



# Journal of the 1997-1998 Constitution Revision Commission

Number 28

Tuesday, March 17, 1998

## CONTENTS

Call to Order	210, 214
Committee Meeting Change	210
Matters on Reconsideration	210
Motions	211, 222
Pages	224
Reports of Committees	211
Special Guests	210, 214
Special Order	211, 214

## CALL TO ORDER

The Commission was called to order by the Chairman at 9:05 a.m. A quorum was present—36:

Mr. Chairman	Connor	Kogan	Riley
Alfonso	Corr	Langley	Rundle
Anthony	Evans	Lowndes	Scott
Argiz	Evans-Jones	Marshall	Smith
Barkdull	Ford-Coates	Mathis	Sundberg
Barnett	Freidin	Mills	Thompson
Barton	Hawkes	Morsani	West
Brochin	Henderson	Nabors	Wetherington
Butterworth	Jennings	Planas	Zack

Alternates:

Leesfield Logan

Excused: Commissioner Crenshaw until 10:00 a.m.

## PRAYER

The following prayer was offered by Rev. James H. Monroe, Tallahassee:

What a sobering, thrilling task you have. You're privileged. Let us pray.

Eternal God, whose awesome acts of creation were to bring order out of chaos, light into darkness and to separate the discreet elements one from the other; who made all things in an orderly progression pronouncing each part to be good; who culminated all by creating humanity with features similar to yourself and, finally, pronounce the whole of your creation as "very good"; who gave this godlike creature a charge to act in a godlike way by managing and caring for your work.

Bless these, your servants, who have come here today to do godlike things, to bring renewed order into what always tends toward chaos, to inject fresh light into what is always fading and to separate out distinct and discreet parts of human interaction which are always tending to merge and intermingle and confuse. Do not let your servants be diverted from the central task by preferable concerns. Give them boldness to entertain lofty visions and courage to acknowledge noble dreams.

Grant that their fruit, the fruit of their work today, may be good, and at the conclusion of their work the people recognize it as "very good" for those of us who live today and for those who shall live tomorrow. Amen.

## PLEDGE

Pages Susan Evans, daughter of Commissioner Evans, Rachel Tanner and Sara Tanner led the Commission in the pledge of allegiance to the flag of the United States of America.

## SPECIAL GUESTS

Commissioner Evans introduced her husband, Bob, and Angela Tanner, mother of Rachel and Sara, who were present in the gallery.

## COMMITTEE MEETING CHANGE

Commissioner Mills announced that the Style and Drafting Committee would meet at 9:30 a.m., Wednesday, March 18.

## MATTERS ON RECONSIDERATION

The Commission resumed consideration of—

**Committee Substitute for Proposal 6**—A proposal to create ARTICLE VII, s. 19, Fla. Const.; providing limits on the adoption of exemptions and exclusions from the general state sales tax; reducing the rate of the general sales tax to 5 percent.

—which was reconsidered February 26.

Commissioner Nabors moved the following amendment to the proposal as engrossed which was adopted:

**Amendment 4**—On page 1, line 15 through page 3, line 6, delete all of said lines and insert:

### ARTICLE VII

#### FINANCE AND TAXATION

*SECTION 19. Tax Fairness Initiative: Exemptions and Exclusions from General State Sales Tax.—*

(a) *PUBLIC DISCLOSURE OF EXEMPTIONS AND EXCLUSIONS.* Each general law granting and exemption to or exclusion from the state sales tax shall contain only one exemption or exclusion and shall contain a declaration that the exemption or exclusion advances the state public purposes of encouraging economic development and competitiveness; supporting educational, governmental, religious, or charitable initiatives or institutions; or securing tax fairness.

(b) *TAX FAIRNESS INITIATIVE.* The legislature shall reduce the general state sales tax rate in one or more general bills to a rate not greater than five percent for the state fiscal year 2000-2001 and shall maintain revenue neutrality for such fiscal year by taxing currently excluded services or currently exempted sales of goods, other than food, prescription drugs, medical services, and residential household rent, electricity and heating fuel.

(c) *REVENUE NEUTRALITY GUARANTEE.* The general state sales tax revenues provided for by general law for state fiscal year 2000-2001 shall be the same as such tax revenues which were collected during the prior fiscal year, as adjusted by average historical growth during the last five years. General state sales tax revenues for state fiscal years 2001-2002, 2002-2003, or 2003-2004 in excess of this revenue neutrality guarantee shall be appropriated to reduce the ad valorem millage for school purposes under the established public school funding formula.

(d) *This section shall become effective upon approval by the electors.*

Commissioner Nabors moved **Committee Substitute for Proposal 6** as amended which failed. The vote was:

Yeas—17

Anthony	Evans-Jones	Mills	Wetherington
Barkdull	Ford-Coates	Nabors	Zack
Barton	Henderson	Rundle	
Brochin	Kogan	Smith	
Butterworth	Lowndes	Sundberg	

Nays—18

Alfonso	Evans	Marshall	Scott
Argiz	Freidin	Mathis	Thompson
Barnett	Hawkes	Morsani	West
Connor	Jennings	Planas	
Corr	Langley	Riley	

**MOTION**

On motion by Commissioner Barkdull, by two-thirds vote debate on proposals reported by the Style and Drafting Committee was limited to ten minutes per side and two minutes for closing.

**SPECIAL ORDER**

The following report was read and adopted on February 24:

**REPORT OF THE RULES AND ADMINISTRATION COMMITTEE**

February 24, 1998

The Rules and Administration Committee submits the following report regarding the process for the week of February 23-27, 1998:

- 1. **Week of February 23-27, 1998**—each proposal committed to Style and Drafting will be considered for a second time.
- 2. **Less than simple majority**—proposal is defeated.

**Simple majority but less than 22 votes**—proposal is presented at public hearing and is available for re-vote on March 17th (at the request of 5 members).

**22 or greater vote**—proposal is presented at public hearing and is available for re-vote on March 17th (at the request of 5 members).

3. **March 17, 1998**

A. If a proposal is NOT brought for re-vote, the vote taken during the week of February 23-27 is the vote on the matter. All proposals with 22 or greater votes are re-committed to Style and Drafting for grouping. All other proposals are defeated.

B. If a proposal IS brought for re-vote (at the request of 5 members), the proposal is before the Commission and available for amendment by simple majority. Proposals on re-vote must receive 22 votes to be re-committed to Style and Drafting for grouping.

4. **March 23, 1998—Grouping**

Style and Drafting will present groupings for the consideration of the full Commission. Amendments to proposals and grouping require 22 votes.

Respectfully submitted,  
*Thomas H. Barkdull, Jr.*  
Chairman

At the request of five members of the Commission—

**Committee Substitute for Proposals 36 and 38**—A proposal to revise 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.

—as amended was read and considered by the Commission.

The Style and Drafting Committee recommended the following amendment to the proposal as engrossed which was moved by Commissioner Mills and adopted:

**Amendment 1**—On page 1, lines 21 and 22, delete “for future generations”

On motion by Commissioner Henderson, **Committee Substitute for Proposals 36 and 38** as amended was adopted, ordered engrossed and then recommitted to the Style and Drafting Committee. The vote was:

Yeas—23

Alfonso	Ford-Coates	Mills	Smith
Barkdull	Freidin	Morsani	Sundberg
Barnett	Henderson	Nabors	Thompson
Brochin	Jennings	Riley	Wetherington
Butterworth	Kogan	Rundle	Zack
Evans-Jones	Lowndes	Scott	

Nays—12

Anthony	Connor	Hawkes	Mathis
Argiz	Corr	Langley	Planas
Barton	Evans	Marshall	West

At the request of five members of the Commission—

**Committee Substitute for Committee Substitute for Proposal 45**—A proposal to revise 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.

—as amended was read and considered by the Commission.

