

SPECIAL SESSION

JOURNAL OF THE FLORIDA SENATE

At a Special Session of the Florida Senate convened under Article III, Section 3, of the Constitution of the State, as revised in 1968, begun and held at the Capitol, in the City of Tallahassee, in the State of Florida.

Wednesday, June 9, 1971

In pursuance of the Proclamation of Honorable Reubin O'D. Askew, Governor of the State of Florida, the Senate met in Special Session at 11:00 a.m. and was called to order by Senator Jerry Thomas, President of the Senate; the Secretary of the Senate, Elmer O. Friday; the Sergeant at Arms of the Senate, LeRoy Adkison, being at their posts.

The Proclamation of the Governor convening the Legislature in Special Session was read as follows:

**PROCLAMATION**

State of Florida

Office of the Governor

Tallahassee

**TO THE HONORABLE MEMBERS OF THE SENATE  
AND HOUSE OF REPRESENTATIVES:**

WHEREAS, the Legislature of the State of Florida convened in Regular Session for the year 1971 on the 6th day of April A. D. 1971, and

WHEREAS, the Legislature adjourned the Regular Session of 1971, sine die, on the 4th day of June A. D. 1971, and

WHEREAS, the Legislature, during the Regular Session of 1971 failed to enact a General Appropriations Act or provide adequate financing for necessary programs and activities of State Government, and

WHEREAS, it is my duty as Governor under Section 1 of Article IV, Florida Constitution, to take care that the laws be faithfully executed, and

WHEREAS, the enactment of a General Appropriations Act which is properly and adequately financed is essential in order to insure the benefits of the constitutional liberty, perfect our government, insure domestic tranquility, maintain public order and guarantee equal civil and political rights due all the citizens of the State of Florida;

NOW, THEREFORE, I, REUBIN O'D. ASKEW, as Governor of the State of Florida, in obedience to my constitutional duty and by virtue of the power and authority vested in me by Section 3, Article III, of the Constitution of Florida (1968), do hereby proclaim as follows:

1. That the Legislature of the State of Florida be and it is hereby convened in Special Session at the Capital, Tallahassee, Florida, for a period of approximately ten (10) consecutive days, commencing at 11 o'clock A. M., Wednesday, the 9th day of June A. D. 1971, and ending at 5 o'clock P. M. on the 18th day of June A. D. 1971.

2. That the Legislature of the State of Florida is convened for the sole and exclusive purpose of considering the enactment of a General Appropriations Bill and such revenue bills as are necessary to adequately and properly finance the General Appropriations Bill.

3. That the only legislative business which may be transacted during the said Special Session is that business which is within the purview of paragraph 2 of this Proclamation, or within the purview of a communication to the Florida Legislature from the Governor, or that which is introduced by consent of two-thirds (2/3) of the membership of each house of the Florida Legislature.

4. That the Proclamation of the Governor issued and filed with the Secretary of State on the 4th day of June A. D. 1971 is suspended by this Proclamation.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed at Tallahassee, the Capitol, this 8th day of June A. D. 1971.

**REUBIN O'D. ASKEW**  
Governor

**ATTEST:**  
**RICHARD (DICK) STONE**  
Secretary of State

The following Senators were recorded present:

Mr. President	Deeb	Johnson (29th)	Pope
Arnold	de la Parte	Johnson (34th)	Poston
Barron	Ducker	Karl	Reuter
Barrow	Fincher	Knopke	Saunders
Beaufort	Gong	Lane	Saylor
Bishop	Graham	Lewis (33rd)	Scarborough
Boyd	Gunter	Lewis (43rd)	Stolzenburg
Brantley	Haverfield	McClain	Trask
Broxson	Henderson	Myers	Ware
Childers	Hollahan	Ott	Weber
Daniel	Horne	Plante	Williams

44. A quorum present.

Excused: Senators Brannen, Weissenborn, Bell, and Wilson.

Prayer by Frank M. Mason, pastor, Southside United Methodist Church, Tallahassee:

Our Father in heaven, give us this day steadfast hearts, which no unworthy thoughts can drag downward; unconquered hearts, which no tribulations can wear out; upright hearts, which no unworthy purposes may tempt aside. Bestow upon us also, O Lord our God, understanding to know thee, diligence to seek thee, wisdom to find thee, and a faithfulness that may finally embrace thee; through Jesus Christ our Lord and Savior. Amen.

The Senate pledged allegiance to the flag of the United States of America.

**INTRODUCTION**

By the Committee on Ways and Means—

SB 1-C—A bill to be entitled An act relating to taxation of motor vehicles; amending section 319.23, Florida Statutes, by adding new subsection (6) to provide conditions precedent to issuance of title; amending chapter 320, Florida Statutes, by adding new sections 320.0811, which provides requirements for utility services to mobile homes; providing an effective date.

Was read the first time by title and placed on the Calendar.

By the Committee on Ways and Means—

SB 2-C—A bill to be entitled An act relating to the excise tax on documents; amending section 201.11, Florida Statutes, by adding new subsection (2) to authorize appointment of agents by the department of revenue and commissions to be paid the agents; providing for limitations of, and bonds for, the agents; amending sections 201.17, Florida Statutes, by adding new subsection (2) to provide an alternative penalty for failure to pay tax required; amending 201.18(2) and 201.20, Florida Statutes, to create uniformity in penalties under this chapter; providing an effective date.

Was read the first time by title and placed on the Calendar.

By the Committee on Ways and Means—

**SB 3-C**—A bill to be entitled An act authorizing expenditures for fixed capital outlay projects at junior colleges, area vocational-technical centers, and institutions under the board of regents; providing an effective date.

Was read the first time by title and placed on the Calendar.

By the Committee on Ways and Means—

**SCR 4-C**—A concurrent resolution approving the types, amounts and use of registration fees, tuition fees, and course fees to be charged and collected from students enrolled in the institutions of higher learning under the board of regents during the 1971-72 school year.

Was read the first time in full and placed on the Calendar.

By the Committee on Ways and Means—

**SB 5-C**—A bill to be entitled An act relating to corporations, defining corporations; amending section 608.32, Florida Statutes, prescribing the contents of annual reports required to be filed by corporations; creating sections 608.321 and 608.3211, Florida Statutes, prescribing the taxable period for corporation reports and setting a due date for filing and a delinquency date; creating sections 608.322 and 608.3221, Florida Statutes, prescribing dates for the valuation of net worth and the determination of other information for all taxable periods; amending section 608.33, Florida Statutes, removing exemptions for railroad, pullman, telephone, telegraph, insurance, banking and trust companies, building and loan associations and cooperative marketing associations, providing for imposition of an annual corporate privilege tax on corporate net worth, setting a due date and a delinquency date for payments; creating sections 608.331 and 608.3311, Florida Statutes, prescribing taxes and tax rates; creating section 608.332, Florida Statutes, prescribing special rules for corporations in existence less than twelve months, for bankrupt, dissolved and withdrawing corporations, for consolidated returns by controlled groups of corporations, and adjustment powers of the department of revenue; creating section 608.333, Florida Statutes, providing for an apportionment of net worth to ascertain the portion attributable to Florida; creating section 608.334, Florida Statutes, providing for a credit of intangible personal property taxes against the corporate privilege tax attributable to subsidiary corporations, providing for a credit of insurance premium tax paid under chapter 624; creating section 608.335, Florida Statutes, providing for refund, hearing and appeal procedures, establishing a general three year statute of limitations for refunds and for assessments, and providing for the issuance of tax warrants for the collections of delinquent taxes; creating section 608.336, Florida Statutes, conforming references in the Florida Statutes; amending section 608.35, Florida Statutes, providing penalties for delinquent reports and payments and providing for interest on delinquent and overpaid taxes; creating section 608.311, Florida Statutes, defining corporations to include mutual insurers and other non-stock business associations subject to state regulation; amending section 608.05 and subsection (1) of section 613.02, Florida Statutes, providing for payment of the corporate privilege tax upon incorporation and qualification to do business in Florida; requiring the department of revenue to provide information regarding this act; repealing section 193.701, Florida Statutes, relating to railroad license tax; providing for effective dates; providing for excision of certain sections of this act when no longer needed; providing for sections 2 through 18 of this act to become inoperative if and so long as a tax is imposed by the state on the net income of corporations.

