



# Journal of the Senate

Number 3—Special Session

Thursday, November 29, 1979

The Senate was called to order by the President at 10:00 a.m. *Section 1*

A quorum present—40:

Mr. President	Gordon	Maxwell	Spicola
Anderson	Gorman	McClain	Steinberg
Barron	Grizzle	McKnight	Stuart
Carlucci	Hair	Myers	Thomas
Chamberlin	Henderson	Neal	Tobiassen
Childers, D.	Hill	Peterson	Trask
Childers, W. D.	Holloway	Poole	Vogt
Dunn	Jenne	Scarborough	Ware
Fechtel	Johnston	Scott	Williamson
Frank	MacKay	Skinner	Winn

Prayer by Senator Peterson:

Senators, I'm going to read two verses from Isaiah, 10th chapter, first and second verses. "Woe to those who enact evil statutes and to those who constantly record unjust decisions; so as to deprive the needy of justice and rob the poor of my people of their rights in order that widows may be their spoil and that they may plunder the orphans."

Dear God, help us to think of the people we govern, help us to be just in our treatment of the laws we pass to govern the people. We pray for all these Senators here today in our leadership that we may do right in your sight and in the sight of the people of this state. We ask this in Christ's name. Amen.

By direction of the President the following amendments to the Proclamations of November 21 were read:

### PROCLAMATION

*State of Florida  
Executive Department  
Tallahassee*

(Second Amendment to Proclamation Dated November 21, 1979)

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

WHEREAS, on the 21st day of November 1979, a Proclamation of the Governor was issued convening a special session of the Florida Legislature commencing on the 27th day of November 1979, and

WHEREAS, on the 27th day of November 1979, a Proclamation was issued amending the Proclamation of November 21, 1979, and

WHEREAS, it is necessary and in the best interest of the State to further amend the Proclamation of the Governor of November 21, 1979 in order to further expand the call of the special session so that the Legislature may consider the additional legislative business set forth below,

NOW, THEREFORE, I, BOB GRAHAM, Governor of the State of Florida, in obedience to my constitutional duty and by virtue of the power and authority vested in me by Article III, Section 3(c)(1), Florida Constitution, do hereby proclaim as follows:

That Section 2 of the Proclamation of November 21, 1979, as amended, is further amended to add the following new paragraph 9:

9. Appropriations for a special school maintenance, renovating and remodeling program and implementing legislation therefor.

### Section 2

Except as amended by this Proclamation and the Proclamation dated November 27, 1979, the Proclamation of the Governor dated November 21, 1979 is ratified and confirmed.



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 28th day of November 1979.

**BOB GRAHAM**  
*Governor*

ATTEST:  
**GEORGE FIRESTONE**  
*Secretary of State*

### PROCLAMATION

*State of Florida  
Executive Department  
Tallahassee*

(Third Amendment to Proclamation Dated November 21, 1979)  
TO THE HONORABLE MEMBERS OF THE FLORIDA SENATE AND THE HOUSE OF REPRESENTATIVES:

WHEREAS, on the 21st day of November 1979, a Proclamation of the Governor was issued convening a special session of the Florida Legislature commencing on the 27th day of November 1979, and

WHEREAS, on the 27th day of November 1979, a Proclamation was issued amending the Proclamation of November 21, 1979, and

WHEREAS, on the 28th day of November 1979, a Proclamation was issued further amending the Proclamation of November 21, 1979, as amended, and

WHEREAS, it is necessary and in the best interest of the State to further amend the Proclamation of the Governor of November 21, 1979 in order to further expand the call of the special session so that the Legislature may consider the additional legislative business set forth below,

NOW, THEREFORE, I, BOB GRAHAM, Governor of the State of Florida, in obedience to my constitutional duty and by virtue of the power and authority vested in me by Article III, Section 3(c)(1), Florida Constitution, do hereby proclaim as follows:

*Section 1*

That Section 2 of the Proclamation of November 21, 1979, as amended, is further amended to add the following new paragraph 10:

10. Authority to renovate the former Monroe School in Brevard County.

*Section 2*

Except as amended by this Proclamation and the Proclamations dated November 27, 1979 and November 28, 1979, the Proclamation of the Governor dated November 21, 1979 is ratified and confirmed.



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 28th day of November 1979.

**BOB GRAHAM**  
Governor

ATTEST:  
**GEORGE FIRESTONE**  
Secretary of State

**REPORTS OF COMMITTEES**

The Committee on Ways and Means recommends the following pass: SB 28-C with 2 amendments

The bill was placed on the calendar.

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Thursday, November 29, 1979: SB 17-C, SB 28-C

Respectfully submitted,  
*Dempsey J. Barron, Chairman*

**INTRODUCTION**

By Senators Peterson and Maxwell—

**SB 22-C**—A bill to be entitled An act relating to educational facilities; creating The 1980 Countercyclical Construction Industry Jobs Program for Special School Maintenance Act; providing definition of terms; providing a method for allocating funds; providing for exemption from day labor limitations and prior approval of projects by the Office of Educational Facilities Construction; prescribing eligibility requirements for school boards to receive funds; providing for the distribution of funds; providing for the reallocation of unclaimed funds; providing for the administration of this act; providing an appropriation; providing an effective date.

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

**SR 31-C** was determined by the President to be outside the purview of the Governor's call and was referred to the Committee on Rules and Calendar for determination if an emergency existed compelling introduction.

By Senators Hair, Trask and Peterson—

**SB 32-C**—A bill to be entitled An act relating to agricultural inspections; amending s. 570.15(1), (2), Florida Statutes, 1978 Supplement, as amended; authorizing certain officers and employees of the Department of Agriculture and Consumer Services to have access to certain premises, vehicles, vessels, and documents; providing standards for the issuance and execution of search warrants for regulatory inspections; authorizing specified officers and employees of the department to inspect certain premises, vehicles, packages, or containers; prohibiting the drivers of certain vehicles from passing any official road-guard

inspection station without stopping and submitting such vehicles for inspection; providing a penalty; providing an effective date.

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

**SJR 33-C** and **SB 34-C** were determined by the President to be outside the purview of the Governor's call and were referred to the Committee on Rules and Calendar for determination if an emergency existed compelling introduction.

By Senator Dunn—

**SJR 35-C**—A joint resolution proposing the amendment of Section 1 of Article VII of the State Constitution, to impose limitations on state expenditures and on the rate of growth in such expenditures and to require the Legislature to establish a budget stabilization fund.

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

By Senator Dunn—

**SB 36-C**—A bill to be entitled An act relating to a special election to be held on March 11, 1980, pursuant to Section 5 of Article XI of the State Constitution for the approval or rejection by the electors of a joint resolution revising Article III of the State Constitution; providing for publication of notice and for election procedures; providing an effective date.

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

Senator Frank moved that **SJR 4-C** be introduced notwithstanding the fact that it was outside the purview of the Governor's call. The motion failed.

**MOTIONS RELATING TO COMMITTEE REFERENCE**

On motions by Senator Gordon, by two-thirds vote **SB 22-C** was withdrawn from the Committee on Ways and Means and by two-thirds vote placed on the special order calendar.

**MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

*The Honorable Philip D. Lewis, President*

I am directed to inform the Senate that the House of Representatives has passed **SB 19-C**.

*Allen Morris, Clerk*

*The Honorable Philip D. Lewis, President*

I am directed to inform the Senate that the House of Representatives has passed by the required Constitutional three-fourths vote of the membership of the House **SB 21-C**.

*Allen Morris, Clerk*

*The Honorable Philip D. Lewis, President*

I am directed to inform the Senate that the House of Representatives has passed by the required Constitutional three-fifths vote of the membership of the House **SJR 20-C**.

*Allen Morris, Clerk*

*The Honorable Philip D. Lewis, President*

I am directed to inform the Senate that the House of Representatives has adopted **SCR 27-C**.

*Allen Morris, Clerk*

The bills contained in the above messages were ordered enrolled.

*The Honorable Philip D. Lewis, President*

I am directed to inform the Senate that the House of Representatives has passed as amended **HB 16-C** and **HB 17-C** and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Finance & Taxation and Representative Thompson and others—

**HB 16-C**—A bill to be entitled An act relating to tax sales; amending s. 197.072(1), Florida Statutes; providing that, if applicable, notice of taxes shall include the fact that back taxes are unpaid; adding new subsection (2) to s. 197.116, Florida Statutes; providing that tax certificates with less than \$100 of delinquent taxes on homestead property shall be issued to the county, providing that tax certificates representing \$100 or more of delinquent taxes shall be sold at public auction in accordance with this chapter, and providing restrictions with respect to obtaining tax deeds thereon; amending ss. 197.062(3) and 197.141(1), Florida Statutes, relating to advertisement of property with delinquent taxes and transferability of tax sale certificates, providing an exception with respect to such tax certificates; amending s. 197.256, Florida Statutes; providing a clear notice of pending sale; providing for notice to owner through personal service by sheriff, providing that notice be posted in a conspicuous place on the property by the sheriff of county where property is located; providing an exception; providing that nothing in chapter 197 shall be construed to prevent the tax collector or other public official from giving additional notice beyond minimum requirements; amending ss. 197.151(2) and 197.156(1), Florida Statutes, relating to redemption of tax sale certificates belonging to the county and those sold to purchasers other than the county, and s. 197.266(1), Florida Statutes, relating to sale at public auction; providing for payment of costs incurred for said personal service; providing an effective date.

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

By the Committee on Finance & Taxation—

**HB 17-C**—A bill to be entitled An act relating to ad valorem taxes; amending s. 197.013, Florida Statutes; providing for payment of installments; providing for postage; providing for distribution of taxes; providing for notice; providing an effective date.

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

*The Honorable Philip D. Lewis, President*

I am directed to inform the Senate that the House of Representatives has passed as amended HB 36-C and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Appropriations—

**HB 36-C**—A bill to be entitled An act relating to education; creating the "1980 Countercyclical Construction Industry Jobs Program for Remodeling, Renovation, Repair, and Maintenance of Educational Facilities"; providing legislative intent; providing definitions; providing for the allocation of funds; providing eligibility requirements for school boards to receive funds; providing for distribution of funds; providing for the reallocation of funds under certain circumstances; providing for administration; providing an appropriation; amending s. 235.32, Florida Statutes, requiring performance bonds under certain circumstances; providing an effective date.

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

*The Honorable Philip D. Lewis, President*

I am directed to inform the Senate that the House of Representatives has passed HB 35-C and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representatives Hollingsworth and Hodges—

**HB 35-C**—A bill to be entitled An act relating to agricultural inspections; amending s. 570.15(1) and (2), Florida Statutes, providing that the Commissioner of Agriculture may designate, in writing, individuals who shall have access to

regulated premises or vehicles for agricultural inspection purposes; providing for access to documents which could be used for agricultural purposes; providing for search warrants to be issued to certain persons for the regulatory inspection of premises and vehicles under certain circumstances; requiring drivers of certain vehicles to submit to agricultural inspections under penalty of law; providing an effective date.

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

*The Honorable Philip D. Lewis, President*

I am directed to inform the Senate that the House of Representatives has passed as amended HB 30-C and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Finance & Taxation—

**HB 30-C**—A bill to be entitled An act relating to ad valorem taxation; creating s. 193.1145, Florida Statutes, providing intent; providing for interim assessment rolls under specified circumstances; specifying the valuations to be shown on such assessment rolls; requiring taxing units to levy provision millage rates upon such 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 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 for the effect of provisional millage rates levied by multi-county taxing authorities; 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; amending s. 120.57(1)(b), Florida Statutes, conforming provisions relating to formal proceedings to the act; creating s. 120.571, Florida Statutes, providing uniform procedures for decisions relating to the levy, assessment or refund of certain taxes, tax roll approvals, and county assessment levels; including the Comptroller as a party in matters involving refunds; providing that the hearing officer's order shall constitute final agency action; providing for judicial review; adding a new subsection (3) to s. 120.65, Florida Statutes, providing that hearing officers who conduct hearings on matters specified in s. 120.571, Florida Statutes, shall demonstrate expertise in the area of taxation; adding a new subsection (2) to s. 120.69, Florida Statutes, providing for the enforcement of final agency action on such tax matters; providing for severability; providing an effective date.

