



Journal of the Senate

Number 1—Special Session

Monday, June 30, 1980

At a Special Session of the Florida Legislature convened pursuant to Article III, Section 3(c)(1) of the Constitution of the State, as revised in 1968, begun and held at the Capitol, in the City of Tallahassee, in the State of Florida.

In pursuance of the Proclamation of Honorable Bob Graham, Governor of the State of Florida, the Senate met in Special Session at 11:00 a.m. and was called to order by Senator Philip D. Lewis, President. A quorum present—38:

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

Excused: Senator Vogt

The resignation of Senator MacKay, which was effective upon adjournment of the special session on June 11, created a vacancy in the 6th District.

Prayer by Dr. Robert M. McMillan, Pastor, First Baptist Church, Tallahassee:

Eternal God, our Father, we invoke your blessings upon these Senators in this special session.

Grant them wisdom as they seek to refine legislation: Grant them also patience with the process and with each other.

Above all may they ever keep before them the reason for their office and election. Help them to accept, that personal inconvenience must often give way to public need.

Minister to their families who also share with them in the sacrifice of separation for the service of others. May the sense of accomplishment and the successful effects of their legislation be their reward.

In the name of our Lord we pray. Amen.

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

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

PROCLAMATION

State of Florida
Executive Department
Tallahassee

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

WHEREAS, the Sixth Legislature of the State of Florida under the Constitution, 1968, Revision, convened in regular session for the year 1980 on April 8, 1980 and adjourned on June 6, 1980, as extended, and

WHEREAS, the Sixth Legislature of the State of Florida while convened in regular session for the year 1980 passed and

sent to me for my approval Committee Substitute for Senate Bill 347, the Florida Banking Code, and

WHEREAS, Committee Substitute for Senate Bill 347 contains a provision that would prohibit the operation of loan production offices by out of state bank holding companies and would force such businesses that are currently operating in the State to cease operation, and

WHEREAS, prohibiting loan production offices from operating within the State of Florida represents a serious backward step from Florida's increasing economic stature and growth within the national and international banking community, and

WHEREAS, for the foregoing reasons I have withheld my approval of Committee Substitute for Senate Bill 347 and have vetoed the bill, and

WHEREAS, in view of the interrelationship of the Florida Banking Code with the smooth operation of Florida's financial sector, it is appropriate, economically desirable and in the best interest of the State of Florida to convene the legislature in special session so that it may consider reenactment of the Florida Banking Code.

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:

1. That the Legislature of the State of Florida be and is hereby convened in special session at the Capitol, Tallahassee, Florida, commencing at approximately 11:00 a.m. on Monday, the 30th day of June, 1980, and ending at 12:00 midnight on the 30th day of June, 1980.
2. That the Legislature is convened for the sole purpose of considering the enactment of legislation concerning the Florida Banking Code.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed to this proclamation convening the Legislature in special session at the Capitol, this 25th day of June, 1980.

Bob Graham
Governor

Attest:
George Firestone
Secretary of State

By direction of the President the following amendment to the Proclamation of June 25 was read:

PROCLAMATION

State of Florida
Executive Department
Tallahassee

(Amendment to Proclamation dated June 25, 1980)

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

WHEREAS, on the 25th day of June, 1980, a Proclamation of the Governor was issued convening a Special Session of the Florida Legislature commencing on the 30th day of June, 1980, and

WHEREAS, it is in the best interest of the State to amend the Proclamation of the Governor of June 25, 1980, in order to 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 the Legislature of the State of Florida is convened for the sole purpose of considering the following matters:

1. Enact technical amendments to Florida Statutes as created by House Bill 4-D, 1980 Special Session.
2. Enact a joint resolution correcting the submission date of the Homestead Exemption Amendment, Senate Joint Resolution 2-D, 1980 Special Session.
3. Enact legislation establishing an election date in October, 1980, for the following amendments to the Florida Constitution:
 - (a) Amendment to provide homestead exemption increases in 1980, 1981 and 1982 and authorizing Legislature to provide ad valorem relief to renters,
 - (b) Amendment to authorize the issuance of revenue bonds to finance or refinance housing and related facilities in Florida, secured primarily by pledged revenues at least equal to the annual bond payments,
 - (c) An amendment to allow counties and municipalities, after a referendum providing therefor, to grant ad valorem tax exemptions to new businesses and expansions of existing businesses, for certain improvements to real property and certain tangible personal property, subject to definitions and limitations as provided by general law,
 - (d) Amendment to allow business inventories and livestock to be classified for tax purposes or exempted from taxation,
 - (e) Amendment to provide an ad valorem tax exemption for renewable energy source devices and real property on which renewable energy devices are installed.
4. Except as amended by this Proclamation, the Proclamation of the Governor dated June 25, 1980 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 to this Proclamation convening the Legislature in Special Session at the Capitol, this 27th day of June, 1980.

Bob Graham
Governor

Attest:
George Firestone
Secretary of State

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

Honorable Philip D. Lewis
President of the Senate
The Capitol

June 30, 1980

Dear Mr. President:

In compliance with the provisions of Article III, Section 8(b), of the State Constitution, I am transmitting to you for consideration of the Senate the following vetoed bills, 1980 Regular Session, with the Governor's objections attached thereto:

CS for SB 347 Banking Code
SB 624 Seminole County; alcoholic beverages licenses.

Sincerely,
George Firestone
Secretary of State

VETOED BILL 1980 REGULAR SESSION

Honorable George Firestone
Secretary of State
The Capitol

June 25, 1980

Dear Mr. Secretary:

By the authority vested in me as Governor of Florida under the provisions of Article III, Section 8, of the Constitution of the State of Florida, I hereby withhold my approval of and transmit to you with my objections Committee Substitute for Senate Bill 347 enacted by the Sixth Legislature of Florida under the Florida Constitution 1968 Revision, during the regular session of 1980, and entitled:

"An act relating to banks and banking; amending and renumbering certain sections of chapters 658, 659, 660 and 661, Florida Statutes; providing that, except as renumbered, amended, and readopted by the act, such chapters shall stand repealed pursuant to the Regulatory Reform Act of 1976, as amended; providing definitions; providing standards for the Department of Banking and Finance in exercising its discretionary powers; providing for the combining of certain provisions relating to the de novo chartering of banks and trust companies; providing for filing of intent to organize; providing procedures for stock subscriptions prior to incorporating a bank or trust company; clarifying procedures for organizing a bank or trust company; providing for investigation by the department of applications to organize a bank or trust company; providing criteria for approving applications; providing procedure for coordinating actions of the department, the Federal Reserve System, and the Federal Deposit Insurance Corporation relating to such applications; et seq.; providing an effective date."

