



Calendar for the Florida Constitution Revision Commission



Wednesday, February 11, 1998

THE COMMISSION WILL CONVENE ON
 Wednesday, February 11, 1998
 9:00 a.m.—12:00 noon
 1:00 p.m.—5:00 p.m.
 Thursday, February 12, 1998
 9:00 a.m.—1:00 p.m.

Schedule for the week of February 9 - 13, 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
February 9, 1998	February 10, 1998	February 11, 1998	February 12, 1998	February 13, 1998
<u>11:00-1:00</u> Select Com. on Sovereign Immunity Rm. 317 Select Com. on Article V Costs Rm. 214	<u>9:00-12:00</u> SESSION <u>12:00-1:00</u> Select Com. on Article V Costs Rm. TBA	<u>7:30-9:00</u> Style and Drafting Rm. 317 <u>9:00-12:00</u> SESSION	<u>9:00-1:00</u> SESSION	
<u>12:00-1:00</u> Lunch	<u>12:00-1:00</u> Lunch	<u>12:00-1:00</u> Lunch		
<u>1:00-5:00</u> SESSION <u>5:00-7:00</u> Select Com. on Initiatives Rm. 214	<u>1:00-5:00</u> SESSION <u>5:00-7:00</u> Select Com. on Sovereign Immunity Rm. 317	<u>1:00-5:00</u> SESSION <u>5:00-6:00</u> Rules and Admin. Rm. 317		

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

MATTERS ON RECONSIDERATION

Proposal 2 by Commissioner Sundberg—

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 (eg1).

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

—adopted as amended, ordered engrossed and committed to the Style and Drafting Committee (February 9, 1998)

—with pending motion to reconsider by Commissioner Barkdull (February 10, 1998)

Committee Substitute for Proposal 6 by the Committee on Finance and Taxation (Article VII) and Commissioner Nabors—

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 (eg1).

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

—adopted as amended, ordered engrossed and committed to the Style and Drafting Committee (February 9, 1998)

—with pending motion to reconsider by Commissioner Barkdull (February 10, 1998)

Proposal 144 by Commissioner Barnett—

ARTICLE I, s. 17, Fla. Const.; relating to punishment for crime.

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

—adopted and committed to the Style and Drafting Committee (January 28, 1998)

—with pending motion to reconsider by Commissioner Mills (February 9, 1998)

—motion to reconsider deferred until February 11, 1998 on motion of Commissioner Barkdull (February 10, 1998)

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

ARTICLE III, s. 16, Fla. Const., relating to legislative apportionment and create ARTICLE II, s. 10, Fla. Const.; providing for a commission to establish legislative and congressional districts; providing for the appointment of members to the commission; requiring that the chief justice of the supreme court fill certain vacancies on the commission; requiring meetings and records of the commission to be open to the public; providing certain exceptions; requiring that the commission file its final report with the secretary of the state within a specified period; requiring that the supreme court determine the validity of the plans; providing for the supreme court to establish the districts under specified circumstances; providing for the assignment of senatorial terms that are shortened as a result of apportionment; deleting requirements that the Legislature apportion the state into legislative districts (eg1).

—recommended as a Committee Substitute, combined with Proposal 162 and approved by the Committee on Legislative (Article III)

—adopted as amended, ordered engrossed and committed to the Style and Drafting Committee (February 9, 1998)

—with pending motion to reconsider by Commissioner Evans-Jones (February 10, 1998)

**SPECIAL ORDER CALENDAR
FOR WEDNESDAY, FEBRUARY 11, 1998**

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)

—failed, motion to reconsider by Commissioner Barnett adopted, Proposal reconsidered, adopted and committed to the Style and Drafting Committee (January 14, 1998)

—motion to reconsider by Commissioner Mills adopted and consideration deferred (January 26, 1998)

Committee Substitute for Proposals 138 and 89 by the Committee on Education (Article IX) and Commissioners Nabors and Riley—

ARTICLE X, s. 15, Fla. Const.; limiting the use of state lottery net proceeds to financing certain educational facilities or funding early childhood care and education programs. (eg1)

—recommended as a Committee Substitute, combined with Proposal 89 and approved by the Committee on Education (Article IX)

—adopted as amended, ordered engrossed and committed to the Style and Drafting Committee, consideration deferred with pending motion to reconsider by Commissioner Alfonso (January 28, 1998), motion adopted and consideration deferred (February 9, 1998)

—with pending amendment # 1 (as amended) by Commissioners Riley, Sundberg and Nabors (February 10, 1998)

Proposal 130 by Commissioner Barkdull—

ARTICLE XI, s. 3, Fla. Const.; requiring an initiative petition to be signed by a specified percentage of the electors from each congressional district.

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

—with pending amendment # 1 by Commissioner Freidin (February 10, 1998)

Proposal 65 by Commissioner Langley—

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 (Articles II, X, XI, and XII)

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 (Articles II, X, XI, and XII)

Proposal 132 by Commissioner Barkdull—

ARTICLE XI, s. 3, Fla. Const.; increasing the percentage of electors who must sign an initiative petition.

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

Proposal 150 by Commissioner Scott—

ARTICLE III, Fla. Const., Legislature, to modify provisions governing the legislature.

—referred to the Committee on Legislative (Article III), withdrawn (January 15, 1998)

Proposal 160 by Commissioner Smith—

ARTICLE XI, s. 3, Fla. Const.; providing that, when a referendum to amend or revise the Florida Constitution which has been placed on the ballot by initiative is rejected, the subject matter of that referendum may not be the subject of a subsequent petition and initiative for a specified period

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

Proposal 164 by Commissioner Freidin—

ARTICLE XI, s. 5, Fla. Const.; requiring approval of an amendment or revision of the constitution by a three-fifths vote of the electors voting on the proposal.

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

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 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)

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

ARTICLE VII, s. 3, Fla. Const.; revising the requirements for exempting municipally owned property; allowing the Legislature to exempt from taxation property owned by a governmental entity and used for airport, seaport, or public purposes, as defined by law, and uses that are incidental thereto.

—recommended as a Committee Substitute, combined with Proposals 103 and 185, and approved by the Committee on Finance and Taxation (Article VII)

Committee Substitute for Proposals 106 & 137 by the Committee on Finance and Taxation (Article VII) and Commissioners Hawkes and Evans-Jones—

ARTICLE VII, s. 3(a), Fla. Const.; providing a tax exemption for certain property owned by any governmental entity; providing that certain property owned by a governmental entity may be taxable, as provided by general law; providing that no governmental entity shall have immunity from taxation under certain conditions.

—recommended as a Committee Substitute, combined with Proposal 137 and disapproved by the Committee on Finance and Taxation (Article VII)

Proposal 41 by Commissioner Mathis—

ARTICLE VII, s. 3, Fla. Const.; providing that certain property of a publicly owned and operated airport or seaport shall be taxed only to the extent that similar property owned by a county is taxed.

—referred to the Committee on Finance and Taxation (Article VII), withdrawn (January 28, 1998)

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)

—amended, consideration deferred and referred to the Select Committee on Article V Cost (November 14, 1997)

*****IF RECEIVED*****

Proposals Placed on Calendar

Committee Substitute for Proposal 109 by the Committee on Finance and Taxation (Article VII) and Commissioner Mills—

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

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