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

*The Honorable Philip D. Lewis, President*

I am directed to inform the Senate that the House of Representatives has passed as amended HB 18-C and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Finance & Taxation—

**HB 18-C**—A bill to be entitled An act relating to ad valorem taxation; providing legislative intent with respect to equalization of funding efforts among school districts; amending s. 236.081(4), Florida Statutes; providing duties of Department of Revenue and Commissioner of Education with respect to computation of required local effort under the Florida Education Finance Program; providing for consideration of the school district's assessment level; providing a limitation; providing defi-

nitions; amending s. 236.25(1), Florida Statutes; providing requirements with respect to computation of the district school tax; amending s. 195.098(1) and (2), Florida Statutes; providing duties of the Assessment Administration Review Commission with respect to complaints relating to the determination of the level of assessment; providing for actions by the school board or the Commissioner of Education to contest such determination; 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 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; amending s. 195.027(5), Florida Statutes, as amended, relating to information provided to the property appraiser; providing an appropriation; providing an effective date.

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

**SPECIAL ORDER**

On motion by Senator Hair, by two-thirds vote SB 17-C was removed from the special order calendar and referred to the Committee on Judiciary-Civil.

**SB 28-C**—A bill to be entitled An act relating to the Department of Health and Rehabilitative Services; providing an appropriation for a fixed capital outlay project to the Office of Assistant Secretary for Operations—District Administration of the Department of Health and Rehabilitative Services; providing an effective date.

—was read the second time by title.

The Committee on Ways and Means offered the following amendments which were moved by Senator Vogt and adopted:

**Amendment 1**—On page 1 between lines 19 and 20, insert a new Section 2 and renumber subsequent sections:

Section 2. Notwithstanding the provisions of sections 20.22 and 255.25, Florida Statutes, relating to construction plans and contracts, the Department of Health and Rehabilitative Services shall have the sole responsibility for implementing this appropriation.

**Amendment 2**—On page 1, line 8, strike "Services; providing an effective date." and insert: Services; suspending sections 20.22 and 255.25, Florida Statutes, relating to construction plans and contracts; providing an effective date.

On motion by Senator Vogt, by two-thirds vote SB 28-C as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

**Yeas—37**

Mr. President	Gordon	McClain	Steinberg
Anderson	Gorman	McKnight	Stuart
Barron	Grizzle	Myers	Trask
Carlucci	Hair	Neal	Vogt
Chamberlin	Henderson	Peterson	Ware
Childers, D.	Hill	Poole	Williamson
Childers, W. D.	Jenne	Scarborough	Winn
Dunn	Johnston	Scott	
Fechtler	MacKay	Skinner	
Frank	Maxwell	Spicola	

**Nays—None**

**Votes after roll call:**

**Yea**—Holloway, Tobiassen

On motion by Senator Barron, the rules were waived and the Committee on Judiciary-Civil was granted permission to meet for 45 minutes upon adjournment.

On motion by Senator Hair, the rules were waived and the Committee on Judiciary-Civil was granted permission to consider SB 17-C, HB 16-C, SB 32-C and HB 35-C this day.

On motion by Senator Barron, the rules were waived and the Committee on Ways and Means was granted permission to meet from 11:30 a.m. until 2:00 p.m.

On motion by Senator Gordon, the rules were waived and the Committee on Ways and Means was granted permission to consider Senate Bills 23-C and 24-C; Senate Joint Resolutions 25-C and 7-C this day.

On motion by Senator Hair, by two-thirds vote HB 16-C was referred to the Committee on Judiciary-Civil as the first committee of reference.

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

**MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

*The Honorable Philip D. Lewis, President*

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

By Senator Hair—

**SB 11-C**—A bill to be entitled An act relating to public defenders; amending s. 27.51(4), Florida Statutes; providing that the public defender for the seventh judicial circuit handle all appeals within the district comprising the Fifth District Court of Appeal; providing an effective date.

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

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

Section 1. Subsection (4) of section 27.51, Florida Statutes, is amended to read:

27.51 Duties of public defender.—

(4) The public defenders for the judicial circuits enumerated below may, if requested by any public defender within the appellate district shown, handle all appeals to the state and federal courts required of the official making such request:

(a) Public defender of the second judicial circuit, on behalf of any public defender within the district comprising the First District Court of Appeal.

(b) Public defender of the twelfth judicial circuit, on behalf of any public defender within the district comprising the Second District Court of Appeal.

(c) Public defender of the eleventh judicial circuit, on behalf of any public defender within the district comprising the Third District Court of Appeal.

(d) Public defender of the fifteenth judicial circuit, on behalf of any public defender within the district comprising the Fourth District Court of Appeal.

(e) Public defender of the seventh judicial circuit, on behalf of any public defender within the district comprising the Fifth District Court of Appeal.

A sum shall be appropriated annually to the public defender of those judicial circuits enumerated in paragraphs (a)-(e) ~~(a)-(d)~~ for the employment of attorneys as part-time public defenders, clerical employees, and expenses, including those incurred in cases on appeal.

Section 2. There is hereby appropriated \$302,629 from the General Revenue Fund to the 5th District Court of Appeal for operations in the fiscal year 1979-80.

Section 3. This act shall take effect upon becoming a law.

**Amendment 2**—On page 1, strike entire title and insert: A bill to be entitled An act relating to the public defender; amending s. 27.51(4), Florida Statutes, providing which public defender shall handle appeals in the fifth appellate district; providing an appropriation; providing an effective date.

On motions by Senator Hair, the Senate concurred in the House Amendments.

SB 11-C passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—39

Mr. President	Gordon	Maxwell	Steinberg
Anderson	Gorman	McClain	Stuart
Barron	Grizzle	McKnight	Thomas
Carlucci	Hair	Myers	Tobiassen
Chamberlin	Henderson	Neal	Trask
Childers, D.	Hill	Peterson	Vogt
Childers, W. D.	Holloway	Scarborough	Ware
Dunn	Jenne	Scott	Williamson
Fechtel	Johnston	Skinner	Winn
Frank	MacKay	Spicola	

Nays—None

The bill was ordered engrossed and then enrolled.

On motion by Senator Barron, the Senate recessed at 10:46 a.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—40:

Mr. President	Gordon	Maxwell	Spicola
Anderson	Gorman	McClain	Steinberg
Barron	Grizzle	McKnight	Stuart
Carlucci	Hair	Myers	Thomas
Chamberlin	Henderson	Neal	Tobiassen
Childers, D.	Hill	Peterson	Trask
Childers, W. D.	Holloway	Poole	Vogt
Dunn	Jenne	Scarborough	Ware
Fechtel	Johnston	Scott	Williamson
Frank	MacKay	Skinner	Winn

#### REPORTS OF COMMITTEES

The Committee on Judiciary-Civil recommends the following pass: HB 35-C with 2 amendments, HB 16-C with 2 amendments

The bills were placed on the calendar.

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Thursday, November 29, 1979:

HB 16-C          HB 35-C          SB 25-C          SB 22-C

Respectfully submitted,  
Dempsey J. Barron, Chairman

The Committee on Judiciary-Civil recommends a Committee Substitute for the following: SB 17-C

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

On motion by Senator Barron, by two-thirds vote SB 17-C was placed on the special order calendar.

#### SPECIAL ORDER, resumed

**HB 35-C**—A bill to be entitled An act relating to agricultural inspections; amending s. 570.15(1) and (2), Florida Statutes, providing that the Commissioner of Agriculture may designate, in writing, individuals who shall have access to regulated premises or vehicles for agricultural inspection purposes; providing for access to documents which could be used

for agricultural purposes; providing for search warrants to be issued to certain persons for the regulatory inspection of premises and vehicles under certain circumstances; requiring drivers of certain vehicles to submit to agricultural inspections under penalty of law; providing an effective date.

On motion by Senator Hair, by two-thirds vote HB 35-C was read the second time by title.

The Committee on Judiciary-Civil offered the following amendments which were moved by Senator Hair and adopted:

**Amendment 1**—Strike on page 1, all of lines 20 through and including line 31, and on page 2, all of lines 1 through and including 31, and on page 3, all of lines 1 through and including line 22 and insert:

Section 1. Subsections (1) and (2) of section 570.15, Florida Statutes, 1978 Supplement, as amended by chapter '79-371, Laws of Florida, is amended to read:

570.15 Access to places of business and vehicles.—

(1)(a) The commissioner, ~~assistant commissioner, directors, counsel, experts, chemists, agents,~~ inspectors, road-guard inspection special officers, and such other employees and officers of the department, as designated by the commissioner in writing, shall have full access at all reasonable hours to all:

1. Places of business;
2. Factories;
3. Farm buildings;
4. Carriages;
5. Railroad cars;
6. Trucks;

7. Motor vehicles, except private passenger automobiles with no trailer in tow, travel trailers, camping trailers, and motor homes as defined in s. 320.01(1)(b);

8. Truck and motor vehicle trailers;
9. Vessels; and

10. All records or documents pertaining thereto; which are used or are of a type which could be used in the production, manufacture, storage, sale, or transportation within the state of any food product; any agricultural, horticultural, or livestock product; or any article or product with respect to which any authority is conferred by law on the department.

(b) If such access is be refused by the owner, agent, or manager of any such premises or by the driver or operator of any such ~~aforsaid~~ vehicle which an; the inspector or road-guard inspection special officer has reason to believe is subject to inspection under this section, such inspector or officer may apply for, obtain, and ~~may~~ execute a search warrant for regulatory inspection after stating under oath that: he has reason to believe that the premises or vehicle is subject to inspection pursuant to paragraph (a); that the vehicle sought to be inspected has had reasonable notice to stop for inspection; and that the owner, agent, manager, driver, or operator of the premises or vehicle has refused access for regulatory inspection. Application for a search warrant shall be made in the county in which the premises are located, or in the case of a vehicle to which access is refused, in the county in which such refusal occurs. The provisions of chapter 933, relating to probable cause for the issuance of search warrants, shall not apply to this section, which shall be obtained as provided by law for the obtaining of search warrants in other cases, or may conduct a search of any of the ~~aforsaid~~ vehicles without a warrant pursuant to s. 933.10.

(c) Such departmental officers, employees, and road-guard inspection special officers may inspect any premises or vehicle referred to in paragraph (a), and may examine and open any package or container of any kind containing or believed to contain any article or product which may be transported, manufactured, sold, or exposed for sale in violation of the provisions of this chapter, the rules of the department, or the laws which the department enforces and may inspect the contents thereof and take therefrom samples for analysis.

(2) It shall be unlawful for the driver of any vehicle, other than those exempted in subparagraph 7. of paragraph (a)

of subsection (1), ~~truck or any truck or motor vehicle trailer~~ to pass any official road-guard inspection station without first stopping and submitting the vehicle for inspection. A violation of this subsection shall constitute a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

Section 2. This act shall take effect upon becoming a law.

**Amendment 2**—Strike on page 1, all of lines 2 through and including line 16 and insert: An act relating to agricultural inspections; amending s. 570.15(1), (2), Florida Statutes, 1978 Supplement, as amended; authorizing certain officers and employees of the Department of Agriculture and Consumer Services to have access to certain premises, vehicles, vessels, and documents; providing standards for the issuance and execution of search warrants for regulatory inspections; authorizing specified officers and employees of the department to inspect certain premises, vehicles, packages, or containers; prohibiting the drivers of certain vehicles from passing any official road-guard inspection station without stopping and submitting such vehicles for inspection; providing a penalty; providing an effective date.

On motion by Senator Hair, by two-thirds vote HB 35-C as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gorman	McClain	Stuart
Anderson	Grizzle	McKnight	Thomas
Barron	Hair	Neal	Tobiassen
Carlucci	Henderson	Peterson	Trask
Chamberlin	Hill	Poole	Vogt
Childers, D.	Holloway	Scarborough	Ware
Childers, W. D.	Jenne	Scott	Williamson
Dunn	Johnston	Skinner	Winn
Fechtel	MacKay	Spicola	
Frank	Maxwell	Steinberg	

Nays—None

Vote after roll call:

Yea—Gordon

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

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

*The Honorable Philip D. Lewis, President*

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

By Senator Lewis—

**SB 18-C**—A bill to be entitled An act relating to governmental auditing; amending s. 11.45(1)-(4), (8), Florida Statutes, as amended; providing definitions; replacing references to postaudits with references to financial audits; providing for establishment of an auditor selection committee in noncharter counties and providing duties thereof with respect to selection of qualified auditors to audit county agencies; creating the County Government Audit Trust Fund in the Department of Banking and Finance; providing circumstances for reimbursement of county agencies for certain costs of auditing; providing an appropriation; providing an effective date.