Was read the first time by title and placed on the Calendar.

By the Committee on Ways and Means—

**SB 6-C**—A bill to be entitled An act relating to the tax on cigarettes; amending subsections (1), (3), (4), (5), and (8) of section 210.02, Florida Statutes, to provide for an increase of three cents per pack; amending subsection (1) of section 210.025, Florida Statutes, to provide for an increase of one cent per pack in the additional cigarette tax; providing for a retailers' floor tax; amending subsection (3)(a) of section 210.05, Florida Statutes, to limit discounts of agents or wholesalers; providing an effective date.

Was read the first time by title and placed on the Calendar.

By the Committee on Ways and Means—

**SB 7-C**—A bill to be entitled An act relating to tax on sales, admissions, use, storage, consumption, or rentals levied pursuant to chapter 212, Florida Statutes; amending section 212.05(6), Florida Statutes, to increase the tax on the sale, rental, use, consumption or storage for use in this state on certain industrial equipment to four percent (4%); providing an effective date and an expiration date.

Was read the first time by title and placed on the Calendar.

By the Committee on Ways and Means—

**SB 8-C**—A bill to be entitled An act relating to beverage taxes and licenses; amending subsection 561.46(2), (3), (4), (5), and (6), and sections 561.461 and 561.64, Florida Statutes, providing a schedule for the reduction and elimination of the exceptions from the excise taxes on alcoholic beverages made from Florida grown products; amending section 561.34, Florida Statutes, providing for revision of the state, county, and municipal license taxes on dealers in alcoholic beverages; repealing section 561.36 and subsection 561.26(2), Florida Statutes; amending section 561.35, Florida Statutes; creating section 561.342, Florida Statutes, providing for the return of a percentage of the state license tax to the counties and municipalities; providing an effective date.

Was read the first time by title and placed on the Calendar.

By the Committee on Ways and Means—

**SB 9-C**—A bill to be entitled An act relating to taxation; providing for revision of the state, county and municipal license taxes on dealers in alcoholic beverages; repealing section 561.36 and subsection 561.26(2), Florida Statutes; amending subsections 561.34(1), (2), (3), (6) and (7), Florida Statutes; amending section 561.35, Florida Statutes; adding new section 561.342, Florida Statutes, to provide for county and municipal licenses; providing an effective date.

Was read the first time by title and placed on the Calendar.

By the Committee on Ways and Means—

**SB 10-C**—A bill to be entitled An act relating to taxation; providing for revision of the state, county and municipal license taxes on dealers in alcoholic beverages; repealing section 561.36 and subsection 561.26(2), Florida Statutes; amending subsections 561.34(1), (2), (3), (6) and (7), Florida Statutes; amending section 561.35, Florida Statutes; adding new section 561.342, Florida Statutes, to provide for county and municipal licenses; providing an effective date.

Was read the first time by title and placed on the Calendar.

By the Committee on Ways and Means—

**SB 11-C**—A bill to be entitled An act relating to tax on sales, admissions, use, storage, consumption, or rentals levied pursuant to chapter 212, Florida Statutes; repealing §212.08(3)(a), Florida Statutes, as amended by chapter 70-206, Laws of Florida, to eliminate partial exemption from tax on motor vehicles and certain farm equipment; amending §212.08(3)(b), Florida Statutes, by increasing from three percent (3%) to four percent (4%) the value of leased motor vehicles at which the exemption shall commence; providing an effective date.

Was read the first time by title and placed on the Calendar.

By the Committee on Ways and Means—

**SB 12-C**—A bill to be entitled An act relating to the excise tax on documents; adding subsection (3) to §201.02, Florida Statutes, as amended by chapter 70-304, Laws of Florida; requiring the recording of evidence of ownership in cooperative apartment associations; providing that no documentary stamp tax shall be payable upon tenant-stockholder documents executed prior to October 1, 1970; providing an effective date.

Was read the first time by title and placed on the Calendar.

By the Committee on Ways and Means—

SB 13-C—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1971, and ending June 30, 1972, to pay salaries, other expenses, capital outlay—buildings and improvements, and for other specified purposes of the various agencies of state government; providing an effective date.

Was read the first time by title and placed on the Calendar.

By Senator Hollahan—

SCR 14-C—A Concurrent Resolution calling for adjournment of the special session of the legislature from 12:00 midnight on June 9, 1971, to reconvene at 10:00 A.M. on June 14, 1971.

Was read the first time in full and placed on the Calendar.

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

*The Honorable Jerry Thomas  
President of the Senate*

June 9, 1971

Sir:

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

By Representative Dubbin—

HCR 1-C Org.—A concurrent resolution providing that the House of Representatives and the Senate convene in joint session.

WHEREAS, His Excellency, Governor Reubin O'D. Askew has expressed a desire to address the Legislature in joint session; NOW, THEREFORE,

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

That the House of Representatives and the Senate convene in joint session in the chamber of the House of Representatives at 11:15 A.M. this day, June 9, 1971, for the purpose of receiving the message from the Governor.

—and requests the concurrence of the Senate therein.

*Respectfully,  
ALLEN MORRIS  
Clerk, House of Representatives*

HCR 1-C Org., contained in the above message, was read the first time in full. On motion by Senator Hollahan, by two-thirds vote, HCR 1-C Org., was read the second time by title, unanimously adopted and certified to the House.

Pursuant to HCR 1-C Org., the Senate formed in processional order and marched in a body to the chamber of the House of Representatives where they were received in due form. The joint session was called to order at 11:15 a.m. by the Honorable Richard A. Pettigrew, Speaker of the House of Representatives.

The Justices of the Florida Supreme Court and members of the Florida Cabinet were received and seated.

The Speaker declared a quorum of the joint session present.

The Speaker invited the President of the Senate, Jerry Thomas, and President Pro Tempore of the Senate, Wilbur H. Boyd, to the rostrum and requested the President to preside over the joint session.

The President in the Chair.

Prayer was offered by the Rev. Douglas Watterson, Pastor, First Baptist Church, Tallahassee, Florida.

The Senate and House of Representatives in joint session pledged allegiance to the flag of the United States of America.

On motion by Representative Nichols that a committee be appointed to notify the Governor that the joint session was assembled and ready to receive His Excellency's message, the President appointed Senators de la Parte, Bishop and Stolzen-

burg on the part of the Senate, and the Speaker appointed Representatives Nichols, Lancaster and Reed on the part of the House. The committee withdrew.

The committee appointed to wait upon the Governor reappeared escorting his Excellency, The Honorable Reubin O'D. Askew, Governor of Florida, who was received by the joint session and escorted to the rostrum.

The President presented the Governor who delivered the following message:

Welcome—again—to Tallahassee.

In the session just ended, you took historic action to put this state on the road to reform in many areas. You authorized an early vote on the corporate profits tax, passed a severance tax on the mining of phosphates and other minerals, and repealed unjustified exemptions in local property taxes. In the area of criminal justice, you took steps to turn our correctional system away from merely warehousing bodies and toward rebuilding wasted lives. You took a more realistic approach to our problems with marijuana and alcoholism. And you ended the election of judges on the irrelevant issue of party label. You also armed citizens, through individual or class action suits, to crack down on violators of our pollution laws. You moved to reform our insurance laws, and you made a beginning in the critical area of housing and in other areas as well.

With this kind of responsive action, You are restoring the faith of the people in their government and in those who govern. The people are watching us now. This is why it is so important that we not allow divisions of house against house, district against district, or philosophy against philosophy to obscure the progress that has been made. You are not expected to compromise your principles—But rather your legitimate differences. Because to refuse to settle those differences now would not only be an indictment of the bicameral system but of the legislative process, as well.

We have made progress in many areas. We now must act swiftly and economically to complete the major task left undone in the regular session. When the legislature adjourned last Friday without agreeing on a general appropriations bill for the coming year, I announced that I would propose, at this special session, a modified spending bill and the revenue measures to finance it. I was convinced then that the houses were, in fact, so far apart and the atmosphere so uncompromising that it was necessary for me to present new, specific recommendations. After long hours conferring with your leadership and my fiscal advisers—seeking areas of possible compromise which your leaders could bring before you, I am now convinced that substantial progress has been made in a new atmosphere of cooperation and compromise. I am, in fact, encouraged by the prospect that you can resolve your differences through the normal legislative processes. And so, rather than recommend a revised program of my own—which would in effect force me to choose one house over the other and risk an untimely polarization of the two—I suggest that we work *together* to hammer out a realistic compromise.