Commissioner Henderson moved the following amendment to the proposal as engrossed which failed:

**Amendment 1**—On page 2, lines 4-8, after the period (.) delete “Revenue derived from such license fees shall be appropriated to the commission by the legislature for the purpose of management, protection, and conservation of wild animal life, and fresh water aquatic life, and marine life.” and insert: *Revenue derived from license fees for the taking of wild animal life and freshwater aquatic life shall be appropriated to the commission by the legislature for the purpose of management, protection, and conservation of wild animal life and freshwater aquatic life and revenue derived from license fees relating to marine life shall be appropriated for the purpose of management, protection, and conservation of marine life, as provided by law.*

The vote was:

Yeas—9

Barnett	Henderson	Mills	Sundberg
Connor	Jennings	Scott	Thompson
Hawkes			

Nays—26

Alfonso	Corr	Langley	Rundle
Anthony	Crenshaw	Lowndes	Smith
Argiz	Evans	Marshall	West
Barkdull	Evans-Jones	Mathis	Wetherington
Barton	Ford-Coates	Nabors	Zack
Brochin	Freidin	Planas	
Butterworth	Kogan	Riley	

Commissioner Thompson moved the following amendment to the proposal as engrossed which was adopted:

**Amendment 2**—On page 1, delete line 23 and insert: *life and fresh water aquatic life, and shall also exercise regulatory and executive powers of the state with respect to marine life, except*

The vote was:

Yeas—19

Barnett	Freidin	Langley	Morsani
Barton	Hawkes	Lowndes	Nabors
Connor	Henderson	Marshall	Sundberg
Crenshaw	Jennings	Mathis	Thompson
Ford-Coates	Kogan	Mills	

Nays—17

Alfonso	Butterworth	Riley	Wetherington
Anthony	Corr	Rundle	Zack
Argiz	Evans	Scott	
Barkdull	Evans-Jones	Smith	
Brochin	Planas	West	

On motion by Commissioner Henderson, **Committee Substitute for Committee Substitute for Proposal 45** as amended was adopted, ordered engrossed and then recommitted to the Style and Drafting Committee. The vote was:

Yeas—36

Alfonso	Corr	Kogan	Riley
Anthony	Crenshaw	Langley	Rundle
Argiz	Evans	Lowndes	Scott
Barkdull	Evans-Jones	Marshall	Smith
Barnett	Ford-Coates	Mathis	Sundberg
Barton	Freidin	Mills	Thompson
Brochin	Hawkes	Morsani	West
Butterworth	Henderson	Nabors	Wetherington
Connor	Jennings	Planas	Zack

Nays—None

**Committee Substitute for Proposal 64**—A proposal to revise 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.

—as amended was read. No further action was taken and **Committee Substitute for Proposal 64** was recommitted to the Style and Drafting Committee.

At the request of five members of the Commission—

**Committee Substitute for Proposal 102**—A proposal to revise ARTICLE X, Fla. Const.; adding s. 18 to provide restrictions on the disposition of conservation and recreation lands.

—as amended was read and considered by the Commission.

The Style and Drafting Committee recommended the following amendment to the proposal as engrossed which was moved by Commissioner Barnett and adopted:

**Amendment 1**—On page 1, lines 13-18, delete all of said lines and insert:

*SECTION 18. DISPOSITION OF CONSERVATION LANDS.—The fee interest in real property held by an entity of the state and designated for natural resources conservation purposes as provided by general law, shall be managed for the benefit of the citizens of this state and may be disposed of only if the members of the governing board of the entity holding title determines the property is no longer needed for conservation purposes and only upon a vote of two-thirds of that entity.*

The vote was:

Yeas—34

Alfonso	Barkdull	Brochin	Corr
Anthony	Barnett	Butterworth	Crenshaw
Argiz	Barton	Connor	Evans

Evans-Jones	Kogan	Morsani	Thompson
Ford-Coates	Langley	Nabors	West
Freidin	Lowndes	Planas	Wetherington
Hawkes	Marshall	Riley	Zack
Henderson	Mathis	Rundle	
Jennings	Mills	Smith	

Nays—1

Sundberg

On motion by Commissioner Henderson, **Committee Substitute for Proposal 102** as amended was adopted, ordered engrossed and then recommitted to the Style and Drafting Committee. The vote was:

Yeas—31

Alfonso	Evans-Jones	Lowndes	Rundle
Anthony	Ford-Coates	Marshall	Scott
Argiz	Freidin	Mathis	Smith
Barkdull	Hawkes	Mills	Sundberg
Barnett	Henderson	Morsani	Thompson
Brochin	Jennings	Nabors	Wetherington
Butterworth	Kogan	Planas	Zack
Crenshaw	Langley	Riley	

Nays—5

Barton	Corr	Evans	West
Connor			

At the request of five members of the Commission—

**Proposal 135**—A proposal to revise 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.

—was read and considered by the Commission.

The Style and Drafting Committee recommended the following amendment which was moved by Commissioner Lowndes and adopted:

**Amendment 1**—On page 3, lines 9-12, delete all of said lines and insert:

*(f) A county or municipality may be authorized by general law to grant ad valorem tax exemptions for real property used for conservation purposes as defined by general law.*

On motion by Commissioner Henderson, **Proposal 135** as amended was adopted, ordered engrossed and then recommitted to the Style and Drafting Committee. The vote was:

Yeas—35

Alfonso	Corr	Langley	Rundle
Anthony	Crenshaw	Lowndes	Scott
Argiz	Evans	Marshall	Smith
Barkdull	Evans-Jones	Mathis	Sundberg
Barnett	Ford-Coates	Mills	Thompson
Barton	Freidin	Morsani	West
Brochin	Hawkes	Nabors	Wetherington
Butterworth	Henderson	Planas	Zack
Connor	Jennings	Riley	

Nays—None

**Proposal 2**—A proposal to revise ARTICLE I, s. 2, Fla. Const.; authorizing governmental agencies to take actions to remedy the effects of past discrimination in the areas of public employment, public housing, public accommodations, public education, and the public procurement of goods and services.

—as amended was read and no further action was taken. **Proposal 2** failed to receive the required 22 votes on February 25.

**Proposal 5**—A proposal to revise ARTICLE I, s. 2, Fla. Const.; prohibiting discrimination based on national origin.

—was read. No further action was taken and **Proposal 5** was recommitted to the Style and Drafting Committee.

**COMMISSIONER THOMPSON PRESIDING**

At the request of five members of the Commission—

**Proposal 11**—A proposal to revise ARTICLE I, s. 2, Fla. Const.; providing that persons may not be deprived of their rights because of gender.

—was read and considered by the Commission.

**CHAIRMAN DOUGLASS PRESIDING**

On motion by Commissioner Freidin, **Proposal 11** was adopted and recommitted to the Style and Drafting Committee. The vote was:

Yeas—31

Alfonso	Corr	Lowndes	Rundle
Anthony	Crenshaw	Marshall	Scott
Argiz	Evans-Jones	Mathis	Smith
Barkdull	Ford-Coates	Mills	Sundberg
Barnett	Freidin	Morsani	Thompson
Barton	Henderson	Nabors	Wetherington
Brochin	Jennings	Planas	Zack
Butterworth	Kogan	Riley	

Nays—5

Connor	Hawkes	Langley	West
Evans			

**STATEMENT OF INTENT WITH REGARDS TO PROPOSAL 11**

As a sponsor of that proposal, I state unequivocally that in offering this proposal I do not intend and have never intended for it to form the basis for a right to same sex marriage in this state. Furthermore, I am satisfied that adoption of this proposal by the voters would not confer such a right.

Ellen C. Freidin  
Commissioner

Commissioner Freidin read the following statement which was published in the Journal at the direction of the Chairman.

Statement of Patrick O. Gudridge, University of Miami School of Law, regarding Proposal 11:

Several commissioners have asked me to summarize briefly the oral presentations that I made in Fort Lauderdale and St. Petersburg and, in the process, address the question of the implications of Proposal 11 in the DBE (disadvantaged business enterprise) setting.

1. The addition of the phrase “women and men alike” to existing Article I, Section 2, will not legalize same sex marriage in Florida. The Hawaii Supreme court plurality opinion reasons from language in the Hawaii constitution that bars discrimination “because of . . . sex.” That language, the Hawaii judges thought, makes any legislative reference to men and women constitutionally suspect. Proposal 11, in sharp contrast, treats as proper legislative references to men and women that treat men and women “alike”. As the dissenting judge in the Hawaii case noted, the exclusion of same sex marriage there treated “women and men alike”—neither men nor women could enter into same sex marriages. The Alaska superior court decision rests on a reading of an Alaska constitutional right to privacy. This opinion therefore is irrelevant to the question of the meaning of “women and men alike.” Moreover, the interpretation of privacy rights in this case is flatly inconsistent with Florida law—which holds that public acts (presumably including marriage) do not give rise to reasonable expectations of privacy.

2. Florida Administrative Code, Title 14, chapter 14, section 78.002(18)(a) includes women within its list of “socially and economically

disadvantaged individuals.” “Disadvantaged business enterprises” (DBEs) with a sufficient number of such individuals acquire opportunities to participate in government-funded construction projects. (Details are not relevant here.) Women, like other listed groups, are “presumed to be disadvantaged” but “this presumption is rebuttable.” Addition of the phrase “women and men alike” to Article I, Section 2, would not (I think) give women—unlike other included groups—irrebuttable status as “economically disadvantaged.” If the presumption of disadvantage is rebutted in particular cases, it means (by definition) that particular women are at no disadvantage relative to men, and thus these women are treated as “alike” by being excluded from the list.

3. Is “women and men alike” redundant language given the existing constitutional declaration that “[a]ll natural persons are equal before the law”? In answering this question, it is important to note that in 1968 there was relatively little constitutional caselaw considering the question of whether constitutional equality obligations limited legislative or administrative differences in treatment of men and women. Strictly speaking, therefore, it is not easy to read the 1968 language, in its original context, as dealing directly with “women and men alike.” Article I, section 2, as it now stands, marks discrimination on the basis of religion, race, and physical handicap as constitutionally suspect. No reference whatsoever to “women and men alike” may therefore carry (for some readers) a negative implication—that differences in treatment of this sort are not constitutionally controversial.

**Committee Substitute for Proposal 14**—A proposal to revise ARTICLE I, s. 2, Fla. Const.; changing the term “physical handicap” to “physical disability.”