This revision of the Florida Banking Code contains provisions designed to correct deficient statutes and provide increased protection to Florida's citizens. The bill, however, also contains provisions which discourage economic expansion in Florida and thus are a public disservice.

The current Florida Banking Code prohibits out-of-state banks from making loans within the State. Subsidiaries of bank holding companies, however, have been permitted to operate in Florida. Committee Substitute for Senate Bill 347 prohibits these subsidiaries of out-of-state holding companies from operating in Florida and would force such businesses currently operating in the State to stop operation. No overriding public interest justifies this severe reduction in financial services to the people and businesses of Florida.

The State of Florida has committed significant resources to eliminate the antiquated attitudes and laws which formerly regulated the State's business and commerce. Such old and restrictive laws have either been stricken or modernized to meet the needs of the State's new participation in the national and international financial community.

The relatively recent expansion in the State's commercial and financial sector has established Florida as a new center for such activity. Florida has achieved this new economic health because the State has largely overcome its former reputation of being

anti-business. Florida can no longer afford—nor do the citizens endorse—laws which inhibit economic expansion and reasonable operations in the financial world.

Committee Substitute for Senate Bill 347 is potentially harmful to the growth and commercial health of the State. Some provisions of the bill are a serious backward step from Florida's increasing economic stature and growth. Such a reversal is inconsistent with Florida's continued need for a new and expanding capital base. The fact that loan production offices have proven to be viable entities within the State is a clear indication that there are unmet financial needs in Florida.

In 1979, the Legislature wisely amended the Florida Banking Code to allow international institutions to make unrestricted domestic loans. Currently a bank from Britain, Israel or South America may loan to any citizen of Florida for any proper reason. However, the Legislature by the restrictions imposed by this bill is denying the same opportunity to domestic banks.

Only last week, I signed a bill that will greatly improve Florida's standing as an international financial center. Committee Substitute for Senate Bill 568, which exempts international banking transactions from Florida's intangible tax, will benefit domestic institutions, international banking agencies and Edge Act Banks. The Edge Act Banks which are being helped by Senate Bill 568 are often affiliated with the same institutions that would be harmed by the bill I am vetoing today.

The public interest of Floridians is not served by these inconsistencies of law.

My objections to this bill are reinforced by the United States Supreme Court's unanimous opinion 17 days ago—when the 1980 Legislature was in session—that a strikingly similar Florida statute is unconstitutional. The Supreme Court overturned a Florida statute which prohibits out-of-state banks, bank holding companies, and trust companies from owning or controlling a business that sells investment advisory services within this State. *Lewis, Comptroller of Florida v. BT Investment Managers, Inc., et al.*, No. 79-45 (S.Ct. decided June 9, 1980).

While the Supreme Court stated in its opinion that banking and related financial activities are an important local concern, the court noted that however legitimate these local concerns may be, "one state in its dealings with another may not place itself in a position of economic isolation," for the purpose of "simple economic protectionism." As Governor, it is my responsibility to veto legislation that would have a similar effect.

The veto of this legislation should not be viewed as a condemnation of the entire bill. I recognize and commend both houses of the Legislature for working closely with the Florida banking industry and Comptroller Lewis in drafting this legislation. Many sections of Committee Substitute for Senate Bill 347 are a great improvement over the current law and would be helpful to the consumer and industry alike. However, I feel that any regulation of business must first and foremost be for the benefit of all the citizens. Section 663.821 (2)(b) does not accomplish the purpose of assisting and protecting the consumers of Florida.

In making this decision I have not overlooked the safety of the bank deposits of the people of Florida. The elimination of the State Banking Code will not expose Floridians' deposits to loss. The Federal Reserve and Federal Deposit Insurance Corporation regulations will continue to protect against any potential harm.

This action by the Legislature comes at a time when there is considerable momentum for changes in national banking policy. I am committed to working with the Legislature and with Comptroller Lewis in a thorough review of Florida banking laws in the context of this national reexamination. Our responsibility will be to consider those issues of special importance to Florida with an emphasis on encouraging competition under fair and equitable financial practices.

For the above reasons, I am withholding my approval of Committee Substitute for Senate Bill 347, Regular Session of the Legislature, commencing on April 8, 1980, and do hereby veto the same.

Sincerely,
Bob Graham
Governor

CS for SB 347 (1980 Regular Session), together with the Governor's objections thereto, was referred to the Committee on Rules and Calendar.

Honorable George Firestone
Secretary of State
The Capitol

June 17, 1980

Dear Mr. Secretary:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section Eight of the Constitution of the State of Florida, I hereby withhold my approval of and transmit to you with my objections Senate Bill 624 enacted by the Sixth Legislature of Florida under the Florida Constitution 1968 Revision during the Regular Session of 1980, and entitled:

"An act relating to Seminole County; limiting the number of alcoholic beverage licenses for the sale of spiritous beverages within Seminole County to one license for each four thousand population or major fraction thereof; accepting from the operation thereof licenses good throughout the State and other nonquota licenses or clubs, hotels, motels and restaurants; providing that the number of licenses now authorized shall not be reduced hereby; providing an effective date."

This bill proposes a revision to the limitation of the number of liquor licenses available in Seminole County. There are currently 33 "quota" liquor licenses issued in Seminole County under the formula of one license per 2,500 residents according to the 1970 federal decennial census and authorized under Section 561.20(1), Florida Statutes.

The bill would grandfather in all existing licenses and change the limitation to one license per 4,000 residents. Under this ratio and predicting the 1980 decennial census as Section 561.20 (1), Florida Statutes, exists today, Seminole County would be authorized only eight additional licenses through 1990.

The bill grants a further monopoly of licenses to a small group already owning a scarce commodity and denies the citizens of the county a fair opportunity to obtain a quota license during the next ten years.

Senate Bill 624 provides an opportunity for abuse, may detrimentally affect individuals' small businesses and restaurants, and is excessively restrictive under the intent of the beverage laws of Florida.

For the above reasons, I am withholding my approval of Senate Bill 624, Regular Session of the Florida Legislature, and do hereby veto the same.

Sincerely,
Bob Graham
Governor

SB 624 (1980 Regular Session), together with the Governor's objections thereto, was referred to the Committee on Rules and Calendar.

