



Journal of the Senate

Number 2—Special Session D

Tuesday, March 30, 1982

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.

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 1-D and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Bell—

HB 1-D—A bill to be entitled An act relating to the establishment of congressional districts; amending s. 8.001, Florida Statutes, providing definitions; amending s. 8.01, Florida Statutes, providing for the division of the state into 19 congressional districts; amending s. 8.011, Florida Statutes, relating to the inclusion of unlisted territory in contiguous districts; amending s. 8.03, Florida Statutes, relating to the election of representatives to Congress; providing effective dates for congressional districts created in 1982; providing for severability of invalid portions; reenacting s. 8.05, Florida Statutes, relating to membership of governmental agencies appointed pursuant to former district boundaries; repealing s. 8.04, Florida Statutes, providing effective dates for congressional districts created in 1972; repealing s. 8.06, Florida Statutes, providing for severability of invalid portions.

—was referred to the Committee on Apportionment.

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has passed HB 2-D and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Pajcic—

HB 2-D—A bill to be entitled An act relating to tax on sales, use and other transactions; amending ss. 212.03(1), (3), and (6), 212.031(1)(c) and (d), 212.04(1), 212.05, 212.055(1), 212.06(1)(a), 212.08(3) and (11)(c), and 125.0165(1), Florida Statutes, and amending s. 212.12(10) and (11), Florida Statutes, and adding subsection (12); increasing said tax; creating part II of chapter 212, Florida Statutes; providing legislative intent and definitions; designating one-half of said tax increase as the local government half-cent sales tax; providing for deposit in a Local Government Half-cent Sales Tax Clearing Trust Fund for distribution to participating local governments; providing distribution formulas; providing for eligibility and requiring that local governments adopt a resolution to determine uses; requiring a public hearing and notice; providing method of computing notice amounts; providing for adjustment of proposed millage rates and for specification of a "rate without sales tax"; specifying uses of such tax; providing for emergency distribution; amending s. 23.019(2)(b), Florida Statutes; revising provisions relating to population census determination; amending s. 30.49(2), Florida Statutes; specifying categories into which sheriffs' proposed budgets and expenditures shall be divided; amending s. 200.069(6) and (7), Florida Statutes, and adding subsection (10); revising requirements with

respect to the notice of proposed property taxes and providing for a statement to be included with respect to effect of the local government half-cent sales tax; adding subsection (9) to s. 200.065, Florida Statutes; specifying content of notice of tax increase; adding subsection (3) to s. 218.23, Florida Statutes; providing effect of said tax on eligibility requirements for revenue sharing; providing an appropriation; providing an effective date.

—was referred to the Committee on Finance, Taxation and Claims.

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has passed HB 3-D and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Morgan and others—

HB 3-D—A BILL TO BE ENTITLED AN ACT MAKING APPROPRIATIONS; PROVIDING MONEYS FOR THE ANNUAL PERIOD BEGINNING JULY 1, 1982 AND ENDING JUNE 30, 1983, TO PAY SALARIES, OTHER EXPENSES, CAPITAL OUTLAY - BUILDINGS AND IMPROVEMENTS, AND FOR OTHER SPECIFIED PURPOSES OF THE VARIOUS AGENCIES OF STATE GOVERNMENT; 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 4-D and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representatives Morgan and Mann—

HB 4-D—A bill to be entitled An act relating to educational facilities construction and funding; authorizing and providing funding for specified public educational capital outlay projects; transferring certain cigarette tax funds to the Cancer and Chronic Disease Research and Treatment Center Trust Fund; providing for a Cancer and Chronic Disease Research and Treatment Center; conditionally transferring certain funds from the Grants and Donations Trust Fund to the Public Education Capital Outlay and Debt Service Trust Fund; amending s. 235.06(1), Florida Statutes, changing provisions relating to fire safety inspections of educational plants; amending s. 235.196, Florida Statutes, authorizing school districts, community colleges, and state universities to request funding for remodeling and renovation; specifying information in the request; amending s. 235.435, Florida Statutes, redesignating subdivisions within the section; amending s. 240.295, Florida Statutes, authorizing certain construction at state universities without being recommended in an educational plant survey; deleting certain required consultation with state university student government associations prior to submission of proposed projects to the Board of Regents; providing for review and repeal; providing an effective date.

—was referred to the Committee on Appropriations.

The Senate was called to order by the President at 10:50 a.m.
A quorum present—39:

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

Prayer by Senator Lewis:

Legislator's Prayer

Slow us down, Lord.

Ease the pounding of our hearts by the quieting of our minds.

Steady our hurried pace with a vision of the eternal reach of time.

Give us, amid the confusion of the day, the calmness of the everlasting hills.

Break the tensions of our nerves and muscles with the soothing music of the singing streams that live in our memories. Help us to know the magical, restoring power of sleep.

Teach us the art of taking minute vacations—of slowing down to look at a flower, to chat with a friend, to pat a dog, to read a few lines from the Good Book.

Let us look into the branches of a towering oak, and know that it grew strong because it grew slowly and well.

Slow us down, Lord, and inspire us to send our roots deep into the soil of life's enduring values that we may grow toward the stars of our greater destiny. Amen.

—Anonymous

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives requests the return of HB 4-D.

Allen Morris, Clerk

By Representatives Morgan and Mann—

HB 4-D—A bill to be entitled An act relating to educational facilities construction and funding; authorizing and providing funding for specified public educational capital outlay projects; transferring certain cigarette tax funds to the Cancer and Chronic Disease Research and Treatment Center Trust Fund; providing for a Cancer and Chronic Disease Research and Treatment Center; conditionally transferring certain funds from the Grants and Donations Trust Fund to the Public Education Capital Outlay and Debt Service Trust Fund; amending s. 235.06(1), Florida Statutes, changing provisions relating to fire safety inspections of educational plants; amending s. 235.196, Florida Statutes, authorizing school districts, community colleges, and state universities to request funding for remodeling and renovation; specifying information in the request; amending s. 235.435, Florida Statutes, redesignating subdivisions within the section; amending s. 240.295, Florida Statutes, authorizing certain construction at state universities without being recommended in an educational plant survey; deleting certain required consultation with state university student government associations prior to submission of proposed projects to the Board of Regents; providing for review and repeal; providing an effective date.

