



Calendar for the Florida Constitution Revision Commission

January 12, 1998



THE COMMISSION WILL CONVENE ON

Monday, January 12, 1998
1:00 p.m.—6:00 p.m.

Tuesday, January 13, 1998
8:30 a.m.—9:00 a.m.
1:00 p.m.—6:00 p.m.

Wednesday, January 14, 1998
8:30 a.m.—2:00 p.m.

Thursday, January 15, 1998
8:30 a.m.—6:00 p.m.

Friday, January 16, 1998
8:30 a.m.—1:00 p.m.

Schedule for the week of January 12 - 16, 1998

(This is a schedule of times and places set by the Committee on Rules and Administration and is subject to change.)

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
January 12, 1998	January 13, 1998	January 14, 1998	January 15, 1998	January 16, 1998
9:00-12:00 Declaration of Rights (Article I) Rm. 309	8:30-9:00 SESSION 9:00-12:00 Bonding and Investments (Article VII) Rm. C Declaration of Rights (Article I) Rm. 309 Executive (Article IV) Rm. A Finance and Taxation (Article VII) Rm. EL Judicial (Article V) Rm. 301	8:30-2:00 SESSION	8:30-6:00 SESSION	8:30-1:00 SESSION
12:00-1:00 Lunch	12:00-1:00 Lunch	(Lunch provided in Lounge)	(Lunch provided in Lounge)	
1:00-6:00 SESSION 6:00-6:30 Rules and Admin. Rm. 309 6:30-8:00 Select Com. on Article V Costs Rm. 301	1:00-6:00 SESSION 6:00-6:30 Rules and Admin. Rm. 309 6:00-8:00 Additional committee meetings (if necessary)	2:00-5:00 Education (Article IX) Rm. EL Ethics and Elections (Article VI, Part of Article II) Rm. C General Provisions (Articles II, X, XI, and XII) Rm. A Legislative (Article III) Rm. 301 Local Government (Article VIII) Rm. 309 5:00-5:30 Rules & Admin. Rm. 309 5:30-8:00 Additional committee meetings (if necessary)	6:00-6:30 Rules and Admin. Rm. 309 6:00-8:00 Additional committee meetings (if necessary)	

COMMITTEE MEETINGS

MONDAY, JANUARY 12, 1998

DECLARATION OF RIGHTS: 9:00 a.m.—12:00 noon,
Room 309 (Capitol):

Punishment for crimes:

Proposal 144 Punishment for crimes (Barnett)

Abortion:

Proposal 97 Partial birth abortion (Evans)
Proposal 107 Parental notification (Connor)

SELECT COMMITTEE ON ARTICLE V COSTS:

6:30 p.m.—8:00 p.m., Room 301 (Capitol):

Discussion of Article V Costs

TUESDAY, JANUARY 13, 1998

BONDING AND INVESTMENTS: 9:00 a.m.—12:00 noon,
Room C (Senate Office Building):

Proposal 129 Credit for sports franchises (Marshall)

DECLARATION OF RIGHTS: 9:00 a.m.—12:00 noon,
Room 309 (Capitol):

Equal opportunity:

Proposal 2 Equal Opportunity (Sundberg)

Fees/cost if acquitted:

Proposal 3 Assessment of fees if acquitted (Riley)

Protected classes:

Proposal 11 Gender (Freidin)
Proposal 86 Women (Freidin)

Parental rights:

Proposal 104 Parental rights (Evans)

Conjugal visitation:

Proposal 141 Conjugal visitation (Mathis)

Privacy:

Proposal 171 Privacy from non-governmental intrusion (Mills)

Natural person:

Proposal 125 Unborn (Mathis)
Proposal 126 Conception - death (Mathis)

EXECUTIVE: 9:00 a.m.—12:00 noon, Room A (Senate Office
Building):

Civil rights/clemency:

Proposal 122 Restoration of civil rights (Barkdull)