INTRODUCTION

By Senator Lewis (by request)—

SB 1-E—A bill to be entitled An act relating to banks and banking; amending and renumbering certain sections of chapters 658, 659, 660 and 661, Florida Statutes; providing that, except as renumbered, amended, and readopted by the act, such chapters shall stand repealed pursuant to the Regulatory Reform Act of 1976, as amended; providing definitions; providing standards for the Department of Banking and Finance in exercising its discretionary powers; providing for the combining of certain provisions relating to the de novo chartering of banks and trust companies; providing for filing of intent to organize; providing procedures for stock subscriptions prior to incorporating a bank or trust company; clarifying procedures for organizing a bank or trust company; providing for investigation by the department of applications to organize a bank or trust company; providing criteria for approving applications; providing procedure for coordinating actions of the department, the Federal Reserve System, and the Federal Deposit Insurance Corporation relating to such applications; providing procedure for opening a bank or trust company; authorizing the establishment of bank branches by merger with another bank under certain circumstances; providing criteria for ascertaining ownership and control of banks and trust companies; prohibiting certain ownership and control; providing for the application of the Florida General Corporation Act to certain banking corporations; providing for annual meetings, election and qualifications of directors, and articles of incorporation; providing for issuance of stock and certain stock options; providing procedures for merger,

consolidation and conversion and including trust companies in such actions; establishing maximum rates of interest on loans; authorizing commodity loans; prohibiting certain ineligible assets; authorizing borrowing and placing limits on indebtedness; providing an exception; deleting mandatory requirements for sinking fund for the amortization of principal and interest on certain capital notes or debentures; providing for deposits by minors and by two or more persons and certain other deposits; providing standards for depositories of public moneys and for pledging of assets of such depositories; providing procedures for making adverse claims against a bank deposit or fiduciary account; authorizing and providing for the implementation of remote financial service units; authorizing the transmitting of money and the buying and selling of foreign exchange; prescribing investment of funds and maintenance of liquidity reserves; establishing banking days, legal holidays, etc.; providing for retention and destruction of records; providing for renting of safe-deposit boxes and services related thereto; authorizing bank service corporations and prescribing services to be provided by such corporations; authorizing international banking agencies and subjecting such agencies to the banking code; prescribing requirements and procedures for licensing and procedures for dissolution; prescribing standards for travel reimbursement; prescribing additional powers of the Department of Banking and Finance to enforce the banking code; providing criminal penalties for violation of the code; prescribing procedures for insolvency and liquidation proceedings; providing trust functions; providing definitions; providing for deposit of securities with State Treasurer; exempting trust companies and trust departments from bond and other security requirements of fiduciaries under certain conditions; providing for use of personnel and facilities; providing for segregation of books, records and assets; exempting assets held in a fiduciary capacity by trust companies or trust departments from obligations of trust companies or banks or associations; providing places for transacting trust business; providing for trust company branches and for trust service offices; authorizing state banks and associations to establish trust departments; providing for licensing of state banks and associations to conduct trust business; providing general powers of trust companies and trust departments; authorizing certain officer of trust companies and trust departments to make oaths, affidavits and acknowledgements; authorizing trust companies and trust departments to enter into fiduciary agency contracts; providing for security for deposit of fiduciary funds; authorizing loans by and to fiduciary accounts; authorizing sales between fiduciary accounts; prescribing certain restricted and prohibited transactions and activities; authorizing establishment of common trust funds for certain purposes; prohibiting commingling of such funds; providing for annual audit of such funds and for court accountings; providing for substitution of fiduciaries and surrender of trust powers; providing for receivership or voluntary liquidation; amending ss. 30.52, 219.075(2), 220.62(1), and 737.105, Florida Statutes, to correct cross references; providing for repeal and legislative review; providing an effective date.

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

On motion by Senator Barron, by two-thirds vote SB 1-E was withdrawn from the Committee on Commerce and placed on the calendar.

On motions by Senator W. D. Childers, by two-thirds vote SB 1-E was read the second time by title and by two-thirds vote read the third time by title, passed and was certified to the House. The vote on passage was:

Yeas—33

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

Nays—5

Anderson	Henderson	Johnston	Scarborough
Childers, D.			

Vote after roll call:

Yea to Nay—Skinner

By Senator Lewis (by request)—

SJR 2-E—A joint resolution rescinding and withdrawing Senate Joint Resolution No. 2-D which relates to ad valorem taxation and which was adopted by the Legislature in the June 1980 Special Session.

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

On motion by Senator Barron, by two-thirds vote SJR 2-E was withdrawn from the Committee on Ways and Means and placed on the calendar.

On motions by Senator Barron, by two-thirds vote SJR 2-E was read the second time by title and by two-thirds vote read the third time by title, passed by the required constitutional three-fifths vote of the membership and was certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

By Senator Lewis (by request)—

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

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

On motion by Senator Barron, by two-thirds vote SB 3-E was withdrawn from the Committee on Ways and Means and placed on the calendar.

On motions by Senator Barron, by two-thirds vote SB 3-E was read the second time by title and by two-thirds vote read the third time by title, passed by the required constitutional three-fourths vote of the membership and was certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Scott

By Senator Lewis (by request)—

SJR 4-E—A joint resolution proposing an amendment to Sections 6 and 8 of Article VII of the State Constitution, relating to ad valorem taxation.

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

That the following amendment to Sections 6 and 8 of Article VII of the State Constitution is hereby agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election called for that purpose, and, if approved, such amendment shall take effect upon approval and apply to the assessment rolls and the taxes levied thereon for the year 1980 and each year thereafter.

ARTICLE VII

FINANCE AND TAXATION

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 shall be increased to a total of twenty-five thousand dollars of the assessed value of the real estate for each school district levy. By general law and subject to conditions specified therein, the exemption for all other levies 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 and if the owner is not entitled to the exemption provided in subsection (d).

(d) By general law and subject to conditions specified therein, the exemption shall be increased to a total of the following amounts of assessed value of real estate for each levy other than those of school districts: fifteen thousand dollars with respect to 1980 assessments; twenty thousand dollars with respect to 1981 assessments; twenty-five thousand dollars with respect to assessments for 1982 and each year thereafter. However, such increase shall not apply with respect to any assessment roll until such roll is first determined to be in compliance with the provisions of section 4 by a state agency designated by general law. This subsection shall stand repealed on the effective date of any amendment to section 4 which provides for the assessment of homestead property at a specified percentage of its just value.

(e) By general law and subject to conditions specified therein, the Legislature may provide to renters, who are permanent residents, ad valorem tax relief on all ad valorem tax school district levies. Such ad valorem tax relief shall be in the form and amount established by general law.

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.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE VII, SECTIONS 6 AND 8

Proposing an amendment to the State Constitution to provide, with respect to ad valorem taxes levied by cities, counties and special districts, a homestead exemption increase to \$15,000 in 1980, \$20,000 in 1981, and \$25,000 in 1982 and thereafter. The increase is contingent upon assessment rolls being in compliance with constitutional assessment requirements and upon the continuation of those requirements. Authorizes the Legislature to provide ad valorem tax relief to renters on all ad valorem tax levies. Allows relative ad valorem assessment levels to be used in the appropriation of state funds to local governments. The amendment takes effect upon approval and applies to the

assessment rolls and taxes levied thereon for the year 1980 and for each year thereafter.