On motion by Senator Peterson, HB 4-D was returned to the House as requested.

The President announced the following conferees on SB 1-D, relating to congressional redistricting: Senators Barron, Gordon, Henderson, Scott, Skinner, Vogt and Kirkpatrick; alternates, Senators Lewis and Stuart

By direction of the President, the following Proclamations were read:

PROCLAMATION

State of Florida
Executive Department
Tallahassee

(Amendment to Proclamation dated March 26, 1982)

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

WHEREAS, on the 26th day of March, 1982, a proclamation of the Governor was issued convening a Special Session of the Florida Legislature commencing at 1:00 p.m., Monday, March 29, 1982 and extending through midnight, Thursday, April 1, 1982, and

WHEREAS, it is necessary and in the best interest of the citizens of the State of Florida to amend the Proclamation of March 26, 1982 in order to expand the call of the Special Session so that the Legislature may consider the additional legislative business set forth below, and

WHEREAS, it is in the best interest of the citizens of the State to extend the length of the Special Session in order to permit full and adequate consideration of all items within my proclamation of March 26, 1982 and this amendment;

NOW, THEREFORE, I, BOB GRAHAM, Governor of the State of Florida, 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 Sections one (1) and two (2) of the Proclamation of the Governor dated March 26, 1982 are hereby amended to read:

Section 1. That the Legislature of the State of Florida be and is hereby convened in Special Session pursuant to Article III, Section 3(c) of the Florida Constitution, commencing at 1:00 p.m., Monday, March 29, 1982 and extending through noon, Wednesday, April 7, 1982.

Section 2. That the Legislature is convened for the sole and exclusive purpose of consideration of the following matters:

- (a) Apportionment of the State into representative districts to the United States Congress;
- (b) State General Appropriations Act and necessary implementing legislation.
- (c) A One-Cent Increase in the State Sales Tax

2. Except as amended by this Proclamation, the Proclamation of the Governor dated March 26, 1982 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 29th day of March, 1982.

BOB GRAHAM
Governor



ATTEST:
GEORGE FIRESTONE
Secretary of State

PROCLAMATION

State of Florida
Executive Department
Tallahassee

(Second Amendment to Proclamation dated March 26, 1982)

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

WHEREAS, on the 26th day of March, 1982, a proclamation of the Governor was issued convening a Special Session of the Florida Legislature commencing at 1:00 p.m., Monday, March 29, 1982 and extending through midnight, Thursday, April 1, 1982, and

WHEREAS, it is necessary and in the best interest of the citizens of the State of Florida to amend the Proclamation of March 26, 1982, as amended, in order to expand the call of the Special Session so that the Legislature may consider the additional legislative business set forth below, and

WHEREAS, it is in the best interest of the citizens of the State to extend the length of the Special Session in order to permit full and adequate consideration of all items within my proclamation of March 26, 1982, as amended, and this amendment;

NOW, THEREFORE, I, BOB GRAHAM, Governor of the State of Florida, 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 Sections one (1) and two (2) of the Proclamation of the Governor dated March 26, 1982, as amended, are hereby amended to read:

Section 1. That the Legislature of the State of Florida be and is hereby convened in Special Session pursuant to Article III, Section 3(c) of the Florida Constitution, commencing at 1:00 p.m., Monday, March 29, 1982, and extending through noon, Wednesday, April 7, 1982.

Section 2. That the Legislature is convened for the sole and exclusive purpose of consideration of the following matters:

- Apportionment of the State into representative districts to the United States Congress;
- State General Appropriations Act and necessary implementing legislation;
- A One-Cent Increase in the State Sales Tax;
- A Bill relating to Public Education Capital Outlay.

2. Except as amended by this Proclamation, the Proclamation of the Governor dated March 26, 1982, as amended, is ratified and confirmed.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed at Tallahassee, the Capitol, this 30th day of March 1982.

BOB GRAHAM
Governor

ATTEST:
GEORGE FIRESTONE
Secretary of State

INTRODUCTION AND REFERENCE OF BILLS

By the Committee on Appropriations and Senator Johnston—

SB 3-D—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1982 and ending June 30, 1983, to pay salaries, other expenses, capital outlay - buildings and improvements, and for other specified purposes of the various agencies of state government; suspending Sections 253.025 and 943.22, Florida Statutes; providing an effective date.

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

On motions by Senator Johnston, by two-thirds vote SB 3-D was withdrawn from the Committee on Appropriations and taken up instanter.

On motions by Senator Johnston, by two-thirds vote SB 3-D 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—32

Mr. President	Grizzle	Margolis	Steinberg
Anderson	Hair	McClain	Stevens
Beard	Hill	McKnight	Stuart
Carlucci	Jenkins	Neal	Thomas
Dunn	Jenne	Peterson	Tobiassen
Frank	Johnston	Rehm	Trask
Gersten	Kirkpatrick	Renick	Vogt
Gordon	Lewis	Skinner	Ware

Nays—3

Childers, D. Jennings Poole

Vote after roll call:

Yea—Henderson

Nay—Barron, Langley

By Senator Johnston—

SB 4-D—A bill to be entitled An act relating to the sales and use tax; providing legislative intent; amending ss. 212.03(1), (3), (6), 212.031(1)(c), (d), 212.04(1), 212.05(1), 212.055(1), 212.06(1)(a), 212.08(3), (11)(c), 212.12(10), (11), Florida Statutes; increasing the tax on sales, use, storage, consumption, rentals, admissions, communication services, and other transactions; amending s. 212.20, Florida Statutes; providing for the distribution of the sales tax; creating s. 212.50, Florida Statutes; providing legislative intent; creating s. 212.53, Florida Statutes; establishing the Local Government Property Tax Relief Trust Fund to provide distributions to certain local governments; providing criteria for participation; requiring the Department of Revenue to administer; amending s. 200.065, Florida Statutes; providing notice; amending s. 212.08(7)(e), Florida Statutes; removing the exemption for laundry and dry cleaning services; providing an effective date.

