



Journal of the Senate

Number 1—Special Session C

Monday, October 12, 1987

At a Special Session of the Florida Legislature convened under Section 3(c), Article III, of the Constitution of the State, as revised in 1968, and Section 11.011, Florida Statutes, begun and held at the Capitol, in the City of Tallahassee, in the State of Florida.

CALL TO ORDER

The Senate was called to order by the President at 1:33 p.m. A quorum present—22:

Mr. President	Hollingsworth	Langley	Scott
Brown	Jenne	Margolis	Thomas
Deratany	Jennings	McPherson	Thurman
Dudley	Johnson	Meek	Weinstein
Grant	Kirkpatrick	Myers	
Hill	Kiser	Plummer	

Excused: Senator Barron until 3:00 p.m.

All Senators not recorded present were excused from attendance of the afternoon session by the President.

PRAYER

The following prayer was offered by Gary McKenzie, Administrative Assistant to the Secretary of the Senate:

Dear Heavenly Father, we thank you for this day and all the blessings thereof. We pray for strength and guidance to be upon our legislators as they go about the business of our state. Thank you for all the blessings you so freely bestow and for your saving grace. Amen.

PLEDGE

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 and the amended Proclamation were read by the Secretary:

PROCLAMATION
State of Florida
Executive Department
Tallahassee

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

WHEREAS, on the 3rd day of September, 1987, a Proclamation of the Governor was issued convening a Special Session of the Florida Legislature for the purpose of considering appropriate action on the general tax on the sale or use of services consumed or enjoyed in the state, commencing at 9:00 a.m. on Monday, the 21st day of September, 1987, and ending at 12:00 noon on Wednesday, the 23rd day of September, 1987; and

WHEREAS, on the 22nd day of September, the 28th day of September, and the 1st day of October, 1987, Proclamations of the Governor were issued expanding the call of the Special Session so that the Legislature could consider additional matters and extending the length of the Special Session to permit full consideration of those matters; and

WHEREAS, after consideration of those matters within the purview of the Proclamations of the Governor, the Legislature has been unable to reach a consensus; and

WHEREAS, it is in the best interest of the citizens of the State of Florida to call another Special Session so that the Legislature may give full and adequate consideration to those items set forth below.

NOW, THEREFORE, I, BOB MARTINEZ, 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:

Section 1.

That the Legislature of the State of Florida is convened in Special Session commencing at 1:00 p.m. on Monday, the 12th day of October, 1987, and ending at 12:00 noon on Friday, the 16th day of October, 1987.

Section 2.

That the Legislature of the State of Florida is convened for the sole and exclusive purpose of considering the following:

- (a) Such action with respect to repealing the recently enacted general tax on the sale or use of services consumed or enjoyed in the state as may be appropriate under the circumstances.
- (b) Such action with respect to reforming the process by which the budget of the State of Florida is prepared and enacted into law as may be appropriate under the circumstances.
- (c) Such action with respect to replacing the revenues lost by repealing the general tax on the sale and use of services consumed or enjoyed in the state as may be appropriate under the circumstances.
- (d) Such action with respect to amending Chapter 87-88, Laws of Florida, as may be appropriate under the circumstances.



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 at the Capitol, this 9th day of October, 1987.

Bob Martinez
GOVERNOR

ATTEST:
Jim Smith
SECRETARY OF STATE

PROCLAMATION
State of Florida
Executive Department
Tallahassee

(Amendment to Proclamation dated October 9, 1987)

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

WHEREAS, on the 3rd day of September, 1987, a Proclamation of the Governor was issued convening a Special Session of the Florida Legislature for the purpose of considering appropriate action on the general tax on the sale or use of services consumed or enjoyed in the state, commencing at 9:00 a.m. on Monday, the 21st day of September, 1987, and ending at 12:00 noon on Wednesday, the 23rd day of September, 1987; and

WHEREAS, on the 22nd day of September, the 28th day of September, and the 1st day of October, 1987, Proclamations of the Governor were issued expanding the call of the Special Session so that the Legislature could consider additional matters and extending the length of the Special Session to permit full consideration of those matters; and

WHEREAS, after consideration of those matters within the purview of the Proclamations of the Governor, the Legislature has been unable to reach a consensus; and

WHEREAS, it is in the best interest of the citizens of the State of Florida to call another Special Session so that the Legislature may give full and adequate consideration to those items set forth below; and

WHEREAS, on the 9th day of October, 1987, a Proclamation of the Governor was issued calling another Special Session that contained a scrivener's error.