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

On motion by Senator Barron, by two-thirds vote SJR 4-E was withdrawn from the Committee on Ways and Means and placed on the calendar.

On motions by Senator Barron, by two-thirds vote SJR 4-E was read the second time by title and by two-thirds vote read the third time in full, passed by the required constitutional three-fifths vote of the membership and was certified to the House. The vote on passage was:

Yeas—35

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

Nays—1

Johnston

Votes after roll call:

Yea—Poole
Nay to Yea—Johnston

By Senator Lewis (by request)—

SJR 5-E—A joint resolution rescinding and withdrawing House Joint Resolution No. 829 which relates to bonds for housing and related facilities and which was adopted by the Legislature in the 1980 Regular Session.

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

On motion by Senator Barron, by two-thirds vote SJR 5-E was withdrawn from the Committee on Rules and Calendar and placed on the calendar.

On motions by Senator Barron, by two-thirds vote SJR 5-E was read the second time by title and by two-thirds vote read the third time by title, passed by the required constitutional three-fifths vote of the membership and was certified to the House. The vote on passage was:

Yeas—36

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

Nays—2

Mr. President Johnston

By Senator Lewis (by request)—

SJR 6-E—A joint resolution proposing the creation of Section 16 of Article VII and Section 18 of Article XII of the State Constitution relating to bonds for housing and related facilities.

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

That the creation of Section 16 of Article VII and Section 18 of Article XII of the State Constitution set forth below is

agreed to and shall be submitted to the electors of Florida for approval or rejection at the next general election or at an earlier special election called for that purpose.

ARTICLE VII

FINANCE AND TAXATION

SECTION 16. Bonds for housing and related facilities.—

(a) When authorized by law, revenue bonds may be issued without an election to finance or refinance housing and related facilities in Florida, herein referred to as "facilities."

(b) The bonds shall be secured by a pledge of and shall be payable primarily 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 "pledged revenues," provided that in no event shall the full faith and credit of the state be pledged to secure such revenue bonds.

(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.

ARTICLE XII

SCHEDULE

SECTION 18. Bonds for housing and related facilities.—Section 16 of Article VII, providing for bonds for housing and related facilities, shall take effect upon approval by the electors.

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

Proposing the creation of Section 16 of Article VII and Section 18 of Article XII of the State Constitution to authorize the issuance of revenue bonds to finance or refinance housing and related facilities in Florida, secured primarily by pledged revenues at least equal to the annual bond payments.

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

On motion by Senator Barron, by two-thirds vote SJR 6-E was withdrawn from the Committee on Rules and Calendar and placed on the calendar.

On motions by Senator Barron, by two-thirds vote SJR 6-E was read the second time by title and by two-thirds vote read the third time in full, passed by the required constitutional three-fifths vote of the membership and was certified to the House. The vote on passage was:

Yeas—35

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

Nays—2

Mr. President Johnston

Vote after roll call:

Yea—Don Childers

By Senator Lewis (by request)—

SB 7-E—A bill to be entitled An act relating to a special election for the approval or rejection by the electors of a joint resolution relating to bonds for housing and related facilities; providing for publication of notice and for procedures; providing an effective date.

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

On motion by Senator Barron, by two-thirds vote SB 7-E was withdrawn from the Committee on Rules and Calendar and placed on the calendar.

On motions by Senator Barron, by two-thirds vote SB 7-E was read the second time by title and by two-thirds vote read the third time by title, passed by the required constitutional three-fourths vote of the membership and was certified to the House. The vote on passage was:

Yeas—36

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

Nays—2

Mr. President Johnston

By Senator Lewis (by request)—

SJR 8-E—A joint resolution rescinding and withdrawing Senate Joint Resolution No. 574 which relates to ad valorem taxation and which was adopted by the Legislature in the 1980 Regular Session.

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

On motion by Senator Barron, by two-thirds vote SJR 8-E was withdrawn from the Committee on Rules and Calendar and placed on the calendar.

On motions by Senator Barron, by two-thirds vote SJR 8-E was read the second time by title and by two-thirds vote read the third time by title, passed by the required constitutional three-fifths vote of the membership and was certified to the House. The vote on passage was:

Yeas—37

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

Nays—1

Johnston

By Senator Lewis (by request)—

SJR 9-E—A joint resolution proposing an amendment to Section 3, Article VII of the State Constitution, relating to ad valorem taxation, to authorize the granting of economic development tax exemptions.

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

That the following amendment to Section 3 of Article VII of the State Constitution is hereby agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election called for that purpose, and, if approved, such amendment shall take effect upon such approval and shall first apply to the taxes levied on the assessment rolls for the year 1981:

ARTICLE VII

FINANCE AND TAXATION

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 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 person who is blind or totally and permanently disabled, property to the value fixed by general law not less than five hundred dollars.

(c) Any county or municipality may, for the purpose of its respective tax levy and subject to the provisions of this subsection and general law, grant community and 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 or municipality voting on such question in a referendum authorize the county or municipality 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 tangible personal property of such new business and tangible personal property related to the expansion of an existing business. The amount or limits of the amount of such exemption shall be specified by general law. The period of time for which such exemption may be granted to a new business or expansion of an existing business shall be determined by general law. The authority to grant such exemption shall expire ten years from the date of approval by the electors of the county or municipality, and may be renewable by referendum as provided by general law.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE VII, SECTION 3

Proposing an amendment to the State Constitution, effective upon approval, to allow counties and municipalities, after a referendum providing therefor, to grant ad valorem tax exemptions to new businesses and expansions of existing businesses, for certain improvements to real property and for certain tangible personal property, subject to definitions and limitations as provided by general law.

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

On motion by Senator Barron, by two-thirds vote SJR 9-E was withdrawn from the Committee on Rules and Calendar and placed on the calendar.

On motion by Senator Barron, by two-thirds vote SJR 9-E was read the second time by title and by two-thirds vote read the third time in full, passed by the required constitutional three-fifths vote of the membership and was certified to the House. The vote on passage was:

Yeas—36

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

Nays—2

Chamberlin Johnston

By Senator Lewis (by request)—

SB 10-E—A bill to be entitled An act relating to a special election for the approval or rejection by the electors of a joint resolution relating to ad valorem taxation; providing for publication of notice and for procedures; providing an effective date.

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

On motion by Senator Barron, by two-thirds vote SB 10-E was withdrawn from the Committee on Rules and Calendar and placed on the calendar.

On motions by Senator Barron, by two-thirds vote SB 10-E was read the second time by title, by two-thirds vote read the third time by title, passed by the required constitutional three-fourths vote of the membership and was certified to the House. The vote on passage was:

Yeas—36

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

Nays—1

Johnston

By Senator Lewis (by request)—

SJR 11-E—A joint resolution rescinding and withdrawing Senate Joint Resolution No. 575 which relates to ad valorem taxation and which was adopted by the Legislature in the 1980 Regular Session.