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

**Amendment 1**—On page 1, strike everything after the enacting clause and insert: WHEREAS, chapter 79-183, Laws of Florida, was enacted to insure the financial stability of local governments, by establishing an information system using timely data to forecast potential local government financial emergencies, providing procedures for state assistance should a local government's financial stability be threatened, and providing minimum standards for the operation and funding of public retirement systems, and

WHEREAS, section 2 of chapter 79-183, Laws of Florida, requires counties to obtain an annual independent postaudit, as municipalities and special districts are currently required, so that all citizens of Florida could be assured that their local governments were functioning in a financially responsible manner and so that timely information would be available to the state in analyzing the financial condition of local governments, and

WHEREAS, chapter 79-332, Laws of Florida, restricts the ability of local governments to raise ad valorem revenues, and

WHEREAS, price competition in the public accounting industry will minimize public sector postaudit costs, and

WHEREAS, the Legislature declares that providing for an annual independent county audit is a responsibility of county government, is consistent with home rule pursuant to s. 1, Art. VIII of the State Constitution, has higher costs the first year because of the need to review and analyze unaudited financial data from past years, review financial transactions of the constitutional offices, and provide initial audit start-up expenses; the audit requirement does not conflict with s. 11.076, Florida Statutes, as discussed in Attorney General's Opinion 79-86; the restriction on the ability for counties to raise ad valorem revenues has made it difficult for counties to pay for the higher first year audit costs; and competitive bidding by independent certified public accountants who are prequalified by the unit of local government will insure a quality postaudit at minimum cost to Florida taxpayers, NOW, THEREFORE,

**Section 1. County Audit Trust Fund.**—There is hereby created a County Audit Trust Fund to be administered by the Department of Community Affairs. There shall be deposited into the fund five million, five hundred and eighty thousand (\$5,580,000) from the General Revenue Fund to be distributed to the several counties pursuant to this act.

**Section 2. Distribution of funds.**—

(1) Funds shall be distributed to each Board of County Commissioners in the several counties pursuant to subsection 2.

(2) The distribution to a Board of County Commissioners shall be determined by:

(a) Applying a factor of 1.1 to the county's total revenue for the 1977-78 fiscal year as reported in Table B-1 of the Local Government Financial Report prepared pursuant to s. 218.32(2), Florida Statutes except that for the consolidated government of Duval County, a factor of 1.1 shall be applied to the consolidated government's total revenue for the 1977-78 fiscal year as reported in Table B-3 of the Local Government Financial Report prepared pursuant to s. 218.32(2), Florida Statutes.

(b) Applying a factor of .0015 to the product obtained in 2(a) of this section.

(c) Applying a factor of 1.5 to the product obtained in 2(b) of this section.

(d) Those counties which would receive less than \$30,000 based upon the calculation in (2) (a) (b) and (c) of this section shall be provided a minimum of \$30,000 except that no county shall receive an amount which exceeds 100% of the amount agreed to by contract between the county and the auditor or auditing firm selected pursuant to this act or by any other selection method entered into prior to the adoption of this act.

(e) Those counties that have contracted for an independent audit shall receive 100 percent of the amount agreed to by contract between the county and the auditor or auditing firm selected pursuant to chapter 79-183, Laws of Florida, and prior to the adoption of this act.

(3) The Department of Community Affairs shall distribute funds pursuant to this act no later than April 1, 1980.

(4) Five thousand dollars is hereby appropriated from the County Audit Trust Fund to the Department of Community Affairs for the purposes of administering this section.

(5) Counties shall certify the audit contract amount to the Department of Community Affairs no later than February 15, 1980.

(6) Counties are authorized to utilize the funds provided by this Section to reimburse those county officers elected pur-

suant to s.1(d), Article VIII of the State Constitution, who, prior to the effective date of this act, entered into a contract or contracts with an independent certified public accountant, for a postaudit of its accounts and records, in furtherance of the obligation imposed by Chapter 79-183.

### Section 3. Auditing Selection Act.—

(1) **SHORT TITLE.**—This section shall be known and may be cited as the Auditing Selection Act.

(2) **DEFINITIONS.**—As used in this section, except where the context clearly indicates a different meaning:

(a) "Unit of local government" means a county, municipality or special district.

(b) "Public accounting" shall be the same as defined in s. 473.302(4), Florida Statutes.

(c) "Auditing services" means a postaudit required to be performed pursuant to s. 11.45(3)(a), Florida Statutes.

### (3) PUBLIC ANNOUNCEMENT, QUALIFICATION PROCEDURES AND AUDITOR SELECTION COMMITTEE.—

(a) Notwithstanding any other provision of law, each unit of local government shall utilize the procedures in this section to obtain independent auditing services.

(b) Each unit of local government shall adopt criteria for the evaluation of candidates for auditing services, including, but not limited to, capabilities, adequacy of personnel, past record and experience, and such other factors as may be determined by the unit of local government to be applicable to its particular requirements.

(c) Each unit of local government shall publicly announce, in a manner consistent with the provisions of chapter 50, Florida Statutes, each occasion when auditing services are required. The announcement shall include a general description of the services and shall indicate how interested parties can apply for consideration.

(d) Any firm or individual desiring to provide auditing services to the unit of local government must submit proof of licensure and be determined to be qualified by the unit of local government or auditor qualification committee pursuant to law and the requirements of the unit of local government.

(e) Each unit of local government shall encourage firms or individuals engaged in the practice of public accounting who desire to provide auditing services to the unit of local government to submit a statement of qualifications and performance data.

(f) The public shall not be excluded from the proceedings under this section.

(g) In each non-charter county, an Auditor Qualification Committee shall be established consisting of the county officers elected pursuant to Article VIII, section 1(d), Florida Constitution, and one member of the Board of County Commissioners or its designee.

(h) The Auditor Qualification Committee shall review requests for proposals for auditing services required pursuant to Chapter 79-183, Laws of Florida.

(i) Following their review of qualifications, abilities of professional personnel, past performance, willingness to meet time and budget requirements, and recent, current and projected work loads of auditors or auditing firms desiring to perform the annual independent audit required pursuant to Chapter 79-183, Laws of Florida, the Auditor Qualification Committee shall determine the firm or firms qualified to perform the required services.

(j) Nothing in this section shall be construed to impair contracts in force upon the effective date of this act nor to prohibit a unit of local government from contracting for audit services for a period longer than 1 year.

### (4) COMPETITIVE BIDDING PROCEDURES.—

(a) Only the firm or firms qualified under subsection (3) shall be allowed to competitively bid under this section.

(b) The purchase of auditing services shall be by means of sealed competitive bids. All such bids shall be opened in public

by the Auditor Qualification Committee which shall recommend to the Board of County Commissioners the firm submitting the lowest and best responsible bid received. A bid not conforming to the requirements established in the selection process pursuant to subsection (3) may be rejected without rejecting all other bids.

(c) The Board of County Commissioners may accept or reject the recommendation of the Auditor Qualification Committee. If the Board of County Commissioners rejects the recommendation of the Auditor Qualification Committee, it shall direct the Auditor Qualification Committee to review the proposals submitted and submit another recommendation.

(d) Should the unit of local government reject all bids, the selection process shall continue in accordance with this section until a bid is accepted.

Section 4. Section 129.04, Florida Statutes, is amended to read:

### 129.04 Fiscal year; audits.—

(1) The fiscal year of each county of the state shall commence on October 1, and end on September 30 of each year, and whenever the word "year" appears in this chapter, it shall be construed as meaning the fiscal year as hereby established.

(2)(a) *Each board of county commissioners shall make provision for an annual postaudit, in accordance with generally accepted auditing standards, of the financial accounts of the county, including those of the county officers elected pursuant to s. 1(d), Art. VIII of the State Constitution, pursuant to s. 11.45 and the rules of the Auditor General. It is the legislative intent that the rules of the Auditor General impose substantially the same requirement as those promulgated as Duties of Municipalities by rule 10.510(9), (4), (5), and (6).*

(b) *At the conclusion of the audit field work, the independent certified public accountant shall discuss with each county officer elected pursuant to s. 1(d), Art. VIII of the State Constitution, and the chairman of the board of county commissioners or his designee, all the auditor's comments which will be included in the report containing the auditor's comments for the areas within their responsibility. If the officer is not available to discuss the auditor's comments, then their discussion is presumed when the comments are delivered in writing to his office.*

(c) *The officer's written statement of explanation or rebuttal concerning the auditor's comments, including corrective action to be taken, shall be filed with the governing body of the county and with the Auditor General within 20 days of the delivery of the postaudit report.*

Section 5. Paragraph (a) of subsection (3) of section 11.45, Florida Statutes, is amended to read:

### 11.45 Definitions; duties; audits; reports.—

(3)(a)1. The Auditor General shall annually make post-audits and performance audits of the accounts and records of all state agencies, as defined in this section, and make post-audits of the accounts and records of all district school boards and district boards of trustees of community colleges, as defined in this section.

2. The Auditor General may at any time make postaudits and performance audits of the accounts and records of all governmental entities created pursuant to law. The postaudits and performance audits referred to in this subparagraph shall be made whenever determined by the Auditor General, whenever directed by the Legislative Auditing Committee, or whenever otherwise required by law or concurrent resolution.

3. Each local governmental entity created pursuant to law, for which entity a postaudit was not performed pursuant to subparagraph 1. or subparagraph 2., except a municipality with an annual budget of less than \$100,000, shall require that an annual postaudit of its accounts and records be completed, within 6 months after the end of its respective fiscal year, by an independent certified public accountant retained by it and paid from its public funds.

4. Any postaudit required to be performed under subparagraph 3. shall be submitted to the Auditor General no later than 7 months after the end of the fiscal year of the governmental entity, except that the postaudit required to be performed by counties for the 1978-1979 fiscal year shall be submitted no later than September 30, 1980. If the Auditor General does not receive the postaudit within such period, he shall notify the Legislative Auditing Committee that such govern-

mental entity has not complied with this subparagraph. Following notification of failure to submit the required audits, the Legislative Auditing Committee may:

a. In the case of a city or county, notify the Department of Revenue and the Department of Banking and Finance that the local unit of government has failed to comply. Upon notification, the department shall withhold any funds payable to such governmental entity until the required postaudit is received by the Auditor General.

b. In the case of a special district, notify the Department of Community Affairs that the special district has failed to provide the required audits. Upon notification, the department shall proceed pursuant to ss. 189.008 and 189.009.

5. The Auditor General, in consultation with the Board of Accountancy, shall review all audits completed for local units of government by an independent certified public accountant.

Section 6. Paragraph (b) of subsection (1) of section 218.32, Florida Statutes, is amended to read:

218.32 Financial reporting; units of local government.—

(1)

(b) Each unit of local government shall submit a copy of a financial report covering its operations during the preceding fiscal year within 180 days after the close of the fiscal year. The financial report shall be consistent with the standards established by the United States Bureau of the Census and shall contain such information and be in such form as may be required by the department to adequately assess the financial conditions of the unit of local government. ~~The information in the financial report submitted to the department shall, except for municipalities with annual budgets of less than \$100,000, be completed by a certified public accountant retained by the unit of local government and paid from its public funds. The certified public accountant shall certify that the report has been completed in accordance with instructions provided by the department and is produced from the audited financial statements required by s. 11.45(3).~~

Section 7. All agencies, other than state agencies as defined in section 11.45, Florida Statutes, district school boards and district boards of trustees of community colleges shall have the power to have a performance audit or postaudit of their accounts and records performed by an independent certified public accountant retained by them and paid from their public funds.

Section 8. This act shall take effect upon becoming a law, and the provisions of sections 1 and 2 of this act shall expire and be void and inoperative on June 30, 1980.

Amendment 2—On page 1, strike entire title and insert the following: A bill to be entitled An act relating to local government; creating a County Audit Trust Fund and providing for distribution of funds therein to the counties; providing duties of the Department of Community Affairs; providing an appropriation from the fund to the department; creating the Auditing Selection Act; providing definitions; providing procedures for units of local government to obtain independent auditing services; providing for public announcements; providing for establishment of auditor qualification committees in noncharter counties and providing duties thereof with respect to selection of qualified auditors; requiring competitive bidding by qualified auditors; amending s. 129.04, Florida Statutes; providing for annual county postaudits; providing for discussion of auditor's comments with county officers; providing for written statements in response thereto; amending s. 11.45(3)(a), Florida Statutes; providing a date for submission of certain county postaudits; amending s. 218.32(1)(b), Florida Statutes; deleting the requirement that information in the annual financial report of certain local governments be completed by a certified public accountant; provides authority for certain agencies, district school boards, and district boards of trustees of community colleges to have a performance audit or postaudit by an independent certified public accountant; providing effective and expiration dates.

On motions by Senator Johnston, the Senate refused to concur in the House amendments and the House was requested to recede and in the event the House refused to recede a conference committee was requested. The action of the Senate was certified to the House.