With the concurrence of your leadership, I recommend that you:

- (1) Take action on your respective bills today.
- (2) Assign those bills to conference committees today.

and (3) Adopt a joint resolution today recessing this special session until Monday.

This will allow time for the conferees to reach the agreement which has been so illusive up to now. It also will save the taxpayers much of the expense usually attendant to a special session of this kind.

My hope, my expectation, is that you will return Monday and demonstrate how smoothly and responsibly a truly effective legislature can work when the need is urgent. Neither of your houses has passed a tax this year that I would not be inclined to accept. There is no reason why you should not be able to complete your basic fiscal obligations in short order next week—This the people expect.

Once you have acted upon a responsible appropriations bill—and the revenue measures to finance it—I will consider expanding this session to deal with other critical matters—such as proper funding for the cities and reorganization of the Department of Commerce. My staff, in fact, is working with members of the legislative staff on a new divorce reform bill, which I would like to recommend at that time. This bill incorporates many good features of the measure which I vetoed last week. It will strengthen and support the family and minimize the unrealistic and often bitter adversary nature of divorce proceedings. It also removes my objections to the original version. It provides for counseling. Most importantly, it insures that divorce in Florida will not become simply a routine, unilateral procedure.

I would like to say, in closing, that there *will* be times when we will have disagreements between the houses and between the executive and legislative branches—Times when I must and shall exercise my responsibility of veto—And times when you must and will exercise your prerogatives under the constitution. We all expect that. Because a good and open fight is one of our more vigorous ways of searching for the truth.

But there will also be times when we must put aside our private dreams of what might have been and work together for what must be done. This, my friends, is one of those times. We have work to do. Thank you and good luck.

Following the Governor's address, the committee previously appointed escorted the Governor from the rostrum and from the House chamber, followed by the Justices of the Supreme Court and members of the Cabinet.

On motion by Senator Hollahan, the Senate withdrew from the joint session and resumed its session at 11:35 a.m. A quorum present—44:

Mr. President	Deeb	Johnson (29th)	Pope
Arnold	de la Parte	Johnson (34th)	Poston
Barron	Ducker	Karl	Reuter
Barrow	Fincher	Knopke	Saunders
Beaufort	Gong	Lane	Sayler
Bishop	Graham	Lewis (33rd)	Scarborough
Boyd	Gunter	Lewis (43rd)	Stolzenburg
Brantley	Haverfield	McClain	Trask
Broxson	Henderson	Myers	Ware
Childers	Hollahan	Ott	Weber
Daniel	Horne	Plante	Williams

## SECOND READING

**SB 13-C**—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1971, and ending June 30, 1972, to pay salaries, other expenses, capital outlay—buildings and improvements, and for other specified purposes of the various agencies of state government; providing an effective date.

On motion by Senator Williams, by two-thirds vote, SB 13-C was read the second time by title.

On motion by Senator de la Parte, the rules were waived and the staff of the Committee on Ways and Means was granted the privileges of the floor.

Senator Barron presiding.

The President presiding.

On motion by Senator Horne, the Senate recessed at 12:35 p.m. to reconvene at 2:00 p.m.

## AFTERNOON SESSION

The Senate was called to order by the President at 2:00 p.m. A quorum present—44:

Mr. President	Deeb	Johnson (29th)	Pope
Arnold	de la Parte	Johnson (34th)	Poston
Barron	Ducker	Karl	Reuter
Barrow	Fincher	Knopke	Saunders
Beaufort	Gong	Lane	Sayler
Bishop	Graham	Lewis (33rd)	Scarborough
Boyd	Gunter	Lewis (43rd)	Stolzenburg
Brantley	Haverfield	McClain	Trask
Broxson	Henderson	Myers	Ware
Childers	Hollahan	Ott	Weber
Daniel	Horne	Plante	Williams

On motion by Senator Haverfield, the President appointed Senators Haverfield, Horne, Hollahan, Lewis (43rd) and Plante as a committee to escort a delegation from the city of Miami Beach into the chamber.

The delegation was escorted into the chamber, greeted with a standing ovation and seated.

The committee escorted Dr. Richard L. Schwarz, DDS of Miami Beach, representing Mayor Jay Dermer, to the rostrum where he was received by the President, who presented Dr. Schwarz as spokesman for the delegation with a copy of SR 1643:

**SR 1643**—A resolution requesting the governor to proclaim the 15th of July the day of statewide expression of concern for the freedom of all people to determine their own destiny and urging the governor to request the President of the United States to use his power to bring about the release of Soviet citizens who wish to immigrate to the State of Israel.

Dr. Schwarz responded with thanks on behalf of himself and the delegation, the members of which he introduced to the Senate as

Reverend I. B. Hall, Pastor, University Baptist Church, and President of Metropolitan Fellowship of Churches of Southeast Florida; Reverend James Lloyd Knox, coordinator United Methodist Urban Ministries, and Secretary Greater Miami Ministerial Association; Reverend Robert Barber, Chairman American Lutheran Church Pastors, and past President Greater Miami Ministerial Association; Eric Wishner, Secretary Synagogue Youth of America; Rev. Father Demosthenes Mekras, Arch Diocese Vicar Greek Orthodox Church, State of Florida; Reverend Thedford Johnson, past President Metropolitan Fellowship of Churches, President of Baptist Ministers Council and convention coordinator National Baptists Convention U.S.A.; Rabbi Solomon Schiff, director Greater Miami Jewish Federation, Community Chaplaincy Service and Executive V.P. Rabbinical Assoc. of Greater Miami; Rabbi Mayer Abramowitz, Chairman Conference of Soviet Jewry and American representative to Brussels Conference on Soviet Jewry; Thomas Horkin, Florida Catholic Conference; Msgr. Leo Danaher, representing Archbishop Coleman Carrol of the Archdiocese of Miami.

Senators Haverfield and Horne were requested to approach the rostrum, where Dr. Schwarz, on behalf of Mayor Dermer, presented them with certificates of appreciation from the City of Miami Beach for activities as "Distinguished Humanitarians."

Senators Haverfield and Horne expressed appreciation.

The Committee previously appointed escorted Dr. Schwarz from the rostrum and the delegation from the chamber.

The Senate resumed—

**SB 13-C**—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1971, and ending June 30, 1972, to pay salaries, other expenses, capital outlay—buildings and improvements, and for other specified purposes of the various agencies of state government; providing an effective date.

On motion by Senator de la Parte, by two-thirds vote SB 13-C was read the third time by title, passed and certified to the House. The vote was:

Yeas—30

Mr. President	de la Parte	Johnson (34th)	Poston
Arnold	Fincher	Karl	Saunders
Barron	Gong	Lewis (33rd)	Scarborough
Beaufort	Gunter	Lewis (43rd)	Trask
Boyd	Haverfield	McClain	Ware
Brantley	Hollahan	Myers	Williams
Broxson	Horne	Plante	
Childers	Johnson (29th)	Pope	

Nays—9

Barrow	Ducker	Reuter	Weber
Bishop	Graham	Stolzenburg	
Deeb	Ott		

By unanimous consent, Senators Daniel, Knopke and Sayler were recorded as voting yea, and Senator Henderson as voting nay.

On motion by Senator de la Parte, by two-thirds vote, SB 1-C was removed from the Calendar and referred to the Committee on Ways and Means.

On motion by Senator de la Parte, SB 2-C was removed from the Calendar and from further consideration of the Senate.

SB 3-C—A bill to be entitled An act authorizing expenditures for fixed capital outlay projects at junior colleges, area vocational-technical centers, and institutions under the board of regents; providing an effective date.

—on motions by Senator Williams, by two-thirds vote, was read the second time by title, by two-thirds vote was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	de la Parte	Horne	Poston
Arnold	Ducker	Johnson (34th)	Reuter
Barron	Fincher	Karl	Saunders
Beaufort	Gong	Knopke	Scarborough
Bishop	Graham	Lewis (33rd)	Trask
Boyd	Gunter	Lewis (43rd)	Ware
Brantley	Haverfield	McClain	Weber
Broxson	Henderson	Myers	Williams
Childers	Hollahan	Plante	

Nays—4

Deeb	Johnson (29th)	Lane	Sayler
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By unanimous consent Senators Barrow, Daniel and Pope were recorded as voting yea.