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

On motion by Senator Barron, by two-thirds vote SJR 11-E was withdrawn from the Committee on Rules and Calendar and placed on the calendar.

On motions by Senator Barron, by two-thirds vote SJR 11-E was read the second time by title, by two-thirds vote read the third time by title, passed by the required constitutional three-fifths vote of the membership and was certified to the House.

The vote on passage was:

Yeas—38

Mr. President	Chamberlin	Frank	Henderson
Anderson	Childers, D.	Gordon	Hill
Barron	Childers, W. D.	Gorman	Holloway
Beard	Dunn	Grizzle	Jenne
Carlucci	Fechtcl	Hair	Johnston

Maxwell	Peterson	Steinberg	Ware
McClain	Poole	Stuart	Williamson
McKnight	Scarborough	Thomas	Winn
Myers	Scott	Tobiassen	
Neal	Skinner	Trask	

Nays—None

By Senator Lewis (by request)—

SJR 12-E—A joint resolution proposing an amendment to Section 4, Article VII of the State Constitution, relating to ad valorem taxation, to authorize the classification or exemption of tangible personal property held for sale as stock in trade or livestock.

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

That the following amendment to Section 4 of Article VII of the State Constitution is hereby agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election called for that purpose, and, if approved, such amendment shall take effect January 1, 1981:

ARTICLE VII

FINANCE AND TAXATION

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.*

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE VII, SECTION 4

Proposing an amendment to Section 4 of Article VII of the State Constitution, effective January 1, 1981, to allow business inventories and livestock to be classified for tax purposes or exempted from taxation.

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

On motion by Senator Barron, by two-thirds vote SJR 12-E was withdrawn from the Committee on Rules and Calendar and placed on the calendar.

On motions by Senator Barron, by two-thirds vote SJR 12-E was read the second time by title and by two-thirds vote read the third time in full, passed by the required constitutional three-fifths vote of the membership and was certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

By Senator Lewis (by request)—

SB 13-E—A bill to be entitled An act relating to a special election for the approval or rejection by the electors of a joint resolution relating to ad valorem taxation; providing for publication of notice and for procedures; providing an effective date.

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

On motion by Senator Barron, by two-thirds vote SB 13-E was withdrawn from the Committee on Rules and Calendar and placed on the calendar.

On motions by Senator Barron, by two-thirds vote SB 13-E was read the second time by title and by two-thirds vote read the third time by title, passed by the required constitutional three-fourths vote of the membership and was certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

By Senator Lewis (by request)—

SJR 14-E—A joint resolution rescinding and withdrawing Committee Substitute for Committee Substitute for House Joint Resolution No. 323 which relates to tax exemption and which was adopted by the Legislature in the 1980 Regular Session.

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

On motion by Senator Barron, by two-thirds vote SJR 14-E was withdrawn from the Committee on Rules and Calendar and placed on the calendar.

On motions by Senator Barron, by two-thirds vote SJR 14-E was read the second time by title, by two-thirds vote read the third time by title, passed by the required constitutional three-fifths vote of the membership and was certified to the House.

The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Jenne

By Senator Lewis (by request)—

SJR 15-E—A joint resolution proposing an amendment to Section 3 of Article VII and the creation of Section 18 of Article XII of the State Constitution relating to tax exemption.

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

That the amendment to Section 3 of Article VII and the creation of Section 18 of Article XII of the State Constitution set forth below are agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election called for that purpose, and, if approved, such amendment and creation shall take effect upon approval and apply to the assessment rolls and the taxes levied thereon for the year 1980 and each year thereafter.

ARTICLE VII
FINANCE AND TAXATION

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 predominantly 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 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 person who is blind or totally and permanently disabled, property to value fixed by general law not less than five hundred dollars.

(c) *By general law and subject to conditions specified therein, there may be granted an ad valorem tax exemption to a renewable energy source device and to real property on which such device is installed and operated, to the value fixed by general law not to exceed the original cost of the device, and for the period of time fixed by general law not to exceed ten years.*

ARTICLE XII
SCHEDULE

SECTION 18. *Renewable energy source property.—The amendment to Section 3 of Article VII, relating to an exemption for a renewable energy source device and real property on which such device is installed, if adopted at the general election in 1980, shall take effect January 1, 1981.*

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

Proposing an amendment to Section 3 of Article VII and the creation of Section 18 of Article XII of the State Constitution to authorize, for purposes of ad valorem taxation, an exemption for a renewable energy source device and real property on which a renewable energy source device is installed.

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

On motion by Senator Barron, by two-thirds vote SJR 15-E was withdrawn from the Committee on Rules and Calendar and placed on the calendar.

On motions by Senator Barron, by two-thirds vote SJR 15-E was read the second time by title, by two-thirds vote read the third time in full, passed by the required constitutional three-fifths vote of the membership and was certified to the House. The vote on passage was:

Yeas—38

Mr. President	Chamberlin	Frank	Henderson
Anderson	Childers, D.	Gordon	Hill
Barron	Childers, W. D.	Gorman	Holloway
Beard	Dunn	Grizzle	Jenne
Carlucci	Fechtcl	Hair	Johnston

Maxwell	Peterson	Steinberg	Ware
McClain	Poole	Stuart	Williamson
McKnight	Scarborough	Thomas	Winn
Myers	Scott	Tobiassen	
Neal	Skinner	Trask	

Nays—None

By Senator Lewis (by request)—

SB 16-E—A bill to be entitled An act relating to a special election for the approval or rejection by the electors of a joint resolution relating to tax exemption; providing for publication of notice and for procedures; providing an effective date.

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

On motion by Senator Barron, by two-thirds vote SB 16-E was withdrawn from the Committee on Rules and Calendar and placed on the calendar.

On motions by Senator Barron, by two-thirds vote SB 16-E was read the second time by title, by two-thirds vote read the third time by title, passed by the required constitutional three-fourths vote of the membership and was certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

On motion by Senator Barron, SM 17-E was admitted for introduction and consideration by the required constitutional two-thirds vote of the Senate.

By Senators Frank, Barron, Gordon, Hill, Myers, Winn, McKnight, Anderson, Steinberg and Ware—

SM 17-E—A memorial to the Congress and President of the United States requesting full federal funding of public assistance for Cuban and Haitian refugees.

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

On motion by Senator Frank, by two-thirds vote SM 17-E was withdrawn from the Committee on Rules and Calendar and placed on the calendar.

