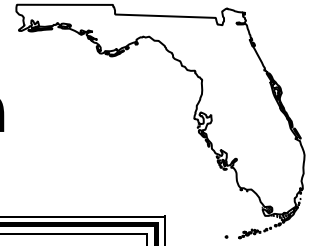




Calendar for the Florida Constitution Revision Commission

Monday, March 23, 1998



THE COMMISSION WILL CONVENE ON
Monday, March 23, 1998
9:00 a.m.—6:00 p.m.

Daily Order of Business

1. Roll call
2. Prayer
3. Pledge of allegiance to the flag
4. Receiving communications
5. Introduction of proposals
6. Reports of committees
7. Matters on reconsideration
8. Special order as determined by the Rules and Administration Committee
9. Unfinished business
10. Correction and approval of journal

REVIEW OF PROCEDURES

March 19, 1998

Please allow the following to serve as a review of the process that the Committee on Rules and Administration offered and the full Commission adopted regarding our session for next Monday (March 23, 1998).

Pursuant to the procedure set out in the Report of the Committee on Rules and Administration adopted by the Commission February 24, 1998 and Commission Rule 5.4, final votes on individual proposals were taken on Tuesday, March 17, 1998. All proposals receiving 22 or more votes have been re-committed to Style and Drafting for grouping. All proposals not receiving 22 votes on March 17, 1998, have been defeated.

On Monday, March 23, 1998, Style and Drafting groupings will be presented to the Commission. **Amendments to proposals or groupings require 22 votes.** Each grouping will be subject to a final vote.

Groupings that receive 22 votes will be placed on the ballot as a group. Likewise, if a group fails to receive 22 votes, the proposals are not grouped but each will be placed on the ballot as a separate proposal unless amended into another group.

Thomas H. Barkdull, Jr., Chairman
Rules and Administration Committee

SPECIAL ORDER

REVISION 1:

NATURAL RESOURCES CONSERVATION

Committee Substitute for Proposals 36 and 38 by the Committee on General Provisions (Articles II, X, XI, and XII) Commissioners Henderson and Mills—

ARTICLE II, s. 7, Fla. Const.; providing that it is the policy of the state to conserve natural resources and scenic beauty for the health and welfare of its citizens

and future generations; providing for provision to be made by law to protect future generations. (eg3)

—vote to re-commit: adopted as amended (March 17, 1998). The vote was: 23-12

Committee Substitute for Committee Substitute for Proposal 45 by the Committees on Executive and Legislative and Commissioner Henderson—

ARTICLE IV, s. 9, Fla. Const.; creating the Fish and Wildlife Conservation Commission to be composed initially of the existing members of the Game and Fresh Water Fish Commission and the Marine Fisheries Commission and providing for the powers and duties of the commission. (eg3)

—vote to re-commit: adopted as amended (March 17, 1998). The vote was: 36-0

Committee Substitute for Proposal 64 by the Committee on Bonding and Investments and Commissioner Nabors—

ARTICLE VII, s. 11, Fla. Const.; providing for state bonds pledging all or part of a dedicated state tax revenue or the full faith and credit of the state for certain uses as provided by general law. (eg2)

—vote to re-commit: no further action taken (March 17, 1998), February 26, 1998 vote stands. The vote was: 24-1

Committee Substitute for Proposal 102 by the Committee on General Provisions (Articles II, X, XI, and XII) and Commissioner Henderson—

ARTICLE X, Fla. Const.; adding s. 18 to provide restrictions on the disposition of conservation and recreation lands. (eg2)

—vote to re-commit: adopted as amended (March 17, 1998). The vote was: 31-5

REVISION 2:

QUALITY PUBLIC EDUCATION

Committee Substitute for Proposal 157 by Committee on Education and Commissioner Mills—

ARTICLE IX, s. 1, Fla. Const.; defining the term "adequate provision" as applicable to the system of

public education (eg2).