—was read. No further action was taken and **Committee Substitute for Proposal 14** was recommitted to the Style and Drafting Committee.

At the request of five members of the Commission—

**Proposal 58**—A proposal to revise ARTICLE I, s. 21, Fla. Const.; providing that the right to recover in an action for personal injury or death may not be denied because of age.

—was read and considered by the Commission.

The Style and Drafting Committee recommended the following amendment to the proposal as engrossed which was moved by Commissioner Lowndes and adopted:

**Amendment 1**—On page 1, lines 16-19, delete the underlined language and insert: *In any action for personal injury or wrongful death, the right of a person to recovery shall not be denied or abridged because of age.*

Commissioner Zack moved **Proposal 58** as amended which failed. The vote was:

Yeas—15

Anthony	Freidin	Mathis	Sundberg
Butterworth	Henderson	Riley	Wetherington
Connor	Kogan	Rundle	Zack
Evans	Langley	Smith	

Nays—20

Alfonso	Brochin	Jennings	Nabors
Argiz	Corr	Lowndes	Planas
Barkdull	Crenshaw	Marshall	Scott
Barnett	Evans-Jones	Mills	Thompson
Barton	Ford-Coates	Morsani	West

At the request of five members of the Commission—

**Proposal 187**—A proposal to revise ARTICLE I, s. 3, Fla. Const.; limiting conditions for restrictions on the free exercise of religion.

—was read and considered by the Commission.

Commissioner Butterworth moved the following amendment to the proposal as engrossed which failed:

**Amendment 1**—On page 1, line 17, after the comma (,) insert: *except with respect to prisoners in jails, prisons, or other correctional facilities.*

The vote was:

Yeas—18

Mr. Chairman	Butterworth	Lowndes	Thompson
Anthony	Ford-Coates	Morsani	Wetherington
Barkdull	Jennings	Rundle	Zack
Barnett	Kogan	Scott	
Brochin	Langley	Sundberg	

Nays—18

Alfonso	Crenshaw	Marshall	Riley
Argiz	Evans	Mathis	Smith
Barton	Evans-Jones	Mills	West
Connor	Freidin	Nabors	
Corr	Hawkes	Planas	

On motion by Commissioner Connor, **Proposal 187** was adopted and recommitted to the Style and Drafting Committee. The vote was:

Yeas—22

Alfonso	Crenshaw	Langley	Smith
Anthony	Evans	Marshall	Thompson
Barton	Evans-Jones	Mathis	West
Brochin	Ford-Coates	Mills	Zack
Connor	Hawkes	Planas	
Corr	Jennings	Scott	

Nays—13

Barkdull	Henderson	Morsani	Rundle
Barnett	Kogan	Nabors	Sundberg
Butterworth	Lowndes	Riley	Wetherington
Freidin			

**RECESS**

The Chairman declared the Commission in recess at 12:02 p.m. to reconvene at 12:32 p.m.

**AFTERNOON SESSION**

The Commission was called to order by the Chairman at 12:56 p.m. A quorum present—37:

Mr. Chairman	Corr	Langley	Scott
Alfonso	Crenshaw	Lowndes	Smith
Anthony	Evans	Marshall	Sundberg
Argiz	Evans-Jones	Mathis	Thompson
Barkdull	Ford-Coates	Mills	West
Barnett	Freidin	Morsani	Wetherington
Barton	Hawkes	Nabors	Zack
Brochin	Henderson	Planas	
Butterworth	Jennings	Riley	
Connor	Kogan	Rundle	

Alternates:

Leesfield	Logan
-----------	-------

**SPECIAL GUEST**

Commissioner Riley introduced her husband, Odin Toness, who was present in the gallery.

**SPECIAL ORDER, continued**

At the request of five members of the Commission—

**Committee Substitute for Proposal 16**—A proposal to create ARTICLE VI, s. 7, Fla. Const., and ARTICLE XII, s. 23, Fla. Const.; provid-

ing for public financing of campaigns for elective statewide office and for spending limits.

—was read and considered by the Commission.

The Style and Drafting Committee recommended the following amendment to the proposal as engrossed which was moved by Commissioner Lowndes and adopted:

**Amendment 1**—On page 1, line 24, delete “*has agreed to spending limits*” and insert: *uses public funds*

Commissioner Langley moved the following amendment to the proposal as engrossed which was adopted:

**Amendment 2**—On page 1, line 21, delete “*sufficient*”

**COMMISSIONER THOMPSON PRESIDING**

On motion by Commissioner Douglass, **Committee Substitute for Proposal 16** as amended was adopted, ordered engrossed and then recommitted to the Style and Drafting Committee. The vote was:

Yeas—24

Mr. Chairman	Butterworth	Kogan	Rundle
Anthony	Connor	Mathis	Smith
Argiz	Evans-Jones	Mills	Sundberg
Barkdull	Ford-Coates	Nabors	Thompson
Barnett	Freidin	Planas	Wetherington
Brochin	Henderson	Riley	Zack

Nays—12

Alfonso	Crenshaw	Jennings	Marshall
Barton	Evans	Langley	Morsani
Corr	Hawkes	Lowndes	Scott

At the request of five members of the Commission—

**Committee Substitute for Proposal 79**—A proposal to revise 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.

—was read and considered by the Commission.

The Style and Drafting Committee recommended the following amendment to the proposal as engrossed which was moved by Commissioner Lowndes and adopted:

**Amendment 1**—On page 1, lines 20-25, delete the underlined language and insert: *; however, the requirements for a candidate with no party affiliation, or for a candidate of a minor party, for placement of the candidate's name on the ballot shall be no greater than the requirements for a candidate of the party having the largest number of registered voters*

On motion by Commissioner Riley, **Committee Substitute for Proposal 79** as amended was adopted, ordered engrossed and then recommitted to the Style and Drafting Committee. The vote was:

Yeas—33

Alfonso	Corr	Kogan	Scott
Anthony	Crenshaw	Langley	Smith
Argiz	Evans	Lowndes	Sundberg
Barkdull	Evans-Jones	Marshall	Thompson
Barnett	Ford-Coates	Mathis	Wetherington
Barton	Freidin	Mills	Zack
Brochin	Hawkes	Morsani	
Butterworth	Henderson	Nabors	
Connor	Jennings	Riley	

Nays—None

CHAIRMAN DOUGLASS PRESIDING

At the request of five members of the Commission—

Proposal 128—A proposal to revise ARTICLE VI, s. 5, Fla. Const.; providing for primary elections.

—was read and considered by the Commission.

The Style and Drafting Committee recommended the following amendment to the proposal as engrossed which was moved by Commissioner Ford-Coates and adopted:

Amendment 1—On page 1, line 8, delete everything after the proposing clause and insert:

Section 1. Section 5 of Article VI of the Florida Constitution is revised by amending that section to read:

ARTICLE VI
SUFFRAGE AND ELECTIONS

SECTION 5. Primary, general, and special elections.—

(a) A general election shall be held in each county on the first Tuesday after the first Monday in November of each even-numbered year to choose a successor to each elective state and county officer whose term will expire before the next general election and, except as provided herein, to fill each vacancy in elective office for the unexpired portion of the term. A general election may be suspended or delayed due to a state of emergency or impending emergency pursuant to general law. Special elections and referenda shall be held as provided by law.

(b) If all candidates for an office have the same party affiliation and the winner will have no opposition in the general election, all qualified electors, regardless of party affiliation, may vote in the primary elections for that office.

On motion by Commissioner Ford-Coates, Proposal 128 as amended was adopted, ordered engrossed and then recommitted to the Style and Drafting Committee. The vote was:

Yeas—25

Table with 4 columns: Mr. Chairman, Connor, Mathis, Sundberg, Alfonso, Evans-Jones, Mills, Thompson, Anthony, Ford-Coates, Morsani, Wetherington, Argiz, Freidin, Nabors, Zack, Barnett, Kogan, Riley, Brochin, Lowndes, Rundle, Butterworth, Marshall, Smith

Nays—12

Table with 4 columns: Barkdull, Crenshaw, Henderson, Planas, Barton, Evans, Jennings, Scott, Corr, Hawkes, Langley, West

At the request of five members of the Commission—

Proposal 149—A proposal to revise ARTICLE IV, s. 5, Fla. Const.; providing for the candidate for the office of governor to run without a lieutenant governor candidate.

—was read and considered by the Commission.

The Style and Drafting Committee recommended the following amendment to the proposal as engrossed which was moved by Commissioner Mills and adopted:

Amendment 1—On page 1, lines 21-23, delete the underlined language and insert: In primary elections, candidates for the office of governor may choose to run without a lieutenant governor candidate.