On motion by Senator Frank, by two-thirds vote SM 17-E was read the second time in full, adopted and certified to the House. The vote on adoption was:

Yeas—37

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

Nays—None

By Senator Lewis (by request)—

SB 18-E—A bill to be entitled An act relating to taxation; amending s. 193.1145(1), Florida Statutes, changing the circumstances in which delays in final determinations of assessments will affect interim tax rolls; amending s. 200.065(2)(g) and (5), Florida Statutes, as amended, authorizing taxing authorities to expend moneys pending adoption of their tentative budgets under certain circumstances; requiring notification by property appraisers to taxing authorities of changes in assessment rolls; amending s. 196.1975(8), Florida Statutes, correcting reference to the applicability of exceptions to property used by homes for the aged; amending s. 64(5) of House Bill 4-D, 1980 Special Session, changing the effective date of provisions of such law which are dependent upon adoption of a proposed constitutional amendment; restricting the extension of 1980 assessment rolls; providing for notice of the effect of adoption of a proposed constitutional amendment to be printed on the Notice of Proposed Property Taxes; providing that in cases of extensions of more than 30 days pursuant to s. 193.023(1), Florida Statutes, as amended, certain provisions of s. 200.065 and s. 194.032(1), Florida Statutes, as amended, may be shortened; providing that by 1980 school districts in certain circumstances may use an estimated tax roll for budget purposes; providing an effective date.

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

On motion by Senator Maxwell, by two-thirds vote SB 18-E was withdrawn from the Committee on Rules and Calendar and placed on the calendar.

On motions by Senator Maxwell, by two-thirds vote SB 18-E was read the second time by title and by two-thirds vote read the third time by title, passed and was certified to the House. The vote on passage was:

Yeas—36

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

Nays—2

Scarboroughh Skinner

On motion by Senator Barron, SB 19-E was admitted for introduction and consideration by the required constitutional two-thirds vote of the Senate.

By Senators Barron, Lewis, W. D. Childers, Peterson and Thomas—

SB 19-E—A bill to be entitled An act relating to drinking water standards; adding new subsections (4), (5), (6), (7) and (8) to s. 403.854, Florida Statutes; directing the Department of Environmental Regulation to waive chlorination requirements for certain noncommunity water systems; directing the department to waive the certified operator requirement for certain noncommunity water systems; setting time limitations for such waivers; providing for revocation of such waivers under certain circumstances; exempting the department and department personnel from liability in certain circumstances; providing an effective date.

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

On motion by Senator Barron, by two-thirds vote SB 19-E was withdrawn from the Committee on Rules and Calendar and placed on the calendar.

On motions by Senator Barron, by two-thirds vote SB 19-E was read the second time by title and by two-thirds vote read the third time by title, passed and was certified to the House. The vote on passage was:

Yeas—28

Mr. President	Childers, W. D.	McClain	Steinberg
Anderson	Fechtler	McKnight	Thomas
Barron	Gordon	Neal	Tobiassen
Beard	Gorman	Peterson	Trask
Carlucci	Hill	Poole	Ware
Chamberlin	Holloway	Scarboroughh	Williamson
Childers, D.	Jenne	Skinner	Winn

Nays—8

Dunn	Grizzle	Johnston	Myers
Frank	Henderson	Maxwell	Stuart

Vote after roll call:

Yea—Hair

The Senate recessed at 12:12 p.m. to reconvene upon call of the President.

AFTERNOON SESSION

The Senate was called to order by the President at 3:50 p.m.

A quorum present—34:

Mr. President	Fechtler	Maxwell	Steinberg
Anderson	Frank	McClain	Thomas
Barron	Gordon	McKnight	Tobiassen
Beard	Gorman	Myers	Trask
Carlucci	Grizzle	Peterson	Ware
Chamberlin	Hair	Poole	Williamson
Childers, D.	Henderson	Scarboroughh	Winn
Childers, W. D.	Hill	Scott	
Dunn	Johnston	Skinner	

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 2 amendments—

By Senator Lewis (by request)—

SB 18-E—A bill to be entitled An act relating to taxation; amending s. 193.1145(1), Florida Statutes, changing the circumstances in which delays in final determinations of assessments will affect interim tax rolls; amending s. 200.065(2)(g) and (5), Florida Statutes, as amended, authorizing taxing authorities to expend moneys pending adoption of their tentative budgets under certain circumstances; requiring notification by property appraisers to taxing authorities of changes in assessment rolls; amending s. 196.1975(8), Florida Statutes, correcting reference to the applicability of exceptions to property used by homes for the aged; amending s. 64(5) of House Bill 4-D, 1980 Special Session, changing the effective date of provisions of such law which are dependent upon adoption of a proposed constitutional amendment; restricting the extension of 1980 assessment rolls; providing for notice of the effect of adoption of a proposed constitutional amendment to be printed on the Notice of Proposed Property Taxes; providing that in cases of extensions of more than 30 days pursuant to s. 193.023(1), Florida Statutes, as amended, certain provisions of s. 200.065 and s. 194.032(1), Florida Statutes, as amended, may be shortened; providing that by 1980 school districts in certain circumstances may use an estimated tax roll for budget purposes; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

House Amendment 1—On page 2, line 4, strike everything after the enacting clause and insert:

Section 1. Subsection (1) of section 193.1145, Florida Statutes, as created by House Bill 4-D, 1980 Special Session, is amended to read:

193.1145 Interim assessment rolls.—

(1) It is the intent of the Legislature that no undue restraint shall be placed on the ability of local government to finance its activities in a timely and orderly fashion, and, further, that just and uniform valuations for all parcels shall not be frustrated if the attainment of such valuations necessitates delaying a final determination of assessments beyond the normal 12-month period. Toward these ends, the Legislature hereby provides a method for levying and collecting ad valorem taxes which may be used if:

(a) The property appraiser has been granted an extension of time for completion of the assessment of all property pursuant to s. 193.023(1) beyond September 1, or has otherwise not certified value pursuant to s. 200.065(1) by July 1 ~~not submitted the assessment roll to the department on or before September 30 or on any later date as may be provided in an extension order issued pursuant to s. 193.023(1); or~~

(b) All or part of the assessment roll of a county is disapproved pursuant to s. 193.114(6);

provided a local taxing authority brings a civil action in the circuit court for the county in which relief is sought and the court finds that a delay in the final determination of assessments will substantially impair the ability of the authority to finance its activities. *Said action may be filed on or after July 1.* Upon such a determination, the court may order the use of the last approved roll, adjusted to the extent practicable to reflect additions, deletions, and changes in ownership, as the interim roll when the action was filed under paragraph (a), or the use of the current roll as the interim roll when the action was filed under paragraph (b). *Certification of value pursuant to s. 200.065(1) shall be made immediately following said determination by the court, when the action was filed under paragraph (a). However, if the property appraiser recommends that interim roll procedures be instituted and the governing body of the county does not object, said civil action shall not be required. The property appraiser shall notify the department and each taxing authority within his jurisdiction prior to instituting interim roll procedures without a court order.*