SCR 4-C—A concurrent resolution approving the types, amounts and use of registration fees, tuition fees, and course fees to be charged and collected from students enrolled in the institutions of higher learning under the board of regents during the 1971-72 school year.

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

Section 1. The 1971 legislature, in special session, hereby approves the following registration and tuition fees to be charged each student in the state university system for the school year 1971-72:

For students enrolled in other than the MD program in the University of Florida and University of South Florida Colleges of Medicine and in the graduate engineering education system.

Full-time Students Per Quarter Undergraduate Graduate

Registration Fee:		
Matriculation fee	\$112.50	\$162.50
Building fee	15.50	15.50
Student financial aid fee	4.50	4.50
Capital improvements fee	20.00	20.00
Activity and service fee	32.50	32.50
TOTAL REGISTRATION FEE	\$185.00	\$235.00

Out-of-State Tuition:		
Tuition for non-Florida students in addition to the registration fee and activity and service fee	\$325.00	\$325.00

Minimum hours considered full-time	9	9
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Part-time Students Per Quarter On Campus:		
Registration fee per student	\$16.00	\$20.00
Credit hour		

Tuition per student credit hour for non-Florida students in addition to the registration fee	\$27.00	\$27.00
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Distribution of Part-Time Registration Fee:		
Matriculation fee	87%	87%
Building fee	13%	13%

For Students Enrolled in Continuing Education Courses:		
Registration fee per student	\$19.00	\$23.00
Credit hour		

Tuition per student credit hour for non-Florida students in addition to the registration fee	\$27.00	\$27.00
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For students enrolled in the MD program in the University of Florida and University of South Florida Colleges of Medicine

A Florida student enrolled in the MD program of the College of Medicine will pay a fee of \$900.00 per year in installments of \$300.00 each to be paid in September, January, and March.

A non-Florida student enrolled in the MD program of the college of medicine will pay a fee of \$2,100.00 a year in installments of \$700.00 each to be paid in September, January, and March.

For students enrolled in the University of Florida graduate engineering education system (genesys)

Students enrolled in the graduate engineering education system will pay a fee of \$60 per student credit hour, with a maximum fee of \$375.00.

Section 2. BE IT FURTHER RESOLVED, that the building fee, student financial aid fee, and capital improvements fee shall be remitted to the appropriate fund in the office of the board of regents to be allocated among the several universities by the board of regents.

Section 3. BE IT FURTHER RESOLVED, that these fees may be adjusted by the board of regents for experimental programs of differential fees to even enrollments over four (4) quarters.

Section 4. BE IT FURTHER RESOLVED, that all or any part of these fees may be waived by the board of regents when deemed appropriate provided that provisions for such waiver are included in the board's operating manual which has been approved by the state board of education and filed with the department of state; provided further that out-of-state tuition fee waivers for the 1971-72 school year shall not exceed three and one half (3½) times twenty percent (20%) of the non-Florida resident fall enrollment of the prior school year.

Section 5. Be it further resolved, that each institution in the State University System may, subject to approval of the Board

of Regents, assess a late registration fee, not to exceed \$25.00, against students who do not begin their registration during the time provided under the academic calendar adopted by the institution in which he is in attendance.

Section 6. No portion of the student activities and service fees approved herein shall be used for campus speakers who advocate, while on campus, the following:

(1) Violent overthrow of the government of the United States, the State of Florida, or any political subdivision thereof;

(2) Willful destruction or seizure of the institution's buildings or other property;

(3) Disruption or impairment, by force, of the institution's regularly scheduled classes or other educational functions;

(4) Physical harm, coercion, intimidation or other invasion of lawful rights of the institution's officials, faculty members or students; or

(5) Other campus disorder of violent nature.

—on motion by Senator Williams, by two-thirds vote, was read the second time by title. On motion by Senator Williams, SCR 4-C was adopted and certified to the House. The vote was:

**Yeas—35**

Mr. President	de la Parte	Karl	Poston
Arnold	Ducker	Knopke	Saunders
Barron	Fincher	Lane	Sayler
Beaufort	Gong	Lewis (33rd)	Scarborough
Bishop	Graham	Lewis (43rd)	Stolzenburg
Boyd	Gunter	McClain	Trask
Brantley	Haverfield	Myers	Weber
Broxson	Hollahan	Plante	Williams
Childers	Horne	Pope	

**Nays—6**

Deeb	Johnson (29th)	Reuter	Ware
Henderson	Johnson (34th)		

By unanimous consent, Senators Barrow and Daniel were recorded as voting yea and Senator Johnson (29th) changed her vote from nay to yea.

**SB 5-C—A bill to be entitled An act relating to corporations, defining corporations; amending section 608.32, Florida Statutes, prescribing the contents of annual reports required to be filed by corporations; creating sections 608.321 and 608.3211, Florida Statutes, prescribing the taxable period for corporation reports and setting a due date for filing and a delinquency date; creating sections 608.322 and 608.3221, Florida Statutes, prescribing dates for the valuation of net worth and the determination of other information for all taxable periods; amending section 608.33, Florida Statutes, removing exemptions for railroad, pullman, telephone, telegraph, insurance, banking and trust companies, building and loan associations and cooperative marketing associations, providing for imposition of an annual corporate privilege tax on corporate net worth, setting a due date and a delinquency date for payments; creating sections 608.331 and 608.3311, Florida Statutes, prescribing taxes and tax rates; creating section 608.332, Florida Statutes, prescribing special rules for corporations in existence less than twelve months, for bankrupt, dissolved and withdrawing corporations, for consolidated returns by controlled groups of corporations, and adjustment powers of the department of revenue; creating section 608.333, Florida Statutes, providing for an apportionment of net worth to ascertain the portion attributable to Florida; creating section 608.334, Florida Statutes, providing for a credit of intangible personal property taxes against the corporate privilege tax attributable to subsidiary corporations, providing for a credit of insurance premium tax paid under chapter 624; creating section 608.335, Florida Statutes, providing for refund, hearing and appeal procedures, establishing a general three year statute of limitations for refunds and for assessments, and providing for the issuance of tax warrants for the collections of delinquent taxes; creating section 608.336, Florida Statutes, conforming references in the Florida Statutes; amending section 608.35, Florida Statutes, providing penalties for delinquent reports and payments and providing for interest on delinquent and overpaid**

**taxes; creating section 608.311, Florida Statutes, defining corporations to include mutual insurers and other non-stock business associations subject to state regulation; amending section 608.05 and subsection (1) of section 613.02, Florida Statutes, providing for payment of the corporate privilege tax upon incorporation and qualification to do business in Florida; requiring the department of revenue to provide information regarding this act; repealing section 193.701, Florida Statutes, relating to railroad license tax; providing for effective dates; providing for excision of certain sections of this act when no longer needed; providing for sections 2 through 18 of this act to become inoperative if and so long as a tax is imposed by the state on the net income of corporations.**

—on motions by Senator de la Parte, by two-thirds vote, was read the second time by title, by two-thirds vote was read the third time by title, passed and certified to the House. The vote was:

**Yeas—26**

Mr. President	de la Parte	Karl	Poston
Arnold	Fincher	Knopke	Saunders
Beaufort	Gong	Lewis (43rd)	Scarborough
Bishop	Graham	McClain	Trask
Brantley	Gunter	Myers	Williams
Broxson	Haverfield	Plante	
Childers	Johnson (29th)	Pope	

**Nays—15**

Barron	Hollahan	Lewis (33rd)	Stolzenburg
Deeb	Horne	Ott	Ware
Ducker	Johnson (34th)	Reuter	Weber
Henderson	Lane	Sayler	

By unanimous consent, Senators Barrow and Daniel were recorded as voting nay, Senator Boyd, yea.