#### SPECIAL ORDER, resumed

HB 16-C—A bill to be entitled An act relating to tax sales; amending s. 197.072(1), Florida Statutes; providing that, if ap-

plicable, notice of taxes shall include the fact that back taxes are unpaid; adding new subsection (2) to s. 197.116, Florida Statutes; providing that tax certificates with less than \$100 of delinquent taxes on homestead property shall be issued to the county, providing that tax certificates representing \$100 or more of delinquent taxes shall be sold at public auction in accordance with this chapter, and providing restrictions with respect to obtaining tax deeds thereon; amending ss. 197.062(3) and 197.141(1), Florida Statutes, relating to advertisement of property with delinquent taxes and transferability of tax sale certificates, providing an exception with respect to such tax certificates; amending s. 197.256, Florida Statutes; providing a clear notice of pending sale; providing for notice to owner through personal service by sheriff, providing that notice be posted in a conspicuous place on the property by the sheriff of county where property is located; providing an exception; providing that nothing in chapter 197 shall be construed to prevent the tax collector or other public official from giving additional notice beyond minimum requirements; amending ss. 197.151(2) and 197.156(1), Florida Statutes, relating to redemption of tax sale certificates belonging to the county and those sold to purchasers other than the county, and s. 197.266(1), Florida Statutes, relating to sale at public auction; providing for payment of costs incurred for said personal service; providing an effective date.

On motion by Senator Thomas, by two-thirds vote HB 16-C was read the second time by title.

The Committee on Judiciary-Civil offered the following amendments which were moved by Senator Thomas and adopted:

Amendment 1—On page 2, line 11, strike everything after the enacting clause and insert:

Section 1. Subsection (3) of Section 197.062, Florida Statutes, 1978 Supplement, is amended to read:

197.062 Advertisement of real or personal property with delinquent taxes.—

(3) REAL PROPERTY.—The tax collector shall advertise once each week for 4 weeks and shall sell tax certificates on all real property with taxes due on or before June 1 of each year. *Such advertisement shall be published in a newspaper of general circulation in the area in which the real property is located and in accordance with the provisions of chapter 50.* He shall make a list of such properties specifying the amount due on each parcel, including interest at the rate of 18 percent per year from April 1 to the date of sale, provided that the minimum charge for any taxes redeemed prior to the sale of a tax certificate shall be 3 percent regardless of the time of redemption, with the cost of advertising and expense of sale in the same order in which the lands were assessed.

Section 2. Subsections (1) and (4) of section 197.072, Florida Statutes, 1978 Supplement, are amended to read:

197.072 Notice of taxes, tax certificates, tax certificate sales by mail, etc.—

(1) Within 20 days after delivery to him of the tax roll with the property appraiser's warrant and recapitulation sheet, the tax collector shall mail to each taxpayer appearing on the assessment roll, whose post-office address is known to him, notice that the tax roll is open for payment of taxes, stating the amount of current taxes due by the taxpayer and, if applicable, the fact that back taxes remain unpaid and advising the taxpayer of the discounts allowed for early payment. The notice shall be accompanied by a printed statement that shall clearly designate and separately identify the rate of taxation to be levied for the use of the county and school board and the total rate of taxation for all other taxing authorities in the county. The postage shall be paid out of the general fund of the county upon statement thereof by the tax collector.

(4) The tax collector shall mail such additional notices as he may deem proper and necessary or as may be required by reasonable rules and regulations of the Department of Revenue. *An additional notice shall be mailed to each taxpayer whose payment has not been received prior to March 1 of the year following the year of assessment and this notice shall include a description of the property and the following statement: "If the taxes for the year ... (year) ... on your property are not paid, a tax certificate will be sold for these taxes, and your property may be sold at a future date. Contact the tax collector's office in the court house at once."*

The notices required in this section do. However, this requirement does not preclude the tax collector from mailing such other notices as he may deem necessary or be required to mail.

Section 3. Subsections (2), (3), (4), (5), (6), (7) and (8) of section 197.116, Florida Statutes, are renumbered as subsections (3), (4), (5), (6), (7), (8) and (9), respectively, and a new subsection (2) is added to said section to read:

197.116 Sale of tax certificates for unpaid taxes.—

(2) However, tax certificates representing less than \$100 of delinquent taxes, on property that has been granted a homestead exemption for the year in which the delinquent taxes were assessed, shall not be sold at public auction but shall be issued by the tax collector to the county at the maximum rate of interest allowed by law. The provisions of s. 197.241(3) shall not be invoked as long as the homestead exemption is granted to the person who received the homestead exemption for the year in which the tax certificate was issued. Providing, however, that when the tax certificates and accrued interest thereon represent an amount of \$100 or more, such property shall be sold at public auction in accordance with this chapter.

Section 4. Subsection (2) of section 197.151, Florida Statutes, is amended to read:

197.151 Tax sale certificates belonging to the county held by the tax collector; redemption.—

(2) The tax collector of the county is authorized and directed to allow the redemption or purchase, in whole or in part, when the part to be redeemed or purchased can be ascertained by legal description, of any tax certificates held by the county, at any time before the vesting of title in the county. The property appraiser shall, within 15 days after request from the collector, apportion the property into the parts sought to be redeemed or purchased. The payment of the amount of the tax certificate or certificates, or the part thereof as the part to be redeemed or purchased bears to the whole, and any and all subsequent unpaid or omitted taxes due on the land to be redeemed or purchased shall be paid with interest thereon at the rate of 18 percent per annum for the period of time from the date of the certificate. For each certificate redeemed, each county certificate purchased, or each omitted year, the collector shall receive a fee of \$5. Payment shall be made at the time of redemption for costs incurred for the personal service of notice provided for in s. 197.256(2).

Section 5. Subsection (1) of section 197.156, Florida Statutes, is amended to read:

197.156 Redemption of tax sale certificates sold to purchaser other than county.—

(1) Any person owning or claiming lands upon which a tax sale certificate has been sold, or any part or parcel thereof or any interest therein, or the creditor of any owner or claimant, may redeem the lands at any time after the issuance of the tax sale certificate and before the tax deed is issued by paying to the tax collector in the county where the land is situated the face amount of the certificate of sale, or the part thereof as the part or interest redeemed shall bear to the whole, upon the collector's being furnished within 15 days by the property appraiser with a certificate apportioning the value to the part or parts sought to be redeemed and to the remaining land or lands under said certificate or certificates, according to their respective part or parts, the apportionment to be made upon the basis of valuation. Upon redemption being made, the person redeeming the tax sale certificate shall pay all taxes, interest, costs, charges, and omitted taxes, if any, as provided by law upon the part or parts of the certificate so redeemed or purchased, with interest as stated in the certificate from the date of the certificate to the date of redemption. In addition, payment shall be made for costs incurred for the personal service of notice provided for in s. 197.256(2). When a tax sale certificate is redeemed and the interest earned on the tax sale certificate is less than 5 percent of the face amount of the certificate, then a mandatory charge of 5 percent shall be levied upon the tax sale certificate. The person redeeming the tax sale certificate shall pay the interest rate bid or the 5 percent mandatory charge, whichever is greater. This shall apply to all tax sale certificates except those with an interest rate bid of zero percent.

Section 6. Subsection (3) of section 197.241, Florida Statutes, 1978 Supplement, is amended to read:

197.241 Application for obtaining tax deed by holder of tax sale certificate; fees.—

(3) The county shall make application for a deed on all certificates 2 years from the date the taxes to which they relate were due. A county shall apply for a deed on all certificates in its possession that have been in its possession for more than 2 years. Upon application for a tax deed, the county shall deposit with the collector all applicable costs and fees, but shall not deposit any money to cover the redemption of other outstanding certificates covering the land. The opening bid on nonhomestead property shall be the sum of the value of all outstanding certificates against the land, plus omitted years' taxes, delinquent taxes, interest, and all costs and fees paid by the county. The opening bid on property assessed on the latest tax roll as homestead property shall include, in addition to the amount of money required for an opening bid on nonhomestead property, an amount equal to one-half of the latest assessed value of the homestead, provided that the opening bid for titleholders of record of the property shall be the same as bids for nonhomestead property.

Section 7. Subsections (1), (2) of section 197.256, Florida Statutes, are amended and subsection (3) is added to said section to read:

197.256 Notice to owner where application is made by holder.—

(1) In addition to the publication of the notice provided for by s. 197.246, the clerk of the circuit court shall notify, by certified mail with return receipt requested, the legal titleholder and lienholders of record of the property if the name and address of such persons appear on the record of the conveyance of the lands to the owner, and each lienholder as listed in the collector's certification who claims a lien thereon at the date of the filing of the application for obtaining tax deed, if the address of the owner appears on the record of the conveyance of the lands to the owner, or, if the address of the owner does not appear on the record of conveyance thereon, then the notice shall be mailed, by certified mail with return receipt requested, to the owner to whom the property was assessed on the tax roll for the year in which the property was last assessed, or, if the name and address of such person do does not appear thereon, then the notice shall be mailed, by certified mail with return receipt requested, to the person last paying taxes upon the lands. If, upon diligent search, no address can be found, then no notice shall be required. The collector shall also mail, by certified mail with return receipt requested, notices to other lienholders who make application to his office. The clerk shall mail, by certified mail, with return receipt requested, a copy of the notice to each mortgagee whose mortgage upon such lands is recorded in the county in which the property is located. The clerk shall also mail, by certified mail with return receipt requested, a notice to vendees of recorded contracts for deed or those who have made application to receive tax notices, including those making application for homestead exemption. The clerk shall enclose with every copy mailed a statement as follows: "WARNING: There are unpaid taxes on property which you own or in which you have a legal interest. The property will be sold at public auction on . . . (date) . . . unless the back taxes are paid. To make arrangements for payment, or to receive further information, contact the clerk of court immediately at . . . (address) . . . telephone number . . ." "Warning, property in which you are interested is listed in the copy of the enclosed notice"; and The clerk shall make out and attach to the affidavit of the publisher a certificate containing the names and addresses of those persons to whom the copy was sent and the date thereof. The certificate shall be signed by the clerk and his official seal affixed. The certificate shall be prima facie evidence of the fact that the notice was mailed. In the event the addresses of the owners, if any, do not appear on the tax roll and the address of the person last paying taxes upon the lands is not shown, the clerk shall execute a certificate to this effect. The failure of the owner, contract vendee, mortgagee, or municipality or other taxing district to receive the notice shall not affect the validity of the tax deed issued pursuant to the notice.

(2) The notice referred to in this subsection section may be sent any time not later than 20 days prior to the date of sale and a printed copy of the notice as published in the newspaper shall be sufficient.

(2) In addition to the notice provided in subsection (1), the sheriff of the county in which the legal titleholder resides

shall, at least 20 days prior to the date of sale, notify the legal titleholder of record of the property on which the tax certificate is outstanding. Such notice shall be served by personal service of process as specified in chapter 48, and if the sheriff is unable to make personal service, he shall mail the notice by certified mail, with return receipt requested, to the legal titleholder of record at his last known address, and shall post a copy of the notice in a conspicuous place on the property. The notice shall be in substantially the following form:

**WARNING**

"There are unpaid taxes on the property which you own. The property will be sold at public auction on . . . (date) . . . unless the back taxes are paid. To make arrangements for payment, or to receive further information, contact the clerk of court at . . . (address) . . . telephone number . . ."

However, a legal titleholder of record residing outside the state may be notified by certified mail with return receipt requested. In addition, a copy of such notice shall be posted in a conspicuous place on the property by the sheriff of the county in which the property is located.

(3) Nothing in this chapter shall be construed to prevent the tax collector or other public official in his discretion from giving additional notice in any form concerning tax certificates and tax sales beyond the minimum requirements of this chapter.

Section 8. Subsection (1) of section 197.266, Florida Statutes, is amended to read:

**197.266 Sale at public auction.—**

(1) The lands advertised for sale to the highest bidder as a result of an application filed under s. 197.241 shall be sold at public auction by the clerk of the circuit court, or his deputy, of the county where the lands are located, on the date, at the time, and at the courthouse door as set forth in the published notice, which shall be during the regular hours his office is open. At the time and place the clerk shall read the notice of sale, and shall offer the lands described in the notice for sale to the highest bidder for cash at public outcry. The amount required to redeem the tax certificate, plus the amounts paid by the holder to the clerk of the circuit court in charges for costs of sale, redemption of other tax certificates on the same lands, and all other costs to the applicant for tax deed, plus interest thereon at the rate of 18 percent per year for one month, and costs incurred for the personal service of notice provided for in s. 197.256(2), shall be considered the bid of the certificate holder for the property. If there are no higher bids, the land shall be struck off and sold to the certificate holder. If there are other bids, the certificate holder shall have the right to bid as others present may bid, and the property shall be struck off and sold to the highest bidder.

Section 9. Section 197.018, Florida Statutes, is hereby repealed.

Section 10. This act shall take effect upon becoming a law.