Section 2. Paragraph (g) of subsection (2) and subsection (5) of section 200.065, Florida Statutes, as amended by House Bill 4-D, 1980 Special Session, are amended to read:

200.065 Method of fixing millage.—

(2) No millage shall be levied until a resolution or ordinance has been approved by the governing board of the taxing authority, which resolution or ordinance must be approved by said taxing authority according to the following procedure:

(g) Notwithstanding other provisions of law to the contrary, a taxing authority may:

1. Expend moneys based on its tentative budget after adoption pursuant to subsection (2)(c) and until such time as its final budget is adopted pursuant to subsection (2)(d), only if the fiscal year of the taxing authority begins prior to adoption of the final budget, or, in the case of school districts, if the fall term begins prior to adoption of the final budget; or

2. Readopt its prior year adopted final budget, as amended, and expend moneys based on said budget until such time as its tentative budget is adopted pursuant to subsection (2)(c), only if the fiscal year of the taxing authority begins prior to adoption of the tentative budget. The readopted budget shall be adopted by resolution without notice pursuant to this section at a duly constituted meeting of the governing body.

(5) Prior to extension of the rolls pursuant to s. 193.122, the property appraiser shall notify each taxing authority of the aggregate change in the assessment roll, if any, from that certified pursuant to subsection (1), including but not limited to those changes which result ~~which results~~ from actions by the property appraisal adjustment board or from corrections of errors in the assessment roll. Each affected taxing authority may adjust its adopted millage rate if the taxable value within

the jurisdiction of the taxing authority as certified pursuant to subsection (1) is at variance from the taxable value shown on the roll to be extended. The adjustment shall be such that the taxes computed by applying the adopted rate against the certified taxable value are equal to the taxes computed by applying the adjusted adopted rate to the taxable value on the roll to be extended. However, no adjustment shall be made to levies required by law to be a specific millage amount. Not later than 3 days after receipt of notification pursuant to this subsection, each affected taxing authority shall certify to the property appraiser its adjusted adopted rate. Failure to so certify shall constitute waiver of the adjustment privilege.

Section 3. Subsection (8) of section 196.1975, Florida Statutes, as created by House Bill 4-D, 1980 Special Session, is amended to read:

196.1975 Additional provisions for exempting property used by homes for the aged.—In addition to criteria for granting exemptions for charitable use of property set forth in other sections of this chapter, homes for the aged shall be exempt to the extent that they meet the following criteria:

(8) Any portion of such property used for nonexempt purposes may be valued and placed upon the tax rolls separately from any portion entitled to exemption pursuant to this *chapter section*.

Section 4. Subsection (5) of section 64 of House Bill 4-D, 1980 Special Session, is amended to read:

Section 64. This act shall take effect upon becoming a law; provided, that:

(5) Sections 3, 4, 10 and 58 shall take effect upon approval of House Joint Resolution No. ~~Senate Joint Resolution No. 1244~~ or similar legislation at a special election to be held on ~~October 7, 1980~~ ~~September 9, 1980~~; provided that section 10 shall apply with respect to assessments and taxes levied thereon for 1980 and each year thereafter, and section 4 shall, given said approval, take effect July 1, 1981.

Section 5. In no event shall any assessment roll for 1980 be extended pursuant to s. 193.122(2), Florida Statutes, or s. 197.072(6), Florida Statutes, as amended by House Bill 4-D, 1980 Special Session, prior to October 8, 1980.

Section 6. Each notice of proposed property taxes prepared with respect to assessments for 1980 shall include the following statement, which shall appear after the property appraiser's phone number and location, as provided in s. 200.069(7), Florida Statutes, as created by House Bill 4-D, 1980 Special Session: "Your proposed taxes and current taxable value as shown above do not reflect the increased homestead exemption to be voted upon in the election held October 7, 1980." Alternatively, the property appraiser may prepare said notice for 1980 to show current year taxes both with and without the increased homestead exemption.

Section 7. With respect to the 1980 assessment roll of any county, the time periods specified in ss. 200.065 and 194.032(1), Florida Statutes, as amended by House Bill 4-D, 1980 Special Session, shall be considered directory and may be shortened; provided that no public hearing which is preceded by a mailed notice shall occur earlier than 15 days following the mailing of such notice, and any public hearing preceded by a newspaper advertisement shall be held 3 days following publication of such advertisement. It is the legislative intent that the property appraiser, taxing authorities, and the tax collector cooperate to the fullest extent possible to facilitate timely completion of the assessment, budgeting, and tax collection processes.

Section 8. If, for 1980, the property appraiser has not certified value pursuant to s. 200.065(1), Florida Statutes, as amended by House Bill 4-D, 1980 Special Session, to a school district on or before July 25, 1980, the district may, for the purpose of notification of a hearing on the tentative budget pursuant to s. 200.065(2)(f)1., Florida Statutes, as amended by House Bill 4-D, 1980 Special Session, and for the purpose of adopting a tentative budget pursuant to s. 200.065(2)(c), Florida Statutes, as amended by House Bill 4-D, 1980 Special Session, consider taxable value used by the commissioner in the computation of required local effort pursuant to s. 236.081(4)(a), Florida Statutes, as amended by House Bill 4-D, 1980 Special Session, to be the taxable value certified by the property appraiser.

Section 9. This act shall take effect upon becoming a law; provided that sections 1, 2, and 3 shall, except where expressly provided otherwise, apply to assessment rolls and taxes levied thereon for 1980 and each year thereafter.

House Amendment 2—On page 1 in the title, lines 2-30, and page 2 lines 1 & 2 strike all of said lines and insert: An act relating to taxation; amending s. 193.1145(1), Florida Statutes, changing the circumstances in which the TRIM law will affect delays in final determinations of assessments; providing an exemption from civil actions with respect to interim assessment rolls; requiring certain notification; amending s. 200.065(2)(g) and (5), Florida Statutes, as amended, authorizing taxing authorities to expend moneys pending adoption of their tentative budgets under certain circumstances; requiring notification by property appraisers to taxing authorities of changes in assessment rolls; amending s. 196.1975(8), Florida Statutes, correcting reference to the applicability of exceptions to property used by homes for the aged; amending s. 64(5) of House Bill 4-D, 1980 Special Session, changing the effective date of provisions of such law which are dependent upon adoption of a proposed constitutional amendment; restricting the extension of 1980 assessment rolls; providing for inclusion of certain statements in notices of proposed property taxes; authorizing exemptions from certain time and hearing requirements when certain assessment roll extensions are granted; authorizing school districts to consider certain taxable value as that certified by the property appraiser for 1980 under certain circumstances; providing an effective date.