Cabinet reform:

Proposal 159 Cabinet (Mathis)
Proposal 163 Cabinet (Evans-Jones)
Proposal 165 Cabinet (Corr)
Proposal 166 Cabinet (Riley)
Proposal 117 Appointed St. Board of Education (Corr)
Proposal 101 Cabinet Reform (Evans-Jones)
Proposal 113 Lt. Gov. Cabinet reform (Evans-Jones)
Proposal 182 Cabinet (Riley)

Citizen's advocate:

Proposal 170 Citizen's advocate (Mills)

Public Service Commission:

Proposal 174 Public Service Commission (Sundberg)

FINANCE AND TAXATION: 9:00 a.m.—12:00 noon,
Room EL (Senate Office Building):

Sales tax:

Proposal 6 Sales tax exemptions (Nabors)
Proposal 121 Unified state tax (Freidin)

Water departments:

Proposal 26 Water management departments (Langley)

Income tax:

Proposal 33 Income Tax (Barnett)

Seaport/airports:

Proposal 41 Seaports/airports (Mathis)
Proposal 185 Seaports/airports (Mills)

Municipal property:

Proposal 49 Municipal property not taxed (Anthony)
Proposal 103 Municipal property - taxation (Henderson)
Proposal 106 Tax exemption - government property (Hawkes)

Partial year assessments:

Proposal 51 Partial-year assessments (Anthony)

Local government mandate:

Proposal 99 Local government - mandates (Langley)

Conservation tax exemption:

Proposal 109 Conservation tax exemption (Mills)

Tangible personal property:

Proposal 112 Tangible personal property (Mills)
Proposal 124 Tangible personal property (Ford-Coates)

Redevelopment credit:

Proposal 136 Redevelopment/in-fill (Henderson)

Tax Immunity:

Proposal 137 Tax immunity (Evans-Jones)

Limitation on assessments:

Proposal 180 Save Our Homes (Brochin)

JUDICIAL: 9:00 a.m.—12:00 noon, Room 301 (Capitol):

Proposal 169 Criminal appellate court (Hawkes)

WEDNESDAY, JANUARY 14, 1998

EDUCATION: 2:00 p.m.—5:00 p.m., Room EL (Senate Office Building):

School districts:

Proposal 40 Divided school districts (Marshall)
Proposal 139 Single-member school districts (Mathis)

Lottery funds:

Proposal 54 Lottery funds (Zack)
Proposal 89 Lottery Funds (Riley)
Proposal 138 Lottery funds (Nabors)
Proposal 143 Lottery funds (Sundberg)

Education as fundamental right:

Proposal 181 Education as fundamental right (Brochin)

Free college:

Proposal 140 Free college (Mathis)

ETHICS AND ELECTIONS: 2:00 p.m.—5:00 p.m., Room C (Senate Office Building):

Public financing:

Proposal 16 Public financing (Douglass)

Recall elections:

Proposal 42 Recall elections (Mathis)

Election of judges:

Proposal 74 Election of judges (Langley)

Campaign contributions:

Proposal 76 Campaign contributions (Sundberg)
Proposal 186 Limiting political contributions (Thompson)

County elections:

Proposal 173 Non-partisan county elections (Riley)

Ballot access:

Proposal 178 Electoral Participation (Connor)

Elections fraud:

Proposal 184 Improper conduct in connection with elections (Mills)

GENERAL PROVISIONS: 2:00 p.m.—5:00 p.m., Room A (Senate Office Building):

Environmental:

Proposal 36 Clean air/water (Henderson)
Proposal 38 Environmental bill of rights (Mills)
Proposal 102 Disposition of land (Henderson)

Eminent domain:

Proposal 83 Eminent Domain (Corr)

Initiatives:

Proposal 130 Initiatives (Barkdull)
Proposal 132 Initiatives (Barkdull)
Proposal 154 Modify initiatives (Barkdull)
Proposal 160 Initiatives (Smith)
Proposal 164 Initiatives (Freidin)