On motion by Commissioner Scott, Proposal 149 as amended was adopted, ordered engrossed and then recommitted to the Style and Drafting Committee. The vote was:

Yeas—31

Table with 4 columns: Alfonso, Corr, Kogan, Riley, Anthony, Crenshaw, Langley, Rundle, Argiz, Evans, Marshall, Scott, Barkdull, Evans-Jones, Mathis, Smith, Barton, Ford-Coates, Mills, Thompson, Brochin, Freidin, Morsani, West, Butterworth, Hawkes, Nabors, Zack, Connor, Jennings, Planas

Nays—2

Table with 2 columns: Barnett, Henderson

Vote after roll call:

Yea—Wetherington

At the request of five members of the Commission—

Proposal 158—A proposal to revise ARTICLE IX, s. 4, Fla. Const.; providing for nonpartisan school board elections.

—was read and considered by the Commission.

On motion by Commissioner Marshall, Proposal 158 was adopted and recommitted to the Style and Drafting Committee. The vote was:

Yeas—23

Table with 4 columns: Alfonso, Ford-Coates, Mathis, Smith, Barkdull, Freidin, Mills, Sundberg, Brochin, Henderson, Morsani, Thompson, Butterworth, Kogan, Nabors, Wetherington, Corr, Lowndes, Riley, Zack, Evans-Jones, Marshall, Rundle

Nays—13

Table with 4 columns: Anthony, Connor, Hawkes, Planas, Argiz, Crenshaw, Jennings, Scott, Barnett, Evans, Langley, West, Barton

At the request of five members of the Commission—

Committee Substitute for Proposals 172 and 162—A proposal to repeal 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 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.

—was read and considered by the Commission.

On motion by Commissioner Evans-Jones, Committee Substitute for Proposals 172 and 162 was adopted and recommitted to the Style and Drafting Committee. The vote was:

Yeas—22

Table with 4 columns: Mr. Chairman, Evans-Jones, Marshall, Sundberg, Barkdull, Ford-Coates, Mills, Thompson, Barnett, Freidin, Nabors, Wetherington, Barton, Henderson, Riley, Zack, Brochin, Kogan, Rundle, Butterworth, Lowndes, Smith

Nays—15

Alfonso	Corr	Jennings	Planas
Anthony	Crenshaw	Langley	Scott
Argiz	Evans	Mathis	West
Connor	Hawkes	Morsani	

**Proposal 155**—A proposal to revise 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.

—was read. No further action was taken and **Proposal 155** was re-committed to the Style and Drafting Committee.

At the request of five members of the Commission—

**Proposal 123**—A proposal to revise ARTICLE XI, Fla. Const.; repealing s. 6, relating to the Taxation and Budget Reform Commission.

—was read and considered by the Commission.

Commissioners Barnett and Nabors offered the following amendment which was moved by Commissioner Barnett and adopted:

**Amendment 1**—On page 1, lines 9 and 10, delete said lines and insert:

Section 1. Section 6 of Article XI of the Florida Constitution is revised by amending that section to read:

ARTICLE XI  
AMENDMENTS

SECTION 6. Taxation and budget reform commission.—

(a) Beginning in 2007 and each twentieth year thereafter, there shall be established a taxation and budget reform commission composed of the following members:

(1) eleven members selected by the governor, none of whom shall be a member of the legislature at the time of appointment.

(2) seven members selected by the speaker of the house of representatives and seven members selected by the president of the senate, none of whom shall be a member of the legislature at the time of appointment.

(3) four non-voting ex officio members, all of whom shall be members of the legislature at the time of appointment. Two of these members, one of whom shall be a member of the minority party in the house of representatives, shall be selected by the speaker of the house of representatives, and two of these members, one of whom shall be a member of the minority party in the senate, shall be selected by the president of the senate.

(b) Vacancies in the membership of the commission shall be filled in the same manner as the original appointments.

(c) At its initial meeting, the members of the commission shall elect a member who is not a member of the legislature to serve as *chairperson* ~~chairman~~ and the commission shall adopt its rules of procedure. Thereafter, the commission shall convene at the call of the *chairperson* ~~chairman~~. An affirmative vote of two thirds of the full commission ~~and the concurrence of a majority of the members appointed by the governor pursuant to paragraph (a)(1), a concurrence of a majority of the members appointed by the speaker of the house of representatives pursuant to paragraph (a)(2), and a concurrence of a majority of the members appointed by the president of the senate pursuant to paragraph (a)(2)~~ shall be necessary for any revision of this constitution or any part of it to be proposed by the commission.

(d) The commission shall examine the state budgetary process, the revenue needs and expenditure processes of the state, the appropriateness of the tax structure of the state, and governmental productivity and efficiency; review policy as it relates to the ability of state and local government to tax and adequately fund governmental operations and capital facilities required to meet the state's needs during the next ten

year period; determine methods favored by the citizens of the state to fund the needs of the state, including alternative methods for raising sufficient revenues for the needs of the state; determine measures that could be instituted to effectively gather funds from existing tax sources; examine constitutional limitations on taxation and expenditures at the state and local level; and review the state's comprehensive planning, budgeting and needs assessment processes to determine whether the resulting information adequately supports a strategic decisionmaking process.

(e) The commission shall hold public hearings as it deems necessary to carry out its responsibilities under this section. The commission shall issue a report of the results of the review carried out, and propose to the legislature any recommended statutory changes related to the taxation or budgetary laws of the state. Not later than ~~ninety one hundred eighty~~ days prior to the general election in the second year following the year in which the commission is established, the commission shall file with the secretary of state its proposal, if any, of a revision of this constitution or any part of it dealing with taxation or the state budgetary process.

On motion by Commissioner Barkdull, consideration of **Proposal 123** as amended was deferred.

**Proposal 152**—A proposal to revise ARTICLE XI, s. 2, Fla. Const.; amending the deadline by which the Constitution Revision Commission must file any proposed revision with the Secretary of State.

—as amended was read. No further action was taken and **Proposal 152** as amended was re-committed to the Style and Drafting Committee.

At the request of five members of the Commission—

**Proposal 59**—A proposal to revise ARTICLE X, s. 13, Fla. Const.; providing limitations upon the amount of damages payable by the state when a court finds the state liable; providing for a bad-faith surcharge; placing a limit on attorney's fees.

—was read and considered by the Commission.

The Style and Drafting Committee recommended the following amendment which was moved by Commissioner Lowndes and failed:

**Amendment 1**—On page 1, lines 17-24, delete the underlined language and insert: *When a tort suit for which provision has been made by general law claims damages in excess of the amount permitted by the limited waiver of sovereign immunity established by general law, the claimant may elect to submit such claim to arbitration in lieu of a trial by judge or jury, in accordance with procedures established by general law. Sovereign immunity is waived for such arbitration decisions to the extent of five times the limited waiver of sovereign immunity established by general law.*

The vote was:

Yeas—7

Brochin	Mills	Thompson	Wetherington
Lowndes	Smith	West	

Nays—24

Alfonso	Butterworth	Henderson	Nabors
Anthony	Connor	Jennings	Planas
Argiz	Corr	Kogan	Riley
Barkdull	Evans	Marshall	Scott
Barnett	Ford-Coates	Mathis	Sundberg
Barton	Freidin	Morsani	Zack

COMMISSIONER THOMPSON PRESIDING

Commissioner Zack moved **Proposal 59** which failed. The vote was:

Yeas—13

Mr. Chairman	Evans	Kogan	Lowndes
Alfonso	Freidin	Langley	Morsani

Riley Smith	Sundberg	Wetherington	Zack
Nays—21			
Anthony	Butterworth	Henderson	Rundle
Argiz	Connor	Jennings	Scott
Barkdull	Corr	Mathis	West
Barnett	Crenshaw	Mills	
Barton	Evans-Jones	Nabors	
Brochin	Ford-Coates	Planas	

Freidin	Mathis	Riley	West
Henderson	Mills	Rundle	Wetherington
Jennings	Morsani	Scott	Zack
Kogan	Nabors	Sundberg	
Lowndes	Planas	Thompson	
Nays—None			

On motion by Commissioner Barkdull, **Proposal 123** as amended was adopted, ordered engrossed and then recommitted to the Style and Drafting Committee. The vote was:

Yeas—30			
Alfonso	Crenshaw	Lowndes	Scott
Anthony	Evans	Mathis	Sundberg
Argiz	Evans-Jones	Mills	Thompson
Barkdull	Ford-Coates	Morsani	West
Barnett	Freidin	Nabors	Wetherington
Barton	Henderson	Planas	Zack
Brochin	Jennings	Riley	
Butterworth	Kogan	Rundle	

Nays—1  
Connor

At the request of five members of the Commission—

**Proposal 40**—A proposal to revise ARTICLE IX, s. 4, Fla. Const.; authorizing certain counties to be divided into more than one school district.

—was read and considered by the Commission.

Commissioner Butterworth moved the following amendment which was adopted:

**Amendment 1**—On page 1, lines 19 and 20, delete those lines and insert: *county may be divided into two or more, but no more than five, school districts. No district may have fewer than 25,000 students, as*

Commissioner Marshall moved **Proposal 40** as amended which failed. The vote was:

Yeas—8			
Mr. Chairman	Brochin	Evans-Jones	Mills
Barnett	Butterworth	Marshall	Riley
Nays—26			
Alfonso	Evans	Lowndes	Smith
Anthony	Ford-Coates	Mathis	Sundberg
Argiz	Freidin	Morsani	West
Barkdull	Henderson	Nabors	Wetherington
Barton	Jennings	Planas	Zack
Connor	Kogan	Rundle	
Crenshaw	Langley	Scott	

**CHAIRMAN DOUGLASS PRESIDING**

The Commission resumed consideration of—

**Proposal 123**—A proposal to revise ARTICLE XI, Fla. Const.; repealing s. 6, relating to the Taxation and Budget Reform Commission.

