



# Journal of the Senate

Number 1—Special Session

Monday, June 9, 1980

At a Special Session of the Florida Legislature convened under Section 3(c), Article III, of the Constitution of the State, as revised in 1968, and Section 11.011, Florida Statutes, begun and held at the Capitol, in the City of Tallahassee, in the State of Florida.

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In pursuance of the Proclamation of Senator Philip D. Lewis, President of the Florida Senate, and Representative J. Hyatt Brown, Speaker of the Florida House of Representatives, the Senate met in Special Session at 12:00 noon and was called to order by the President. A quorum present—33:

Mr. President	Frank	McClain	Stuart
Anderson	Gordon	McKnight	Thomas
Barron	Gorman	Neal	Tobiassen
Beard	Hair	Peterson	Trask
Carlucci	Henderson	Poole	Vogt
Childers, D.	Hill	Scarborough	Ware
Childers, W. D.	Jenne	Scott	
Dunn	Johnston	Skinner	
Fechtler	Maxwell	Steinberg	

Excused: Senators Grizzle, Holloway, Myers, Williamson and Winn

Prayer by Senator Peterson:

Gracious Heavenly Father, as we approach the throne of grace this morning, we would thank you for the blessings of the leadership of President Lewis. We thank you for Speaker Brown and for our Governor. We ask that you bless these leaders and bless all of us and show us the wisdom and courage that will give us the insight necessary to reason together, and to go home so that we can explain to the people what we have done in the last two months. Help us, we pray, through this day and tomorrow, and then guide us safely to our homes, so we may serve the people there better. We ask in Christ's name. Amen.

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

By direction of the President, the Proclamation convening the Legislature in special session was read:

## THE FLORIDA LEGISLATURE JOINT PROCLAMATION

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

We, Philip D. Lewis, President of the Florida Senate, and J. Hyatt Brown, Speaker of the Florida House of Representatives, by virtue of the authority vested in us by Section 3, Article III, Florida Constitution, and Section 11.011, Florida Statutes, do hereby proclaim:

1. That the Legislature of the State of Florida is convened in Special Session pursuant to Section 3(c), Article III, Florida Constitution and Section 11.011, Florida Statutes, at the Capitol, Tallahassee, Florida, at 12 o'clock noon, on Monday the 9th of June, 1980, for a period of three days ending midnight, Wednesday, June 11, 1980.
2. That the Legislature is convened for the sole and exclusive purposes of consideration of the following matters:

- a) Supplemental Appropriations Bill with related implementing measures;
- b) Homestead Exemption Joint Resolutions;
- c) Special Election to implement Homestead Exemption Joint Resolution;
- d) Higher Education;
- e) Renter Ad Valorem Tax Relief;
- f) Live-aboard Vessels;
- g) Sales tax on Advertising;
- h) School District Discretionary Ad Valorem Tax Levy;
- i) "TRIM".



Philip D. Lewis  
President, The Florida Senate  
June 8, 1980

J. Hyatt Brown  
Speaker, The Florida House  
of Representatives  
June 8, 1980

Filed and Received by the Secretary of State this 9th of June 1980.

George Firestone

## INTRODUCTION

By Senator Gordon—

SB 1-D—A bill to be entitled An act making supplemental appropriations; providing moneys for the annual periods beginning July 1, 1979 and July 1, 1980, to pay salaries, other expenses, capital outlay-buildings and improvements, and for other specified purposes of the various agencies of state government; supplementing or adjusting items appropriated by chapter 79-212, Laws of Florida; suspending section 25.073(3) Florida Statutes, and portions of chapter 79-212, Laws of Florida; providing an effective date.

On motion by Senator Barron, the rules were waived and SB 1-D relating to supplemental appropriations was introduced by Senator Gordon and was read the first time by title and referred to the Committee on Ways and Means.

By Senator Lewis (by request)—

SJR 2-D—A joint resolution proposing an amendment to Sections 6 and 8 of Article VII of the State Constitution, relating to ad valorem taxation.

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

By Senator Lewis (by request)—

SB 3-D—A bill to be entitled An act relating to a special election for the approval or rejection by the electors of a joint resolution relating to ad valorem tax relief; providing for publication of notice and for procedures; providing an effective date.