—was read the first time by title and referred to the Committee on Finance, Taxation and Claims.

On motions by Senator Johnston, by two-thirds vote SB 4-D was withdrawn from the Committee on Finance, Taxation and Claims and taken up instanter.

On motions by Senator Johnston, by two-thirds vote SB 4-D 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—33

Mr. President	Hair	McClain	Stuart
Anderson	Henderson	McKnight	Thomas
Beard	Hill	Neal	Tobiassen
Carlucci	Jenkins	Peterson	Trask
Dunn	Jenne	Rehm	Vogt
Frank	Johnston	Renick	Ware
Gersten	Kirkpatrick	Skinner	
Gordon	Lewis	Steinberg	
Grizzle	Margolis	Stevens	

Nays—3

Childers, D. Jennings Poole

Vote after roll call:

Nay—Barron, Langley

On motion by Senator Johnston, by the required constitutional two-thirds vote of the Senate, the following joint resolution was admitted for introduction:

SJR 5-D—A joint resolution proposing an amendment to Section 9, Article VII of the State Constitution, relating to local taxes, to reduce the maximum allowable millage for school purposes; providing an effective date.

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

Vote after roll call:

That the following amendment to Section 9 of Article VII of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the general election to be held in November, 1982, and, if approved by the electors, shall take effect July 1, 1983:

Yea—Barron, Langley

On motions by Senator Johnston, by two-thirds vote HB 2-D was withdrawn from the Committee on Finance, Taxation and Claims and taken up instanter.

ARTICLE VII

FINANCE AND TAXATION

SECTION 9. Local taxes.—

(a) Counties, school districts, and municipalities shall, and special districts may, be authorized by law to levy ad valorem taxes and may be authorized by general law to levy other taxes, for their respective purposes, except ad valorem taxes on intangible personal property and taxes prohibited by this constitution.

HB 2-D—A bill to be entitled An act relating to tax on sales, use and other transactions; amending ss. 212.03(1), (3), and (6), 212.031(1)(c) and (d), 212.04(1), 212.05, 212.055(1), 212.06(1)(a), 212.08(3) and (11)(c), and 125.0165(1), Florida Statutes, and amending s. 212.12(10) and (11), Florida Statutes, and adding subsection (12); increasing said tax; creating part II of chapter 212, Florida Statutes; providing legislative intent and definitions; designating one-half of said tax increase as the local government half-cent sales tax; providing for deposit in a Local Government Half-cent Sales Tax Clearing Trust Fund for distribution to participating local governments; providing distribution formulas; providing for eligibility and requiring that local governments adopt a resolution to determine uses; requiring a public hearing and notice; providing method of computing notice amounts; providing for adjustment of proposed millage rates and for specification of a "rate without sales tax"; specifying uses of such tax; providing for emergency distribution; amending s. 23.019(2)(b), Florida Statutes; revising provisions relating to population census determination; amending s. 30.49(2), Florida Statutes; specifying categories into which sheriffs' proposed budgets and expenditures shall be divided; amending s. 200.069(6) and (7), Florida Statutes, and adding subsection (10); revising requirements with respect to the notice of proposed property taxes and providing for a statement to be included with respect to effect of the local government half-cent sales tax; adding subsection (9) to s. 200.065, Florida Statutes; specifying content of notice of tax increase; adding subsection (3) to s. 218.23, Florida Statutes; providing effect of said tax on eligibility requirements for revenue sharing; providing an appropriation; providing an effective date.

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

On motion by Senator Johnston, by two-thirds vote HB 2-D was read the second time by title.

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

Senator Johnston moved the following amendments which were adopted:

CONSTITUTIONAL AMENDMENT

ARTICLE VII, SECTION 9

Amendment 1—On page 2, line 16, strike everything after the enacting clause and insert:

LOCAL TAXES.—Proposing an amendment to the State Constitution to reduce the maximum allowable millage for school purposes from 10 mills to 6.6 mills and to provide uses for which such reduced millage may be levied.

Section 1. Subsections (1), (3), and (6) of section 212.03, Florida Statutes, are amended to read:

—which was read the first time by title and referred to the Committee on Finance, Taxation and Claims.

212.03 Transient rentals tax; rate, procedure, enforcement, exemptions, etc.—

On motions by Senator Johnston, by two-thirds vote SJR 5-D was withdrawn from the Committee on Finance, Taxation and Claims and taken up instanter.

(1) It is hereby declared to be the legislative intent that every person is exercising a taxable privilege who engages in the business of renting, leasing, or letting any living quarters, sleeping or housekeeping accommodations in, from, or a part of, or in connection with any hotel, apartment house, roominghouse, tourist or trailer camp, as hereinbefore defined in this chapter. For the exercise of said privilege a tax is hereby levied as follows: in the amount equal to 5 4 percent of and on the total rental charged for such living quarters, sleeping or housekeeping accommodations by the person charging or collecting the rental; provided that such tax shall apply to hotels, apartment houses, roominghouses, tourist or trailer camps, as hereinbefore defined in this chapter, whether or not there be in connection with any of the same, any dining rooms, cafes, or other places where meals or lunches are sold or served to guests.

