



Calendar for the Florida Constitution Revision Commission



Thursday, February 12, 1998

THE COMMISSION WILL CONVENE ON
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
11:00-1:00 Select Com. on Sovereign Immunity Rm. 317 Select Com. on Article V Costs Rm. 214	9:00-12:00 SESSION 12:00-1:00 Select Com. on Article V Costs Rm. TBA	7:30-9:00 Style and Drafting Rm. 317 9:00-12:00 SESSION 12:00-1:00 Style and Drafting Rm. 317 Select Com. on Sovereign Immunity Rm. 214	9:00-1:00 SESSION	
12:00-1:00 Lunch	12:00-1:00 Lunch	12:00-1:00 Lunch		
1:00-5:00 SESSION 5:00-7:00 Select Com. on Initiatives Rm. 214	1:00-5:00 SESSION 5:00-7:00 Select Com. on Sovereign Immunity Rm. 317	1:00-5:00 SESSION 5:00-6:00 Rules and Admin. (MC)*		

(MC)* = Meeting Cancelled

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)

—amended (1) and consideration deferred (January 27, 1998)

—adopted as amended (23-8), ordered engrossed and committed to the Style and Drafting Committee (February 9, 1998)

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

—motion to reconsider deferred until February 12, 1998 on motion of Commissioner Barkdull (February 11, 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 (20-12), ordered engrossed and committed to the Style and Drafting Committee (February 9, 1998)

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

—motion to reconsider deferred until February 12, 1998 on motion of Commissioner Barkdull (February 11, 1998)

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 (eg1).

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

—adopted as amended (16-13), ordered engrossed and committed to the Style and Drafting Committee (February 10, 1998)

—with pending motion to reconsider by Commissioner Riley (February 11, 1998)

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

ARTICLE VII, s. 3, Fla. Const.; revising the requirements for exempting municipally owned property; allowing the Legislature to exempt from taxation property owned by a municipality or special district and used for airport, seaport, or public purposes, as defined by law, and uses that are incidental thereto. (eg1)

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

—adopted (28-4) and committed to the Style and Drafting Committee (February 11, 1998)

—with pending motion to reconsider by Commissioner Connor (February 11, 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 (18-4) 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)

—motion to reconsider deferred until February 12, 1998 on motion of Commissioner Barkdull (February 11, 1998)

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; 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 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.(eg2)

—approved by the Committee on Executive (Article IV)

—adopted as amended, ordered engrossed and committed to the Style and Drafting Committee (January 15, 1998)

—motion to reconsider by Commissioner Barkdull adopted and consideration deferred (January 27, 1998)

—adopted as amended (18-5), ordered engrossed and committed to the Style and Drafting Committee (February 10, 1998)

—with pending motion to reconsider by Commissioner Barkdull (February 11, 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 (18-13), 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)

—motion to reconsider deferred until February 12, 1998 on motion of Commissioner Barkdull (February 11, 1998)

**SPECIAL ORDER CALENDAR
FOR THURSDAY, FEBRUARY 12, 1998**

Proposal 58 by Commissioner Zack—

ARTICLE I, s. 2, Fla. Const.; providing that a person may not be deprived of any right because of age.

—referred to the Committee on Declaration of Rights (Article I), withdrawn (February 11, 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 (1), consideration deferred and referred to the Select Committee on Article V Cost (November 14, 1997)

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

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 (1-22), 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)

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 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)

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)

—with pending amendments # 1 and substitute # 2 by Commissioners Lowndes, Zack, Morsani and Hawkes (February 11, 1998)

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)