



Journal of the Senate

Number 4—Special Session

Wednesday, June 17, 1981

The Senate was called to order by the President at 9:00 a.m.
A quorum present—39:

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

Excused: Senator Steinberg

Prayer by Senator Stevens:

Almighty God, our Father, who has made us for thyself so that our hearts are restless until they find rest in thee, lead us into the green pastures of thy presence and beside the still waters of thy patience, that our strength may be renewed, our spirits restored and refreshment for daily tasks be given us.

When doubts disturb us and worries weaken us, be thou our guiding light that we may see that the way of truth is the way of wisdom, the path of honesty is the path of honor and the road of faithfulness is the road of faith.

Keep our spirits steady, our hopes stable and our good will strong that we may be instruments of your will, leading our state to a higher plane of liberty and justice for all. Amen.

REPORTS OF COMMITTEES

The Committee on Appropriations recommends the following pass: SB 4-B, SB 6-B, SB 7-B, SB 8-B, SB 9-B with 1 amendment, HB 10-B

The bills were placed on the calendar.

The Committee on Appropriations recommends a committee substitute for the following: SB 10-B

The bill with committee substitute attached was placed on the calendar.

The Committee on Appropriations recommends the following not pass: SB 5-B

The bill was laid on the table.

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Wednesday, June 17, 1981: CS for SB 10-B, SB 7-B, SB 8-B, SB 6-B, SB 9-B, HB 10-B and SB 4-B.

Respectfully submitted,
Edgar M. Dunn, Jr., Chairman

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has passed HB 20-B and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Pajcic—

HB 20-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 Committee on Appropriations.

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has passed HB 28-B and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Finance and Taxation and Representatives Pajcic and C. F. Jones—

HB 28-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 Committee on Appropriations.

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has passed HB 31-B and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Morgan and others—

HB 31-B—A bill to be entitled An act relating to educational facilities construction and funding; amending, creating and repealing various sections in chapter 235, Florida Statutes, and Florida Statutes, 1980 Supplement, expanding the definitions of educational capital outlay terms, renaming the Office of Educational Facilities Construction, and reorganizing certain responsibilities of the office, the State Board of Education, and the Commissioner of Education; modifying certain standards relating to safety, sanitation, sites, coordination of local construction planning, facilities design, construction techniques, new construction, day labor projects, and the State Uniform Building Code; developing a new formula for the allocation of the Public Education Capital Outlay and Debt Service Trust Fund for new construction and for maintenance, renovation, remodeling, and repair; providing for priority lists for postsecondary education; creating a new Special Facility Construction Account; deleting a needs formula at the state level and a priority expenditure list required by the state; creating a new financial reporting procedure for the Public Education Capital Outlay and Debt Service Trust Fund; creating a new budget request system; requiring adherence to the provisions of chapter 216; amending s. 215.61(3), Florida Statutes, relating to capital outlay bonds, to provide that certain estimates shall be used to determine fiscal sufficiency; amending s. 215.65(1), Florida Statutes, relating to the working capital reserve of the Bond Fee Trust Fund; amending s. 215.79, Florida Statutes, relating to the maturity and redemption of refunding bonds; amending s. 240.277, Florida Statutes, relating to the appropriation of student building and capital improvement fees; amending ss. 240.295(1) and (2), 240.327 and

240.531(5), Florida Statutes, and repealing s. 240.297, Florida Statutes, relating to university and community college facilities, to conform; amending s. 240.17 and 240.319(3)(f), Florida Statutes, relating to the approval by the State Board of Education of the exercise of eminent domain by the Board of Regents and the community college boards of trustees; providing appropriations for specified capital outlay projects from the Public Education Capital Outlay and Debt Service Trust Fund, the General Revenue Fund, and the Capital Improvement Fee Trust Fund; amending s. 243.131(3), Florida Statutes, relating to the pledging of trust funds by the Board of Regents; adding s. 236.25(2)(e), Florida Statutes, relating to the required notice to be published by a district school board with respect to the levy of additional taxes; reviving and readopting certain sections of chapter 235, Florida Statutes, which were repealed by chapter 80-414, Laws of Florida; providing for repeal and legislative review; providing an effective date.

—was referred to the Committee on Appropriations.

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 5-B and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Crawford—

HB 5-B—A bill to be entitled An act relating to taxation; creating s. 196.185, Florida Statutes; providing that items of inventory shall be exempt from taxation; amending ss. 192.001(11)(c), 193.114(1)(b) and (3)(b), 194.032(13)(b), 195.027(4)(a), 196.011(1), and 199.292(4), Florida Statutes, 1980 Supplement, and s. 192.011, Florida Statutes, and repealing ss. 192.032(3) and (4)(d), 192.042(3), 193.052(1)(b), 193.062(2), 193.511, and 195.073(2)(a), Florida Statutes, and ss. 196.031(4)(a) and 196.032, Florida Statutes, 1980 Supplement, relating to assessment and taxation of inventory, to conform; revising the definition of inventory; providing that application for exemption need not be filed; eliminating the Local Government Exemption Trust Fund; providing an effective date.