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

(3) Where rentals are received by way of property, goods, wares, merchandise, services or other things of value, the tax shall be at the rate of 5 4 percent of the value of said property, services or other things of value.

Yeas—30

Mr. President	Henderson	McClain	Stuart
Anderson	Hill	Neal	Thomas
Beard	Jenkins	Peterson	Tobiassen
Carlucci	Jenne	Poole	Trask
Childers, D.	Jennings	Rehm	Vogt
Gersten	Johnston	Renick	Ware
Grizzle	Kirkpatrick	Skinner	
Hair	Lewis	Stevens	

Nays—6

Dunn	Gordon	McKnight	Steinberg
Frank	Margolis		

(6) It is the legislative intent that every person is engaging in a taxable privilege who leases or rents parking or storage spaces for motor vehicles in parking lots or garages or who leases or rents docking or storage spaces for boats in boat docks or marinas. For the exercise of this privilege a tax is hereby levied at the rate of 5 4 percent of the total rental charged.

Section 2. Paragraphs (c) and (d) of subsection (1) of section 212.031, Florida Statutes, are amended to read:

212.031 Lease or rental of real property.—

(1)

(c) For the exercise of such privilege a tax is levied in the amount equal to 5 4 percent of and on the total rent charged for such real property by the person charging or collecting the rental.

(d) Where the rental of any such real property is paid by way of property, goods, wares, merchandise, services or other thing of value, the tax shall be at the rate of 5 4 percent of the value of the property, services or other things of value.

Section 3. Subsection (1) of section 212.04, Florida Statutes, is amended to read:

212.04 Admissions tax; rate, procedure, enforcement, etc.—It is hereby declared to be the legislative intent that every person is exercising a taxable privilege who sells or receives anything of value, by way of admissions. For the exercise of said privilege a tax is levied as follows:

(1) At the rate of 5 4 percent of sales price, or the actual value received from such admissions said 5 4 percent to be added and collected with all such admissions from the purchaser thereof and such tax shall be paid for the exercise of the privilege as defined in the preceding paragraph. Each ticket shall reflect on its face the actual sales price of admission and the tax shall be computed and collected on the basis of each such admission price.

Section 4. Subsection (1) of section 212.05, Florida Statutes, is amended to read:

212.05 Sales, storage, use tax.—It is hereby declared to be the legislative intent that every person is exercising a taxable privilege who engages in the business of selling tangible personal property at retail in this state, or who rents or furnishes any of the things or services taxable under this chapter, or who stores for use or consumption in this state any item or article of tangible personal property as defined herein and who leases or rents such property within the state.

(1) For the exercise of said privilege, a tax is levied on each taxable transaction or incident and shall be due and payable, according to the brackets set forth in s. 212.12(10), as follows:

(a)1. At the rate of 5 4 percent of the sales price of each item or article of tangible personal property when sold at retail in this state, the tax to be computed on each taxable sale for the purpose of remitting the amount of tax due the state, and to include each and every retail sale. Occasional or isolated sales of aircraft, boats, and motor vehicles of a class or type which is required to be registered, licensed, titled, or documented in this state or by the United States Government shall be subject to tax at the rate provided in this paragraph.

2. This paragraph shall not apply to the sale of a boat by or through a registered dealer under this chapter to a purchaser who removes such boat from this state within 10 days after the date of purchase or, when the boat is repaired or altered, within 10 days after completion of such repairs or alterations. In no event shall the boat remain in this state more than 90 days after the date of purchase. This exemption shall not be allowed unless the seller:

a. Obtains from the purchaser within 90 days from the date of sale written proof that the purchaser licensed, registered, or documented the boat outside the state;

b. Requires the purchaser to sign an affidavit that he has read the provisions of this section; and

c. Makes the affidavit a part of his permanent record.

In the event the purchaser fails to remove the boat from this state within 10 days after purchase or, when the boat is repaired or altered, within 10 days after completion of such repairs or alterations, or permits the boat to return to this state within 6 months from date of departure, the purchaser shall be liable for use tax on the cost price of the boat and, in addition thereto, payment of a penalty to the Department of Revenue equal to the tax payable. This penalty shall be in lieu of the penalty imposed by s. 212.12(2) and is mandatory and shall not be waived by the department.

(b) At the rate of 5 4 percent of the cost price of each item or article of tangible personal property when the same is not sold but is used, consumed, distributed, or stored for use or consumption in this state.

(c) At the rate of 5 4 percent of the gross proceeds derived from the lease or rental of tangible personal property, as defined herein, except the rental of motion-picture film where an admission is charged for viewing such film and the lease or rental of a motor vehicle to one lessee or rentee for a period of not less than 12 months where tax was paid on the acquisition of such vehicle by the lessor, where the lease or rental of such property is an established business or part of an established business or the same is incidental or germane to said business.

(d) At the rate of 5 4 percent of the lease or rental price paid by lessee or rentee, or contracted or agreed to be paid by lessee or rentee, to the owner of the tangible personal property.

(e) At the rate of 5 4 percent on charges for all telegraph messages and long distance telephone calls beginning and terminating in this state; on recurring charges to regular subscribers for local telephone service and for wired television service; on all charges for the installation of telephonic, wired television, and telegraphic equipment; and, at the same rate, on all charges for electrical power or energy. Telephone and telegraph services originating within this state, and completed outside this state or originating outside this state and completed within this state are not taxable. The provisions of s. 212.17(3), regarding credit for tax paid on charges subsequently found to be worthless, shall be equally applicable to any tax paid under the provisions of this section on charges for telephone and telegraph services and electric power subsequently found to be uncollectible. The word "charges" in this paragraph shall not include any excise or similar tax levied by the Federal Government, any political subdivision of the state, or any municipality upon the purchase or sale of telephone, wired television, or telegraph service, or electric power, which tax is collected by the seller from the purchaser.

