Extent of liens.--Except as provided in s.
713.12, liens under part I of this chapter shall extend to,
and only to, the right, title and interest of the person who
contracts for the improvement as such right, title and
interest exists at the commencement of the improvement or is
thereafter acquired in the real property When an improvement
is made by a lessee in accordance with an agreement between
such lessee and his lessor, liens shall extend also to the
interest of such lessor. In the absence of fraud on the part
of the lessor, the interest of the lessor shall not be subject
to liens for improvements made by the lessee when:

(1) The lease or a short form thereof is recorded in
the clerk's office and the terms of the lease expressly
prohibit such liability; or

(2) All of the leases entered into by a lessor for the
rental of premises on a parcel of land prohibit such liability
and a notice is recorded by the lessor in the public records
of the county in which the parcel of land is located, which
notice shall set forth the following:

(a) The name of the lessor.

This publication was produced at an average cost of 15 cents per single page in compliance with the Rules and for the information of members of the Legislature and the public.

1	<u>(b) The legal description of the parcel of land to</u>	
2	<u>which the notice applies.</u>	
3	<u>(c) The specific language contained in the various</u>	1.28
4	<u>leases prohibiting such liability.</u>	
5	<u>(d) A statement that all leases entered into for</u>	1:1us
6	<u>premises on the parcel of land contain the language identified</u>	1.30
7	<u>in paragraph (c).</u>	
8	Section 2. This act shall take effect October 1, 1985.	1.31
9		
10		
11	*****	
12	HOUSE SUMMARY	
13	Provides additional circumstances in which the interest	
14	of a lessor shall not be subject to mechanics' liens for	
15	improvements made by the lessee.	
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1 A bill to be entitled
2 An act relating to mechanics' liens; amending
3 s. 713.10, F.S., changing the circumstances in
4 which a lessor is subject to such liens;
5 providing an effective date.
6

7 Be It Enacted by the Legislature of the State of Florida:
8

9 Section 1. Section 713.10, Florida Statutes, is
10 amended to read:

11 713.10 Extent of liens.--Except as provided in s.
12 713.12, liens under part I of this chapter shall extend to,
13 and only to, the right, title and interest of the person who
14 contracts for the improvement as such right, title and
15 interest exists at the commencement of the improvement or is
16 thereafter acquired in the real property. When an improvement
17 is made by a lessee in accordance with an agreement between
18 such lessee and his lessor, liens shall extend also to the
19 interest of such lessor. In the absence of fraud on the part
20 of the lessor, the interest of the lessor shall not be subject
21 to liens for improvements made by the lessee when:

22 (1) The lease or a short form thereof is recorded in
23 the clerk's office and the terms of the lease expressly
24 prohibit such liability; or

25 (2) All of the leases entered into by a lessor for the
26 rental of premises on a parcel of land prohibit such liability
27 and a notice is recorded by the lessor in the public records
28 of the county in which the parcel of land is located, which
29 notice shall set forth the following:

30 (a) The name of the lessor.
31

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(b) The legal description of the parcel of land to which the notice applies.

(c) The specific language contained in the various leases prohibiting such liability.

(d) A statement that all leases entered into for premises on the parcel of land contain the language identified in paragraph (c).

Section 2. This act shall take effect October 1, 1985.

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HOUSE SUMMARY

Provides additional circumstances in which the interest of a lessor shall not be subject to mechanics' liens for improvements made by the lessee.

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

<u>ANALYST</u>	<u>STAFF DIRECTOR</u>	<u>REFERENCE</u>	<u>ACTION</u>
1. <u>Christensen</u>	<u>C Lester</u>	1. <u>JCI</u>	_____
2. _____	_____	2. _____	_____
3. _____	_____	3. _____	_____

SUBJECT:

Mechanics' Liens

BILL NO. AND SPONSOR:

SB 1033 by
Senator Kiser

I. SUMMARY:

A. Present Situation:

Section 713.10, F.S., relating to mechanics' liens, provides that when an improvement is made by a lessee in accordance with an agreement between a lessee and lessor, liens shall extend to the interest of the lessor. However, such liens shall not extend to the lessor's interest if the lessor has recorded the lease and the terms of the lease expressly prohibit the lessor's liability.

