



Journal of the Senate

Number 2—Special Session

Monday, June 15, 1981

INTRODUCTION AND REFERENCE OF BILLS

First Reading

The following bills are offered for introduction. This constitutes first reading as provided in Article III, Section 7 of the Constitution and the bills are referred as indicated.

By Senator Johnston—

SB 4-B—A bill to be entitled An act relating to tax on sales, use, and other transactions; amending s. 212.04(5), Florida Statutes, 1980 Supplement, and s. 212.12(1), Florida Statutes; reducing the dealer's credit for collecting said tax when the tax remitted exceeds \$1,000; providing an effective date.

—was referred to the Committees on Appropriations; and Finance, Taxation and Claims.

By Senator Johnston—

SB 5-B—A bill to be entitled An act relating to tax on motor and special fuels; creating ss. 206.78, 206.781, 206.782, and 206.878, Florida Statutes; imposing a price responsive tax on such fuels; providing for collection and distribution; providing an effective date.

—was referred to the Committees on Appropriations; and Finance, Taxation and Claims.

By Senators Jenne, Gordon and Johnston—

SB 6-B—A bill to be entitled An act relating to motor vehicle licenses; amending s. 320.20(3), Florida Statutes, providing that a portion of motor vehicle license revenues shall be deposited in the ACI Revolving Trust Fund for the completion of the interstate highway system; providing an effective date.

—was referred to the Committees on Appropriations; and Finance, Taxation and Claims.

By Senator Johnston—

SB 7-B—A bill to be entitled An act relating to tax administration; amending s. 220.03(1)(1) and (2)(c), Florida Statutes, 1980 Supplement; defining the term "Internal Revenue Code" as used in the Florida Tax Code; amending s. 198.35, Florida Statutes, 1980 Supplement; conforming Florida law to the most recent changes in the United States Internal Revenue Code; providing for retroactive application; providing an effective date.

—was referred to the Committees on Appropriations; and Finance, Taxation and Claims.

By Senator Maxwell—

SB 8-B—A bill to be entitled An act relating to taxation; amending s. 195.096(2), Florida Statutes, 1980 Supplement; delaying the inclusion of personal property tax rolls in the review of assessment rolls; providing a method for shortening the time periods specified in s. 200.065 and s. 194.032(1), Florida Statutes, 1980 Supplement, regarding the holding of public hearings for budget approval; amending s. 200.069(6), Florida Statutes, 1980 Supplement; removing a requirement as to the location of the parcel's legal description in the notice

of proposed property taxes; providing for disposition of excess taxes collected by a school district in certain circumstances; providing an effective date.

—was referred to the Committees on Appropriations; and Finance, Taxation and Claims.

By Senator Thomas—

SB 9-B—A bill to be entitled An act relating to taxation; creating s. 196.185, Florida Statutes; exempting inventory from ad valorem taxation; amending ss. 192.011, 192.001(11)(c), Florida Statutes, 1980 Supplement, to conform; amending s. 196.011(1), Florida Statutes, 1980 Supplement, relating to annual application for exemption; amending s. 193.511, Florida Statutes; providing that items of inventory shall not be assessed for taxation; amending ss. 193.114(1)(b), (3)(b), 194.032(13)(b), 196.032(2), (3) and (4), and 199.292(4), Florida Statutes, 1980 Supplement; repealing ss. 196.032, 195.073(2)(a), Florida Statutes, as amended, to conform; amending s. 199.292(4), Florida Statutes, 1980 Supplement, to conform; repealing ss. 192.032(3), (4)(d), 192.042(3), 193.052(1)(b), and 193.062(2), Florida Statutes, as amended, relating to assessment and taxation of inventory, to conform; providing an effective date.

—was referred to the Committees on Appropriations; and Finance, Taxation and Claims.

By Senator Johnston—

SB 10-B—A bill to be entitled An act relating to local government crime control assistance; creating ss. 212.30, 212.31, 212.32, and 212.33, Florida Statutes; providing for a short title; providing legislative findings; providing definitions; authorizing the imposition of a local option one-quarter cent sales tax for crime control assistance; providing for the collection of the tax; providing for the distribution of the tax proceeds; providing for use of the tax proceeds for crime control purposes; authorizing local governments to bond the crime control sales tax; providing an effective date.

—was referred to the Committee on Appropriations.

The Senate was called to order by the President at 1:00 p.m.

The President noted the absence of a quorum and declared the Senate adjourned at 1:01 p.m. to reconvene at the call of the President.

The Senate was called to order by the President at 2:28 p.m. A quorum present—40:

Mr. President	Hair	Margolis	Skinner
Anderson	Henderson	Maxwell	Steinberg
Barron	Hill	McClain	Stevens
Beard	Jenkins	McKnight	Stuart
Carlucci	Jenne	Neal	Thomas
Childers, D.	Jennings	Peterson	Tobiassen
Dunn	Johnston	Poole	Trask
Frank	Kirkpatrick	Rehm	Vogt
Gordon	Langley	Renick	Ware
Grizzle	Lewis	Scott	Winn

Prayer by the Reverend James R. Crook, Jr., Pastor, Saint Paul's United Methodist Church, Tallahassee:

O Thou, who dost govern the world in righteousness, and whose judgements are true and righteous altogether: Grant,

we beseech thee, that those who assemble here and who legislate for us may be of one mind to establish justice and promote the welfare of all our people. Endow all members of this Senate with a right understanding, pure purposes, and sound speech. Enable them to rise above all self-seeking and party zeal to the nobler concerns of public good. Cleanse our public life of every evil; subdue in our state all that is harmful; and make us a disciplined and devoted people, that we may do thy will on earth as it is done in heaven; through Jesus Christ our Lord. Amen.