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

By Senator Lewis (by request)—

SB 4-D—A bill to be entitled An act relating to taxation; amending s. 194.032(1); (2), (3) and (4), Florida Statutes, and adding subsections (11) and (12); authorizing the property appraisal adjustment boards to hear appeals concerning ad valorem tax classifications; requiring that, upon request, certain information be included in the notice to a petitioner of his time of appearance before a board; specifying grounds for removal from office; allowing petitioners to be represented by an agent; providing for contesting of assessment; specifying certain evidence that may not be presented or accepted; providing qualifications of special masters; restricting representation before a board by persons who have served as special masters; providing for appearance by condominium homeowners' association before a board; providing certain powers regarding review of petitions; amending s. 196.011(1), Florida Statutes, relating to annual applications for exemption; authorizing certain persons to reapply on a short form; amending s. 196.032, Florida Statutes, relating to the Local Government Exemption Trust Fund, to delete provisions relating to additional homestead tax exemption; amending s. 199.292(4), Florida Statutes; providing for disposition of intangible personal property tax proceeds; creating s. 193.1145, Florida Statutes; providing intent; providing for designation of interim assessment rolls if the local taxing authority brings a civil action in circuit court and the court so orders; requiring taxing units to levy provisional millage rates upon interim assessment rolls and to certify the rates to the property appraiser; providing for the applicability of certain laws to such rates; providing duties of property appraisers, tax collectors, and circuit court clerks with respect to such interim assessment rolls; specifying certain notice in tax bills based on such assessment rolls; providing for the recomputation of millage rates and for the reconciliation of interim and approved assessment rolls for certain purposes; providing for and restricting billings and refunds based upon such reconciliation; authorizing delays in supplemental billing or refunding; providing that the court may confirm taxes levied against an interim roll as final under certain conditions; providing a form for notice of supplemental bills or refunds; providing for review of interim assessments; providing for the applicability of certain delinquent tax provisions to delinquent provisional taxes based upon such interim assessment rolls; providing that the recomputation of millage rates shall not affect the amount of revenues to school districts, counties and municipalities; providing that provisional millage rates levied by multicounty taxing authorities, certain millages approved by the electors, and millage representing required local effort under the Florida Education Finance Program shall not be recomputed; providing for the inapplicability of chapter 120, Florida Statutes; amending s. 195.092, Florida Statutes; providing authority of property appraisers and taxing authorities to bring certain actions; providing the venue for certain actions; providing for appeal; requiring conference with the property appraiser prior to institution of certain actions; providing powers of court with respect to implementation of a reappraisal plan; providing for the inapplicability of chapter 120; repealing s. 195.098, Florida Statutes, which provides for an Assessment Administration Review Commission; amending ss. 193.114(7) and 194.032(10), Florida Statutes, to conform; deleting reference to appeal; adding paragraph (e) to s. 196.031(3), Florida Statutes, as amended; providing increased homestead exemptions; amending s. 197.012, Florida Statutes, specifying an alternative date by which tax collectors must collect delinquent taxes; creating s. 197.0125, Florida Statutes, authorizing certain delays in time requirements relating to the collection of or administrative procedures regarding delinquent taxes; repealing Item 5 in Section 1 of chapter 79-212, Laws of Florida, deleting an appropriation to the Assessment Administration Review Commission; creating an Assessment Review Trust Fund and providing purposes thereof; transferring certain moneys to said trust fund; providing an appropriation to the judicial branch to implement the act; providing legislative intent with respect to education tax and just valuation; amending s. 195.096, Florida Statutes; providing requirements with respect to review of county assessment rolls by the Division of Ad Valorem Tax; revising time periods; providing for publication of results; providing for determination of projected levels of assessment for certain counties; providing requirements with respect to performance audits of the administration of ad valorem tax laws by the Auditor General; amending s. 195.097, Florida Statutes; providing requirements and procedures with respect to notification by the executive director of the department to property appraisers regarding defects in assessment rolls; providing duties of property appraiser upon receipt of an administrative order relating thereto; providing for continuing

