

JOURNAL OF THE FLORIDA SENATE

Wednesday, December 1, 1971

The Senate was called to order by the President at 9:00 a.m.
A quorum present—47:

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

Prayer by Senator Gunter:

Our Father, we thank you for the promise that our God is no "absentee landlord". Reside in us, we pray, and open our minds to the truth. In these days of pressure and problems of state, we call upon you, as did Solomon in the days of old, for wisdom and for understanding. We want to make decisions that are right for the people and right for you, but oftentimes there is a need for light to find that right way. That is why we pray now to the light of the world and the giver of all knowledge and light. Amen.

The Journal of November 30 was corrected and approved.

REPORTS OF COMMITTEES

The Committee on Ways and Means recommends a Committee Substitute for SB 8-D.

The bill with Committee Substitute attached was placed on the Calendar.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Jerry Thomas
President of the Senate

November 30, 1971

Sir:

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

By the Committee on Finance & Taxation—

CS for HB 16-D—A bill to be entitled An act relating to taxation and finance; amending Title XIII, Florida Statutes, to provide for the imposition, collection and administration of an income tax on corporations and other artificial persons; amending subsection 323.15(6), Florida Statutes, to remove the income tax exemption of motor carriers; amending sections 624.0307 and 624.0308, Florida Statutes, to provide a credit for insurers against insurance premium taxes for an amount of income taxes paid; providing an appropriation and procedures for competitive bidding; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

CS for HB 16-D, contained in the above message, was determined by the President to be within the purview of the Governor's call, read the first time by title and referred to the Committee on Ways and Means.

INTRODUCTION

By Senators Sayler, Beaufort and Gunter—

SB 23-D-SF—A proposal to be entitled An act relating to the cigarette tax.

—was delivered to the Committee on Rules, Calendar, Privileged Business and Ethics for consideration and advice as to whether same is within the purview of the call of the Governor.

By the Committee on Ways and Means—

SB 24-D—A bill to be entitled An act relating to taxation and finance; repealing Articles III and IV of the Multi-state Tax Compact, section 213.15, Florida Statutes; providing an effective date.

—was determined by the President to be within the purview of the Governor's call, read the first time by title and referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 25-D—A bill to be entitled An act relating to taxation and finance; amending subsection 220.03(2), Florida Statutes, as contained in Senate Bill 20-D, 1971 Special Session in November 1971, to add a new paragraph (d) to adopt by reference future federal amendments to the Internal Revenue Code of 1954; providing an effective date.

—was determined by the President to be within the purview of the Governor's call, read the first time by title and referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 26-D—A bill to be entitled An act relating to taxation and corporations; amending subsection 214.21(1), Florida Statutes, to conform provisions relating to crimes to chapter 71-136, Laws of Florida; amending section 214.72, Florida Statutes, to provide for special tax apportionment procedures for manufacturers of tangible personal property in the State of Florida; amending subparagraph 214.71(3)(a)(2), Florida Statutes, to modify the sales factor apportionment rule; providing an effective date.

—was determined by the President to be within the purview of the Governor's call, read the first time by title and referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 27-D—A bill to be entitled An act relating to corporation income tax administration; directing the department of revenue to implement administration of a corporation income tax when enacted; authorizing employment of contractual services; providing an appropriation; providing an effective date.

—was determined by the President to be within the purview of the Governor's call, read the first time by title and referred to the Committee on Ways and Means.

By Senators de la Parte, Myers and Beaufort—

SB 28-D—A bill to be entitled An act relating to the department of health and rehabilitative services, division of family services, making a supplemental appropriation; providing additional moneys for the remainder of the 1971-72 fiscal year, to pay cost of certain medical care programs; repeals section 17 of chapter 71-357, Laws of Florida, relating to county participation; providing an effective date.

—was delivered to the Committee on Rules, Calendar, Privileged Business and Ethics for consideration and advice as to whether same is within the purview of the call of the Governor.

SECOND READING

SB 10-D—A bill to be entitled An act relating to taxation; amending subsection 212.08(7), Florida Statutes, by adding subsection (i) to provide an exemption from sales and use taxes for household utilities; providing an effective date.

—was taken up, having been read the second time, consideration deferred and retained on second reading on November 30.

On motion by Senator de la Parte the following amendment was adopted:

On page 2, line 2 strike all of lines 2 and 3.

On motion by Senator de la Parte, by two-thirds vote, SB 10-D as amended was read the third third by title, passed and ordered engrossed. The vote was:

Yeas—46

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

Nays—None

By unanimous consent Senator Fincher was recorded as voting yea.

SB 8-D was taken up, together with:

By the Committee on Ways and Means—

CS for SB 8-D—A bill to be entitled An act relating to tax on rentals; amending section 212.03, Florida Statutes, by adding subsection (7) to provide an exemption on rentals of buildings intended primarily for lease or rent to persons as their principal or permanent place of residence; amending sections 212.02(6)(h), 212.031(1)(a), and 212.031(1)(b), Florida Statutes, relative to such exemption on rentals; providing the Department of Revenue with responsibility for certain classification; providing an effective date.

—which was read the first time by title and SB 8-D was laid on the table.

On motion by Senator de la Parte, by two-thirds vote, CS for SB 8-D was read the second time by title.

Senator Weber moved the adoption of the following amendment which failed:

On page 2, line 18, strike “consider and be” and insert the following: exempt all persons who have filed a declaration of domicile with the County Clerk in the county in which the facility is located.

On motion by Senator de la Parte, by two-thirds vote, CS for SB 8-D was read the third time by title, passed and certified to the House. The vote was:

Yeas—43

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

Nays—3

Weber Weissenborn Wilson

By unanimous consent, Senator Weissenborn changed his vote from nay to yea and Senator Barrow was recorded as voting yea.

On motion by Senator de la Parte a bill tentatively identified as SB 17-D was withdrawn.

Senator Horne announced that the Committee on Rules, Calendar, Privileged Business and Ethics would meet at 11:00 a.m. this day in Room 31.

Senator de la Parte announced that the Committee on Ways and Means would meet at 1:00 p.m. this day in Room 331, Holland Building.

Senator Poston announced that the Committee on Transportation would meet at 8:45 a.m., Thursday, December 2, in Room 31 instead of 9:00 p.m. as previously scheduled.

Senator Karl announced that the Committee on Commerce would meet at 4:00 p.m. this day.

On motion by Senator Horne, the Senate adjourned at 10:13 a.m. to reconvene at 9:00 a.m., December 2, 1971.