—vote to re-commit: adopted as amended (March 17, 1998). The vote was: 28-2

Proposal 181 by Commissioner Brochin—

ARTICLE IX, s. 1, Fla. Const.; providing public rights to, and state duties to provide, complete and adequate public education.(eg2)

—vote to re-commit: adopted (March 17, 1998). The vote was: 28-1

REVISION 3:

FUNDING OF STATE COURTS AND JUDICIAL REFORM

Committee Substitute for Proposal 66 by the Committee on Judicial and Commissioner Wetherington—

ARTICLE V, ss. 10 and 11, Fla. Const.; providing for circuit court judges and county court judges to run for reelection unless the electors within the circuit or within the county approve a local option whereby the circuit court judges or the county court judges are selected by merit selection and are subject to a vote of retention; increasing the term of office for county court judges. (eg2)

—vote to re-commit: no further action taken (March 17, 1998), February 24, 1998 vote stands. The vote was: 24-7

Committee Substitute for Proposals 31 and 55 by the Committee on Judicial and Commissioners Sundberg and Zack—

ARTICLE V, s. 14, Fla. Const.; providing for salaries, cost, and expenses of the judiciary, state attorneys, public defenders, and clerks of the circuit court, and their respective staffs, to be funded from state revenues appropriated by general law; providing for counties to fund the cost of construction, maintenance, utilities, and security of facilities for the judiciary, public defenders, state attorneys, and clerks of the circuit court, and their respective staffs. (eg3)

—vote to re-commit: adopted as amended (March 17, 1998). The vote was: 30-2

Proposal 4 by Commissioner Langley—

ARTICLE I, s. 18, Fla. Const.; clarifying the authority of the Department of Military Affairs, through courts-martial, to impose sentences of imprisonment and other penalties.

—vote to re-commit: no further action taken (March 17, 1998), February 24, 1998 vote stands. The vote was: 26-0

Proposal 25 by Commissioner Langley—

ARTICLE V, s. 1, Fla. Const.; providing for military courts martial to be conducted by military judges of the Florida National Guard with direct appeal to the District Court of Appeal, First District.

—vote to re-commit: no further action taken (March 17, 1998), February 24, 1998 vote stands. The vote was: 28-1

Proposal 44 by Commissioner Langley—

ARTICLE V, s. 2, Fla. Const.; allowing the state supreme court and district courts of appeal to submit questions of military law to the federal Court of Appeal for the Uniform Services for an advisory opinion (eg1).

—vote to re-commit: adopted as amended (March 17, 1998). The vote was: 26-0

Proposal 153 by Commissioner Barkdull—

ARTICLE V, s. 12, Fla. Const.; providing for membership of the judicial qualifications commission.

—vote to re-commit: no further action taken (March 17, 1998), February 24, 1998 vote stands. The vote was: 31-0

REVISION 4:

CABINET REFORM

Committee Substitute for Proposals 159, 163 and 182 by the Committee on Executive (Article IV) and Commissioners Mathis, Evans-Jones and Riley—

ARTICLE IV, ss. 3(b), 4, and 8, and ARTICLE XII, s. 9(c), Fla. Const. and create s. 22, ARTICLE XII, Fla.

Const.; providing for membership of the Florida Cabinet. (eg3)

—vote to re-commit: adopted as amended (March 17, 1998). The vote was: 22-10

REVISION 5:

INDEPENDENT REAPPORTIONMENT COMMISSION AND SINGLE MEMBER DISTRICTS

Committee Substitute for Proposals 172 and 162 by the Committee on Legislative (Article III) and Commissioners Thompson and Evans-Jones—

ARTICLE III, s. 16, Fla. Const., relating to legislative apportionment and create ARTICLE II, s. 10, Fla. Const.; providing for a commission to establish legislative and congressional districts; providing for the appointment of members to the commission; requiring that the chief justice of the supreme court fill certain vacancies on the commission; requiring meetings and records of the commission to be open to the public; providing certain exceptions; requiring that the commission file its final report with the secretary of the state within a specified period; requiring that the supreme court determine the validity of the plans; providing for the supreme court to establish the districts under specified circumstances; providing for the assignment of senatorial terms that are shortened as a result of apportionment; deleting requirements that the Legislature apportion the state into legislative districts (eg2).