**Amendment 2—**On pages 1 and 2, strike the title and insert: A bill to be entitled An act relating to tax collections and tax sales; amending s. 197.062(3), Florida Statutes, 1978 Supplement; providing certain requirements for the advertisement of tax certificate sales; amending s. 197.072(1), (4), Florida Statutes, 1978 Supplement; providing that, if applicable, notice of taxes shall include the fact that back taxes are unpaid; requiring notice of tax certificate sales; amending s. 197.116(2), Florida Statutes; providing that tax certificates with less than \$100 of delinquent taxes on homestead property shall be struck off only to the county; amending ss. 197.151(2) and 197.156(1), Florida Statutes, relating to redemption of tax sales certificates belonging to the county and those sold to purchasers other than the county; amending s. 197.241(3), Florida Statutes, 1978 Supplement; providing minimum bid requirements for the sale of property subject to homestead tax exemption; amending s. 197.256, Florida Statutes; providing a clear notice of pending sale; providing for notice to owner through personal service by sheriff, providing that notice be posted in a conspicuous place on the property by the sheriff of county where property is located; providing an exception; providing that nothing in chapter 197 shall be construed to prevent the tax collector or other public official from giving additional notice beyond minimum requirements; amending s. 197.266(1), Florida Statutes; providing for pay-

ment of costs incurred for said personal service; repealing s. 197.018, Florida Statutes, relating to tax certificate notice; providing an effective date.

On motion by Senator Thomas, by two-thirds vote HB 16-C as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Gordon	Maxwell	Spicola
Anderson	Gorman	McClain	Steinberg
Barron	Grizzle	McKnight	Stuart
Carlucci	Hair	Myers	Thomas
Chamberlin	Henderson	Neal	Tobiassen
Childers, D.	Hill	Peterson	Trask
Childers, W. D.	Holloway	Poole	Vogt
Dunn	Jenne	Scarborough	Ware
Fechtel	Johnston	Scott	Williamson
Frank	MacKay	Skinner	Winn

Nays—None

On motion by Senator Barron the Senate reconsidered the vote by which HB 16-C passed this day.

On motion by Senator Barron, by two-thirds vote HB 16-C was withdrawn from the Committee on Ways and Means.

On motion by Senator Barron HB 16-C as amended was taken up and by two-thirds vote was read by title, passed and certified to the House. The vote on passage was:

Yeas—38

Anderson	Gorman	McClain	Steinberg
Barron	Grizzle	McKnight	Stuart
Carlucci	Hair	Myers	Thomas
Chamberlin	Henderson	Neal	Tobiassen
Childers, D.	Hill	Peterson	Trask
Childers, W. D.	Holloway	Poole	Vogt
Dunn	Jenne	Scarborough	Ware
Fechtel	Johnston	Scott	Winn
Frank	MacKay	Skinner	
Gordon	Maxwell	Spicola	

Nays—None

**INTRODUCTION**

On motion by Senator Henderson, by the required constitutional two-thirds vote of the membership SR 31-C was admitted for introduction.

By Senators Henderson and Dunn—

**SR 31-C—**A resolution commemorating the 100th birthday of Mrs. Mabel Alice Wilson Curry.

—was read the first time by title. On motion by Senator Henderson, SR 31-C was read the second time in full and adopted. The vote on adoption was:

Yeas—39

Mr. President	Gordon	Maxwell	Steinberg
Anderson	Gorman	McClain	Stuart
Barron	Grizzle	McKnight	Thomas
Carlucci	Hair	Neal	Tobiassen
Chamberlin	Henderson	Peterson	Trask
Childers, D.	Hill	Poole	Vogt
Childers, W. D.	Holloway	Scarborough	Ware
Dunn	Jenne	Scott	Williamson
Fechtel	Johnston	Skinner	Winn
Frank	MacKay	Spicola	

Nays—None

**SPECIAL ORDER, resumed**

SB 22-C was taken up and on motion by Senator Peterson, by two-thirds vote HB 36-C was withdrawn from the Committee on Ways and Means.

On motions by Senator Peterson—

**HB 36-C**—A bill to be entitled An act relating to education; creating the "1980" Countercyclical Construction Industry Jobs Program for Remodeling, Renovation, Repair, and Maintenance of Educational Facilities"; providing legislative intent; providing definitions; providing for the allocation of funds; providing eligibility requirements for school boards to receive funds; providing for distribution of funds; providing for the reallocation of funds under certain circumstances; providing for administration; providing an appropriation; amending s. 235.32, Florida Statutes, requiring performance bonds under certain circumstances; providing an effective date.

—a companion measure, was substituted for SB 22-C and by two-thirds vote read the second time by title.

Senator Scarborough presiding

Senator Peterson moved the following amendment:

**Amendment 1**—On page 1, line 20, strike everything after the enacting clause and insert: Section 1. Short Title.—This act shall be known and cited as "The 1980 Countercyclical Construction Industry Jobs Program for Special School Maintenance Act."

**Section 2. Legislative intent; purpose.**—It is the intent of the Legislature that supplemental funds shall be provided to district school boards for the purpose of performing needed remodeling, renovation, repair, and maintenance of educational facilities, which cannot otherwise be performed during the period of time in which countercyclical employment of construction industry workers will be most needed and within the funds currently available to school boards, and that the supplemental funds provided by this act shall be used by each school board in such manner as shall be necessary to ensure to the maximum extent possible the employment or contracting of construction industry workers who are unemployed because of a cyclical downturn in construction industry activity.

**Section 3. Definitions.**—For the purposes of this act, the following definitions shall apply:

(1) "Educational facilities" means the buildings and fixed equipment of a public school district that are built, installed, or established to serve educational purposes and that have been recommended for continued use in the most recent official educational plant survey or that have been classified as satisfactory in the state inventory of educational facilities.

(2) "Remodeling" means to change existing facilities by the rearrangement of spaces and their uses, and shall include but not be limited to: converting two classrooms to a science lab, converting a closed plan arrangement to an open plan configuration, closing up window walls in order to air condition, installing a new air conditioning system, and providing access for handicapped persons and retrofitting to achieve energy conservation.

(3) "Renovation" means to upgrade existing facilities by installation of, or replacement of, materials and equipment, including but not limited to air conditioning, heating, or ventilating equipment; fire alarm system; emergency lighting; electrical systems; complete roof or roofing replacement including membrane or structure.

(4) "Maintenance and repair" means the upkeep of property or equipment, including but not limited to roof or roofing repair short of complete replacement of membrane or structure; repainting of interior or exterior surface; resurfacing of floors; repair or replacement of windows or doors; replacement of glass; repair of hardware; furniture, equipment, and plumbing fixtures; resurfacing of paved playing courts, drives, and parking areas; replacement of light bulbs, switches, fuses.

**Section 4. Exemptions.**—In order to assist in achieving the countercyclical employment objectives of this act, the provisions of chapters 230, 235, 236, 237, 255, and 287, Florida Statutes, to the contrary notwithstanding, the remodeling, renovation, and repair and maintenance projects funded under this act are hereby exempt from day labor limitations, performance bond requirements for projects less than \$25,000, the Consultants' Competitive Negotiation Act, and prior approval of plans and specifications by the Office of Educational Facilities Construction, Department of Education. This exemption does not relieve each school board of the duty and responsibility of

ensuring compliance with all requirements of the State Uniform Building Code for Educational Facilities for all remodeling, renovation, and repair and maintenance performed or for the prudent management and efficient expenditure of all funds received pursuant to this act.

**Section 5. Allocation of funds.**—

(1) Using the facility depreciation formula adopted by the State Board of Education pursuant to s. 235.435(3)(a), Florida Statutes, the Office of Educational Facilities Construction, Department of Education, shall calculate the depreciation value of all existing educational facilities in each school district and the total depreciation value of all districts. In addition, the depreciation value of each district shall be shown as its percentage of the total depreciation value of all districts.

(2) From the total funds appropriated and available for distribution to school districts for the purposes of this act, the Commissioner of Education shall assign to each school district an initial allocation which shall be the same percentage of the total funds available as the district's percentage of the total depreciation value determined in subsection (1).

**Section 6. Eligibility to receive funds.**—To be eligible to receive funds from its allocation, each district school board shall adopt and file with the Office of Educational Facilities Construction, Department of Education, a memorandum of agreement duly approved by the board, which shall contain at least the following commitments:

(1) That the school board shall not use the funds received pursuant to this act to supplant funds in the 1979-1980 approved operating budget, and that all budgeted funds shall be expended at a rate not less than would have been expended had the funds under this act not been received.

(2) That the school board shall maintain its effort for expenditures for remodeling, renovation, and repair and maintenance for 1980-1981 at not less than the level included in the approved operating budget for 1979-1980.

(3) That each remodeling, renovation, and repair and maintenance project will expand or upgrade current educational facilities to prolong the useful life of the facility.

(4) That the school board shall not reduce employment for the remodeling, renovation, and repair and maintenance projects that are already budgeted in its 1979-1980 approved operating budget.

(5) That the remodeling, renovation, and repair maintenance projects financed from these funds shall be planned and administered in a manner which will employ or contract for the employment of the maximum number of construction industry workers who are unemployed because of a cyclical downturn in employment in the construction industry.

(6) That the school board shall maintain fund accounting in a manner which will permit a detailed audit of the funds expended in this program.

(7) The school board shall:

(a) Submit a report to the Office of Educational Facilities at the end of each 60 days listing projects completed and including actual expenditures, projects underway including estimated expenditures, and projects under planning including projected expenditures.

(b) Include in the district's annual financial report each project under this program and the funds expended.

**Section 7. Distribution of funds.**—

(1) All funds distributed to district school boards under this act shall supplement, and be in addition to, all other funds allocated by district school boards for maintenance and repair of educational facilities. The ratio of educational facilities maintenance and repair expenditures to total general operating fund expenditures in the approved 1979-1980 operating budget of the district shall not be reduced as a result of the supplemental funds received under this act.

(2) For each district school board determined by the Commissioner of Education to be eligible to receive funds pursuant to this act, distribution shall be as follows:

(a) On December 1, 1979, or as soon thereafter as possible, 40 percent of the initial allocation for each district shall be

distributed to the school board which has submitted an approved memorandum of agreement required in section (6).

(b) As soon as possible following the date on which the Executive Office of the Governor certifies to the Commissioner of Education that the seasonally adjusted average for the previous 3-month period for single and multi-family housing starts falls below 12,000 units (annual rate of 144,000), 60 percent of the district initial allocation shall be disbursed to each eligible school board and subject to this amount of funds being authorized by the Legislature for this purpose.

#### Section 8. Reallocation of funds.—

(1) If 120 days after the effective date of this act any school board has not submitted to the Office of Educational Facilities Construction a memorandum of agreement, the remainder of the initial allocation for that district shall be reallocated by the Commissioner of Education to those school boards which have filed a memorandum of agreement and are eligible to receive funds under this act.

(2) When any school board has not expended the funds received in a timely manner consistent with the purposes of this act, the State Board of Education may require such board to return the unobligated funds to the state to be reallocated to other districts.

Section 9. Administration.—It is the intent of the Legislature that this act be liberally construed so as to effectuate its purposes as far as legally and practically possible. The Commissioner of Education through the Office of Educational Facilities Construction shall administer this act as provided herein.

Section 10. There is hereby appropriated \$21,800,000 to the Department of Education from the General Revenue Fund for 1979-1980 which amount represents 40 percent of the initial allocation of \$54,516,000 for the purposes of implementing this act.

#### Section 11. This act shall take effect upon becoming a law.

Senators Scott, Jenne, Poole, Williamson, Winn, Hill, MacKay, McKnight and Steinberg offered the following amendment to Amendment 1 which was moved by Senator Scott and adopted:

Amendment 1A—On page 7, line 6, insert new Section 11 and renumber subsequent section:

Section 11. Paragraph (d) of subsection (2) of section 235.221, Florida Statutes, is amended to read:

235.221 High priority facilities construction; use by school districts; conditions and procedures.—

(2) Those districts in need of such facilities shall:

(d) Officially waive 80 percent of any future annual allocations from the trust fund until such time that the total amount of the advancement is repaid, *provided further the Broward County District School Board is authorized to reschedule the repayment of the advanced funds for fiscal year 1979-80 only, and to repay during that year one-half of the 80 percent prescribed herein.* However, the office shall calculate each school board's remodeling needs pursuant to s. 235.435, and shall annually waive repayment of the advance funding in an amount equal to that board's remodeling and safety-to-life-correction needs, not to exceed 20 percent of the board's projected annual allocation.

Amendment 1 as amended was adopted.