(f) At the rate of 5 4 percent on the sale, rental, use, consumption, or storage for use in this state of machines and equipment and parts and accessories therefor used in manufacturing, processing, compounding, producing, mining, or quarrying personal property for sale or to be used in furnishing communications, transportation, or public utility services.

Section 5. Subsection (1) of section 212.055, Florida Statutes, is amended to read:

212.055 Discretionary tax; charter counties; administration and collection.—

(1) Each charter county which adopted a charter prior to June 1, 1976, may levy, subject to the provisions of s. 125.0165 [F. S. 1976 Supp.], a discretionary 1 percent tax on all 5 4 percent taxable transactions under the provisions of this chapter, except that the sales amount above \$1,000 of any one transaction shall not be taxable.

Section 6. Paragraph (a) of subsection (1) of section 212.06, Florida Statutes, is amended to read:

212.06 Sales, storage, use tax; collectible from dealers; dealers defined; dealers to collect from purchasers; legislative intent as to scope of tax.—

(1)(a) The aforesaid tax at the rate of 5 4 percent of the retail sales price as of the moment of sale, 5 4 percent of the cost price as of the moment of purchase, or 5 4 percent of the cost price as of the moment of commingling with the general mass of property in this state, as the case may be, shall be collectible from all dealers as herein defined on the sale at retail, the use, the consumption, the distribution and the storage for use or consumption in this state, of tangible personal property. The full amount of the tax on credit sales, installment sales, and sales made on any kind of deferred payment plan shall be due at the moment of the transaction in the same manner as a cash sale.

Section 7. Subsection (3) and paragraph (c) of subsection (1) of section 212.08, Florida Statutes, are amended to read:

212.08 Sales, rental, storage, use tax; specified exemptions.—The sale at retail, the rental, the use, the consumption, the distribution, and the storage to be used or consumed in this state of the following tangible personal property are hereby specifically exempt from the tax imposed by this chapter.

(3) EXEMPTIONS, PARTIAL; CERTAIN FARM EQUIPMENT.—There shall be taxable at the rate of 3 percent the sale, use, consumption, or storage for use in this state of self-propelled or power-drawn farm equipment used exclusively by a farmer on a farm owned, leased, or sharecropped by him in plowing, planting, cultivating, or harvesting crops. The rental of self-propelled or power-drawn farm equipment shall be taxed at the rate of 4 percent.

(11) PARTIAL EXEMPTION; FLYABLE AIRCRAFT.—

(c) The maximum tax collectible under this subsection shall not exceed 5 4 percent of the sales price of such aircraft. No Florida tax shall be imposed on the sale of such aircraft if the state in which the aircraft will be domiciled does not allow Florida sales or use tax to be credited against its sales or use tax. Furthermore, no tax shall be imposed on the sale of such aircraft if the state in which the aircraft will be domiciled has enacted a sales and use tax exemption for flyable aircraft or if the aircraft will be domiciled outside the United States.

Section 8. Subsections (10) and (11) of section 212.12, Florida Statutes, are amended to read:

212.12 Dealer's credit for collecting tax; penalties for non-compliance; powers of Department of Revenue in dealing with delinquents; brackets applicable to taxable transactions; records required.—

(10) Taxes imposed by this chapter upon the privilege of the use, consumption, or storage for consumption, or sale of tangible personal property, admissions and rentals, and communication services as herein taxed shall be collected upon the basis of an addition of the tax imposed by this chapter to the total price of such admissions, rentals, communication services or sale price of such article or articles that are purchased, sold or leased at any one time by or to a customer or buyer, and the dealer, or person charged herein, is required to pay a privilege tax in the amount of the tax imposed by this chapter on the total of his gross sales of tangible personal property, admissions, and rentals, communication services and such person or dealer shall add the tax imposed by this chapter to the price, rental or admissions, and communication services and collect the total sum from the purchaser, admittee, lessee or consumer. Notwithstanding the rate of taxes imposed upon the privilege of sales, admissions and rentals, and communication services, the following brackets shall be applicable to all 5 4 percent taxable transactions:

- (a) On single sales of less than 10 cents no tax shall be added.
- (b) On single sales in amounts from 10 cents to 20 25 cents, both inclusive, 1 cent shall be added for taxes.
- (c) On sales in amounts from 21 26 cents to 40 50 cents, both inclusive, 2 cents shall be added for taxes.
- (d) On sales in amounts from 41 54 cents to 60 75 cents, both inclusive, 3 cents shall be added for taxes.
- (e) On sales in amounts from 61 76 cents to 80 cents \$1, both inclusive, 4 cents shall be added for taxes.
- (f) On sales in amounts from 81 cents to \$1, both inclusive, 5 cents shall be added for taxes.

(g) On sales in amounts of more than \$1, 5 4 percent shall be charged upon each dollar of price, plus the above bracket charges upon any fractional part of a dollar.

(11) In charter counties which have adopted the discretionary 1 percent tax, the following brackets shall be applicable to all taxable transactions which would otherwise have been 5 4 percent taxable transactions:

- (a) On single sales of less than 10 cents, no tax shall be added.
- (b) On single sales in amounts from 10 cents to 16 20 cents, both inclusive, 1 cent shall be added for taxes.
- (c) On sales in amounts from 17 24 cents to 33 40 cents, both inclusive, 2 cents shall be added for taxes.
- (d) On sales in amounts from 34 44 cents to 50 60 cents, both inclusive, 3 cents shall be added for taxes.
- (e) On sales in amounts from 51 64 cents to 66 80 cents, both inclusive, 4 cents shall be added for taxes.

(f) On sales in amounts from 67 cents to 83 cents, both inclusive, 5 cents shall be added for taxes.

(g) On sales in amounts from 84 84 cents to \$1, both inclusive, 6 5 cents shall be added for taxes.