**SB 6-C—A bill to be entitled An act relating to the tax on cigarettes; amending subsections (1), (3), (4), (5), and (8) of section 210.02, Florida Statutes, to provide for an increase of three cents per pack; amending subsection (1) of section 210.025, Florida Statutes, to provide for an increase of one cent per pack in the additional cigarette tax; providing for a retailers' floor tax; amending subsection (3)(a) of section 210.05, Florida Statutes, to limit discounts of agents or wholesalers; providing an effective date.**

—on motions by Senator de la Parte, by two-thirds vote, was read the second time by title, by two-thirds vote was read the third time by title, passed and certified to the House. The vote was:

**Yeas—34**

Mr. President	Fincher	Johnson (34th)	Reuter
Arnold	Gong	Karl	Saunders
Beaufort	Graham	Knopke	Sayler
Boyd	Gunter	Lewis (33rd)	Scarborough
Brantley	Haverfield	Lewis (43rd)	Trask
Broxson	Henderson	McClain	Ware
Deeb	Hollahan	Myers	Williams
de la Parte	Horne	Plante	
Ducker	Johnson (29th)	Poston	

**Nays—7**

Barron	Childers	Ott	Weber
Bishop	Lane	Stolzenburg	

By unanimous consent Senators Barrow and Daniel were recorded as voting nay.

**SB 7-C—A bill to be entitled An act relating to tax on sales, admissions, use, storage, consumption, or rentals levied pursuant to chapter 212, Florida Statutes; amending section 212.05(6), Florida Statutes, to increase the tax on the sale, rental, use, consumption or storage for use in this state on certain industrial equipment to four percent (4%); providing an effective date and an expiration date.**

—on motions by Senator de la Parte, by two-thirds vote, was read the second time by title, by two-thirds vote was read the third time by title, passed and certified to the House. The vote was:

Yeas—34

Mr. President	de la Parte	Johnson (34th)	Poston
Barron	Ducker	Karl	Saunders
Beaufort	Fincher	Knopke	Saylor
Bishop	Gong	Lane	Scarborough
Boyd	Graham	Lewis (33rd)	Trask
Brantley	Gunter	Lewis (43rd)	Ware
Broxson	Haverfield	McClain	Williams
Childers	Hollahan	Myers	
Deeb	Horne	Plante	

Nays—7

Arnold	Johnson (29th)	Reuter	Weber
Henderson	Ott	Stolzenburg	

By unanimous consent Senators Barrow and Daniel were recorded as voting nay.

On motions by Senator de la Parte, Senate Bills 8-C and 10-C were removed from the calendar and from further consideration of the Senate.

SB 9-C—A bill to be entitled An act relating to taxation; providing for revision of the state, county and municipal license taxes on dealers in alcoholic beverages; repealing section 561.36 and subsection 561.26(2), Florida Statutes; amending subsections 561.34(1), (2), (3), (6) and (7), Florida Statutes; amending section 561.35, Florida Statutes; adding new section 561.342, Florida Statutes, to provide for county and municipal licenses; providing an effective date.

—on motion by Senator de la Parte, by two-thirds vote, was read the second time by title.

Senator Trask moved the adoption of the following amendment:

On page 1, line 15, strike everything after the enacting clause and insert:

Section 1. Subsection 561.26(2), Florida Statutes, relating to the equality of the county license taxes to the state license taxes imposed under the chapter is hereby repealed.

Section 2. Section 561.36, Florida Statutes, relating to municipal license taxes is hereby repealed.

Section 3. Section 561.34, Florida Statutes, is amended to read:

561.34 License fees; vendors.—

(1) Each vendor of malt beverages containing alcohol of more than one per cent by weight shall pay an annual state license tax as follows:

(a) Vendors of malt beverages containing alcohol of more than one per cent by weight fifteen dollars.

(b) In counties that have voted against the sale of intoxicating beverages, vendors of beverages containing alcohol of more than one per cent by weight and not more than three and two-tenths per cent by weight, fifteen dollars.

(c) Vendors of malt beverages containing alcohol of more than one per cent by weight for consumption off the premises only, seven and one-half dollars.

(d) In counties that have voted against the sale of intoxicating beverages, vendors of beverages containing alcohol of more than one per cent by weight and not more than three and two-tenths per cent by weight for consumption off the premises only, seven and one-half dollars.

~~(2)(a) Vendors of beverages containing alcohol of more than one per cent by weight and not more than fourteen per cent by weight, and wines regardless of alcoholic content, fifty dollars.~~

~~(b) Vendors of beverages containing alcohol of more than one per cent by weight and not more than fourteen per cent by weight and wines regardless of alcoholic content, for consumption off the premises only, twenty-five dollars.~~

(a) Vendors operating places of business where beverages are sold only for consumption off the premises, an amount equal to fifty per cent of the amount of the license tax herein provided for vendors in the same county operating places of business where consumption on the premises is permitted.

(b) Vendors operating places of business where consumption on the premises is permitted in counties having a population of over one hundred thousand, according to the latest state or federal census, two hundred dollars.

(c) Vendors operating places of business where consumption on the premises is permitted in counties having a population of over seventy-five thousand and not over one hundred thousand, according to the latest state or federal census, one hundred sixty dollars.

(d) Vendors operating places of business where consumption on the premises is permitted in counties having a population of over fifty thousand and less than seventy-five thousand, according to the latest state or federal census, one hundred twenty dollars.

(e) Vendors operating places of business where consumption on the premises is permitted in counties having a population of over twenty-five thousand and less than fifty thousand, according to the latest state or federal census, eighty dollars.

(f) Vendors operating places of business where consumption on the premises is permitted in counties having a population of less than twenty-five thousand, according to the latest state or federal census, forty dollars.

(2)(a) Each vendor of beverages containing alcohol of more than one per cent by weight and not more than fourteen per cent by weight, and wines regardless of alcoholic content, shall pay an annual state license tax as follows:

(a) Vendors operating places of business where beverages are sold only for consumption off the premises, an amount equal to fifty per cent of the amount of the license tax herein provided for vendors in the same county operating places of business where consumption on the premises is permitted.

(b) Vendors operating places of business where consumption on the premises is permitted in counties having a population of over one hundred thousand, according to the latest state or federal census, two hundred eighty dollars.

(c) Vendors operating places of business where consumption on the premises is permitted in counties having a population of over seventy-five thousand and not over one hundred thousand, according to the latest state or federal census, two hundred forty dollars.

(d) Vendors operating places of business where consumption on the premises is permitted in counties having a population of over fifty thousand and less than seventy-five thousand, according to the latest state or federal census, two hundred dollars.

(e) Vendors operating places of business where consumption on the premises is permitted in counties having a population of over twenty-five thousand and less than fifty thousand, according to the latest state or federal census, one hundred sixty dollars.

(f) Vendors operating places of business where consumption on the premises is permitted in counties having a population of less than twenty-five thousand, according to the latest state or federal census, one hundred twenty dollars.

(3) The following license taxes shall apply to vendors who are permitted to sell any such beverages regardless of alcoholic content:

(a) Vendors operating places of business where beverages are sold only in sealed containers for consumption off the premises where sold, an amount equal to seventy-five per cent

of the amount of the license tax herein provided for vendors in the same county as provided in paragraphs (b), (c), (d), (e) and (f) of this subsection. operating places of business where consumption on the premises is permitted.

(b) Vendors operating places of business where consumption on the premises is permitted in counties having a population of over one hundred thousand, according to the latest state or federal census, one thousand seven hundred fifty dollars.

(c) Vendors operating places of business where consumption on the premises is permitted in counties having a population over ~~seventy-five~~ ~~sixty~~ thousand and not over one hundred thousand, according to the latest state or federal census, one thousand five hundred ~~six~~ hundred dollars.

(d) Vendors operating places of business where consumption on the premises is permitted in counties having a population of over ~~fifty~~ ~~forty~~ thousand and not over ~~seventy-five~~ ~~sixty~~ thousand, according to the latest state or federal census, one thousand two hundred fifty ~~five~~ hundred dollars.

(e) Vendors operating places of business where consumption on the premises is permitted in counties having a population of over ~~twenty-five~~ ~~ten~~ thousand and not over ~~fifty~~ ~~forty~~ thousand, according to the latest state or federal census, eight hundred ~~twenty five~~ ~~three~~ hundred dollars.

(f) Vendors operating places of business where consumption on the premises is permitted in counties having a population of ~~twenty-five~~ ~~ten~~ thousand or less, according to the latest state or federal census, ~~six~~ two hundred dollars.

(g) Vendors operating places of business where consumption on the premises is permitted and which have three or more separate locations serving alcoholic beverages for consumption on the licensed premises shall pay in addition to the license tax imposed in paragraphs (b), (c), (d), (e) and (f), one thousand dollars.