—vote to re-commit: adopted (March 17, 1998). The vote was: 22-15

Proposal 155 by Commissioner Scott—

ARTICLE III, s. 16(a), Fla. Const.; providing for the Legislature to apportion the state into single-member senatorial districts of contiguous territory and single-member representative districts of contiguous territory.

—vote to re-commit: no further action taken (March 17, 1998), February 24, 1998 vote stands. The vote was: 29-1

REVISION 6:

**INCREASED BALLOT ACCESS;
ELECTION REFORMS**

**Committee Substitute for Proposal 16 by the
Committee on Ethics and Elections (Article VI, Part
of Article II) and Commissioner Douglass—**

ARTICLE VI, s. 7, Fla. Const.; and ARTICLE XII,
financing of campaigns for elective statewide office
and for spending limits. (eg2)

*—vote to re-commit: adopted as amended (March
17, 1998). The vote was: 24-12*

Proposal 32 by Commissioner Ford-Coates—

ARTICLE VI, s. 2, Fla. Const.; reducing the voting age
to eighteen. (eg1)

*—vote to re-commit: no further action taken
(March 17, 1998), February 24, 1998 vote stands. The
vote was: 31-0*

**Committee Substitute for Proposal 79 by the
Committee on Ethics and Elections and
Commissioner Riley—**

ARTICLE VI, s. 1, Fla. Const.; providing that
requirements for placing the name of a candidate with
no party affiliation or minor party candidate on an
election ballot must not be greater than the
requirements for major party candidates. (eg3)

*—vote to re-commit: adopted as amended (March
17, 1998). The vote was: 33-0*

Proposal 128 by Commissioner Ford-Coates—

ARTICLE VI, s. 5, Fla. Const.; providing for primary
elections (eg2).

*—vote to re-commit: adopted as amended (March
17, 1998). The vote was: 25-12*

Proposal 149 by Commissioner Scott—

ARTICLE IV, s. 5, Fla. Const.; providing for the
candidate for the office of governor to run without a
lieutenant governor candidate. (eg3)

*—vote to re-commit: adopted as amended (March
17, 1998). The vote was: 31-2*

Proposal 158 by Commissioner Marshall—

ARTICLE IX, s. 4, Fla. Const.; providing for
nonpartisan school board elections.(eg1)

*—vote to re-commit: adopted (March 17, 1998).
The vote was: 23-13*

REVISION 7:

**CITIZEN ACCESS TO LOCAL OFFICIALS
AND LOCAL PROPERTY TAX EXEMPTIONS**

Proposal 96 by Commissioner Nabors—

ARTICLE V III, s. 7, Fla. Const.; prescribing types of
communication that are within the purview of the
people's right to instruct their representatives. (eg2)

*—vote to re-commit: adopted as amended (March
17, 1998). The vote was: 22-9*

**Committee Substitute for Proposals 112 and 124
by the Committee on Finance and Taxation (Article
VII) and Commissioner Mills and Ford-Coates—**

ARTICLE VII, s. 3, Fla. Const.; providing for an
exemption from ad valorem taxation for certain
tangible personal property. (eg1)

*—vote to re-commit: no further action taken
(March 17, 1998), February 24, 1998 vote stands. The
vote was: 28-1*

Proposal 135 by Commissioner Henderson—

ARTICLE VII, s. 3, Fla. Const.; allowing a local option
tax exemption for owners of land used for conservation
purposes; providing for authorization by general law.
(eg2)

*—vote to re-commit: adopted as amended (March
17, 1998). The vote was: 35-0*

**Committee Substitute for Proposals 49, 103 and
185 by the Committee on Finance and Taxation
(Article VII) and Commissioners Anthony,
Henderson and Mills—**