(h) On sales in amounts from \$1 up to, and including, the first \$1,000 in price, 6 5 percent shall be charged upon each dollar of price, plus the above bracket charges upon any fractional part of a dollar.

(i) On sales in amounts of more than \$1,000 in price, 6 5 percent shall be added upon the first \$1,000 in price; and 5 4 percent shall be added upon each dollar of price in excess of the first \$1,000 in price, plus the bracket charges upon any fractional part of a dollar as provided for in subsection (10).

Section 9. Section 212.20, Florida Statutes, is amended to read:

212.20 Funds collected, disposition; additional powers of department; operational expense.—

(1) The department shall pay over to the Treasurer of the state all funds received and collected by it under the provisions of this chapter, except the revenues collected from the tax imposed on dry cleaning and laundry services, to be credited as follows:

(a) 8.6 percent to the Florida Education Finance Program to be used for the operation of public schools and allocated to school districts as prescribed in s. 236.081. Such moneys shall be used to reduce the amount of ad valorem tax collections that each school district is required to provide annually toward the cost of the Florida Education Finance Program;

(b) 6.8 percent to the Local Government Property Tax Relief Trust Fund;

(c) 84.6 percent to the account of the General Revenue Fund of the state.

(2) The department shall deposit all funds collected from the tax imposed by this chapter on charges for dry cleaning and laundry services into the State Water Pollution Control Trust Fund, created pursuant to s. 403.1824. The funds attributable to the revenue deposited in the State Water Pollution Control Trust Fund pursuant to this paragraph shall be earmarked for grants to local governments, as defined in s. 403.1822, which serve populations of 25,000 persons or less, except for any local governments in Palm Beach County, Broward County, and Dade County where, pursuant to the provisions of s. 403.085, Florida Statutes, the department may by rule allow for less than secondary waste treatment.

(3) The department is authorized to employ all necessary assistants to administer this chapter properly and is also authorized to purchase all necessary supplies and equipment which may be required for this purpose.

(4) The estimated amount of money needed for the administration of this chapter shall be included by the department in its annual legislative budget request for the operation of its office.

Section 10. Section 212.50, Florida Statutes, is created to read:

212.50 Legislative findings and intent.—It is hereby found and declared as follows:

(1) The reliance on the ad valorem tax to support essential law enforcement, crime control, and transportation programs has placed too great a burden on Florida's local governments and as a result an additional revenue source for local governments is needed.

(2) The state has mandated that local governments perform an increasing number of services for Florida's residents and at the same time has removed a significant portion of the local ad valorem tax base through the increased homestead exemption. The additional revenues provided to local governments through the increased sales tax is needed to compensate for these actions.

(3) The burden on the ad valorem tax to support the public school system has become too great. The state, through the increased sales tax, should bear a larger part of this burden.

Section 11. Section 212.53, Florida Statutes, is created to read:

212.53. Local Government Property Tax Relief Trust Fund; creation and distribution.—

(1) The Local Government Property Tax Relief Trust Fund is hereby created. Each participating county or municipal government shall receive a portion of this fund each year as provided in this section.

(2) In order to participate in the distribution of moneys under this section, a county or municipal government must levy an ad valorem millage rate equal to or less than a rate calculated as if the rolled-back rate, as determined pursuant to s. 200.065, had been levied in each of the preceding years. The first year to be used in the calculation of this rate shall be the year in which taxes are levied on the 1982 tax roll.

(3) The proportion of the Local Government Property Tax Relief Trust Fund distributed to each participating county and municipal government shall be equal to the proportion that each government's tax collections bears to the total tax collections of all county and municipal governments. For purposes of this section, taxes shall include ad valorem taxes, municipal utility taxes, special assessments, occupational license taxes and franchise fees.

(4) Distributions pursuant to this section shall be made monthly according to the following provisions:

(a) During the first 6 months of the local government fiscal year, distributions shall be calculated by multiplying the following:

1. The proportion that each participating county and municipal government's tax collections during the previous year bears to the total tax collections of all county and municipal governments;

2. The estimate for the current year's sales tax revenues available for distribution pursuant to this section implicit in the revenue forecast upon which the approved General Appropriations Act was based.

(b) During the remaining months, the distributions shall be calculated as in subsection (a) except that the current year's tax collections shall be used and the Department of Revenue shall use the latest estimates of sales tax collections available. Distributions shall also be changed to correct errors due to the use of the prior year's tax collections and the use of previous sales tax collection estimates. The last monthly distribution shall reconcile actual collections with estimated collections.

(c) All money not distributed to county and municipal governments shall be transferred to the Working Capital Fund.

(5) County and municipal governments are authorized to pledge distributions pursuant to this section for the payment of principal and interest on any capital project.

(6) When a county becomes eligible for distribution of the Local Government Property Tax Relief Trust Fund in accordance with this act, such funds shall be expended by the local governments in the following priority:

(a) Ad valorem Tax Relief

(b) Law Enforcement, including construction of local jails and retention centers

(c) Local transportation needs

(7) Upon the affirmative vote of a majority of the members of the local governing body, funds may be expended for other public purposes. However, prior to the expending of such funds, the local governing body shall conduct a public hearing in compliance with section 12 of this act.

Section 12. Subsection (9) is added to section 200.065, Florida Statutes, to read:

200.065 Method of fixing millage.—

(9)(a) In those counties and municipalities that participate in the distribution of moneys pursuant to s. 212.53 the county and each municipality shall advertise its proposed use of such distribution. Such advertisement shall be published at the times, in the format, and in the manner required for the notice of tax increase under this section and a public hearing should be held at the time and in the manner required for such notice of tax increase.

(b) The advertisement shall be in the following form:

NOTICE OF PROPOSED PROPERTY TAX RELIEF

The . . . (name of county or municipality) . . . shall receive during the next budget year an estimated \$. . . in revenue from the state as its share of the increased sales tax.