—was referred to the Committee on Appropriations.

The Honorable W. D. Childers, President

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

Allen Morris, Clerk

By Representative Morgan and others—

HB 30-B—A BILL TO BE ENTITLED AN ACT MAKING APPROPRIATIONS; PROVIDING MONEYS FOR THE ANNUAL PERIOD BEGINNING JULY 1, 1981 AND ENDING JUNE 30, 1982, TO PAY SALARIES, OTHER EXPENSES, CAPITAL OUTLAY—BUILDINGS AND IMPROVEMENTS, AND FOR OTHER SPECIFIED PURPOSES OF THE VARIOUS AGENCIES OF STATE GOVERNMENT; SUSPENDING SECTION 943.22, FLORIDA STATUTES, PROVIDING AN EFFECTIVE DATE.

—was referred to the Committee on Appropriations.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Dunn, by two-thirds vote House Bills 20-B, 28-B, 31-B, 5-B and 30-B were withdrawn from the Committee on Appropriations and by two-thirds vote placed at the beginning of the special order calendar.

SPECIAL ORDER

On motions by Senator Johnston, by two-thirds vote—

HB 20-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 read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—26

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

Nays—13

Mr. President	Hair	Skinner	Vogt
Anderson	Jenne	Stuart	Winn
Carlucci	McKnight	Tobiassen	
Dunn	Neal		

On motions by Senator Jenne, by two-thirds vote—

HB 28-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 read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—2

Carlucci Vogt

On motions by Senator Peterson, by two-thirds vote—

HB 31-B—A bill to be entitled An act relating to educational facilities construction and funding; amending, creating and repealing various sections in chapter 235, Florida Statutes, and Florida Statutes, 1980 Supplement, expanding the definitions of educational capital outlay terms, renaming the Office of Educational Facilities Construction, and reorganizing certain responsibilities of the office, the State Board of Education, and the Commissioner of Education; modifying certain standards relating to safety, sanitation, sites, coordination of local construction planning, facilities design, construction techniques, new construction, day labor projects, and the State Uniform Building Code; developing a new formula for the allocation of the Public Education Capital Outlay and Debt Service Trust Fund for new construction and for maintenance, renovation, remodeling, and repair; providing for priority lists for postsecondary education; creating a new Special Facility Construction Account; deleting a needs formula at the state level and a priority expenditure list required by the state; creating a new financial reporting procedure for the Public Education Capital Outlay and Debt Service Trust Fund; creating a new budget request system; requiring adherence to the provisions of chapter 216; amending s. 215.61(3), Florida Statutes, relating to capital outlay bonds, to provide that certain estimates shall be used to determine fiscal sufficiency; amending s. 215.65(1), Florida Statutes, relating to the working capital reserve of the Bond Fee Trust Fund; amending s.

215.79, Florida Statutes, relating to the maturity and redemption of refunding bonds; amending s. 240.277, Florida Statutes, relating to the appropriation of student building and capital improvement fees; amending ss. 240.295(1) and (2), 240.327 and 240.531(5), Florida Statutes, and repealing s. 240.297, Florida Statutes, relating to university and community college facilities, to conform; amending s. 240.17 and 240.319 (3)(f), Florida Statutes, relating to the approval by the State Board of Education of the exercise of eminent domain by the Board of Regents and the community college boards of trustees; providing appropriations for specified capital outlay projects from the Public Education Capital Outlay and Debt Service Trust Fund, the General Revenue Fund, and the Capital Improvement Fee Trust Fund; amending s. 243.181(3), Florida Statutes, relating to the pledging of trust funds by the Board of Regents; adding s. 236.25(2)(e), Florida Statutes, relating to the required notice to be published by a district school board with respect to the levy of additional taxes; reviving and readopting certain sections of chapter 235, Florida Statutes, which were repealed by chapter 80-414, Laws of Florida; providing for repeal and legislative review; providing an effective date.

—was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—3

Carlucci	Stuart	Vogt
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On motions by Senator Thomas, by two-thirds vote—

HB 5-B—A bill to be entitled An act relating to taxation; creating s. 196.185, Florida Statutes; providing that items of inventory shall be exempt from taxation; amending ss. 192.001(11)(c), 193.114(1)(b) and (3)(b), 194.032(13)(b), 195.027(4)(a), 196.011(1), and 199.292(4), Florida Statutes, 1980 Supplement, and s. 192.011, Florida Statutes, and repealing ss. 192.032(3) and (4)(d), 192.042(3), 193.052(1)(b), 193.062(2), 193.511, and 195.073(2)(a), Florida Statutes, and ss. 196.031(4)(a) and 196.032, Florida Statutes, 1980 Supplement, relating to assessment and taxation of inventory, to conform; revising the definition of inventory; providing that application for exemption need not be filed; eliminating the Local Government Exemption Trust Fund; providing an effective date.