ARTICLE VII, s. 3, Fla. Const.; revising the
requirements for exempting municipally owned
property; allowing the Legislature to exempt from
taxation property owned by a municipality or special
district and used for airport, seaport, or public

purposes, as defined by law, and uses that are incidental thereto. (eg2)

—vote to re-commit: adopted (March 17, 1998).
The vote was: 29-4

REVISION 8:

LOCAL OPTION FIREARMS

Proposal 167 by Commissioner Rundle—

ARTICLE VIII, s. 5, Fla. Const.; authorizing each county to require a background check and waiting period in connection with the sale of any firearm; defining the term "sale." (eg3)

—vote to re-commit: adopted as amended (March 17, 1998). The vote was: 24-11

REVISION 9:

RELIGIOUS FREEDOM AND INDIVIDUAL RIGHTS

Proposal 5 by Commissioner Planas—

ARTICLE I, s. 2, Fla. Const.; prohibiting discrimination based on national origin.

—vote to re-commit: no further action taken (March 17, 1998), February 25, 1998 vote stands. The vote was: 28-0

Proposal 11 by Commissioner Freidin—

ARTICLE I, s. 2, Fla. Const.; providing that persons may not be deprived of their rights because of gender.(eg1)

—vote to re-commit: adopted (March 17, 1998).
The vote was: 31-5

Committee Substitute for Proposal 14 by the Committee on Declaration of Rights and Commissioner Freidin—

ARTICLE I, s. 2, Fla. Const.; changing the term "physical handicap" to "physical disability."

—vote to re-commit: no further action taken (March 17, 1998), February 25, 1998 vote stands. The vote was: 29-1

Proposal 187 by Commissioner Connor—

ARTICLE I, s. 3, Fla. Const.; limiting conditions for restrictions on the free exercise of religion. (eg1)

—vote to re-commit: adopted (March 17, 1998).
The vote was: 22-13

REVISION 10:

MISCELLANEOUS/TECHNICAL

Proposal 35 by Commissioner Freidin—

ARTICLE II, s. 8, Fla. Const., relating to ethics in government; including in that section the requirement set out in ARTICLE III, s. 18, Fla. Const., which requires creation of a code of ethics; repealing ARTICLE III, s. 18, Fla. Const., as a distinct section.

—vote to re-commit: no further action taken (March 17, 1998), February 24, 1998 vote stands. The vote was: 32-0

Proposal 37 by Commissioner Freidin—

to revise the Florida Constitution by adopting language that is not gender-specific. (eg1)

—vote to re-commit: no further action taken (March 17, 1998), February 25, 1998 vote stands. The vote was: 25-2

Committee Substitute for Proposal 133 by the Committee on Finance and Taxation and Commissioner Scott—

ARTICLE III, s. 19(d), Fla. Const.; providing guidelines for the public review period for general appropriation acts.

—vote to re-commit: no further action taken (March 17, 1998), February 24, 1998 vote stands. The vote was: 31-0

Proposal 179 by Commissioner Thompson—

ARTICLE III, ss. 8, 19, Fla. Const.; providing guidelines for legislative consideration of veto messages; revising calculation of the 72-hour public review period for general appropriation bills. (eg2)

—vote to re-commit: no further action taken (March 17, 1998), February 24, 1998 vote stands. The vote was: 32-0

Proposal 123 by Commissioner Barkdull—

ARTICLE XI, Fla. Const.; repealing s. 6, relating to the Taxation and Budget Reform Commission.(eg3)

—*vote to re-commit: adopted as amended (March 17, 1998)*. The vote was: 30-1

Proposal 152 by Commissioner Barkdull—

ARTICLE XI, s. 2, Fla. Const.; amending the deadline by which the Constitution Revision Commission must file any proposed revision with the Secretary of the State. (eg1)

—*vote to re-commit: no further action taken (March 17, 1998), February 25, 1998 vote stands*. The vote was: 29-0