—which was previously considered and amended this day.

**RECONSIDERATION OF AMENDMENT**

On motion by Commissioner Barkdull, the Commission reconsidered the vote by which **Amendment 1** was adopted.

Commissioner Evans moved the following amendments to **Amendment 1** which were adopted:

**Amendment 1A**—On page 2, line 18, delete “ten” and insert: *twenty*

**Amendment 1B**—On page 3, delete line 9 and insert: *or budgetary laws of the state not later than one hundred eighty days prior to the general*

**Amendment 1** as amended was adopted.

The vote was:

Yeas—30			
Alfonso	Barkdull	Brochin	Evans
Anthony	Barnett	Butterworth	Evans-Jones
Argiz	Barton	Crenshaw	Ford-Coates

At the request of five members of the Commission—

**Committee Substitute for Proposal 157**—A proposal to revise ARTICLE IX, s. 1, Fla. Const.; defining the term “adequate provision” as applicable to the system of public education.

—was read and considered by the Commission.

Commissioner Mills moved the following amendment:

**Amendment 1**—On page 1, lines 13-25, delete all of said lines and insert:

**SECTION 1. System of Public education.**—Adequate provision shall be made by law for a uniform system of free public schools and for the establishment, maintenance, and operation of institutions of higher learning and other public education programs that the needs of the people may require. *Regarding a uniform system of free public schools, “adequate provision” means providing an efficient, safe, secure, and high quality system of public education for the purpose of allowing students to achieve a high quality education that prepares students to participate in a democratic society and to successfully compete in a global economy.*

On motion by Commissioner Mills, consideration of **Committee Substitute for Proposal 157** with pending **Amendment 1** was deferred.

Consideration of **Committee Substitute for Proposal 166** was deferred.

At the request of five members of the Commission—

**Proposal 181**—A proposal to revise ARTICLE IX, s. 1, Fla. Const.; providing public rights to, and state duties to provide, complete and adequate public education.

—as amended was read and considered by the Commission.

On motion by Commissioner Brochin, **Proposal 181** as amended was adopted and recommitted to the Style and Drafting Committee. The vote was:

Yeas—28			
Alfonso	Brochin	Freidin	Mathis
Anthony	Butterworth	Henderson	Mills
Argiz	Crenshaw	Jennings	Morsani
Barkdull	Evans-Jones	Kogan	Nabors
Barton	Ford-Coates	Lowndes	Planas



Riley Scott Sundberg Wetherington  
 Rundle Smith Thompson Zack

Nays—1

Evans

**Amendment 1A**—On page 1, line 1, after “*prison*” insert: *for a violent crime*

The vote was:

Yeas—28

Alfonso	Crenshaw	Langley	Riley
Argiz	Evans-Jones	Lowndes	Rundle
Barkdull	Ford-Coates	Marshall	Scott
Barnett	Freidin	Mathis	Thompson
Barton	Henderson	Mills	West
Butterworth	Jennings	Morsani	Wetherington
Connor	Kogan	Planas	Zack

Nays—5

Anthony	Evans	Nabors	Smith
Brochin			

**Amendment 1** as amended was adopted.

Commissioner Rundle moved **Proposal 24** as amended which failed to receive the required 22 votes. The vote was:

Yeas—20

Alfonso	Crenshaw	Jennings	Riley
Argiz	Evans	Marshall	Rundle
Barkdull	Evans-Jones	Mathis	Thompson
Barton	Ford-Coates	Mills	West
Butterworth	Henderson	Planas	Zack

Nays—12

Anthony	Connor	Lowndes	Smith
Barnett	Kogan	Morsani	Sundberg
Brochin	Langley	Nabors	Wetherington

At the request of five members of the Commission—

**Proposal 167**—A proposal to revise 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.”

—as amended was read and considered by the Commission.

Commissioner Smith moved the following amendment to the proposal as engrossed which was adopted:

**Amendment 1**—On page 1, line 25, delete “*background*” and insert: *criminal history records*

**COMMISSIONER THOMPSON PRESIDING**

**CHAIRMAN DOUGLASS PRESIDING**

On motion by Commissioner Rundle, **Proposal 167** as amended was adopted, ordered engrossed and then recommitted to the Style and Drafting Committee. The vote was:

Yeas—24

Mr. Chairman	Butterworth	Lowndes	Riley
Alfonso	Evans-Jones	Marshall	Rundle
Anthony	Ford-Coates	Mathis	Smith
Argiz	Freidin	Morsani	Sundberg
Barnett	Henderson	Nabors	Wetherington
Brochin	Kogan	Planas	Zack

Nays—11

Barkdull	Crenshaw	Langley	Thompson
Barton	Evans	Mills	West
Connor	Jennings	Scott	

The Commission resumed consideration of—

**Committee Substitute for Proposal 157**—A proposal to revise ARTICLE IX, s. 1, Fla. Const.; defining the term “adequate provision” as applicable to the system of public education.

—with pending **Amendment 1** by Commissioner Mills.

Commissioner Kogan moved the following amendment to **Amendment 1** which was adopted:

**Amendment 1A**—On page 1, line 6, delete “that prepares students to participate in a democratic society and to successfully compete in a global economy.”

**Amendment 1** as amended was adopted.

On motion by Commissioner Mills, **Committee Substitute for Proposal 157** as amended was adopted, ordered engrossed and then recommitted to the Style and Drafting Committee. The vote was:

Yeas—28

Alfonso	Crenshaw	Lowndes	Rundle
Anthony	Evans-Jones	Mathis	Scott
Argiz	Ford-Coates	Mills	Smith
Barkdull	Freidin	Morsani	Sundberg
Barnett	Henderson	Nabors	Thompson
Brochin	Jennings	Planas	Wetherington
Connor	Kogan	Riley	Zack

Nays—2

Barton	Evans
--------	-------

**Committee Substitute for Proposal 66**—A proposal to revise 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.

—was read. No further action was taken and **Committee Substitute for Proposal 66** as amended was recommitted to the Style and Drafting Committee.

At the request of five members of the Commission—

**Proposal 24**—A proposal to revise ARTICLE IV, s. 8, Fla. Const.; requiring that a state prisoner serve at least 85 percent of his or her term of imprisonment, unless granted pardon or clemency; prohibiting the reduction of a prisoner’s sentence by more than 15 percent; requiring that a state prisoner sentenced to life imprisonment be incarcerated for the remainder of his or her natural life, unless granted pardon or clemency.

—was read and considered by the Commission.

The Style and Drafting Committee recommended the following amendment which was moved by Commissioner Mills:

**Amendment 1**—On page 2, lines 9-20, delete all of said lines and insert: *No person sentenced to state prison shall be released for any reason prior to serving at least 85 percent of the sentence imposed, unless granted clemency. State prisoners sentenced to life imprisonment shall be incarcerated for the rest of their natural lives, unless granted clemency.*

Commissioner Butterworth moved the following amendment to **Amendment 1** which was adopted:

At the request of five members of the Commission—

**Committee Substitute for Proposals 49, 103 and 185**—A proposal to revise 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.

—was read and considered by the Commission.

Commissioner Brochin moved the following amendment to the proposal as engrossed:

**Amendment 1**—On page 3, line 18, insert:

Section 2. Section 19 is added to Article VII of the Florida Constitution to read:

*SECTION 19. Public disclosure of exemptions and exclusions.—Each general law granting an exemption to or exclusion from the state sales tax shall contain only one exemption or exclusion and shall contain a declaration that the exemption or exclusion advances the state public purposes of encouraging economic development and competitiveness; supporting educational, governmental, religious, or charitable initiatives or institutions; or securing tax fairness.*

And the title is amended as follows:

On page 1, line 8, before the period (.) insert: ; and to create ARTICLE VII, s. 19, Fla. Const.; requiring public disclosure of exemptions and exclusions from the state sales tax

**POINT OF ORDER**

Commissioner Henderson raised a point of order that pursuant to Rule 7.4 **Amendment 1** was not germane to the proposal.

**RULING ON POINT OF ORDER**

The Chairman ruled the point well taken and the amendment out of order.

Commissioner Brochin appealed the ruling of the Chairman, which failed.

On motion by Commissioner Henderson, **Committee Substitute for Proposals 49, 103 and 185** was adopted and recommitted to the Style and Drafting Committee. The vote was:

Yeas—29

Alfonso	Crenshaw	Mathis	Smith
Anthony	Evans	Mills	Sundberg
Argiz	Ford-Coates	Morsani	West
Barkdull	Henderson	Nabors	Wetherington
Barnett	Jennings	Planas	Zack
Barton	Kogan	Riley	
Butterworth	Langley	Rundle	
Connor	Lowndes	Scott	

Nays—4

Evans-Jones	Freidin	Hawkes	Marshall
-------------	---------	--------	----------

At the request of five members of the Commission—

**Committee Substitute for Proposals 31 and 55**—A proposal to revise ARTICLE V, s. 14, Fla. Const.; providing for salaries, costs, 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.