(4) Any operator of railroads or sleeping cars in this state may obtain a license to sell the beverages mentioned in the beverage law on passenger trains on the payment of an annual license tax of ~~two thousand five hundred two hundred fifty~~ dollars, said tax to be paid to the division. Such license shall authorize the holder thereof to keep for sale and sell all beverages mentioned in the beverage law upon any dining, club, parlor, buffet or observation car operated by it in this state, but said beverages may be sold only to passengers upon said cars and must be served for consumption thereon. It is unlawful for such licensees to purchase or sell any liquor except in miniature bottles of not more than two ounces. Every such license shall be good throughout the state. No license shall be required or tax levied by any municipality or county for the privilege of selling such beverages for consumption in such cars. Such beverages shall be sold only on cars in which are posted certified copies of the licenses issued to such operator. Such certified copies of such licenses shall be issued by the division upon the payment of a tax of ~~ten~~ ~~one~~ dollars.

(5) (a) Operators of steamships and steamship lines, buses and bus lines, airplanes and airlines engaged in interstate commerce or flying between fixed terminals and upon fixed schedules in this state may obtain licenses to sell the beverages mentioned in the beverage law on steamships, buses and airplanes operated by such operators on payment of an annual license tax of ~~one thousand one hundred~~ dollars, said tax to be paid to the division. Such licenses shall authorize the holders thereof to keep for sale and sell all beverages mentioned in the beverage law upon any steamship, bus or airplane operated by such operators in this state but said beverages may be sold only to passengers upon such steamships, buses and airplanes and may be served only for consumption thereon. It is unlawful for such licensee to purchase for resale any liquor except in miniature bottles of not more than two ounces or liquor in individual containers of not less than one fifth of one gallon. Such sales shall be permitted only while said steamships, buses and airplanes are in transit and shall not be permitted while such steamships are moored at docks or wharves in ports of this state, or while said buses are at stations, or while airplanes are in airports. Every such license shall be good throughout the state. No license shall be required or tax levied by any municipality or county for the privilege of selling such beverages for consumption on such steamships, buses or airplanes. Such beverages shall be sold only on steamships, buses and airplanes in which are posted certified copies of the license issued to their operators. Certified copies of such

license shall be issued by the division upon payment of a fee of ~~twenty five~~ ~~one~~ dollars for each certified copy; provided, that this paragraph shall not apply to operators of pleasure or excursion boats not having regular round trip runs of more than one hundred miles in each direction, but operators of such pleasure or excursion boats may obtain a license, with such boats being designated as their place of business, upon compliance with all the laws relating to vendors operating places of business where consumption on the premises is permitted; provided further, that no license to sell the beverages herein defined shall be issued to the operator of any boat which applies upon or is anchored upon the waters of any lake within this state.

(b) Operators of railroads, sleeping cars, steamships, buses and airplanes licensed under this section shall not be required to obtain their beverages from licenses under the beverage law, but such operators shall keep strict account of all such beverages sold within this state and shall make monthly reports to the division on the forms prepared and furnished by the division. Said operators are hereby required to pay an excise tax for said beverages sold within this state as to which such excise tax has not theretofore been paid, equal to the tax assessed against manufacturers and distributors. Said operators shall pay said tax monthly to the division at the same time they furnish the reports hereinabove provided for. Said reports shall be filed on or before the fifteenth day of each month for sales for the previous calendar month.

(6) Persons associated together as a chartered or incorporated club, including social clubs incorporated by orders of circuit judges after their charters have been found to be for objects authorized by law and approved by said judges as organized for lawful purposes and not for the purpose of evading license taxes on dealers in beverages defined herein, which such organizations are bona fide clubs, and at the time of application for license hereunder shall have been in continuous active existence and operation for a period of not less than two years in the county where they exist, shall before serving or distributing to their members or nonresident guests the beverages defined herein, whether such service or distribution be made upon contribution to the club of money or by check or other device, pay an annual state license tax ~~taxes of four hundred dollars;~~ ~~as follows:~~ To the state ~~.....~~ \$125.00 To the county ~~.....~~ \$125.00 provided, that any golf club operated by or on behalf of any incorporated municipality in this state, and any veteran's or fraternal organization of national scope, need not have been, or need not be, in continuous active existence or operation for any required period of time prior to an application for license hereunder. The payment of such club license tax shall authorize the service and distribution to members and nonresident guests of the club only and such service and distribution to said members and nonresident guests shall not be deemed sales within the meaning of the law in this state but any service or distribution to anyone other than a member or nonresident guest of such licensed club shall be deemed a sale and any officer, member or employee of any such licensed club who shall sell or distribute or serve any such beverages to any person other than a member or nonresident guest of such club for money or other value shall be deemed guilty of selling such beverages without a license and shall be punished as provided by law. Any officer of any such club which has not paid such license, who shall knowingly permit such service or distribution by such club of the beverages herein defined to members or nonresident guests of such club shall, upon conviction thereof, be punished as herein provided; provided, that this paragraph shall not apply to clubs organized or used for the purpose of evading the payment of the license tax on vendors of such beverages, but such club shall be subject to the payment of the license tax imposed by the beverage law upon vendors. The president, vice-president, secretary or treasurer or officers of corresponding duties, by any name they may be called, of any club required by this section to pay a license tax, shall be required to see that such license tax shall be paid and in default thereof shall each be personally liable to the punishment provided by the beverage law for nonpayment of the license hereby required; provided, further, that clubs not authorized to obtain licenses under this subsection or which do not obtain license under this subsection may, if they comply with this provision of the beverage law, obtain licenses as vendors. Clubs obtaining such club licenses shall not purchase any beverage herein defined from anyone other than a distributor licensed under the beverage law, nor shall such clubs dispense or serve any beverages defined herein unless such beverages shall have been purchased by such club from such licensed distributor; nor shall they dispense or serve any such beverage on which a tax stamp is required by the

beverage law unless the containers of such beverages have affixed to them the stamps required by said law. Such club license cannot be transferred in any manner whatsoever.

(7) Caterers at horse and dog race tracks and jai alai frontons may obtain licenses upon the payment of an annual state license tax of *six hundred and seventy five two hundred fifty dollars* and an annual county license tax of *two hundred fifty dollars*. Incorporated municipalities may provide for a municipal license tax on such caterers of *fifty per cent of the state and county license tax*, to be deducted from the state and county license tax as provided herein with reference to other municipal license taxes. Such caterers' licenses shall permit sales only within the enclosure wherein such races or jai alai games are conducted and such licensees shall be permitted to sell only during the period beginning ten days before and ending ten days after racing or jai alai under the authority of the state racing commission of the division of pari-mutuel wagering of the department is conducted at such race track or jai alai fronton. Except as in this subsection otherwise provided caterers licensed hereunder shall be treated as vendors licensed to sell by the drink the beverages mentioned herein and shall be subject to all the provisions hereof relating to such vendors.

~~(8) (a) Any person, firm or corporation operating a commercial establishment entering to the public by offering live band music, singers or other form of live entertainment, and which shall, in addition to said live entertainment, permit consumption of alcoholic beverages on the premises and does not hold a valid beverage license of any classification permitting consumption of said alcoholic beverages on said premises, shall pay a license fee of twenty five dollars per day for each day of operation in addition to any other license fees now required by law. Such licenses herein required shall be issued by the division of beverage for a period of less than thirty days.~~

~~(b) Said premises shall be subject to all general laws and municipal ordinances regulating the hours of opening and closing as provided for vendors of alcoholic beverages.~~

~~(c) The enforcement of this chapter shall be under the division of beverage and the division is hereby authorized to make such necessary rules and regulations to enforce the provisions hereof.~~

Section 4. Chapter 561, Florida Statutes, is amended by adding new section 561.342 to read:

561.342 County and municipal license tax; caterers, clubs, manufacturers, distributors, exporters and ventors.—

(1) *Twenty-two per cent of the license taxes imposed under section 561.34, subsection (1), (2), (3), (6), (7), and section 561.35 collected within the county shall be returned to the appropriate county tax collector.*

(2) *Thirty-four per cent of the license taxes imposed under section 561.34, subsection (1), (2), (3), (6), (7), and section 561.35 collected within an incorporated municipality shall be returned to the appropriate municipal officer.*

(3) *No tax on the manufacture, distribution, exportation, transportation, importation or sale of such beverages shall be imposed by way of license, excise or otherwise, by any municipality, anything in any municipal charter, special or general law to the contrary notwithstanding.*

Section 5. Section 561.35, Florida Statutes, is amended to read:

561.35 License fees; manufacturers, distributors, exporters.—

(1) Each manufacturer authorized to do business under the beverage law shall pay an annual license tax as follows:

(a) If engaged in the *manufacturing or bottling manufacture* of wines and of nothing else, a state license tax of *one thousand fifty* dollars.