supervision; revising time periods and providing for an extension of deadlines; providing an appropriation; amending s. 236.081(4), Florida Statutes; providing for application of an equalization factor in computation of district required local effort under the Florida Education Finance Program; limiting required local effort; creating s. 192.115, Florida Statutes; providing for appointment of a performance review panel to investigate roll disapproval and property appraiser performance under certain circumstances; providing result of a finding of unsatisfactory performance; amending s. 195.027(6), Florida Statutes, and adding subsection (7); providing that costs of a sale or purchase and financing terms shall be presumed usual unless the buyer or seller files an information form disclosing otherwise; providing that the department shall adopt guidelines providing staffing standards for operation of property appraisers' offices; providing requirements for the levy of certain increased millage for fiscal 1980-81; amending s. 200.065, Florida Statutes; revising procedures for calculation of the taxable value for each taxing authority by the property appraiser and providing for calculation of a rolled back millage rate; providing for computation of proposed millage rates based on tentative budgets by each taxing authority and for public hearings thereon; providing for application of rolled back rate for those taxing authorities which do not provide required information; providing for notice of, and procedures and requirements with respect to, public hearings to finalize the budgets and adopt millage rates; providing procedures and requirements for school districts; providing form of notices; providing requirements with respect to notices and providing a penalty for violation; providing that receipt of the resolution or ordinance adopting the millage rate shall be considered official notice thereof by the property appraiser; providing for adjustment of adopted millage by taxing authorities when there is a variance in taxable values; providing time limitations for these procedures and requirements; providing application to multicounty taxing authorities and removing the exemption for multicounty taxing authorities limited to levies of 1 mill or less; creating s. 200.069, Florida Statutes; providing for notice of proposed property taxes to be sent to each taxpayer and providing for contents thereof; adding subsection (6) to s. 200.191, Florida Statutes; providing for fixing of millages; amending s. 195.087(2), Florida Statutes; providing for submission of copies of tax collectors' budgets to boards of county commissioners; amending ss. 129.01(2)(b) and 129.03, Florida Statutes; conforming procedures relating to preparation and adoption of county budgets; providing for certification of total valuations by property appraiser to county budget officer; providing for submission of tentative budgets by tax collectors; providing for publication of summary statement regarding adopted tentative budgets; providing for filing of budgets in office of county auditor; repealing s. 129.05, Florida Statutes, relating to method of determination of millage to be levied; amending ss. 237.041, 237.051, and 237.081, Florida Statutes; conforming procedures relating to preparation and adoption of budgets by school boards; providing for certification of total valuations by property appraiser to superintendent; providing for publication of summary statement regarding adopted tentative budget; repealing s. 237.091(4), Florida Statutes, relating to determination of millage to be levied; amending s. 194.011, Florida Statutes; conforming provisions relating to notice of assessment; providing time for filing petition with property appraisal adjustment board; amending s. 194.032(1), Florida Statutes, and adding subsection (11); revising time for hearings by the property appraisal adjustment board; providing for public notice of the findings and results of the board and specifying contents and form thereof; amending s. 197.072(1), Florida Statutes, as amended, and adding subsections (5) and (6); requiring that notice of taxes be accompanied by a statement containing information relating to millage rates and taxes; providing that the tax roll may be extended prior to completion of board hearings under certain conditions; amending s. 218.23(1), Florida Statutes; providing requirements for participation in revenue sharing; adding ss. 218.34(6) and 373.503(5) and amending s. 218.32(2), Florida Statutes; requiring special districts and water management districts to certify compliance with s. 200.065, Florida Statutes; requiring the Department of Banking and Finance to report such certification; adding subsection (31) to s. 228.041, Florida Statutes; defining "nonvoted discretionary millage"; amending s. 236.081(4), Florida Statutes; providing that the Legislature shall prescribe school district required local effort for all districts collectively as an item in the General Appropriations Act; providing for computation by the Commissioner of Education of the millage rate needed to generate the prescribed required local effort; amending s. 236.25(1), Florida Statutes; providing a limitation on school district nonvoted discretionary millage; amending s. 373.-