B. Effect of Proposed Changes:

This bill provides the following additional methods by which a lessor can prevent a mechanic's lien, for improvements made by a lessee, from extending to the lessor's interest in leased property: (1) the lessor can record a short form of the lease, which lease expressly prohibits the lessor's liability; (2) in regard to multiple leases for premises on a parcel of land, each of which prohibit the lessor's liability, the lessor can record a notice setting forth the name of the lessor, the legal description of the parcel of land to which the notice applies, and the specific language contained in the various leases prohibiting the lessor's liability along with a statement that all the leases contain such language.

II. ECONOMIC IMPACT AND FISCAL NOTE:

A. Public:

Recording fees for lessors, desirous of preventing the extension of mechanics' liens to their interests pursuant to s. 713.10, F.S., may be reduced.

B. Government:

Collections by the clerk of the court for recording leases may be reduced.

III. COMMENTS:

This bill is identical to 1985 House Bill 1098 which was reported favorably by the House Judiciary Committee and is presently on the House calendar.

IV. AMENDMENTS:

None.

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SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

<u>ANALYST</u>	<u>STAFF DIRECTOR</u>	<u>REFERENCE</u>	<u>ACTION</u>
1. <u>Christensen</u>	<u>Lester</u> <i>BL</i>	1. <u>JCI</u>	<u>Fav/1 amend.</u>
2. _____	_____	2. _____	_____
3. _____	_____	3. _____	_____

SUBJECT:

Mechanics' Liens

BILL NO. AND SPONSOR:

SB 1033 by
Senator Kiser

I. SUMMARY:

A. Present Situation:

Section 713.10, F.S., relating to mechanics' liens, provides that when an improvement is made by a lessee in accordance with an agreement between a lessee and lessor, liens shall extend to the interest of the lessor. However, such liens shall not extend to the lessor's interest if the lessor has recorded the lease and the terms of the lease expressly prohibit the lessor's liability.

B. Effect of Proposed Changes:

This bill provides the following additional methods by which a lessor can prevent a mechanic's lien, for improvements made by a lessee, from extending to the lessor's interest in leased property: (1) the lessor can record a short form of the lease, which lease expressly prohibits the lessor's liability; (2) in regard to multiple leases for premises on a parcel of land, each of which prohibit the lessor's liability, the lessor can record a notice setting forth the name of the lessor, the legal description of the parcel of land to which the notice applies, and the specific language contained in the various leases prohibiting the lessor's liability along with a statement that all the leases contain such language.

II. ECONOMIC IMPACT AND FISCAL NOTE:

A. Public:

Recording fees for lessors, desirous of preventing the extension of mechanics' liens to their interests pursuant to s. 713.10, F.S., may be reduced.

B. Government:

Collections by the clerk for recording leases may be reduced.

III. COMMENTS:

This bill is identical to 1985 House Bill 1098 which is presently on the House calendar.

IV. AMENDMENTS:

#1 by Judiciary-Civil:

Deletes a phrase presently qualifying a method by which a lessor may prevent mechanics' liens from extending to his interest in leased property, which qualification provides that such method is only available in the absence of fraud on the part of the lessor.

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[May 1, 1985]

SENATE COMMITTEE AMENDMENT

SB 1033

No. 1
(reported favorably)

HB _____

The Committee on...Judiciary-Civil....recommended the following amendment which was moved by Senator.....and adopted: and failed:

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Amendment

On page 1....., lines 19 and 20, strike
In the absence of fraud on the part of the lessor,

If amendment is text from another bill insert:

Bill No. _____ Draft No. _____ With Changes? Yes No

and insert:

~~In the absence of fraud on the part of the lessor,~~

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CODING: Words stricken are deletions; words underlined are additions.

* Amendment No. 1, taken up by committee: 05-01-85 Adopted X *
* Offered by Senator Kiser Failed *

(Amendment No. _____ Adopted ___ Failed ___ Date ___/___/___)

REGULAR SESSION 1963

GENERAL ACTS AND RESOLUTIONS

ADOPTED BY THE

LEGISLATURE OF FLORIDA

At its Thirty-Ninth Regular Session

April 2nd to June 19th, 1963

UNDER THE CONSTITUTION OF A. D. 1885

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Published by Authority of Law

Under the Direction of

TOM ADAMS, SECRETARY OF STATE

Volume I, Part One

1963

Be It Enacted by the Legislature of the State of Florida:

Section 1. Any bonds or other obligations of the inter-American development bank shall be and constitute legal investments for banks, savings banks, and insurers, the provision of any other law to the contrary notwithstanding, provided that the investment in such obligations by a bank shall not exceed twenty-five (25%) percent of the unimpaired capital and surplus of such bank.