(b) If engaged in the *manufacturing manufacture* of wines and cordials and of nothing else, a state license tax of *two thousand one hundred* dollars.

(c) If engaged in the business of brewing malt liquors and nothing else, a state license tax of *three thousand seven hundred* dollars.

(d) If engaged in the business of distilling spirituous liquors and nothing else, a state license tax of *four thousand seven hundred and fifty* dollars.

(e) If engaged in the business of rectifying and blending spirituous liquors and nothing else, a state license tax of *four thousand twelve hundred and fifty* dollars.

(f) Persons licensed hereunder in the business of distilling spirituous liquors may also engage in the business of rectifying and blending spirituous liquors without the payment of an additional license tax.

(g) All persons licensed under paragraphs (a), (b), (c), (d), and (e) of this subsection shall be deemed manufacturers within the meaning of the beverage law.

(h) There shall be a separate license tax for each manufacturing plant or establishment operated in the state even though the same manufacturer operates more than one manufacturing plant or establishment.

(i) Each distributor who shall distribute beverages containing alcohol of more than one per cent by weight and not more than three and two tenths per cent by weight, in counties where the sale of intoxicating liquors, wines and beers is prohibited, for each and every establishment or branch he may conduct, shall pay an annual state license tax of *two thousand two hundred* dollars.

(j) Each distributor who shall sell beverages containing alcohol of more than one per cent by weight and not more than fourteen per cent by weight, and wines regardless of alcoholic content, in counties where the sale of intoxicating liquors, wines and beers is permitted, shall pay for each and every such establishment or branch he may operate or conduct a state license tax of *three thousand two hundred* dollars.

(k) All other distributors authorized to do business under the beverage law shall pay a state license tax of *four thousand twelve hundred fifty* dollars for each and every establishment or branch they may operate or conduct in the state; provided, that in counties having a population of fifteen thousand or less according to the latest state or federal census the state license tax for a restricted license shall be *one thousand three hundred fifty* dollars, but the holder of such a license shall be permitted to sell only to vendors and distributors licensed in the same county, and such license shall contain such restrictions. In such counties licenses without such restrictions may be obtained as in other counties but the tax for a license without such restrictions shall be the same as in other counties. Warehouses of a licensed distributor used solely for storage, located in the county in which license is issued to such distributors, shall not be construed to be separate establishments or branches.

~~(2) (1) Each exporter as defined in section 561.14(1), shall pay an annual state license tax of *five hundred one hundred twenty five* dollars for each and every establishment or branch that such exporter may operate or conduct in this state.~~

~~(2) Each manufacturer, distributor and exporter shall pay an annual county license tax equal to the state license tax.~~

(3) All licenses of manufacturers, distributors and exporters shall be issued annually and shall run from October 1 to the succeeding October 1, except that where a manufacturer, distributor or exporter shall begin business after April 1 in any year he may obtain a license expiring on the succeeding October 1 upon the payment of one half the tax for such annual license.

Section 6. This act shall take effect July 1, 1971.

Senator Arnold presiding.

On motion by Senator Trask the following amendment to the amendment was adopted:

On page 16, line 18, section 5, strike "three thousand" and insert: one thousand two hundred fifty

The President presiding.

The question recurred on the amendment as amended and on motion by Senator Williams, by two-thirds vote, SB 9-C to-

gether with the pending amendment as amended was recommended to the Committee on Ways and Means.

**SB 11-C**—A bill to be entitled An act relating to tax on sales, admissions, use, storage, consumption, or rentals levied pursuant to chapter 212, Florida Statutes; repealing §212.08(3)(a), Florida Statutes, as amended by chapter 70-206, Laws of Florida, to eliminate partial exemption from tax on motor vehicles and certain farm equipment; amending §212.08(3)(b), Florida Statutes, by increasing from three percent (3%) to four percent (4%) the value of leased motor vehicles at which the exemption shall commence; providing an effective date.

—on motions by Senator de la Parte, by two-thirds vote, was read the second time by title, by two-thirds vote was read the third time by title, passed and certified to the House. The vote was:

**Yeas—23**

Mr. President	Graham	Knopke	Saunders
Beaufort	Gunter	Lane	Sayler
Boyd	Haverfield	Lewis (33rd)	Scarborough
Brantley	Hollahan	Lewis (43rd)	Trask
Broxson	Johnson (34th)	McClain	Williams
de la Parte	Karl	Myers	

**Nays—18**

Arnold	Daniel	Johnson (29th)	Stolzenburg
Barron	Deeb	Ott	Ware
Barrow	Ducker	Plante	Weber
Bishop	Fincher	Poston	
Childers	Henderson	Reuter	

By unanimous consent Senator Horne was recorded as voting yea.

**SB 12-C**—A bill to be entitled An act relating to the excise tax on documents; adding subsection (3) to §201.02, Florida Statutes, as amended by chapter 70-304, Laws of Florida; requiring the recording of evidence of ownership in cooperative apartment associations; providing that no documentary stamp tax shall be payable upon tenant-stockholder documents executed prior to October 1, 1970; providing an effective date.

—on motion by Senator Horne, by two-thirds vote, was read the second time by title.

Senator Weber moved that SB 12-C be recommitted to the Committee on Ways and Means and the motion failed.

On motion by Senator Horne, by two-thirds vote SB 12-C was read the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

Mr. President	de la Parte	Karl	Reuter
Arnold	Ducker	Knopke	Saunders
Barron	Fincher	Lane	Sayler
Beaufort	Graham	Lewis (33rd)	Scarborough
Bishop	Gunter	Lewis (43rd)	Trask
Boyd	Haverfield	McClain	Ware
Brantley	Henderson	Myers	Weber
Broxson	Hollahan	Ott	Williams
Childers	Horne	Plante	
Daniel	Johnson (29th)	Pope	
Deeb	Johnson (34th)	Poston	

By unanimous consent Senator Barrow was recorded as voting yea.

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

**INTRODUCTION**

By Senator Stolzenburg—

**SB 15-C**—A bill to be entitled An act relating to taxation; method of fixing millage; amending chapter 200, Florida Stat-

utes, by adding sections 200.031, 200.041 and 200.051, to provide that the governing and budget-making authorities of counties, tax districts and other tax levying agencies shall decrease the millage required of such county or district in proportion to the increase of the general level of assessed valuation of property; authorizing a ten percent (10%) increase in millage; providing for further millage increases in emergencies subject to limitations and review by a county budget commission or a county review commission; providing for verification of budgets and millage increases; authorizing the creation of a county review commission in certain counties and providing for performance of duties by the county officers constituting such review commission; specifying millages to be excluded from the reductions required by this act; providing an effective date.

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

By Senators Sayler and Fincher—

**SB 16-C**—A bill to be entitled An act relating to the cigarette tax; amending §§210.025(2) and 210.20(2)(a), Florida Statutes, to provide that the proceeds of the cigarette tax shall be distributed to each municipality in the state on the basis of population; repealing subsection (7) of §210.02, §210.03, and paragraphs (b) and (c) of subsection (2) of §210.20, Florida Statutes, to delete the authorization for the separate municipal cigarette tax, the credit against the state tax for taxpayers paying such a municipal tax, and the provisions for distribution of a portion of the proceeds of the cigarette tax to the Inter-American Center Authority and to the respective boards of county commissioners; amending §§210.04(1) and 210.19, Florida Statutes, relating to the collection of such taxes and the recording thereof, to conform with this act; providing for adjustment in proportionate distribution if necessary to cover debt service on certain municipal bonds; providing an effective date.