NOW, THEREFORE, I, BOB MARTINEZ, 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:

I. That Section two (2) of the Proclamation of the Governor dated October 9, 1987, is hereby amended to read:

Section 2.

That the Legislature of the State of Florida is convened for the sole and exclusive purpose of considering the following:

(a) Such action with respect to repealing the recently enacted general tax on the sale or use of services consumed or enjoyed in the state as may be appropriate under the circumstances.

(b) Such action with respect to reforming the process by which the budget of the State of Florida is prepared and enacted into law as may be appropriate under the circumstances.

(c) Such action with respect to replacing the revenues lost by repealing the general tax on the sale and use of services consumed or enjoyed in the state as may be appropriate under the circumstances.

(d) Such action with respect to amending Chapter 87-98, Laws of Florida, as may be appropriate under the circumstances.

II. Except as amended by this Proclamation, the Proclamation of the Governor dated October 9, 1987, 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 at the Capitol, this 9th day of October, 1987.

Bob Martinez
GOVERNOR

ATTEST:

Jim Smith

SECRETARY OF STATE

INTRODUCTION AND REFERENCE OF BILLS

First Reading

By Senator Deratany—

SB 1-C—A bill to be entitled An act relating to governmental financial matters; amending ss. 212.02, 212.03, 212.031, 212.04, 212.05, 212.054, 212.055, 212.0598, 212.06, 212.07, 212.08, 212.095, 212.11, 212.12, 212.13, 212.14, 212.17, 212.18, 212.21, 212.61, F.S.; repealing ss. 212.059, 212.0591, 212.0592, 212.0593, 212.0594, 212.0595, F.S.; amending s. 32, ch. 87-86, Laws of Florida, as amended; repealing ss. 31, 37, 47, ch. 87-6, Laws of Florida, as amended; repealing the sales tax on services and conforming various statutes to that repeal; providing exemptions from the tax on sales, use, and other transactions; providing for attribution of taxes by air carriers; increasing the tax on transient rentals, the lease or rental of or license in real property, admissions, and sales, storage, and use; providing for levy of local option infrastructure surtax and prescribing uses of surtax proceeds; providing of surtax proceeds; providing for retention of records relating to the sales tax on services for a certain period; amending s. 215.32, F.S.; providing for distribution of tax proceeds; repealing ss. 206.87(1)(b), 206.875(3), F.S.; repealing the increase in diesel fuel taxes; amending s. 207.026, F.S.; providing for redistribution of taxes; amending ss. 212.235, 218.61, F.S.; providing for distribution of taxes into the State Infrastructure Fund and the Local Government Half-cent Sales Tax Clearing Trust Fund; providing for application of the additional sales or use tax to certain utility services; providing transition rules for the repeal of the services tax; providing for refund of additional taxes paid by certain contractors; providing penalties; saving certain actions from abatement; amending ss. 216.011, 216.046, 216.081, 216.167, 216.181, 216.292, 216.301, 235.41, F.S., relating to the state budgetary process; defining the term "proviso"; providing for Governor's supplemental recommendations; providing for data on legislative expenses; providing for Governor's recommendations; providing for appropriation committee statements of intent; providing for transferability and transfer of appropriations; providing for legislative capital outlay budget request; repealing s. 216.031(7), (12), F.S., as amended, relating to information required in legislative budget requests; providing an effective date.

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

Motions

On motion by Senator Langley, the rules were waived and the Committee on Finance, Taxation and Claims was granted permission to meet October 13 at 9:00 a.m. to consider SB 1-C.

On motion by Senator Langley, the rules were waived and the Committee on Appropriations was granted permission to meet October 13 at 11:00 a.m., or 30 minutes after completion of the Finance, Taxation and Claims Committee meeting, whichever occurs later, to consider SB 1-C.

RECESS

On motion by Senator Langley, the Senate recessed at 1:43 p.m. to reconvene upon call of the President or at 2:00 p.m., Tuesday, October 13.