—was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

On motion by Senator Anderson, by unanimous consent—

HB 10-B—A bill to be entitled An act relating to indemnification for loss or damage of art and artifacts; creating ss.

265.51-265.56, Florida Statutes; providing for indemnification against loss or damage for certain eligible items; providing for an application for an indemnity agreement from the Department of State; providing for review of applications for indemnification coverage; providing limits on indemnification; providing for claims; providing for payment of claims; requiring the Department of State to report to the Legislature; amending s. 215.32(2)(c), Florida Statutes, 1980 Supplement, as amended, authorizing the State Comptroller to pay certain claims from the Working Capital Fund; repealing Senate Bill 974, 1981 Regular Session, which relates to indemnification for loss or damage of art and artifacts; providing an effective date.

—was taken up out of order and read the second time by title. On motion by Senator Anderson, by two-thirds vote HB 10-B was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

On motion by Senator Gordon, by two-thirds vote—

HB 30-B—A BILL TO BE ENTITLED AN ACT MAKING APPROPRIATIONS; PROVIDING MONEYS FOR THE ANNUAL PERIOD BEGINNING JULY 1, 1981 AND ENDING JUNE 30, 1982, TO PAY SALARIES, OTHER EXPENSES, CAPITAL OUTLAY—BUILDINGS AND IMPROVEMENTS, AND FOR OTHER SPECIFIED PURPOSES OF THE VARIOUS AGENCIES OF STATE GOVERNMENT; SUSPENDING SECTION 943.22, FLORIDA STATUTES, PROVIDING AN EFFECTIVE DATE.

—was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—30

Mr. President	Hill	Margolis	Scott
Barron	Jenkins	Maxwell	Stevens
Beard	Jenne	McClain	Thomas
Childers, D.	Jennings	Neal	Tobiassen
Dunn	Johnston	Peterson	Trask
Grizzle	Kirkpatrick	Poole	Ware
Hair	Langley	Rehm	
Henderson	Lewis	Renick	

Nays—9

Anderson	Gordon	Stuart	Winn
Carlucci	McKnight	Vogt	
Frank	Skinner		

EXPLANATION OF VOTE

This is to explain my negative vote on the budget. I do not feel that the budget as it is now written meets the needs of the people of the State of Florida.

Sherman Winn, 34th District

On motion by Senator Gordon, the rules were waived and the Staff of the Appropriations Committee was granted permission to make technical changes in HB 30-B.

On motion by Senator Henderson, the rules were waived by unanimous consent and the Senate reverted to Introduction and Reference of Bills for the purpose of introducing the following resolution:

INTRODUCTION AND REFERENCE OF BILLS

By Senators McClain, Dunn, Lewis, Stevens, Beard, Henderson and Thomas—

SR 16-B—A resolution designating the week of June 28 through July 4 as STOP BURN INJURIES WEEK.

—which was read the first time by title. On motion by Senator Henderson, SR 16-B was read the second time in full and adopted. The vote on adoption was:

Yeas—39

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

Stuart
Thomas

Tobiassen
Trask

Vogt
Ware

Winn

Nays—None

The following senators were recorded as co-introducers of SR 16-B; Senators Anderson, Barron, Carlucci, D. Childers, W. D. Childers, Frank, Gordon, Grizzle, Hair, Hill, Jenkins, Jenne, Jennings, Johnston, Kirkpatrick, Langley, Margolis, Maxwell, McKnight, Neal, Peterson, Poole, Rehm, Renick, Scott, Skinner, Steinberg, Stuart, Tobiassen, Trask, Vogt, Ware and Winn.

ENROLLING REPORT

SCR 1-B has been enrolled, signed by the required Constitutional Officers and filed with the Secretary of State on June 17, 1981.

Joe Brown, Secretary

On motion by Senator Dunn, the Senate adjourned sine die at 10:50 a.m.

CERTIFICATE

THIS IS TO CERTIFY that the foregoing pages numbered from 1 to 12, both inclusive, are and constitute a complete, true and correct Journal and record of the proceedings of the Senate of the State of Florida, in Special Session, convened at 3:00 p.m. on the 5th day of June, 1981, adjourned at 10:50 a.m. on the 17th day of June, 1981.

JOE BROWN
Secretary of the Senate

Tallahassee, Florida
June 17, 1981