The . . . (name of county or municipality) . . . proposes to use \$. . . of such revenue to provide property tax relief to taxpayers and \$. . . to increase its budget.

All concerned citizens are invited to attend a public hearing on such property tax relief and on the proposed budget on . . . (date and time) . . . at . . . (meeting place) . . .

(c) The amount specified to be used as property tax relief shall be 95 percent of the difference of taxes levied at the rolled-back rate calculated pursuant to subsection (1) and the taxes levied at the proposed millage rate certified pursuant to paragraph (2)(b).

(d) At the public hearing required under subsection (2), the governing body of each county and municipality shall announce for public consideration the proposed use of the proceeds of its share of the moneys distributed pursuant to s. 212.53 in the following categories:

1. The proposed crime control plan for the county and municipality, including the specific proposed budget increases in such crime control plan.

2. The proposed local transportation plan, including the specific proposed budget increases in such local transportation plan.

3. The total amount and projected millage of proposed property tax relief.

4. Any other increases in the proposed budget.

(e) The public hearing and advertisement requirements of this subsection shall be in effect for the first fiscal year in which the county or municipal government receives a distribution pursuant to s. 212.53.

Section 13. A commission, whose members shall represent the business community, state and local government, and the public at large shall be established within the Department of Revenue to study alternatives which provide for restructuring the tax system of the state, to study possible changes to existing methods by which state revenues are spent, and to study the impact on local governments of the homestead exemption. The commission shall be composed of 15 members, one to be appointed by the President of the Senate, one to be appointed by the Speaker of the House of Representatives, and 13 to be appointed by the Governor. Members shall be appointed no later than October 1, 1982. The commission shall submit to the Legislature prior to its next regular session a report describing the results of such studies and providing recommendations on revising the state tax structure, methods of spending state revenues, and provisions of the homestead exemption. Members of the commission shall be entitled to receive per diem and travel expenses as provided in section 112.061, Florida Statutes.

Section 14. Paragraph (e) of subsection (7) of section 212.08, Florida Statutes, is amended to read:

212.08 Sales, rental, storage, use tax; specified exemptions.— The sale at retail, the rental, the use, the consumption, the distribution, and the storage to be used or consumed in this state of the following tangible personal property are hereby specifically exempt from the tax imposed by this chapter.

(7) MISCELLANEOUS EXEMPTIONS.—

(e) Professional services.—

1. Also exempted are professional, insurance, or personal service transactions which involve sales as inconsequential elements for which no separate charges are made.

2. The above exempted personal service transactions do not exempt the sale of information services involving the furnishing of printed, mimeographed, multigraphed matter, or matter duplicating written or printed matter in any other manner, other than professional services and services of employees, agents, or other persons acting in a representative or fiduciary capacity or information services furnished to newspapers and

radio and television stations. Information services shall mean and include the services or collecting, compiling, or analyzing information of any kind or nature and furnishing reports thereof to other persons.

3. However, notwithstanding the provisions of subparagraph 1. of this paragraph, charges for dry cleaning and laundry services shall be subject to the tax imposed by this chapter. Revenues collected from the imposition of tax on charges for dry cleaning and laundry services shall be deposited in the State Water Pollution Control Trust Fund as provided in s. 212.20(2).

Section 15. This section and section 13 shall take effect upon becoming a law. If a constitutional amendment relating to a reduction in the maximum allowable school ad valorem millage is approved by the Legislature for submission to the electors on the November 1982 general election ballot, sections 1 through 8, section 12, and section 14 of this act shall take effect May 1, 1982; section 9 shall take effect June 1, 1982; sections 10 and 11 shall take effect October 1, 1982; provided, however, that distributions of sales tax revenues to the Florida Education Finance Program shall not begin prior to July 1, 1982 and distributions to the Local Government Property Tax Relief Trust Fund shall not begin until October 1, 1982. Prior to these dates, such revenues shall be deposited in the Working Capital Fund.

Amendment 2—In title on page 1, lines 1-31, and page 2, lines 1-12, strike everything before the enacting clause and insert: An act relating to the sales and use tax; providing legislative intent; amending ss. 212.03(1), (3), (6), 212.031(1)(c), (d), 212.04(1), 212.05(1), 212.055(1), 212.06(1)(a), 212.08(3), (11)(c), 212.12(10), (11), Florida Statutes; increasing the tax on sales, use, storage, consumption, rentals, admissions, communication services, and other transactions; amending s. 212.20, Florida Statutes; providing for the distribution of the sales tax; creating s. 212.50, Florida Statutes; providing legislative intent; creating s. 212.53, Florida Statutes; establishing the Local Government Property Tax Relief Trust Fund to provide distributions to certain local governments; providing criteria for participation; requiring the Department of Revenue to administer; amending s. 200.065, Florida Statutes; providing notice; amending s. 212.08(7)(e), Florida Statutes; removing the exemption for laundry and dry cleaning services; providing an effective date.

On motion by Senator Johnston, by two-thirds vote HB 2-D as amended was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—31

Mr. President	Grizzle	McClain	Stevens
Anderson	Hair	McKnight	Stuart
Beard	Henderson	Neal	Thomas
Carlucci	Hill	Peterson	Tobiassen
Dunn	Jenne	Rehm	Trask
Frank	Johnston	Renick	Vogt
Gersten	Kirkpatrick	Skinner	Ware
Gordon	Margolis	Steinberg	

Nays—3

Childers, D. Jennings Poole

Vote after roll call:

Nay—Barron, Langley

On motions by Senator Gordon, by two-thirds vote HB 3-D was withdrawn from the Committee on Appropriations and taken up instanter.