536(1), (3) and (4), Florida Statutes, and repealing subsection (5) thereof; providing procedures for adoption of water management district budgets and millage rates; amending s. 320.04(1), Florida Statutes, increasing certain service charges and providing other service charges which may be collected by the tax collector for certain transactions with respect to motor vehicle, mobile home, and aircraft licenses and registrations; amending s. 320.03(4), Florida Statutes, providing for the installation of an on-line computer system in tax collector's and license tag agent's offices; providing funding therefor; amending s. 371.051(2), Florida Statutes, increasing the tax collector's fee for registration of noncommercial vessels; amending s. 371.65(2), Florida Statutes, and adding a subsection, increasing service fees and providing a mail service charge; amending s. 371.76(4), Florida Statutes, increasing the fee for the issuance of certificates of title for boats; amending s. 196-1975(4) and (7), Florida Statutes, and adding subsection (8), relating to exemption for property used by homes for the aged; including surviving spouse within certain requirements; providing income limitations shall not apply to certain veterans; increasing exemption for school district levies; providing for separate valuation and placing on tax rolls of nonexempt portions of property; amending ss. 205.033(1)(b) and 205.043(1)(b), Florida Statutes; providing for increased occupational license taxes; amending ss. 192.001(11)(d) and 192.042(2), Florida Statutes; providing status of construction work in progress with respect to tax on tangible personal property; providing for a distribution to certain taxing authorities which received a distribution from the Local Government Exemption Trust Fund in fiscal 1979-80; providing limitations on nonvoted discretionary millage for fiscal 1980-81 and providing requirements for certain levies; providing duties of department regarding certain forms; providing effective dates.

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

By Senator Lewis (by request)—

SB 5-D—A bill to be entitled An act relating to postsecondary education; merging the University of North Florida into the University of Florida; creating a merger steering council to accomplish the merger; amending s. 240.207(1), Florida Statutes, increasing the membership of the Board of Regents and reducing the terms of the members; changing certain qualifications for appointment; amending s. 240.209(3)(g) and (i), Florida Statutes, changing provisions relating to review of the statewide university master plan; removing the duty of the board to contract with accredited independent institutions for educational programs and facilities; amending s. 240.271(6) and (7), Florida Statutes, providing for the allocation of certain salary adjustments at universities for fiscal year 1980-1981; providing for the consideration of certain faculty travel costs; creating s. 240.145, Florida Statutes, creating the Postsecondary Education Coordinating Commission within the Department of Education and providing its duties; amending and renumbering s. 240.125, Florida Statutes, providing for postsecondary regional advisory consortia; requiring the Board of Regents and the Department of Insurance to study health and accident insurance for students within the State University System; requiring the board to study the creation of a teaching hospital at the University of South Florida; amending s. 20.15(4)(c), Florida Statutes, providing for the assignment by the Department of Education of duties to the State Community College Coordinating Board; amending s. 229.053(1), Florida Statutes, authorizing the State Board of Education to assign certain powers to the Commissioner of Education or the State Community College Coordinating Board; amending s. 240.311(1), Florida Statutes, providing for the adoption of rules by the State Board of Education affecting community colleges and their effect upon rules of the Community College Coordinating Board; requiring rules adopted by the coordinating board to include development of a master plan for community colleges; adding a subsection to s. 240.365, Florida Statutes, providing for the cancellation of the registration of students with delinquent accounts; amending s. 381.503, Florida Statutes, transferring certain duties of the Board of Regents and Department of Education to the Commissioner of Education and State Board of Education relating to statewide medical education; amending s. 402.37(1), Florida Statutes, transferring from the Board of Regents to the State Board of Education duties relating to the medical manpower clearinghouse; amending s. 240.401(3)(a) and (c), Florida Statutes, changing qualifications for student state tuition vouchers; amending and renumbering ss. 240.423, 240.425, 240.427, 240.429, 240.431, 240.433, and

240.435, Florida Statutes, conforming to the act provisions relating to the Florida Student Financial Assistance Authority; providing for audits and legal services; amending s. 240.401(1), (2), and (4), Florida Statutes, transferring certain Department of Education duties with respect to state tuition vouchers to the Florida Student Financial Assistance Authority (created by the act); amending ss. 240.403, 240.405, 240.407, 240.409(1), (2), (4), and (5), 240.411, 240.413, and 240.415, Florida Statutes, similarly transferring other duties to the authority and commission with respect to certain endowment trust funds, grants to teachers in exceptional child education, general scholarship loans, state student assistance grant funds, professional and practical nursing education and scholarships, Seminole and Miccosukee Indian scholarships, student financial aid, and funding for scholarship loan programs; restricting the persons eligible for state student assistance grants; restricting the amount of nursing scholarships; amending the introductory paragraph of s. 240.421, Florida Statutes, requiring the Florida Student Financial Aid Advisory Council to assist the authority rather than the Commissioner of Education and providing for appointment of the council; amending s. 240.437, Florida Statutes, specifically granting certain duties to the authority over student financial aid planning and development; adding subsections to s. 240.441, Florida Statutes, authorizing the authority to issue revenue bonds; amending s. 240.465, Florida Statutes, transferring from the department to the authority and the commission certain duties of the department with respect to delinquent accounts; adding a paragraph to s. 447.203(3), Florida Statutes, to exempt certain persons from career service; amending s. 240.367(1), Florida Statutes, relating to current loans to community college boards of trustees; amending s. 240.377, Florida Statutes, relating to rules of the State Board of Education; amending s. 240.359(3), Florida Statutes, requiring additional estimates of enrollment at community colleges; transferring to the Commissioner of Education certain power with respect to community college funding; providing intent with respect to the study of proposed mergers of universities; authorizing the establishment of a branch university in Broward County; repealing s. 240.285, Florida Statutes, removing provisions authorizing certain transfer of funds by the State University System; repealing s. 240.329, Florida Statutes, relating to the residence of community college presidents; repealing s. 240.357, Florida Statutes, relating to the transportation density index for community colleges; repealing s. 229.561, Florida Statutes, relating to education research and development; providing an effective date.