LEGISLATIVE: 2:00 p.m.—5:00 p.m., Room 301 (Capitol):

Session:

Proposal 134 Length of Session (Marshall)

Legislative immunity:

Proposal 90 Legislative Immunity (Hawkes)

Term limits:

Proposal 105 Term limits (Planas)

Apportionment:

Proposal 148 Apportionment (Barkdull)
Proposal 155 Apportionment (Scott)
Proposal 162 Apportionment (Evans-Jones)
Proposal 172 Apportionment (Thompson)

General bill relating to Article III:

Proposal 150 Legislature (Scott)

Time to review vetoes:

Proposal 179 Veto-legislature (Thompson)

Conversion of constitutional provisions:

Proposal 183 Conversion of constitutional provisions into general law (Brochin)

LOCAL GOVERNMENT: 2:00 p.m.—5:00 p.m., Room 309 (Capitol):

Proposal 92 Non-charter counties (Anthony)

Proposal 100 Create/abolish municipalities (Anthony)

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

PROPOSED SPECIAL ORDER CALENDAR FOR MONDAY, JANUARY 12, 1998

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.

—recommended as a Committee Substitute and approved by the Committee on Legislative (Article III)

Proposal 123 by Commissioner Barkdull—

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

—approved by the Committee on General Provisions

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.

—approved by the Committee on General Provisions

Proposal 5 by Commissioner Planas—

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

—approved by the Committee on Declaration of Rights (Article I)

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."

—recommended as a Committee Substitute and approved by the Committee on Declaration of Rights (Article I)

Proposal 17 by Commissioner Riley—

ARTICLE I, s. 2, Fla. Const.; providing that no person shall be deprived of any right because of gender or sexual orientation.

—disapproved by the Committee on Declaration of Rights (Article I)

Proposal 153 by Commissioner Barkdull—

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

—approved by the Committee on Judicial (Article V)

Proposal 60 by Commissioner Langley—

ARTICLE V, s. 2, Fla. Const.; providing for the cross-assignment of judges.

—approved by the Committee on Judicial (Article V)

Committee Substitute for Proposal 108 by the Committee on Judicial and Commissioner Connor—

ARTICLE VI, s. 4, and ARTICLE V, s. 10, Fla. Const.; providing that judicial officers may not hold

office for more than eight consecutive years; reducing the terms of office for certain judicial officers.

—recommended as a Committee Substitute and disapproved by the Committee on Judicial (Article V)

Proposal 94 by Commissioner Evans—

ARTICLE V, s. 10, Fla. Const.; providing that candidates for judicial office may not be precluded from taking a public position on issues.

—disapproved by the Committee on Judicial (Article V)

Proposal 37 by Commissioner Freidin—

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

—approved by the Committee on General Provisions (Articles II, X, XI, and XII)

Proposal 27 by Commissioner Riley—

ARTICLE X, s. 18, Fla. Const.; providing duties of boards of trustees or fiduciaries of public employees' retirement systems.

—approved by the Committee on General Provisions (Articles II, X, XI, and XII)

Proposal 56 by Commissioner Zack—

ARTICLE I, Fla. Const.; adding s. 26 to that article; providing that every minor child who is a resident of this state must be provided with medical care, irrespective of the family's ability to pay for the care.

—disapproved by the Committee on Declaration of Rights (Article I)

Proposal 95 by Commissioner Evans—

ARTICLE I, s. 16, Fla. Const.; requiring that the state reimburse a person charged with a crime for the costs of a successful defense whenever the charges are dismissed or the person is acquitted.

—disapproved by the Committee on Judicial (Article V)

Proposal 120 by Commissioner Henderson—

ARTICLE VII, s. 9, Fla. Const.; providing a statewide millage cap for water management purposes.