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

Senator Johnston moved that the Senate conferees be instructed to predicate their recommendations on those outlined by the three appropriation conference subcommittees as reported to the full committee and that the conferees are not authorized to expand, amend, modify, add to or delete from such subcommittee reports.

The conferees are specifically instructed as follows:

1. to remove any appropriation and language relating to a lower division at the University of North Florida;
2. to remove the general revenue funds and related proviso language which provides for the automatic allocation from future revenue for accelerated construction of the transportation system and to replace such with the dollars and language sufficient and necessary to allocate;
 - a) \$25 million additional funds over the gas tax and federal dollars for the construction of a Tampa Bypass;
 - b) \$25 million for the acquisition of a right-of-way for I-95 in Palm Beach and Martin Counties;
 - c) \$25 million for the acquisition of a right-of-way for I-595 in Broward County.

(Item 2 above to be contingent on the following:

1. on the passage of legislation which allocates the balance of license tag fees; or
2. failing the passage of that legislation from the unappropriated surplus from the general revenue fund.
3. to remove proviso language which limits the use of \$10 million general revenue for law enforcement capital outlay for the purchase of capital equipment and to replace such language which will limit the use of the \$10 million general revenue as a block grant to be distributed on a population per capita basis to local law enforcement.)

—and that the conferees report back to the Senate no later than 9:00 a.m., Tuesday, June 16.

Senator Hair moved the following amendment which failed:

Amendment 1—On page 1, in item 1, before the period insert: except for a proviso stating that the Board of Regents shall conduct a study of the request by the University of North Florida to add a lower division and shall report their findings and recommendations to the Governor and the Legislature by December 1, 1981. Their report shall include: (1) the academic justification for such a lower division; (2) additional resources that would be required for such a lower division; and (3) plans for related cooperative arrangements with area public and private institutions of higher education. There is appropriated for this study \$25,000.00.

The vote was:

Yeas—17

Mr. President	Gordon	McKnight	Vogt
Anderson	Hair	Skinner	Winn
Carlucci	Jenne	Steinberg	
Dunn	Kirkpatrick	Stuart	
Frank	Margolis	Tobiassen	

Nays—22

Barron	Jennings	Neal	Stevens
Beard	Johnston	Peterson	Thomas
Childers, D.	Langley	Poole	Trask
Grizzle	Lewis	Rehm	Ware
Henderson	Maxwell	Renick	
Hill	McClain	Scott	

The question recurred on the motion by Senator Johnston which was adopted.

By direction of the President, the Secretary read the following proclamation:

PROCLAMATION

State of Florida
Executive Department
Tallahassee

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

WHEREAS, the Legislature of the State of Florida convened in Regular Session for the year 1981 on April 7, 1981 and adjourned the Regular Session of 1981, sine die, on June 5, 1981, and

WHEREAS, the President of the Senate and the Speaker of the House of Representatives by Joint Proclamation dated June 5, 1981, convened the Legislature in Special Session for a period of twenty consecutive days beginning at 3:00 p.m. on Friday, June 5, 1981, and

WHEREAS, the Legislature, during the Regular Session of 1981 failed to enact a General Appropriations Act or provide adequate financing for necessary programs and activities of State Government, and

WHEREAS, there exist other matters of urgent and vital interest to the needs and welfare of all citizens of the State of Florida.

NOW, THEREFORE, I, BOB GRAHAM, as Governor of the State of Florida, in obedience to my constitutional duty and by virtue of the power and authority vested in me by Article III, Section 3, Florida Constitution (1968), and Section 11.011, Florida Statutes, do hereby proclaim that the Legislature shall, in addition to the items set forth in the Joint Proclamation dated June 5, 1981, consider during the Special Session, legislation relating to:

- (1) Assistance to local government to provide funding for the construction and renovation of local correctional facilities;
- (2) Assistance to local government to provide funding for local transportation and law enforcement programs;
- (3) Exemption of inventories from ad valorem taxation and repealing reimbursement of previous rate reductions through the Local Government Exemption Trust Fund.
- (4) Providing circumstances for temporary custody by a mother of an infant born to such mother while an inmate in a State Correctional Institution.



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 12th day of June A.D. 1981.

Bob Graham
GOVERNOR

ATTEST:

George Firestone
SECRETARY OF STATE

Senator Dunn moved that the rules be waived and the Committee on Appropriations be permitted to meet from 9:00 a.m.

to 1:30 p.m., June 16; the Senate meet in session from 2:00 to 5:00 p.m.; and the Committee on Rules and Calendar meet upon adjournment of the Committee on Appropriations for the purpose of setting the special order calendar for the session from 2:00 until 5:00. The motion was adopted.

On motions by Senator Johnston, by two-thirds vote Senate Bills 4-B, 5-B, 6-B, 7-B, 8-B and 9-B were withdrawn from the Committee on Finance, Taxation and Claims.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of June 5 was corrected and approved as follows: Page 3, column 1, from bottom, strike lines 4 through 7 and insert: part of the Senate on HB 2-B: Senator Peterson, chairman; Senators Margolis, Tobiassen, Maxwell and Frank. The action of the Senate was certified to the House.

The Senate adjourned at 3:29 p.m.