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

By Senator Lewis (by request)—

SB 6-D—A bill to be entitled An act relating to taxation; adding s. 212.02(2)(f), Florida Statutes; amending s. 212.05(5), Florida Statutes; providing a 4 percent sales tax on the sale of space by newspapers and on the sale of time by radio and television; providing an effective date.

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

By Senator Lewis (by request)—

SB 7-D—A bill to be entitled An act relating to ad valorem tax relief; creating part II of chapter 196, Florida Statutes; providing for relief from ad valorem taxes by means of grants to qualified renter households for taxes paid indirectly through rent; providing definitions and procedures; providing for administration by the Department of Revenue; providing penalties; providing for attorneys' fees; providing for confidentiality; providing a penalty; providing an appropriation; providing an effective date.

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

By Senator Lewis (by request)—

SB 8-D—A bill to be entitled An act relating to taxation; creating part II of chapter 196, Florida Statutes; providing for relief from ad valorem taxes by means of grants to qualified renter households for taxes paid indirectly through rent; providing definitions and procedures; providing for administration by the Department of Revenue; providing penalties; providing for confidentiality; providing a penalty; creating the Renter Relief Trust Fund; providing appropriations from such trust fund; adding s. 212.02(2)(f), Florida Statutes; defining the sale

of space and time by newspapers and radio and television; amending s. 212.05(5), Florida Statutes; providing a 4 percent sales tax on the sale of said space and time; providing that the proceeds therefrom accrue to the Renter Relief Trust Fund; providing an effective date.

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

By Senator Holloway—

SB 9-D—A bill to be entitled An act relating to taxation of live aboard vessels; amending s. 196.031(1), Florida Statutes, providing that the homestead exemption shall apply to live-aboard vessels; providing procedures and filing deadlines for 1980 assessments; amending s. 371.021(18)(a), (b), Florida Statutes; redefining the term "live-aboard vessel"; amending s. 371.59, Florida Statutes, defining the "live-aboard vessel"; providing that the act shall not be deemed to prohibit local governmental authorities from enacting or enforcing certain regulations with respect to live-aboard vessels; providing an effective date.

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

By Senator Lewis (by request)—

SB 10-D—A bill to be entitled An act relating to taxation; creating part II of chapter 196, Florida Statutes; providing for

relief from ad valorem taxes by means of grants to qualified renter households for taxes paid indirectly through rent; providing definitions and procedures; providing for administration by the Department of Revenue; providing penalties; providing for confidentiality; providing a penalty; providing appropriations; adding s. 212.02(2)(f), Florida Statutes; defining the sale of space and time by newspapers and radio and television; amending s. 212.05(5), Florida Statutes; providing a 4 percent sales tax on the sale of said space and time; providing an effective date.

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

On motion by Senator Barron, the rules were waived as to the two-hour notice and the Committee on Education was granted permission to meet this day from 1:30 p.m. until 3:00 p.m. to consider SB 5-D.

On motions by Senator Gordon, the Committee on Ways and Means was granted permission to meet from 3:00 p.m. until 6:00 p.m. this day to consider Senate Bills 1-D, 2-D, 3-D, 4-D, 6-D, 7-D, 8-D, 9-D and 10-D.

On motion by Senator Barron, the Senate adjourned at 12:47 p.m. to convene at 9:00 a.m., Tuesday, June 10, 1980.