HB 3-D—A BILL TO BE ENTITLED AN ACT MAKING APPROPRIATIONS; PROVIDING MONEYS FOR THE ANNUAL PERIOD BEGINNING JULY 1, 1982 AND ENDING JUNE 30, 1983, TO PAY SALARIES, OTHER EXPENSES, CAPITAL OUTLAY - BUILDINGS AND IMPROVEMENTS, AND FOR OTHER SPECIFIED PURPOSES OF THE VARIOUS AGENCIES OF STATE GOVERNMENT; PROVIDING AN EFFECTIVE DATE.

On motion by Senator Gordon, by two-thirds vote HB 3-D was read the second time by title.

Senator Gordon moved Amendment 1 which was adopted.

The amendment, striking everything after the enacting clause, constituted an entirely new bill and pursuant to rule 7.6, the amendment was not printed in the Journal.

Senator Gordon moved the following amendment which was adopted:

Amendment 2—In title on page 1, strike the title and insert: A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1982 and ending June 30, 1983, to pay salaries, other expenses, capital outlay - buildings and improvements, and for other specified purposes of the various agencies of state government; suspending Sections 253.025 and 943.22, Florida Statutes; providing an effective date.

On motion by Senator Gordon, by two-thirds vote HB 3-D as amended was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—32

Mr. President	Grizzle	Margolis	Steinberg
Anderson	Hair	McClain	Stevens
Beard	Henderson	McKnight	Stuart
Carlucci	Hill	Neal	Thomas
Dunn	Jenkins	Peterson	Tobiassen
Frank	Jenne	Rehm	Trask
Gersten	Johnston	Renick	Vogt
Gordon	Kirkpatrick	Skinner	Ware

Nays—3

Childers, D. Jennings Poole

Vote after roll call:

Nay—Barron, Langley

Explanation of Vote

I am voting for the foregoing appropriations and tax bills only for the purpose of getting them to conference committee so that we may see the final product.

Joe Carlucci, 8th District

The President announced the following conferees on appropriations and taxation: Senator Gordon, chairman, appropriations; Senator Johnston, chairman, taxation; Senators Jenne, Kirkpatrick, Lewis, Margolis, Maxwell, McKnight, Peterson, Scott, Skinner, Stuart, Thomas, Tobiassen and Vogt; alternates, Senators Beard and Grizzle.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable W. D. Childers, President

I am directed to inform the Senate that the Speaker of the House of Representatives has appointed the following Conferees on the part of the House on all matters of Taxation: Representative Pajcic, Chairman, and Representatives Morgan, Crawford, Ogden, Dyer, Fox. Alternate: Friedman.

Allen Morris, Clerk

The Honorable W. D. Childers, President

I am directed to inform the Senate that the Speaker of the House of Representatives has appointed the following Conferees on the part of the House on all matters of Appropriations:

Representative Morgan, Chairman

Subcommittee I

Representatives Mills, Burnsed, Lippman, Gordon (Alternate).

Subcommittee II

Representatives Gardner, Kutun, Carlton (Alternate).

Subcommittee III

Representatives Mann, Pajcic, Bell; Carpenter and Hagler (Alternates).

Allen Morris, Clerk

The Senate recessed at 11:18 a.m. awaiting the call of the President.

The Senate was called to order by the President at 11:36 a.m. A quorum present—38:

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

CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 29 was corrected and approved as follows:

Page 2, column 1, line 34, strike "Yea" and insert: Nay

Page 3, column 2, before adjournment motion insert:

THE FLORIDA SENATE, Petitioner,

vs.

THE HONORABLE D. ROBERT GRAHAM,
Governor of the State of Florida, Respondent.

[March 27, 1982]

ORDER

We find this Court has jurisdiction to construe what authority the Governor has to limit a special apportionment session mandated under article III, section 16(a), Florida Constitution, which directs:

Should that session adjourn without adopting such joint resolution, the governor by proclamation shall reconvene the legislature within thirty days in special apportionment session which shall not exceed thirty consecutive days, during which no other business shall

be transacted, and it shall be the mandatory duty of the legislature to adopt a joint resolution of apportionment.

We find the intent and purpose of the constitutional provision requires the Governor to reconvene the legislature in a special legislative apportionment session for a period of thirty days. We find that the Governor has no authority to limit the apportionment session to less than thirty consecutive days and his only discretion is to determine when the period will commence within thirty days after the regular session adjourns.

We conclude the call of the Governor made on March 25, 1982 for three days is contrary to this interpretation and is therefore invalid.

We assume that the Governor as the chief executive officer will perform his constitutional duty and proceed to call the legislature within thirty days from the adjournment of the regular legislative session as extended into a special apportionment session for thirty consecutive days in accordance with article III, section 16(a). We withhold the issuance of any formal process in full confidence that the Governor will perform his duty as required by the Constitution in accordance with this order. A full opinion will follow.

It is so ordered.

SUNDBERG, C. J., ADKINS, OVERTON, ALDERMAN, McDONALD, and EHRLICH, JJ., CONCUR.

BOYD, J., DISSENTS

BOYD, J., DISSENTING:

I respectfully disagree with the majority's construction of the constitutional provision. Article III, Section 16(a) of the 1968 Constitution sets a maximum of thirty consecutive days for the special legislative apportionment session but does not fix a minimum number of days for such special session. I, therefore, feel the Governor had constitutional authority to call the session for a number of days less than the thirty consecutive days maximum. See: *In re Advisory Opinion to the Governor*, 206 So. 2d 212 (Fla., Jan. 12, 1968), and *Advisory Opinion to the Governor*, 206 So. 2d 641 (Fla., Feb. 7, 1968).

Senator Dunn moved that the Senate stand in recess for the purpose of holding conference committee meetings, to reconvene upon call of the President no earlier than April 5.

The motion was adopted and the Senate recessed at 11:56 a.m. to reconvene on April 5 upon call of the President.