—approved by the Committee on General Provisions

Committee Substitute for Proposal 21 by the Committee on Declaration of Rights and Commissioner Rundle—

ARTICLE I, s. 22, Fla. Const.; providing that a party to an action to establish paternity does not have a right to a trial by jury.

—recommended as a Committee Substitute and approved by the Committee on Declaration of Rights (Article I)

Proposal 24 by Commissioner Rundle—

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.

—approved by the Committee on Declaration of Rights (Article I)

Proposal 39 by Commissioner Henderson—

ARTICLE X, Fla. Const.; creating the Florida Land and Water Conservation Trust Fund and providing for its source of funds and purposes.

—disapproved by the Committee on Bonding and Investments (Article VII)

Proposal 151 by Commissioner Barkdull—

ARTICLE XII, s. 9(a)(1), Fla. Const.; extending the period during which the Land Acquisition Trust Fund shall continue to exist following its creation by the 1963 Legislature.

—disapproved by the Committee on Bonding and Investments (Article VII)

Proposal 91 by Commissioner Hawkes—

ARTICLE VII, s. 4, Fla. Const.; providing for certain pollution control devices to be classified by general law and assessed solely on the basis of character or use.

—disapproved by the Committee on Bonding and Investments (Article VII)

Proposal 96 by Commissioner Nabors—

ARTICLE I, s. 5, Fla. Const.; prescribing types of communication that are within the purview of the people's right to instruct their representatives.

—approved by the Committee on Local Government

Proposals Placed on Calendar

Committee Substitute for Proposal 13 by the Committee on Declaration of Rights and Commissioner Brochin—

ARTICLE I, s. 22, Fla. Const.; providing that a defendant charged with a capital offense may not be sentenced to death unless such sentence is recommended by 9 members of a jury of 12 persons.

—recommended as a Committee Substitute and approved by the Committee on Declaration of Rights (Article I)

—Consideration deferred until the January 1998 meetings

Proposal 23 by Commissioner Rundle—

ARTICLE X, s. 4, Fla. Const.; providing an exception to the exemption from the forced sale of homestead property for property acquired or improved with the proceeds of felonious criminal activity or used in the commission of felonious criminal acts.

—disapproved by the Committee on General Provisions (Articles II, X, XI, and XII)

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

ARTICLE V, s. 14, Fla. Const., and create ARTICLE V, s. 21, Fla. Const.; providing for salaries, costs, and expenses of the judiciary, state attorneys, public defenders, and clerks of the circuit court, and their respective staff, 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; requiring the Legislature to appropriate funds according to a phase-in schedule established by general law; authorizing the Legislature to require that counties remit fines, cost, and forfeitures for the purpose of funding the operation of the judiciary, state attorneys, and public defenders.

—recommended as a Committee Substitute and approved by the Committee on Judicial (Article V)

—consideration deferred until the January 1998 meetings

Proposal 46 by Commissioner Anthony—

ARTICLE X, s. 13, Fla. Const.; providing for suits against state agencies, counties, school districts, municipalities, special districts,

and other political subdivisions.

—disapproved by the Committee on Declaration of Rights (Article I)

Proposal 50 by Commissioner Anthony—

ARTICLE VII, s. 1, Fla. Const.; authorizing a county or municipality to levy a tax within its boundaries pursuant to ordinance; providing for any such tax to apply only within the unincorporated area of the county.

—disapproved by the Committee on Local Government (Article VIII)

Proposal 52 by Commissioner Anthony—

ARTICLE VII, s. 6, Fla. Const.; exempting the owner of homestead property from payment of ad valorem taxes upon half of the first \$50,000 in value of such property.

—disapproved by the Committee on Finance and Taxation (Article VII)

Proposal 59 by Commissioner Zack—

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.

—approved by the Committee on Judicial (Article V)

Proposal 63 by Commissioner Connor—

ARTICLE II, s. 8, Fla. Const.; strengthening the powers of the Florida Commission on Ethics.