Senator Peterson moved the following amendment:

Amendment 2—On page 1 in title, strike all of lines 2 through line 16 and insert: An act relating to educational facilities; creating The 1980 Countercyclical Construction Industry Jobs Program for Special School Maintenance Act; providing definition of terms; providing a method for allocating funds; providing for exemption from day labor limitations, performance bond requirements, the Consultants' Competitive Negotiation Act, and prior approval of projects by the Office of Educational Facilities Construction; prescribing eligibility requirements for school boards to receive funds; providing for the distribution of funds; providing for the reallocation of unclaimed funds; providing for the administration of this act; providing an appropriation; providing an effective date.

Senators Scott, Jenne, Poole, Williamson, Winn, Hill, McKnight and Steinberg offered the following amendment to Amendment 2 which was moved by Senator Scott and adopted:

Amendment 2A—On page 1 in title, line 15, insert after "appropriation;": amending s. 235.221(2)(d), Florida Statutes; providing a delayed repayment of advanced Capital Outlay Funds for Broward County District School Board;

Amendment 2 as amended was adopted.

Senator Tobiassen moved the following amendment which was adopted:

Amendment 3 to HB 36-C as amended—On page 3, line 27, after the period "." insert: Any repairs, renovations, remodeling or maintenance performed under the memorandum of agreement shall be funded solely by the General Revenue funds appropriated herein and the funds appropriated by this act shall not be commingled with any federal funds.

On motion by Senator Peterson, by two-thirds vote HB 36-C as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Anderson	Gorman	McClain	Stuart
Barron	Grizzle	McKnight	Thomas
Carlucci	Hair	Neal	Tobiassen
Chamberlin	Henderson	Peterson	Trask
Childers, D.	Hill	Poole	Vogt
Childers, W. D.	Holloway	Scarborough	Ware
Dunn	Jenne	Scott	Winn
Fechtel	Johnston	Skinner	
Frank	MacKay	Spicola	
Gordon	Maxwell	Steinberg	

Nays—None

#### INTRODUCTION

On motion by Senator W. D. Childers, by the required constitutional two-thirds vote of the membership SB 26-C was admitted for introduction.

By Senator Anderson—

SB 26-C—A bill to be entitled An act relating to extensions of credit; amending section 15 of chapter 79-274, Laws of Florida; broadening application of and clarifying chapter 79-274, Laws of Florida; providing for retroactive application; providing an effective date.

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

On motions by Senator Anderson, by two-thirds vote SB 26-C was withdrawn from the Committee on Rules and Calendar and by two-thirds vote placed on the special order calendar.

On motion by Senator Anderson, by two-thirds vote SB 26-C was read the second time by title.

Senator Don Childers moved that consideration of SB 26-C be deferred. The motion failed.

On motion by Senator Anderson, by two-thirds vote SB 26-C was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

Anderson	Gorman	McKnight	Stuart
Barron	Grizzle	Neal	Tobiassen
Chamberlin	Hair	Peterson	Trask
Childers, D.	Henderson	Poole	Vogt
Childers, W. D.	Hill	Scarborough	Ware
Dunn	Holloway	Scott	Williamson
Fechtel	Jenne	Skinner	Winn
Frank	Johnston	Spicola	
Gordon	McClain	Steinberg	

Nays—None

Votes after roll call:

Yea—Carlucci, Myers

**The President presiding**

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

**MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

On motion by Senator Holloway, by the required constitutional two-thirds vote of the membership, HB 31-C was admitted for introduction.

*The Honorable Philip D. Lewis, President*

I am directed to inform the Senate that the House of Representatives has admitted for introduction by the required Constitutional two-thirds vote of the membership and passed HB 31-C and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative C. F. Jones and others—

HB 31-C—A bill to be entitled An act relating to the Florida Transportation Code; adding subsections (3) and (4) to s. 337.34, Florida Statutes, providing legislative intent; authorizing the Department of Transportation to utilize certain funds for the Accelerated Construction of Interstate Program; providing for adjustments in certain contracts; providing an effective date.

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

On motion by Senator Holloway the rules were waived and the Committee on Transportation was granted permission to meet Friday, November 30, at 8:00 a.m. to consider HB 31-C.

On motion by Senator Barron, the Senate recessed at 3:12 p.m., awaiting the call of the President.

The Senate was called to order by the President at 4:25 p.m. A quorum present—40:

Mr. President	Gordon	Maxwell	Spicola
Anderson	Gorman	McClain	Steinberg
Barron	Grizzle	McKnight	Stuart
Carlucci	Hair	Myers	Thomas
Chamberlin	Henderson	Neal	Tobiassen
Childers, D.	Hill	Peterson	Trask
Childers, W. D.	Holloway	Poole	Vogt
Dunn	Jenne	Scarborough	Ware
Fechtel	Johnston	Scott	Williamson
Frank	MacKay	Skinner	Winn

On motion by Senator Gordon the rules were waived and the Committee on Ways and Means was granted permission to meet instanter for the purpose of taking up SJR 25-C.

On motion by Senator Barron, the Senate recessed at 4:20 p.m., awaiting the call of the President.

The Senate was called to order by the President at 4:28 p.m. A quorum present.

By permission the following report was received:

The Committee on Ways and Means recommends a Committee Substitute for the following: SJR 25-C

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

**SPECIAL ORDER**

By the Committee on Ways and Means—

CS for SJR 25-C—A joint resolution proposing a revision of Article VII of the State Constitution relating to finance and taxation.

—was read the first time by title and SJR 25-C was laid on the table.

On motion by Senator Gordon, by two-thirds vote CS for SJR 25-C was read the second time by title.

Senator Stuart moved the following amendment which was adopted:

Amendment 1—On page 3, lines 5 and 6, strike all of said lines and through “lands” on line 7 and insert: *body may provide for total or partial exemption from ad valorem taxation to be given to the improvements on lands, including tangible property,*

Senator Gordon moved the following amendments which were adopted:

Amendment 2—On page 4, lines 24-31, strike all of said lines and insert: (e) *Pursuant to general law, historic property may be valued for taxation at a specified percentage of its value.*

(f) *All other property shall be assessed for the purpose of taxation at a percentage of its value specified by general law enacted by the affirmative vote of two-thirds of the membership of each house of the legislature, but at not less than fifty percent nor more than eighty percent of its just value.*

Amendment 3—On page 14, line 21, strike the words “(c) Until and insert: *Until*

Senator Maxwell moved the following amendment which failed:

Amendment 4—On page 7, lines 6 and 7, strike “*These conditions may include the use of relative ad valorem assessment levels determined by a state agency designated by general law.*”

Senators Frank, McKnight and Jenne offered the following amendment which was moved by Senator Frank:

Amendment 5—On page 7, line 8, after the period (.) insert: *No general or special law shall require a county or municipality to perform a function or render a service or otherwise mandate a cost to a county or municipality, unless state funds are appropriated for such purpose or such law authorizes the county or municipality to levy a special tax therefor, however federally mandated functions or services shall be exempted from this provision.*

**Point of Order**

Senator Gordon raised a point of order that Amendment 5 was not germane to the bill. The President appointed Senators Barron, MacKay, Dunn and Ware to examine the amendment and advise the Chair.

The committee subsequently reported and advised the President that the amendment was germane. Based on the report of the committee, the President so ruled.

Senators Frank, McKnight and Jenne offered the following amendment to Amendment 5 which failed:

Amendment 5A—On page 1, line 6, strike the period and insert after therefore; , however federally mandated functions or services shall be exempted from this provision.

Senator Chamberlin moved the following amendment to Amendment 5 which failed:

Amendment 5B—On page 1, line 1, after word “county” insert: , school district,

Amendment 5 failed.

Senator Williamson moved the following amendment which failed:

Amendment 6—On page 7, line 8, strike the period “.” and insert: for the purpose of distribution of funds appropriated to the school districts.

Senator Gordon moved the following amendment which was adopted:

Amendment 7—On page 1, line 13, strike “upon such approval” and insert: April 1, 1980

Senator Ware moved the following amendment:

Amendment 8—On page 2, lines 4-8, strike all of said lines and insert: (e) *In no year shall the rate of increase in appro-*

appropriations from state general tax revenues exceed the estimated rate of growth of the economy of the state as determined by law. No appropriation in excess of this limitation shall be made unless the legislature shall, by law containing no other subject matter, set forth the dollar amount and the rate by which the limit will be exceeded. No appropriation in excess of this limitation shall be made without a three-fifths vote of the membership of each house of the legislature.

(f) All revenue in any one year in excess of the amount necessary to fund the appropriations for that period, shall be deposited into a working capital fund which shall be maintained in an amount fixed by law. Any revenue in excess of the amount necessary to maintain the working capital fund shall be used for tax relief and shall be accompanied by a tax reduction.

Senators Dunn and Stuart offered the following substitute amendment which was moved by Senator Dunn and failed:

**Amendment 9**—On page 2, lines 4-8, strike lines 4 to 8 and insert: (e) The rate of growth in state expenditures derived from state tax sources as determined by law shall not exceed the estimated rate of growth in the state economy as determined pursuant to general law. Revenue from state tax sources in excess of the amount necessary to fund state expenditures within such limit shall be deposited in a Budget Stabilization Fund which shall be maintained in an amount determined pursuant to general law. Any revenue in excess of the amount required to be maintained in such fund shall be appropriated for tax relief. For any year in which revenues from state tax sources are not sufficient or are estimated to be not sufficient to meet state expenditures within such limits, funds sufficient to meet state expenditures within such limits may be appropriated from the Budget Stabilization Fund.

(f) The rate of growth in state expenditures as determined pursuant to subsection (e) may be exceeded for any fiscal year:

(1) By an appropriation from the Budget Stabilization Fund made by law enacted by the affirmative vote of two-thirds of the membership of each house of the legislature; or

(2) By an appropriation from the Budget Stabilization Fund, if the appropriation is made for a new or improved program or activity and made by law containing no other appropriation.

The question recurred on Amendment 8 which failed. The vote was:

Yeas—17

Barron	Grizzle	Poole	Ware
Childers, W. D.	Henderson	Scott	Williamson
Dunn	Maxwell	Stuart	
Fechtler	McClain	Tobiassen	
Gorman	Neal	Vogt	

Nays—22

Mr. President	Hair	McKnight	Steinberg
Anderson	Hill	Myers	Thomas
Carlucci	Holloway	Peterson	Trask
Childers, D.	Jenne	Scarborough	Winn
Frank	Johnston	Skinner	
Gordon	MacKay	Spicola	

Vote after roll call:

Nay—Chamberlin

Senator Trask presiding

Senator Neal moved the following amendment:

**Amendment 10**—On page 5, lines 6-10, strike all of said lines

On motion by Senator Neal further consideration of Amendment 10 was deferred.

Senator Gordon moved the following amendment which failed:

**Amendment 11**—On page 8 between lines 12 and 13, insert: a new section (c):

... (c) By general law and subject to conditions specified therein, the exemption may be increased for each county levy in those counties which, by vote of the electors as provided by general law, permit the cultivation, possession, sale, and taxation of cannabis. The increase in the exemption pursuant to this subsection shall be such that amount of revenues lost to each county by the increased exemption equals the amount of revenues collected within the county from the imposition of the tax on cannabis.

Reletter subsequent subsections.

The vote was:

Yeas—1

Gordon

Nays—35

Anderson	Grizzle	McKnight	Steinberg
Barron	Hair	Myers	Thomas
Carlucci	Hill	Neal	Tobiassen
Chamberlin	Holloway	Peterson	Trask
Childers, D.	Jenne	Poole	Vogt
Childers, W. D.	Johnston	Scarborough	Ware
Dunn	MacKay	Scott	Williamson
Frank	Maxwell	Skinner	Winn
Gorman	McClain	Spicola	

Vote after roll call:

Nay—Fechtler

Senators Steinberg, McKnight, Jenne and Gordon offered the following amendment which was moved by Senator Steinberg:

**Amendment 12**—On page 5, lines 12-15, strike all of said lines and insert: upon the operation of pari-mutuel pools shall may be preempted to the state or allocated in whole or in part to the counties. When allocated to the counties, the distribution shall be in equal amounts to the several counties.

Point of Order

Senator Thomas raised a point of order that the amendment went beyond the call of the Governor. On motion by Senator Thomas, further consideration of Amendment 12 was deferred so that the chairman of the Committee on Rules and Calendar might examine the amendment.