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

By Senators Sayler and Fincher—

**SB 17-C SF**—A proposal to be entitled An act relating to mobile home license taxes.

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

By Senators Sayler and Fincher—

**SB 18-C SF**—A proposal to be entitled An act relating to motor fuels taxation.

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

By Senator Deeb—

**SB 19-C**—A bill to be entitled An act relating to public welfare; providing that benefits paid to recipients shall not be reduced due to any increase in social security or other retirement or pension plan payments; providing an effective date.

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

By Senators Poston, Gunter, Plante, Pope, McClain, Weber, Stolzenburg, Trask, Lewis (33rd), Ware, Ducker, Johnson (29th), Sayler, Beaufort, Fincher, Broxson, Hollahan, Bishop, Johnson (34th), Reuter, Lane, Knopke, Henderson and de la Parte—

**SB 20-C**—A bill to be entitled An act relating to motor fuels; amending §208.08(3), Florida Statutes, as amended and transferred by chapter 70-995, Laws of Florida, to §206.45(3), Florida Statutes, and creating §§206.45(4) and 206.605, Florida Statutes, to require payment of an additional one cent (1¢) tax on each gallon of motor fuel sold or brought into the state by a distributor; designating use for counties and cities and manner of apportionment and disbursement; requiring a five (5) year plan as a prerequisite to obtaining funds; setting deadlines for compliance; amending §§206.57 and 206.87, Florida Statutes, to reflect the increase in tax levy; amending

§206.91, Florida Statutes, in connection with deduction allowed dealer; providing an effective date.

—not being within the purview of the call of the Governor was not admitted for introduction, was prefiled for the 1972 session and referred to the Committee on Ways and Means.

By Senator Poston—

SB 21-C—A bill to be entitled An act relating to courses of study and instructional aids; amending section 233.063(2), Florida Statutes; increasing the license fee for driver education from fifty cents (50¢) to one dollar (\$1.00); providing an effective date.

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

By Senator Poston—

SB 22-C—A bill to be entitled An act relating to drivers' licenses; amending §322.18(2)(a), (b) and (4), Florida Statutes, providing an elective four (4) year driver's license upon examination; amending §322.21(1)(a), (b), (c) and (d), Florida Statutes, changing the fees; providing an effective date.

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

By Senator Poston—

SB 23-C—A bill to be entitled An act relating to title certificates for motor vehicles; amending section 319.23(5), Florida Statutes, by increasing ten (10) day delinquency fee to five dollars (\$5.00) and requiring a ten dollar (\$10.00) fee for twenty (20) day delinquency for failure to apply for transfer of ownership of a motor vehicle; providing an effective date.

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

By Senators Stolzenburg, Poston, Broxson, Lane, Fincher, Henderson, Johnson (34th), Beaufort, Weber, Ware, Saylor, Hollahan, Deeb, Bishop, Plante, Reuter, Karl and Pope—

SB 24-C—A bill to be entitled An act relating to motor vehicle, trailer, and semitrailer registration license plates; amending sections 320.06, 320.061, 320.0611, 320.13(3), 320.26(1), 320.261, and 320.271, Florida Statutes; providing for certificates of registration, three (3) year reflectorized license plates, revalidation stickers, and for certain fees; providing for the transfer of license plates and for a transfer fee; providing that the changing or altering of revalidation stickers shall be unlawful; providing for an increase in reflectorization fee; providing a fee for duplicate certificates of registration or registration license plates or revalidation stickers; providing for annual renewal of registration; providing registration taxes; prohibiting the counterfeiting of revalidation stickers; making it a misdemeanor to attach to a motor vehicle license plates or revalidation stickers not assigned or transferred to said vehicle; providing for removal of registration license plates from used motor vehicles; providing for automobile dealers to register motor vehicles, trailers, or semitrailers; authorizing a prepayment by the department of highway safety and motor vehicles to division of corrections for manufacture of license plates; providing an effective date.

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

By Senators Stolzenburg, Poston, Fincher, Henderson, Lane, Johnson (34th), Weber, Ware, Saylor, McClain, Hollahan, Deeb, Scarborough, Bishop, Plante, Arnold, Reuter, Karl, Johnson (29th) and Pope—

SB 25-C—A bill to be entitled An act relating to the department of highway safety and motor vehicles; providing for personalized prestige automobile license plates; providing for application, fees, and issuance; providing for right of rejection of certain applications and recall of certain plates and return of fees; prohibiting duplicate plates; providing for transfer of plate to a replacement automobile with fee; defining prestige plates; providing an effective date.

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

On motion by Senator de la Parte, the rules were waived and the Committee on Ways and Means was granted permission to consider the foregoing bills at 9:00 a.m. June 14.

The Senate resumed—

## SECOND READING

SCR 14-C—A concurrent resolution calling for adjournment of the special session of the legislature from 12:00 midnight on June 9, 1971, to reconvene at 10:00 A.M. on June 14, 1971.

WHEREAS, the Governor of the State of Florida has called a special session of the legislature beginning at 11:00 A.M. on June 9, 1971, for the purpose of enacting a General Appropriations Act and such revenue acts as are necessary to adequately and properly finance the General Appropriations Act, and

WHEREAS, legislative measures passed independently by both Houses will of necessity require a conference committee study; NOW THEREFORE

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

That both Houses adjourn at 12:00 midnight on June 9, 1971, to reconvene on Monday, June 14, 1971, at 10:00 A.M. During such adjournment no per diem shall be paid except to those Senators and Representatives actually engaged in conference committee meetings on appropriations and tax measures.

On motion by Senator Hollahan, by two-thirds vote, SCR 14-C was read the second time by title, adopted, and certified to the House. The vote was: Yeas—34 Nays—None

Mr. President	Daniel	Johnson (29th)	Saunders
Arnold	Deeb	Karl	Saylor
Barron	de la Parte	Knopke	Scarborough
Barrow	Ducker	Lewis (33rd)	Stolzenburg
Beaufort	Fincher	McClain	Trask
Boyd	Graham	Ott	Ware
Brantley	Gunter	Plante	Williams
Broxson	Hollahan	Pope	
Childers	Horne	Poston	

By unanimous consent Senators Johnson (34th) and Henderson were recorded as voting yea.

On motion by Senator Hollahan, the Senate recessed at 3:49 p.m.

The Senate was called to order by the President at 5:34 p.m. A quorum present.

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

## MESSAGES FROM THE HOUSE OF REPRESENTATIVES

*The Honorable Jerry Thomas* June 9, 1971  
*President of the Senate*

Sir:

I am directed to inform the Senate that the House of Representatives has adopted SCR 14-C.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

The bill, contained in the above message, was ordered enrolled.

*The Honorable Jerry Thomas* June 9, 1971  
*President of the Senate*

Sir:

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

By the Committee on Ways and Means—

SB 13-C—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1971, and ending June 30, 1972, to pay salaries, other expenses, capital outlay—buildings and improvements, and for other specified purposes of the various agencies of state government; providing an effective date.

(Amendment attached to original bill)

—and requests the concurrence of the Senate therein.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

On motion by Senator Gunter, the Senate refused to concur in the House amendment to SB 13-C and the House was requested to recede therefrom, and in the event the House refused to recede, requested the Speaker of the House to appoint a conference committee to confer with a like committee to be appointed by the President of the Senate to adjust the differences between the houses on the House amendment. The action of the Senate was certified to the House.

On motion by Senator Horne, by two-thirds vote, the time

limitation imposed on conferees in Special Sessions enunciated in Rule 13.6 was waived for this Special Session.

*The Honorable Jerry Thomas*  
*President of the Senate*

June 9, 1971

*Sir:*

I am directed to inform the Senate that the House of Representatives has refused to recede from House amendment to SB 13-C and has appointed Representatives Harris, Chairman, Fortune, Vice Chairman, Sessums, Turlington, Mixson, Gustafson and D'Alemberte as conferees on the part of the House.

*Respectfully,*  
**ALLEN MORRIS**  
*Clerk, House of Representatives*

The President appointed Senators de la Parte, Gunter, Williams, Myers, Lane, Broxson and Saunders as conferees on the part of the Senate and the action of the Senate was certified to the House.

On motion by Senator Hollahan, the Senate stood in informal recess at 6:02 p.m. until 12:00 midnight. Pursuant to SCR 14-C, the Senate adjourned at 12:00 midnight to reconvene at 10:00 a.m., June 14.