—disapproved by the Committee on Ethics and Elections

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.

—recommended as a Committee Substitute and approved by the Committee on Bonding and Investments (Article VII)

Committee Substitute for Proposal 69 by the Committee on Executive and Commissioner Riley—

ARTICLE IV, ss. 4, 5, Fla. Const.; providing for the appointment of the Commissioner of Education.

—recommended as a Committee Substitute and approved by the Committee on Executive (Article IV)

Proposal 72 by Commissioner Mills—

ARTICLE III, s. 26, Fla. Const.; providing for the revision or amendment of statutory law through the initiative process.

—disapproved by the Committee on General Provisions

Committee Substitute for Proposal 77 by the Committee on Declaration of Rights and Commissioner Freidin—

ARTICLE X, s. 13, Fla. Const.; abolishing sovereign immunity in contract and in tort.

—recommended as a Committee Substitute and approved by the Committee on Declaration of Rights (Article I)

Committee Substitute for Proposal 81 by the Committee on Ethics and Elections and Commissioner Rundle—

ARTICLE XI, s. 3, 5, Fla. Const.; authorizing the use of random samples to verify names on initiative petitions and providing procedures for submitting and verifying petitions.

—recommended as a Committee Substitute and approved by the Committee on Ethics and Elections (Article VI, Part of Article II)

Proposal 88 by Commissioner Freidin—

ARTICLE III, s. 3, Fla. Const.; increasing the length of the regular legislative session and including a mandatory recess; deleting authorization for extending a regular session; deleting limits on business that may be taken up during an extended special session.

—disapproved by the Committee on Legislative

Proposal 98 by Commissioner Planas—

ARTICLE III, s. 15, Fla. Const.; requiring additional qualifications of candidates for, and members of, the state legislature.

—disapproved by the Committee on Legislative

Proposal 116 by Commissioner Corr—

ARTICLE IX, Fla. Const.; revising s. 6 to provide funding for an educational scholarship fund; adding s. 7 to authorize the creation of an education scholarship fund.

—disapproved by the Committee on Finance and Taxation

Proposal 118 by Commissioner Corr—

ARTICLE X, s. 15, Fla. Const.; providing that lotteries may be operated by the state for the sole purpose of raising proceeds to enhance funding for public education programs; providing that proceeds be appropriated directly to school advisory councils for the sole purpose of enhancing school programs.

—approved by the Committee on Education

Proposal 119 by Commissioner Corr—

ARTICLE IX, s. 6, Fla., Const.; amending the eligibility requirements for receiving state school funds.

—disapproved by the Committee on Education

Proposal 127 by Commissioner Ford-Coates—

ARTICLE VIII, s. 2, Fla. Const.; providing that a municipality may be abolished only by vote of the electors of the municipality.

—disapproved by the Committee on Local Government

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.

—recommended as a Committee Substitute and approved by the Committee on Finance and Taxation (Article VII)

Proposal 135 by Commissioner Henderson—

ARTICLE VII, s. 4, Fla. Const.; adding lands used for conservation purposes to those lands that may by law be assessed for tax purposes on the basis of their character or use.

—approved by the Committee on Finance and Taxation (Article VII)

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.

—recommended as a Committee Substitute and approved by the Committee on Education (Article IX)

Proposal 161 by Commissioner Brochin—

ARTICLE III, s. 4, Fla. Const.; deleting the authority of each house of the Legislature to be the sole judge for the interpretation, implementation, and enforcement of section 4 of Article III of the constitution.

—disapproved by the Committee on Legislative

Proposal 167 by Commissioner Rundle—

ARTICLE VIII, s. 5, Fla. Const.; providing for the electors of a county to regulate the possession, purchase, and sale of firearms; providing that a county may not prohibit the possession, purchase, and sale of firearms and ammunition.

—approved by the Committee on Local Government

Proposal 168 by Commissioner Corr—

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.

—approved by the Committee on Executive (Article IV)