—was read and considered by the Commission.

The Style and Drafting Committee recommended the following amendment to the proposal as engrossed which was moved by Commissioner Lowndes:

**Amendment 1**—On page 1, line 17, delete everything after the proposing clause and insert:

Section 1. Section 14 of Article V of the Florida Constitution is revised by amending that section to read:

ARTICLE V  
JUDICIARY

SECTION 14. *Funding Judicial salaries.—*

(a) All justices and judges shall be compensated only by state salaries fixed by general law. *Funding for the state courts system, state attorneys' offices, public defenders' offices, and court-appointed counsel, except as otherwise provided in subsection (c), shall be provided from state revenues appropriated by general law.*

(b) *All funding for the offices of the clerks of the circuit and county courts performing court-related functions, except as otherwise provided in this subsection and subsection (c), shall be provided by adequate and appropriate filing fees for judicial proceedings and service charges and costs for performing court-related functions as required by general law. Selected salaries, costs, and expenses of the state courts system may be funded from appropriate filing fees for judicial proceedings and service charges and costs for performing court-related functions, as provided by general law. Where the requirements of either the United States Constitution or the Constitution of the State of Florida preclude the imposition of filing fees for judicial proceedings and service charges and costs for performing court-related functions sufficient to fund the court-related functions of the offices of the clerks of the circuit and county courts, the state shall provide, as determined by the legislature, adequate and appropriate supplemental funding from state revenues appropriated by general law.*

(c) *No county or municipality, except as provided in this subsection, shall be required to provide any funding for the state courts system, state attorneys' offices, public defenders' offices, court-appointed counsel or the offices of the clerks of the circuit and county courts for performing court-related functions. Counties shall be required to fund the cost of communications services, existing radio systems, existing multi-agency criminal justice information systems, and the cost of construction or lease, maintenance, utilities, and security of facilities for the trial courts, public defenders' offices, state attorneys' offices, and the offices of the clerks of the circuit and county courts performing court-related functions. Counties shall also pay reasonable and necessary salaries and costs and expenses of the state courts system to meet local requirements as determined by general law.*

(d) The judiciary shall have no power to fix appropriations.

Commissioner Sundberg moved the following amendment to **Amendment 1** which was adopted:

**Amendment 1A**—On page 2, line 15, insert:

Section 2. Section 22 is added to Article XII of the Florida Constitution to read:

ARTICLE XII  
SCHEDULE

SECTION 22. *Schedule to Article V Amendment.—*

(a) *Commencing with fiscal year 2000-2001, the legislature shall appropriate funds to pay for the salaries, costs, and expenses set forth in the amendment to Section 14 of Article V pursuant to a phase-in schedule established by general law.*

(b) *Unless otherwise provided herein, the amendment to Section 14 shall be fully effectuated by July 1, 2004.*

**Amendment 1** as amended was adopted.

On motion by Commissioner Sundberg, **Committee Substitute for Proposals 31 and 55** as amended was adopted, ordered engrossed and then recommitted to the Style and Drafting Committee. The vote was:

Yeas—30

Alfonso	Evans	Lowndes	Rundle
Argiz	Evans-Jones	Marshall	Scott
Barkdull	Ford-Coates	Mathis	Smith
Barnett	Freidin	Mills	Sundberg
Barton	Henderson	Morsani	Thompson
Butterworth	Jennings	Nabors	Zack
Connor	Kogan	Planas	
Crenshaw	Langley	Riley	

Nays—2

Hawkes West

Vote after roll call:

Yea—Wetherington

RECONSIDERATION

Commissioner Barnett moved that the rules be waived and the Commission reconsider the vote by which **Proposal 24** as amended failed this day. The motion was adopted. The vote was:

Yeas—22

Alfonso	Evans	Marshall	Scott
Barkdull	Evans-Jones	Mathis	Thompson
Barnett	Ford-Coates	Mills	West
Barton	Hawkes	Planas	Zack
Butterworth	Henderson	Riley	
Crenshaw	Jennings	Rundle	

Nays—11

Brochin	Kogan	Morsani	Sundberg
Connor	Langley	Nabors	Wetherington
Freidin	Lowndes	Smith	

**Proposal 24**—A proposal to revise ARTICLE IV, s. 8, Fla. Const.; requiring that a state prisoner serve at least 85 percent of his or her term of imprisonment, unless granted pardon or clemency; prohibiting the reduction of a prisoner's sentence by more than 15 percent; requiring that a state prisoner sentenced to life imprisonment be incarcerated for the remainder of his or her natural life, unless granted pardon or clemency.

Commissioner Rundle moved **Proposal 24** as amended which failed to receive the required 22 votes. The vote was:

Yeas—18

Alfonso	Crenshaw	Mathis	Scott
Argiz	Evans	Mills	Thompson
Barkdull	Ford-Coates	Planas	Zack
Barton	Henderson	Riley	
Butterworth	Jennings	Rundle	

Nays—15

Barnett	Freidin	Lowndes	Sundberg
Brochin	Hawkes	Morsani	West
Connor	Kogan	Nabors	Wetherington
Evans-Jones	Langley	Smith	

At the request of five members of the Commission—

**Proposal 96**—A proposal to revise ARTICLE VIII, s. 7, Fla. Const.; prescribing types of communication that are within the purview of the people's right to instruct their representatives.

—was read and considered by the Commission.

The Style and Drafting Committee recommended the following amendment to the proposal as engrossed which was moved by Commissioner Lowndes and adopted:

**Amendment 1**—On page 1, line 15, delete "local government public officials" and insert: *a local government public official*

On motion by Commissioner Nabors, **Proposal 96** as amended was adopted, ordered engrossed and then recommitted to the Style and Drafting Committee. The vote was:

Yeas—22

Alfonso	Connor	Jennings	Riley
Argiz	Crenshaw	Langley	Scott
Barkdull	Evans	Lowndes	Thompson
Barnett	Evans-Jones	Mathis	West
Barton	Ford-Coates	Mills	
Butterworth	Henderson	Nabors	

Nays—9

Brochin	Marshall	Smith	Wetherington
Freidin	Rundle	Sundberg	Zack
Kogan			

At the request of five members of the Commission—

**Committee Substitute for Proposals 159, 163 and 182**—A proposal to revise 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.

—was read and considered by the Commission.

Commissioners Zack, Anthony, Evans-Jones and Mathis offered the following amendment to the proposal as engrossed which was moved by Commissioner Zack:

**Amendment 1**—On page 1, line 10 through page 8, line 15, delete all of said lines and insert:

Section 1. Subsection (b) of section 3 of Article IV of the Florida Constitution is revised by amending that subsection to read:

ARTICLE IV  
EXECUTIVE

SECTION 3. Succession to office of governor; acting governor.—

(b) Upon impeachment of the governor and until completion of trial thereof, or during his physical or mental incapacity, the lieutenant governor shall act as governor. Further succession as acting governor shall be prescribed by law. Incapacity to serve as governor may be determined by the supreme court upon due notice after docketing of a written suggestion thereof by ~~three~~ ~~four~~ cabinet members, and in such case restoration of capacity shall be similarly determined after docketing of written suggestion thereof by the governor, the legislature or ~~three~~ ~~four~~ cabinet members. Incapacity to serve as governor may also be established by certificate filed with the *custodian of state records* ~~secretary of state~~ by the governor declaring his incapacity for physical reasons to serve as governor, and in such case restoration of capacity shall be similarly established.

Section 2. Section 4 of Article IV of the Florida Constitution is revised by amending that section to read:

ARTICLE IV  
EXECUTIVE

SECTION 4. Cabinet.—

(a) There shall be a cabinet composed of ~~a secretary of state, an attorney general, a comptroller, a chief financial officer, treasurer, and a commissioner of agriculture and a commissioner of education.~~ In addition to the powers and duties specified herein, they shall exercise such powers and perform such duties as may be prescribed by law. *In the event of a tie vote of the governor and cabinet, the side on which the governor voted shall be deemed to prevail.*

(b) ~~The secretary of state shall keep the records of the official acts of the legislative and executive departments.~~

(b)(e) The attorney general shall be the chief state legal officer. There is created in the office of the attorney general the position of statewide prosecutor. The statewide prosecutor shall have concurrent jurisdiction with the state attorneys to prosecute violations of criminal laws occurring or having occurred, in two or more judicial circuits as part of a related transaction, or when any such offense is affecting or has affected two or more judicial circuits as provided by general law. The statewide prosecutor shall be appointed by the attorney general from not less than three persons nominated by the judicial nominating commission for the supreme court, or as otherwise provided by general law.

(c)(d) The *chief financial officer* ~~comptroller~~ shall serve as the chief fiscal officer of the state, and shall settle and approve accounts against the state *and*.