Senator Frank moved the following amendments which failed:

**Amendment 13**—Strike all of lines 24 through 29 and renumber subsequent paragraph.

The President presiding

**Amendment 14**—On page 14, strike all of lines 21 through 25

Senators Gordon, McClain and Spicola offered the following amendment which was moved by Senator Gordon and adopted:

**Amendment 15**—On page 14, line 25, after the period insert: With respect to ad valorem taxes based upon the 1980 or 1981 assessment rolls, any taxing authority which levies its maximum authorized millage and which, as a result of the assessment of property for ad valorem tax purposes at sixty-five percent of just value, would receive less ad valorem tax revenue than it received from ad valorem taxes based upon the 1979 assessment rolls may require that property subject to taxation by such taxing authority be uniformly assessed for purposes of taxation by such authority at the percentage of just value necessary for such taxing authority to receive the same amount of ad valorem that it received from taxes based upon the 1979 assessment rolls.

The Senate resumed consideration of Amendment 12.

Senator Barron, chairman of the Committee on Rules and Calendar, advised the Chair that although the amendment itself

was germane that it was not included in the Governor's call. The Chair ruled the point well taken and the amendment out of order.

By permission, Senator Neal withdrew Amendment 10.

Senator Neal moved the following amendment which failed:

Amendment 16—On page 6, strike all of lines 25 through 27 and insert: *therein, the Legislature may provide to renters, who are permanent residents, ad valorem tax relief on school district levies. Such ad valorem tax relief shall be in the form*

The vote was:

Yeas—17

Mr. President	Fechtel	Maxwell	Ware
Anderson	Frank	Neal	Williamson
Barron	Grizzle	Poole	
Childers, D.	Henderson	Scott	
Childers, W. D.	Johnston	Tobiassen	

Nays—19

Carlucci	Hill	Myers	Stuart
Chamberlin	Holloway	Peterson	Trask
Dunn	Jenne	Scarborough	Vogt
Gordon	MacKay	Skinner	Winn
Gorman	McKnight	Steinberg	

Votes after roll call:

Yea—McClain

Nay—Hair, Spicola

Senator Ware moved the following amendment which was adopted:

Amendment 17—On page 5, lines 7 and 8, strike "*without regard to or any other state*" and insert: *or any state*

Senator Gordon moved the following amendments which were adopted:

Amendment 18—On page 15, lines 1-2, strike "*from the General Revenue Fund*"

Amendment 19—On page 15, lines 17-19, strike all of said lines and insert:

7. Allow homestead exemptions to be increased to reflect inflation or

Amendment 20—On page 15, line 31, insert:

12. Authorize historic property to be valued for taxation at a specified percentage of its value.

Amendment 21—On page 14, strike line 21 and insert:

(a) *If at a special election held on March 11, 1980, there is also approved by the electors of this state an amendment or revision to Section 6 of this Article which contains language in conflict with that contained in this revision the language in this revision shall prevail to the extent of any conflict.*

(b) *Until changed by law enacted by the affirmative vote of two-*

Amendment 22—On page 5, line 8, strike "or" and insert: and

On motion by Senator Gordon, by two-thirds vote CS for SJR 25-C as amended was read the third time in full.

On motion by Senator Peterson, the Senate reconsidered the vote by which CS for SJR 25-C as amended was read the third time.

Senator Peterson moved the following amendment which was adopted:

Amendment 23—On page 6, strike lines 18 to 23

Senator Neal moved the following amendment which failed:

Amendment 24—On page 6, strike lines 24 through 28

The vote was:

Yeas—19

Mr. President	Fechtel	Johnston	Tobiassen
Anderson	Frank	Maxwell	Ware
Barron	Gorman	Neal	Williamson
Childers, D.	Grizzle	Poole	
Childers, W. D.	Henderson	Scott	

Nays—20

Carlucci	Hill	Myers	Stuart
Chamberlin	Holloway	Peterson	Thomas
Dunn	Jenne	Skinner	Trask
Gordon	MacKay	Spicola	Vogt
Hair	McKnight	Steinberg	Winn

On motion by Senator Gordon the Senate reconsidered the vote by which Amendment 19 was adopted.

By permission Amendment 19 was withdrawn.

Senator Peterson moved the following amendment which was adopted:

Amendment 25—On page 15, lines 7-20, strike all of said lines

Senator Peterson moved the following amendment which failed:

Amendment 26—On page 1, line 11, after the word "at" insert: *the next general election or at*

On motion by Senator Gordon, by two-thirds vote CS for SJR 25-C as amended was read the third time in full as follows:

A joint resolution proposing a revision of Article VII of the State Constitution relating to finance and taxation.

*Be It Resolved by the Legislature of the State of Florida:*

That the following revision consisting of a revision of Article VII of the State Constitution is hereby agreed to and that the revision shall be submitted to the electors of this state for approval or rejection at a special election to be held on March 11, 1980, and if approved, such revision shall take effect April 1, 1980 and, for ad valorem taxes, shall apply to the taxes levied on the assessment rolls for the year 1980 and each year thereafter:

## ARTICLE VII

### FINANCE AND TAXATION

#### SECTION 1. Taxation; appropriations; state expenses.—

(a) No tax shall be levied except in pursuance of law. No state ad valorem taxes shall be levied upon real estate or tangible personal property. All other forms of taxation shall be preempted to the state except as provided by general law.

(b) Motor vehicles, boats, airplanes, trailers, trailer coaches and mobile homes, as defined by law, shall be subject to a license tax for their operation in the amounts and for the purposes prescribed by law, but shall not be subject to ad valorem taxes.

(c) No money shall be drawn from the treasury except in pursuance of appropriation made by law.

(d) Provision shall be made by law for raising sufficient revenue to defray the expenses of the state for each fiscal period.

(e) Provision shall be made by general law for an expenditure limitation plan to govern state appropriations, utilizing generally accepted criteria of economic growth with such conditions, restrictions and limitations as may be determined by general law.

SECTION 2. Taxes; rate.—All ad valorem taxation shall be at a uniform rate within each taxing unit, except the taxes on intangible personal property may be at different rates but shall never exceed two mills on the dollar of assessed value; provided, as to any obligations secured by mortgage, deed of trust, or other lien on real estate wherever located, an intangible tax of not more than two mills on the dollar may be levied by law to be in lieu of all other intangible assessments on such obligations.

SECTION 3. Taxes; exemptions.—

(a) All property owned by a municipality and used exclusively by it for municipal or public purposes shall be exempt from taxation. A municipality, owning property outside the municipality, may be required by general law to make payment to the taxing unit in which the property is located. Such portions of property as are used predominately for educational, literary, scientific, religious or charitable purposes may be exempted by general law from taxation.

(b) There shall be exempt from taxation, cumulatively, to every resident to every head of a family residing in this state, household goods and personal effects to the value fixed by general law, not less than one thousand dollars, and to every widow or widower or person who is blind or totally and permanently disabled, property to the value fixed by general law not less than five hundred dollars.

(c) When authorized and as defined by general law, any community redevelopment plan approved by the elected governing body may provide for total or partial exemption from ad valorem taxation to be given to the improvements on lands, including tangible property, within a community redevelopment area, by such method and for such period of time, not exceeding twenty-five years, as may be provided by law.

(d) Any county or municipality may, subject to the provisions of this subsection and general law, grant economic development ad valorem tax exemptions to new businesses and expansions of existing businesses, as defined by general law. Such an exemption may be granted only by ordinance of the county or municipality, and only after the electors of the county voting on such question in a referendum authorize the county and all municipalities within the county to adopt such ordinances. An exemption so granted shall apply to improvements to real property made by or for the use of a new business and improvements to real property related to the expansion of an existing business and shall also apply to personal property of such new business and personal property related to the expansion of an existing business. The amount of such exemption shall be as provided by general law. Such an exemption may not remain in effect for a period in excess of ten years. The period of time during which such exemptions may be granted and other conditions relating to such exemptions shall be as provided by general law.

SECTION 4. Taxation; assessments.—By general law regulations shall be prescribed which shall secure a just valuation of all property for ad valorem taxation, provided:

(a) Agricultural land or land used exclusively for non-commercial recreational purposes may be classified by general law and assessed solely on the basis of character or use.

(b) Pursuant to general law tangible personal property held for sale as stock in trade and livestock may be valued for taxation at a specified percentage of its value, may be classified for tax purposes, or may be exempted from taxation.

(c) Pursuant to general law, tangible personal property or improvements to real property use for energy conservation purposes as defined by general law may be valued for taxation at a specified percentage of its value, may be classified for tax purposes, or may be exempted from taxation.

(d) Pursuant to general law, real property within a community redevelopment area may be valued for taxation at the value of the land, exclusive of improvements, for the year immediately prior to redevelopment or for such period of time, not to exceed twenty-five years, and upon such terms, conditions, and restrictions as may be prescribed by general law.

(e) Pursuant to general law, historic property may be valued for taxation at a specified percentage of its value.

(f) All other property shall be assessed for the purpose of taxation at a percentage of its just valuation specified by general law enacted by the affirmative vote of two-thirds of the membership of each house of the legislature, but at not less than fifty percent nor more than eighty percent of its just value.

SECTION 5. Estate, inheritance and income taxes.—

(a) NATURAL PERSONS. No tax upon estates or inheritances or upon the income of natural persons who are residents or citizens of the state shall be levied by the state, or under its authority, in excess of the aggregate of amounts which may be allowed to be credited upon or deducted from any similar tax levied by the United States and ~~or~~ any state.

(b) OTHERS. No tax upon the income of residents and citizens other than natural persons shall be levied by the state, or under its authority, in excess of 5% of net income, as defined by law, or at such greater rate as is authorized by a three-fifths (3/5) vote of the membership of each house of the legislature or as will provide for the state the maximum amount which may be allowed to be credited against income taxes levied by the United States and other states. There shall be exempt from taxation not less than five thousand dollars (\$5,000) of the excess of net income subject to tax over the maximum amount allowed to be credited against income taxes levied by the United States and other states.

(c) EFFECTIVE DATE. This section shall become effective immediately upon approval by the electors of Florida.

SECTION 6. Homestead exemptions.—

(a) Every person who has the legal or equitable title to real estate and maintains thereon the permanent residence of the owner, or another legally or naturally dependent upon the owner, shall be exempt from taxation thereon, except assessments for special benefits, up to the assessed valuation of five thousand dollars, upon establishment of right thereto in the manner prescribed by law. The real estate may be held by legal or equitable title, by the entireties, jointly, in common, as a condominium, or indirectly by stock ownership or membership representing the owner's or member's proprietary interest in a corporation owning a fee or a leasehold initially in excess of ninety-eight years.

(b) Not more than one exemption shall be allowed any individual or family unit or with respect to any residential unit. No exemption shall exceed the value of the real estate assessable to the owner or, in case of ownership through stock or membership in a corporation, the value of the proportion which his interest in the corporation bears to the assessed value of the property.

(c) By general law and subject to conditions specified therein, the exemption may be increased up to an amount not exceeding ten thousand dollars of the assessed value of the real estate if the owner has attained age sixty-five or is totally and permanently disabled.

(d) By general law and subject to conditions specified therein, including without limitation conditions relating to income, the legislature may provide to homeowners or renters, who are permanent residents, ad valorem tax relief in the form and amount established by general law.

SECTION 7. Allocation of pari-mutuel taxes.—Taxes upon the operation of pari-mutuel pools may be preempted to the state or allocated in whole or in part to the counties. When allocated to the counties, the distribution shall be in equal amounts to the several counties.

SECTION 8. Aid to local governments.—State funds may be appropriated to the several counties, school districts, municipalities or special districts upon such conditions as may be provided by general law. These conditions may include the use of relative ad valorem assessment levels determined by a state agency designated by general law.

SECTION 9. Local taxes.—

(a) Counties, school districts, and municipalities shall, and special districts may, be authorized by law to levy ad valorem

taxes and may be authorized by general law to levy other taxes, for their respective purposes, except ad valorem taxes on intangible personal property and taxes prohibited by this constitution.

(b) Ad valorem taxes, exclusive of taxes levied for the payment of bonds and taxes levied for periods not longer than two years when authorized by vote of the electors who are the owners of freeholds therein not wholly exempt from taxation, shall not be levied in excess of the following millages upon the assessed value of real estate and tangible personal property: for all county purposes, ten mills; for all municipal purposes, ten mills; for all school purposes, ten mills; for water management purposes for the northwest portion of the state lying west of the line between ranges two and three east, 0.05 mill; for water management purposes for the remaining portions of the state, 1.0 mill; and for all other special districts a millage authorized by law and approved by vote of the electors who are owners of freeholds therein not wholly exempt from taxation. A county furnishing municipal services may, to the extent authorized by law, levy additional taxes within the limits fixed for municipal purposes.