Section 2 This act shall take effect upon becoming law.

Approved by the Governor May 22, 1963.

Filed in Office Secretary of State May 23, 1963.

CHAPTER 63-135

HOUSE BILL NO. 196

AN ACT relating to mechanics' lien law; revising chapter 84, repealing sections 84.01-84.35 and adding sections 84.011-84.371, all Florida Statutes; providing effective date October 1, 1963.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Chapter 84, Florida Statutes, is revised and amended to read:

MECHANICS' LIEN LAW

84.011 *Definitions.*—As used in this act:

(1) Contract means an agreement for improving real property, written or unwritten, express or implied, and includes extras or change orders as herein defined.

(2) Contractor means a person other than a materialman or laborer who enters into a contract with the owner of real property for improving it, or who takes over from a contractor as above defined the entire remaining work under such contract.

(3) Contract price means the amount agreed upon by the contracting parties for performing all labor and services and furnishing all materials covered by their contract and shall be increased or diminished, as the case may be, by the price of any extras or change orders as herein defined, or by any amounts at-

facie sufficient to support a lien on any or all of such lots, parcels or tracts of land so improved.

(2) In the event the project consists of six or more improvements or one improvement costing more than fifty thousand dollars (\$50,000.00), and delivery is to a place, other than the site of improvement, designated by the purchaser, such as, but not limited to, a warehouse, concentration point, cutting or fabricating plant, of materials ordered by the purchaser to be used on one or more of such improvements, there shall be served upon the owner a notice, signed and acknowledged by both the seller and purchaser, substantially as follows:

NOTICE OF DELIVERY

Notice is hereby given that materials having a value of \$..... have been delivered by the undersigned vendor to at

(purchaser)

(address of delivery)

said materials to be used for construction of improvements upon the following described property situated in County, Florida, to wit:

..... Vendor

..... Purchaser

The service of said notice shall not create a lien, but shall be proof of delivery of the materials referred to in said notice sufficient to support a lien therefor on any or all of such lots, parcels or tracts of land described in said notice; provided, however, that no lien shall attach to any one or more of such lots, parcels or tracts of land by lienors subject thereto until compliance with section 84.061(2), Florida Statutes, when required, and section 84.081, Florida Statutes, and provided further, that no lien shall attach to any one or more of such lots, parcels or tracts of land previously released in writing or upon which the improvement has been completed for a period of ninety (90) days.

84.101 Extent of liens.—Except as provided in section 84.121, Florida Statutes, liens under this chapter shall extend to, and only to, the right, title and interest of the person who contracts for the improvement as such right, title and interest exists at the commencement of the improvement or is thereafter acquired in

the real property. When an improvement is made by a lessee in accordance with an agreement between such lessee and his lessor, liens shall extend also to the interest of such lessor. In the absence of fraud on the part of the lessor, the interest of the lessor shall not be subject to liens for improvements made by the lessee when the lease is recorded in the clerk's office and the terms of the lease expressly prohibit such liability.

84.111 *Liens for improving land in which the contracting party has no interest.*—When the person contracting for improving real property has no interest as owner in the land, no lien shall attach to the land, except as provided in section 84.121, Florida Statutes, but if removal of such improvement from the land is practicable, the lien of a lienor shall attach to the improvement on which he has performed labor or services or for which he has furnished materials. The court, in the enforcement of such lien, may order such improvement to be separately sold and the purchaser may remove it within such reasonable time as the court may fix. The purchase price for such improvement shall be paid into court. The owner of the land upon which the improvement was made may demand that the land be restored substantially to its condition before the improvement was commenced, in which case the court shall order its restoration and the reasonable charge therefor shall be first paid out of such purchase price and the remainder shall be paid to lienors and other encumbrances in accordance with their respective rights.

84.121 *Liens for improving real property under contract with husband or wife on property of the other or of both*—When the contract for improving real property is made with a husband or wife who is not separated and living apart from his or her spouse and the property is owned by the other or by both, the spouse who contracts shall be deemed to be the agent of the other to the extent of subjecting the right, title, or interest of the other in said property to liens under this chapter unless such other shall, within ten (10) days after learning of such contract, give the contractor and record in the clerk's office, notice of his or her objection thereto.

84.131 *Notice of commencement.*—

(1) An owner or his authorized agent before actually commencing to improve any real property, or recommencing com-