(e) ~~The treasurer shall keep all state funds and securities. He shall disburse state funds only upon the order of the comptroller. Such order may be in any form and may require the disbursement of state funds by electronic means or by means of a magnetic tape or any other transfer medium.~~

(d) *The governor as chair, the chief financial officer, the attorney general, and the commissioner of agriculture shall constitute the state board of administration, which shall succeed to all the power, control, and authority of the state board of administration established pursuant to Article IX, Section 16 of the Constitution of 1885, and which shall continue as a body at least for the life of Article XII, Section 9(c).*

(e) *The governor as chair, the chief financial officer, the attorney general, and the commissioner of agriculture shall constitute the trustees of the internal improvement trust fund and the land acquisition trust fund as provided by law.*

(f) *The governor as chair, the chief financial officer, the attorney general, and the commissioner of agriculture shall constitute the agency head of the Department of Law Enforcement.*

(g)(f) The commissioner of agriculture shall have supervision of matters pertaining to agriculture except as otherwise provided by law.

(g) ~~The commissioner of education shall supervise the public education system in the manner prescribed by law.~~

Section 3. Section 8 of Article IV of the Florida Constitution is revised by amending that section to read:

ARTICLE IV  
EXECUTIVE

SECTION 8. Clemency.—

(a) Except in cases of treason and in cases where impeachment results in conviction, the governor may, by executive order filed with the *custodian secretary* of state records, suspend collection of fines and forfeitures, grant reprieves not exceeding sixty days and, with the approval of ~~two~~ *three* members of the cabinet, grant full or conditional pardons, restore civil rights, commute punishment, and remit fines and forfeitures for offenses.

(b) In cases of treason the governor may grant reprieves until adjournment of the regular session of the legislature convening next after the conviction, at which session the legislature may grant a pardon or further reprieve; otherwise the sentence shall be executed.

(c) There may be created by law a parole and probation commission with power to supervise persons on probation and to grant paroles or conditional releases to persons under sentences for crime. The qualifications, method of selection and terms, not to exceed six years, of members of the commission shall be prescribed by law.

Section 4. Section 2 of Article IX of the Florida Constitution is revised by amending that section to read:

ARTICLE IX  
EDUCATION

SECTION 2. State board of education.—~~The governor and the members of the cabinet shall constitute a state board of education, which shall be a body corporate and have such supervision of the system of public education as is provided by law. The state board of education shall consist of seven members appointed by the governor to staggered 4-year terms, subject to confirmation by the senate. The state board of education shall appoint the commissioner of education.~~

Section 5. Subsection (c) of section 9 of Article XII of the Florida Constitution is revised by amending that subsection to read:

ARTICLE XII  
SCHEDULE

SECTION 9. Bonds.—

(c) MOTOR VEHICLE FUEL TAXES.

(1) A state tax, designated “second gas tax,” of two cents per gallon upon gasoline and other like products of petroleum and an equivalent tax upon other sources of energy used to propel motor vehicles as levied by Article IX, Section 16, of the Constitution of 1885, as amended, is hereby continued. The proceeds of said tax shall be placed monthly in the state roads distribution fund in the state treasury.

(2) Article IX, Section 16, of the Constitution of 1885, as amended, is adopted by this reference as a part of this revision as completely as though incorporated herein verbatim for the purpose of providing that after the effective date of this revision the proceeds of the “second gas tax” as referred to therein shall be allocated among the several counties in accordance with the formula stated therein to the extent necessary to comply with all obligations to or for the benefit of holders of bonds, revenue certificates and tax anticipation certificates or any refundings thereof secured by any portion of the “second gas tax.”

(3) No funds anticipated to be allocated under the formula stated in Article IX, Section 16, of the Constitution of 1885, as amended, shall be pledged as security for any obligation hereafter issued or entered into, except that any outstanding obligations previously issued pledging revenues allocated under said Article IX, Section 16, may be refunded at a lower average net interest cost rate by the issuance of refunding bonds, maturing not later than the obligations refunded, secured by the same revenues and any other security authorized in paragraph (5) of this subsection.

(4) Subject to the requirements of paragraph (2) of this subsection and after payment of administrative expenses, the “second gas tax” shall be allocated to the account of each of the several counties in the amounts to be determined as follows: There shall be an initial allocation of one-fourth in the ratio of county area to state area, one-fourth in the ratio of the total county population to the total population of the state in accordance with the latest available federal census, and one-half in the ratio of the total “second gas tax” collected on retail sales or use in each county to the total collected in all counties of the state during the previous fiscal year. If the annual debt service requirements of any obligations issued for any county, including any deficiencies for prior years, secured under paragraph (2) of this subsection, exceeds the amount which would be allocated to that county under the formula set out in this paragraph, the amounts allocated to other counties shall be reduced proportionately.

(5) Funds allocated under paragraphs (2) and (4) of this subsection shall be administered by the state board of administration created under *Article IV, Section 4* ~~said Article IX, Section 16, of the Constitution of 1885, as amended, and which is continued as a body corporate for the life of this subsection~~ *9(e)*. The board shall remit the proceeds of the “second gas tax” in each county account for use in said county as follows: eighty per cent to the state agency supervising the state road system and twenty per cent to the governing body of the county. The percentage allocated to the county may be increased by general law. The proceeds of the “second gas tax” subject to allocation to the several counties under this paragraph (5) shall be used first, for the payment of obligations pledging revenues allocated pursuant to Article IX, Section 16, of the Constitution of 1885, as amended, and any refundings thereof; second, for the payment of debt service on bonds issued as provided by this

paragraph (5) to finance the acquisition and construction of roads as defined by law; and third, for the acquisition and construction of roads and for road maintenance as authorized by law. When authorized by law, state bonds pledging the full faith and credit of the state may be issued without any election: (i) to refund obligations secured by any portion of the "second gas tax" allocated to a county under Article IX, Section 16, of the Constitution of 1885, as amended; (ii) to finance the acquisition and construction of roads in a county when approved by the governing body of the county and the state agency supervising the state road system; and (iii) to refund obligations secured by any portion of the "second gas tax" allocated under paragraph 9(c)(4). No such bonds shall be issued unless a state fiscal agency created by law has made a determination that in no state fiscal year will the debt service requirements of the bonds and all other bonds secured by the pledged portion of the "second gas tax" allocated to the county exceed seventy-five per cent of the pledged portion of the "second gas tax" allocated to that county for the preceding state fiscal year, of the pledged net tolls from existing facilities collected in the preceding state fiscal year, and of the annual average net tolls anticipated during the first five state fiscal years of operation of new projects to be financed, and of any other legally available pledged revenues collected in the preceding state fiscal year. Bonds issued pursuant to this subsection shall be payable primarily from the pledged tolls, the pledged portions of the "second gas tax" allocated to that county, and any other pledged revenue, and shall mature not later than forty years from the date of issuance.

Section 6. Section 22 is added to Article XII of the Florida Constitution to read:

ARTICLE XII
SCHEDULE

SECTION 22. Executive branch reform.—The amendments contained in this revision shall take effect January 7, 2003, but shall govern with respect to the qualifying for and the holding of the primary elections in 2002. The offices of chief financial officer, attorney general, and commissioner of agriculture shall be new offices as a result of this revision.

Commissioner Langley moved the following amendment to Amendment 1 which was adopted:

Amendment 1A—On page 8, lines 6 and 7, delete all of said lines and insert: primary elections in 2002. The office of chief financial officer shall be a new office as a result of this revision

Commissioner Henderson moved the following amendment to Amendment 1 which was adopted:

Amendment 1B—On page 3, line 7, delete "commissioner of agriculture"

Amendment 1 as amended was adopted.

The vote was:

Yeas—31

Table with 4 columns: Mr. Chairman, Connor, Kogan, Rundle; Alfonso, Crenshaw, Langley, Scott; Argiz, Evans, Lowndes, Smith; Barkdull, Evans-Jones, Marshall, Thompson; Barnett, Ford-Coates, Mathis, West; Barton, Freidin, Mills, Wetherington; Brochin, Henderson, Nabors, Zack; Butterworth, Jennings, Riley

Nays—1

Sundberg

The Style and Drafting Committee recommended the following amendment to the proposal as engrossed which was moved by Commissioner Lowndes and adopted:

Amendment 2—On page 4, line 24, after "of" insert: free

On motion by Commissioner Alfonso, Committee Substitute for Proposals 159, 163 and 182 as amended was adopted, ordered engrossed and then recommitted to the Style and Drafting Committee. The vote was:

Yeas—22

Table with 4 columns: Mr. Chairman, Butterworth, Marshall, Smith; Alfonso, Evans-Jones, Mathis, Thompson; Argiz, Freidin, Mills, Wetherington; Barkdull, Kogan, Nabors, Zack; Barnett, Langley, Riley; Brochin, Lowndes, Rundle

Nays—10

Table with 4 columns: Barton, Evans, Jennings, Sundberg; Connor, Ford-Coates, Scott, West; Crenshaw, Henderson

At the request of five members of the Commission—

Proposal 168—A proposal to revise ARTICLE IV, s. 6, Fla. Const.; providing that an entity purportedly within an executive department which is not subject to the direct supervision of the agency head is a department; providing that the amendment does not affect the status of such entities to issue revenue bonds before a specified date; creating ARTICLE IV, s. 14, Fla. Const.; creating a State Board of Agriculture; providing for the board to appoint the Commissioner of Agriculture; creating ARTICLE IV, s. 15, Fla. Const.; providing for establishment of the office of custodian of state records; providing for duties of the office; creating ARTICLE XII, s. 23, Fla. Const.; providing that the amendment does not affect the status of such entities in existence on the effective date of the adoption of the amendment.