SECTION 10. Pledging credit.—Neither the state nor any county, school district, municipality, special district, or agency of any of them, shall become a joint owner with, or stockholder of, or give, lend or use its taxing power or credit to aid any corporation, association, partnership or person; but this shall not prohibit laws authorizing:

- (a) the investment of public trust funds;
- (b) the investment of other public funds in obligations of, or insured by, the United States or any of its instrumentalities;
- (c) the issuance and sale by any county, municipality, special district or other local governmental body of (1) revenue bonds to finance or refinance the cost of capital projects for airports or port facilities, or (2) revenue bonds to finance or refinance the cost of capital projects for industrial or manufacturing plants to the extent that the interest thereon is exempt from income taxes under the then existing laws of the United States, when, in either case, the revenue bonds are payable solely from revenue derived from the sale, operation or leasing of the projects. If any project so financed, or any part thereof, is occupied or operated by any private corporation, association, partnership or person pursuant to contract or lease with the issuing body, the property interest created by such contract or lease shall be subject to taxation to the same extent as other privately owned property.
- (d) a municipality, county, special district, or agency of any of them, being a joint owner of, giving, or lending or using its taxing power or credit for the joint ownership, construction and operation of electrical energy generating or transmission facilities with any corporation, association, partnership or person.

SECTION 11. State bonds; revenue bonds.—

(a) State bonds pledging the full faith and credit of the state may be issued only to finance or refinance the cost of state capital projects upon approval by a vote of the electors; provided state bonds issued pursuant to this subsection (a) may be refunded without a vote of the electors at a lower net average interest cost rate. The total outstanding principal of state bonds issued pursuant to this subsection (a) shall never exceed fifty per cent of the total tax revenues of the state for the two preceding fiscal years.

(b) Moneys sufficient to pay debt service on state bonds as the same becomes due shall be appropriated by law.

(c) Revenue bonds may be issued by the state or its agencies without a vote of the electors only to finance or refinance the cost of state capital projects and shall be payable solely from funds derived from sources other than state tax revenues or rents or fees paid from state tax revenues.

SECTION 12. Local bonds.—Counties, school districts, municipalities, special districts and local governmental bodies with taxing powers may issue bonds, certificates of indebtedness or any form of tax anticipation certificates, payable from ad valorem taxation and maturing more than twelve months after issuance only:

(a) to finance or refinance capital projects authorized by law and only when approved by vote of the electors who are owners of freeholds therein not wholly exempt from taxation; or

(b) to refund outstanding bonds and interest and redemption premium thereon at a lower net average interest cost rate.

SECTION 13. Relief from illegal taxes.—Until payment of all taxes which have been legally assessed upon the property of the same owner, no court shall grant relief from the payment of any tax that may be illegal or illegally assessed.

SECTION 14. Bonds for pollution control and abatement facilities.—

(a) When authorized by law, state bonds pledging the full faith and credit of the state may be issued without an election to finance the construction of air and water pollution control and abatement and solid waste disposal facilities (herein referred to as "facilities") to be operated by any municipality, county, district or authority, or any agency thereof (herein referred to as "local governmental agencies"), or by any agency of the State of Florida. Such bonds shall be secured by a pledge of and shall be payable primarily from all or any part of revenues to be derived from operation of such facilities, special assessments, rentals to be received under lease-purchase agreements herein provided for, any other revenues that may be legally available for such purpose, including revenues from other facilities, or any combination thereof (herein collectively referred to as "pledged revenues"), and shall be additionally secured by the full faith and credit of the State of Florida.

(b) No such bonds shall be issued unless a state fiscal agency, created by law, has made a determination that in no state fiscal year will the debt service requirements of the bonds proposed to be issued and all other bonds secured by the pledged revenues exceed seventy-five per cent of the pledged revenues.

(c) The state may lease any of such facilities to any local governmental agency, under lease-purchase agreements for such periods and under such other terms and conditions as may be mutually agreed upon. The local governmental agencies may pledge the revenues derived from such leased facilities or any other available funds for the payment of rentals thereunder; and, in addition, the full faith and credit and taxing power of such local governmental agencies may be pledged for the payment of such rentals without any election of freeholder electors or qualified electors.

(d) The state may also issue such bonds for the purpose of loaning money to local governmental agencies, for the construction of such facilities to be owned or operated by any of such local governmental agencies. Such loans shall bear interest at not more than one-half of one per cent per annum greater than the last preceding issue of state bonds pursuant to this section, shall be secured by the pledged revenues, and may be additionally secured by the full faith and credit of the local governmental agencies.

(e) The total outstanding principal of state bonds issued pursuant to this section 14 shall never exceed fifty per cent of the total tax revenues of the state for the two preceding fiscal years.

SECTION 15. Revenue bonds for scholarship loans.—

(a) When authorized by law, revenue bonds may be issued to establish a fund to make loans to students determined eligible as prescribed by law and who have been admitted to attend any public or private institutions of higher learning, junior colleges, health related training institutions, or vocational training centers, which are recognized or accredited under terms and conditions prescribed by law. Revenue bonds issued pursuant to this section shall be secured by a pledge of and shall be payable primarily from payments of interest, principal, and handling charges to such funds from the recipients of the loans and, if authorized by law, may be additionally secured by student fees and by any other moneys in such fund. There shall be established from the proceeds of each issue of revenue bonds a reserve account in an amount equal to and sufficient to pay the greatest amount of principal, interest, and handling charges to become due on such issue in any ensuing state fiscal year.

(b) Interest moneys in the fund established pursuant to this section, not required in any fiscal year for payment of debt service on then outstanding revenue bonds or for maintenance of the reserve account, may be used for educational loans to students determined to be eligible therefor in the manner provided by law, or for such other related purposes as may be provided by law.

**SECTION 16. Revenue bonds for homeowner and renter assistance.—**

(a) When authorized by law, revenue bonds may be issued without an election to finance or refinance state homeowner and renter assistance programs.

(b) The bonds shall be secured by a pledge of and shall be payable solely from all or any part of revenues to be derived from the financing, operation or sale of such facilities, mortgage or loan payments, and any other revenues or assets that may be legally available for such purposes derived from sources other than ad valorem taxation, including revenues from other facilities, or any combination thereof (herein collectively referred to as "pledge revenues"). No state housing agency established by law shall make mortgage loans directly to any mortgagor.

(c) No bonds shall be issued unless a state fiscal agency, created by law, has made a determination that in no state fiscal year will the debt service requirements of the bonds proposed to be issued and all other bonds secured by the same pledged revenues exceed the pledged revenues available for payment of such debt service requirements, as defined by law.

**SECTION 17. Financing of community redevelopment projects.—**

(a) When provided by general law, ad valorem tax collections by the taxing authority of the taxing unit within which the community redevelopment project is located which exceed ad valorem tax collections produced at the rate of tax levy each year by such taxing authority upon the assessed valuation of taxable property within each community redevelopment area, as reflected in the just value tax roll existing prior to the adoption by the governing body of the taxing authority of the community redevelopment plan, may be allocated to and used by a community redevelopment agency to finance or refinance each community redevelopment project.

(b) Community redevelopment projects authorized by general law may:

(1) Redevelop property for residential, recreational, commercial, or industrial uses;

(2) Acquire property by eminent domain; and

(3) Resell or transfer such property to any private person pursuant to such criteria as may be established by general law.

(c) Community redevelopment plans authorized by general law shall:

(1) Contain the findings and determinations of the elected governing body that the community redevelopment area is a slum or blighted area or an area of economic blight as defined by general law; and

(2) Contain the findings and determinations of the elected governing body that the community redevelopment agency has a feasible method or plan, to include replacement housing, for the relocation of persons temporarily or permanently displaced from housing facilities within the community redevelopment area.

(d) When authorized by general law, any municipality, county, district, or authority created by general or special law may issue revenue bonds secured solely by a pledge of and payable from tax revenues derived pursuant to subsection (a) to finance community redevelopment projects within the community redevelopment area from which such taxes were derived.

**SECTION 18. Schedule.—**

(a) If at a special election held on March 11, 1980, there is also approved by the electors of this state an amendment or revision to Section 6 of this Article which contains language in conflict with that contained in this revision, the language contained in this revision shall prevail to the extent of any conflict.

(b) Until changed by law enacted by the affirmative vote of two-thirds of the membership of each house of the legislature, property assessed pursuant to subsection (f) of Section 4 of this Article shall be assessed at sixty-five percent of its just valuation. With respect to ad valorem taxes based upon the 1980 or 1981 assessment rolls, any taxing authority which

levies its maximum authorized millage and which, as a result of the assessment of property for ad valorem tax purposes at sixty-five percent of just value, would receive less ad valorem tax revenue than it received from ad valorem taxes based upon the 1979 assessment rolls may require that property subject to taxation by such taxing authority be uniformly assessed for purposes of taxation by such authority at the percentage of just value necessary for such taxing authority to receive the same amount of ad valorem tax revenue that it received from taxes based upon the 1979 assessment rolls.

BE IT FURTHER RESOLVED that in accordance with the requirements of section 101.161, Florida Statutes, the substance of the revision proposed herein shall appear on the ballot as follows:

Proposing to revise Article VII of the State Constitution, relating to finance and taxation, to:

1. Place a limitation on appropriations.
2. Extend the tax exemption for household goods and personal effects to every resident of the state.
3. Authorize ad valorem tax exemptions for community redevelopment and economic development programs.
4. Authorize ad valorem tax relief for homeowners and renters based on income or other conditions.
5. Provide that relative county assessment levels may be used in the appropriation of state funds.
6. Authorize the issuance of revenue bonds to finance or refinance state homeowner and renter assistance programs.
7. Provide for the financing of community redevelopment projects and to specify powers and requirements with respect thereto, including the power to exercise eminent domain and to issue revenue bonds.
8. Authorize historic property to be valued for taxation at a specified percentage of its value.

CS for SJR 25-C as amended passed by the required constitutional three-fifths vote of the membership, was ordered engrossed and then certified to the House. The vote on passage was:

**Yeas—33**

Mr. President	Grizzle	Peterson	Tobiassen
Anderson	Hair	Poole	Trask
Barron	Henderson	Scarborough	Vogt
Carlucci	Hill	Scott	Ware
Childers, D.	Holloway	Skinner	Williamson
Childers, W. D.	MacKay	Spicola	Winn
Dunn	Maxwell	Steinberg	
Gordon	Myers	Stuart	
Gorman	Neal	Thomas	

**Nays—7**

Chamberlin	Frank	Johnston	McKnight
Fechtel	Jenne	McClain	

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

**MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

*The Honorable Philip D. Lewis, President*

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments 1, 2 and 3 to HB 36-C and has refused to concur in Senate Amendments 1A and 2A and requests the Senate to recede, and passed as amended—

By the Committee on Appropriations—

**HB 36-C**—A bill to be entitled An act relating to education; creating the "1980 Countercyclical Construction Industry Jobs Program for Remodeling, Renovation, Repair, and Maintenance of Educational Facilities"; providing legislative intent; providing definitions; providing for the allocation of funds; providing eligibility requirements for school boards to receive

funds; providing for distribution of funds; providing for the reallocation of funds under certain circumstances; providing for administration; providing an appropriation; amending s. 235.32, Florida Statutes, requiring performance bonds under certain circumstances; providing an effective date.

*Allen Morris, Clerk*

On motions by Senator Peterson the Senate receded from Senate Amendments 1-A and 2-A to HB 36-C. The bill passed as amended and was certified to the House. The vote on passage was:

Yeas—40

Mr. President	Gordon	Maxwell	Spicola
Anderson	Gorman	McClain	Steinberg
Barron	Grizzle	McKnight	Stuart
Carlucci	Hair	Myers	Thomas
Chamberlin	Henderson	Neal	Tobiassen
Childers, D.	Hill	Peterson	Trask
Childers, W. D.	Holloway	Poole	Vogt
Dunn	Jenne	Scarborough	Ware
Fechtcl	Johnston	Scott	Williamson
Frank	MacKay	Skinner	Winn

Nays—None

*The Honorable Philip D. Lewis, President*

I am directed to inform the Senate that the House of Representatives has refused to recede from House Amendments 1 and 2 to SB 18-C and again requests the Senate to concur, and in the event the Senate refuses to concur requests a Conference Committee.

*Allen Morris, Clerk*

On motions by Senator Johnston, the Senate again refused to concur in House Amendments 1 and 2 to SB 18-C and acceded to the request for a Conference Committee.

The President appointed Senators Johnston, Stuart and Dunn. The action of the Senate was certified to the House.

#### **CORRECTION AND APPROVAL OF JOURNAL**

The Journal of November 28 was corrected and approved as follows: Page 13, column 2, from bottom between lines 13 and 14 insert: On motion by Senator Gordon, by two-thirds vote SJR 13-C was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Barron, the Senate adjourned at 7:27 p.m. to convene upon call of the President, no earlier than 9:00 a.m., Friday, November 30.