Senator Maxwell moved the following amendments to House amendment 1 which were adopted:

Amendment 1—On page 2, line 20, strike "July 1" and insert: August 1

Amendment 2—On page 3, line 11, after "object," insert: and conditions of paragraphs (a) or (b) apply,

Amendment 3—On page 6, line 21, after the " " insert: Notwithstanding other provisions of law to the contrary, the property appraiser shall prepare and mail the Notice of Proposed Property Taxes for 1980 within 15 days of receipt of the respective proposed millage rates from all taxing authorities within his jurisdiction, or 45 days after certification of value pursuant to s. 200.065(1), as amended by House Bill 4-D, 1980 Special Session, whichever is sooner.

Amendment 4—On page 5, line 20, strike "House Joint Resolution No." and insert: Senate Joint Resolution No. 4E

Senator Maxwell moved the following amendment to House amendment 2 which was adopted:

Amendment 1—On page 1, lines 26 and 27, strike "when certain assessment roll extensions are granted" and insert: for 1980

On motions by Senator Maxwell, the Senate concurred in House Amendments 1 and 2 as amended and the House was requested to concur in the Senate amendments.

SB 18-E passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—34

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

Nays—2

Scarborough Skinner

On motion by Senator Barron, the Senate recessed at 4:09 p.m., awaiting the call of the President.

The Senate was called to order by the President at 5:10 p.m.

A quorum present—38:

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

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 amendment by the required Constitutional three-fifths vote of the membership of the House—

By Senator Lewis (by request)—

SJR 15-E—A joint resolution proposing an amendment to Section 3 of Article VII and the creation of Section 18 of Article XII of the State Constitution relating to tax exemption.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 2, line 18, strike "general election in 1980" and insert: special election in October 1980

On motion by Senator Thomas, the Senate concurred in the House Amendment.

SJR 15-E as amended was read in full as follows:

A joint resolution proposing an amendment to Section 3 of Article VII and the creation of Section 18 of Article XII of the State Constitution relating to tax exemption.

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

That the amendment to Section 3 of Article VII and the creation of Section 18 of Article XII of the State Constitution set forth below are agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election called for that purpose, and, if approved, such amendment and creation shall take effect upon approval and apply to the assessment rolls and the taxes levied thereon for the year 1980 and each year thereafter.

ARTICLE VII

FINANCE AND TAXATION

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 predominantly 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 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 person who is blind or totally and permanently disabled, property to the value fixed by general law not less than five hundred dollars.

(c) By general law and subject to conditions specified therein, there may be granted an ad valorem tax exemption to a renewable energy source device and to real property on which such device is installed and operated, to the value fixed by general law not to exceed the original cost of the device, and for the period of time fixed by general law not to exceed ten years.

ARTICLE XII
SCHEDULE

SECTION 18. Renewable energy source property.—The amendment to Section 3 of Article VII, relating to an exemption for a renewable energy source device and real property on which such device is installed, if adopted at the special election in October 1980, shall take effect January 1, 1981.

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

Proposing an amendment to Section 3 of Article VII and the creation of Section 18 of Article XII of the State Constitution to authorize, for purposes of ad valorem taxation, an exemption for a renewable energy source device and real property on which a renewable energy source device is installed.

—and as amended passed by the required Constitutional three-fifths vote of the membership of the Senate and the action of the Senate was certified to the House. The vote on passage was:

Yeas—33

Mr. President	Fechtler	Jenne	Stuart
Anderson	Frank	Maxwell	Thomas
Barron	Gordon	McClain	Tobiassen
Beard	Gorman	McKnight	Trask
Carlucci	Grizzle	Myers	Ware
Chamberlin	Hair	Peterson	Winn
Childers, D.	Henderson	Poole	
Childers, W. D.	Hill	Scott	
Dunn	Holloway	Steinberg	

Nays—None

The joint resolution was ordered engrossed and then enrolled.

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments 3 and 4 to House amendment 1 and Senate amendment 1 to House amendment 2; has amended Senate Amendments 1 and 2 to House Amendment 1, concurred in same as amended and passed SB 18-E as amended and requests the concurrence of the Senate.

Allen Morris, Clerk

By Senator Lewis (by request)—

SB 18-E—A bill to be entitled An act relating to taxation; amending s. 193.1145(1), Florida Statutes, changing the circumstances in which delays in final determinations of assessments will affect interim tax rolls; amending s. 200.065(2)(g) and (5), Florida Statutes, as amended, authorizing taxing authorities to expend moneys pending adoption of their tentative budgets under certain circumstances; requiring notification by property appraisers to taxing authorities of changes in assessment rolls; amending s. 196.1975(8), Florida Statutes, correcting reference to the applicability of exceptions to property used by homes for the aged; amending s. 64(5) of House Bill 4-D, 1980 Special Session, changing the effective date of provisions of such law which are dependent upon adoption of a proposed constitutional amendment; restricting the extension of 1980 assessment rolls; providing for notice of the effect of adoption of a proposed constitutional amendment to be printed on the Notice of Proposed Property Taxes; providing that in cases of extensions of more than 30 days pursuant to s. 193.023(1), Florida Statutes, as amended, certain provisions of s. 200.065 and s. 194.032(1), Florida Statutes, as amended, may be shortened; providing that by 1980 school districts in certain circumstances may use an estimated tax roll for budget purposes; providing an effective date.

(House Amendment 1 attached to original bill)

House Amendment 1 to Senate Amendment 1 to House Amendment 1 Add: On page 2, line 19, strike otherwise

House Amendment 1 to Senate Amendment 2 to House Amendment 1 Add: On page 7, line 8, insert: Section 9. Notwithstanding the provisions of s. 200.065(3)(c) and s. 200.065(3)(d),

as amended by HB 4-D, 1980 Special Session, the advertisement required pursuant to said sections need not be one-quarter page in size nor have a headline in type no smaller than 18 point.

Renumber subsequent sections.

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

SB 18-E passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—35

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

Nays—2

Scarborough Skinner

The joint resolution was ordered engrossed and then enrolled.

The Honorable Philip D. Lewis, President

I am directed to inform the Senate that the House of Representatives has passed SB 1-E.

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 2-E SJR 9-E SJR 12-E

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 3-E SB 7-E SB 10-E
SB 13-E SB 16-E

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 4-E SJR 5-E SJR 8-E
SJR 11-E SJR 14-E

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 6-E.

Allen Morris, Clerk

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 adopted SM 17-E.

Allen Morris, Clerk

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 SB 19-E.

Allen Morris, Clerk

The bills contained in the above messages were ordered enrolled.

ENROLLING REPORTS

SB 1-E and SB 18-E have been enrolled, signed by the required Constitutional Officers and presented to the Governor on June 30, 1980.

Joe Brown, Secretary

The Senate adjourned at 5:17 p.m. sine die.