—was read and further consideration was deferred.

At the request of five members of the Commission—

Committee Substitute for Proposal 166—A proposal to revise ARTICLE IX, s. 2, Fla. Const.; providing for the appointment of the State Board of Education by the Governor and the appointment of the Commissioner of Education by the State Board of Education.

—was read and considered by the Commission.

MOTION

On motion by Commissioner Barkdull, time of recess was extended until completion of all proposals on the calendar.

Commissioner Riley moved the following amendment to the proposal as engrossed which was adopted:

Amendment 1—On page 1, line 23, insert:

Section 2. Section 22 of Article XII of the Florida Constitution is added to read:

ARTICLE XII
SCHEDULE

SECTION 22. State board of education and cabinet reform.—If in the general election of 1998, the proposal offered by the constitution revision commission on cabinet reform should fail to be adopted, and the proposal offered by the constitution revision commission on reform of the state board of education is passed, the following conforming amendments to Article IV, section 5 shall be made:

SECTION 5. Election of governor, lieutenant governor and cabinet members; qualifications; terms.—

(a) At a state-wide general election in each calendar year the number of which is even but not a multiple of four, the electors shall choose a governor and a lieutenant governor and members of the cabinet other than the commissioner of education, each for a term of four years beginning on the first Tuesday after the first Monday in January of the succeeding year. In the general election and in party primaries, if held, all candidates for the offices of governor and lieutenant governor shall form joint candidacies in a manner prescribed by law so that each voter shall cast a single vote for a candidate for governor and a candidate for lieutenant governor running together.

(b) When elected, the governor, lieutenant governor and each cabinet member *other than the commissioner of education*, must be an elector not less than thirty years of age who has resided in the state for the preceding seven years. The attorney general must have been a member of the bar of Florida for the preceding five years. No person who has, or but for resignation would have, served as governor or acting governor for more than six years in two consecutive terms shall be elected governor for the succeeding term.

The vote was:

Yeas—17

Alfonso	Butterworth	Mills	Wetherington
Argiz	Connor	Nabors	Zack
Barkdull	Freidin	Riley	
Barnett	Langley	Smith	
Brochin	Marshall	Thompson	

Nays—8

Barton	Evans	Jennings	Sundberg
Crenshaw	Ford-Coates	Scott	West

Commissioner Riley moved **Committee Substitute for Proposal 166** as amended which failed to receive the required 22 votes. The vote was:

Yeas—16

Barkdull	Freidin	Nabors	Sundberg
Barnett	Kogan	Riley	Thompson
Brochin	Marshall	Rundle	Wetherington
Butterworth	Mills	Smith	Zack

Nays—13

Alfonso	Crenshaw	Ford-Coates	Lowndes
Argiz	Evans	Jennings	Scott
Barton	Evans-Jones	Langley	West
Connor			

**Proposal 4**—A proposal to revise 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.

—was read. No further action was taken and **Proposal 4** was recommitted to the Style and Drafting Committee.

Consideration of **Proposal 8** was deferred.

**Proposal 25**—A proposal to revise 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.

—was read. No further action was taken and **Proposal 25** was recommitted to the Style and Drafting Committee.

**Proposal 32**—A proposal to revise ARTICLE VI, s. 2, Fla. Const.; reducing the voting age to eighteen.

—was read. No further action was taken and **Proposal 32** was recommitted to the Style and Drafting Committee.

**Proposal 35**—A proposal to revise 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.

—was read. No further action was taken and **Proposal 35** was recommitted to the Style and Drafting Committee.

**Proposal 37**—A proposal to revise the Florida Constitution by adopting language that is not gender-specific.

—was read. No further action was taken and **Proposal 37** was recommitted to the Style and Drafting Committee.

At the request of five members of the Commission—

**Proposal 44**—A proposal to revise 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.

—was read and considered by the Commission.

The Style and Drafting Committee recommended the following amendment which was moved by Commissioner Alfonso and adopted:

**Amendment 1**—On page 1, lines 25 and 26, delete “*Court of Appeal for the Uniform Services*” and insert: *Court of Appeals for the Armed Forces*

On motion by Commissioner Langley, **Proposal 44** as amended was adopted, ordered engrossed and then recommitted to the Style and Drafting Committee. The vote was:

Yeas—26

Mr. Chairman	Butterworth	Langley	Sundberg
Alfonso	Connor	Lowndes	Thompson
Argiz	Crenshaw	Marshall	West
Barkdull	Evans	Mills	Wetherington
Barnett	Evans-Jones	Nabors	Zack
Barton	Ford-Coates	Riley	
Brochin	Kogan	Smith	

Nays—None

**Committee Substitute for Proposals 112 and 124**—A proposal to revise ARTICLE VII, s. 3, Fla. Const.; providing for an exemption from ad valorem taxation for certain tangible personal property.

—was read. No further action was taken and **Committee Substitute for Proposals 112 and 124** was recommitted to the Style and Drafting Committee.

**Committee Substitute for Proposal 133**—A proposal to revise ARTICLE III, s. 19(d), Fla. Const.; providing guidelines for the public review period for general appropriation acts.

—was read. No further action was taken and **Committee Substitute for Proposal 133** was recommitted to the Style and Drafting Committee.

**Proposal 153**—A proposal to revise ARTICLE V, s. 12, Fla. Const.; providing for membership of the judicial qualifications commission.

—was read. No further action was taken and **Proposal 153** was recommitted to the Style and Drafting Committee.

**Proposal 179**—A proposal to revise 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.

—was read. No further action was taken and **Proposal 179** was recommitted to the Style and Drafting Committee.

At the request of five members of the Commission—

**Proposal 8**—A proposal to revise ARTICLE III, s. 8, Fla. Const.; increasing the length of time within which the governor may veto legislation.

—was read and considered by the Commission.

Commissioner Barkdull moved **Proposal 8** which failed to receive the required 22 votes. The vote was:

Yeas—21

Mr. Chairman	Connor	Mills	Thompson
Alfonso	Evans-Jones	Nabors	Wetherington
Barkdull	Ford-Coates	Riley	Zack
Barnett	Freidin	Rundle	
Brochin	Kogan	Smith	
Butterworth	Lowndes	Sundberg	

Nays—6

Barton	Evans	Marshall	West
Crenshaw	Langley		

The Commission resumed consideration of—

**Proposal 168**—A proposal to revise ARTICLE IV, s. 6, Fla. Const.; providing that an entity purportedly within an executive department which is not subject to the direct supervision of the agency head is a department; providing that the amendment does not affect the status of such entities to issue revenue bonds before a specified date; creating ARTICLE IV, s. 14, Fla. Const.; creating a State Board of Agriculture; providing for the board to appoint the Commissioner of Agriculture; creating ARTICLE IV, s. 15, Fla. Const.; providing for establishment of the office of custodian of state records; providing for duties of the office; creating ARTICLE XII, s. 23, Fla. Const.; providing that the amendment does not affect the status of such entities in existence on the effective date of the adoption of the amendment.

—which was previously considered this day.

The Style and Drafting Committee recommended the following amendment to the proposal as engrossed which was moved by Commissioner Mills:

**Amendment 1**—On page 3, lines 4-17, delete all of said lines

Commissioner Mills moved the following substitute amendment to the proposal as engrossed which was adopted:

**Amendment 2**—On page 3, lines 4-10, delete all of said lines

Commissioner Mills moved **Proposal 168** as amended which failed to receive the required 22 votes. The vote was:

Yeas—18

Alfonso	Evans-Jones	Mills	Thompson
Barkdull	Ford-Coates	Riley	West
Connor	Kogan	Rundle	Wetherington
Crenshaw	Langley	Smith	
Evans	Marshall	Sundberg	

Nays—6

Barnett	Butterworth	Lowndes	Nabors
Barton	Freidin		

**CORRECTION AND APPROVAL OF JOURNAL**

The Journal of February 27 was corrected and approved.

**RECESS**

On motion by Commissioner Barkdull, the Commission recessed at 6:36 p.m. for the purpose of holding committee meetings and conducting other Commission business to reconvene at 9:00 a.m., Monday, March 23.

**PAGES**

March 17

Susan Evans, Orlando; Elizabeth Provow, Grayton Beach; Stephanie Provow, Grayton Beach; Rachel Tanner, Orlando; Sara Tanner, Orlando

---

**CONSTITUTION REVISION COMMISSION  
B-11 HISTORIC CAPITOL  
400 SOUTH MONROE STREET  
TALLAHASSEE, FLORIDA 32399-1300**