



Calendar for the Florida Constitution Revision Commission



November 12, 1997

THE COMMISSION WILL CONVENE ON

Wednesday, November 12, 1997

9:00 a.m.—9:30 a.m.

Thursday, November 13, 1997

9:00 a.m.— 12:00 noon

afternoon session to be announced

Friday, November 14, 1997

9:00 a.m.—until completion

Schedule for the week of November 10 - 14, 1997

(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
November 10, 1997	November 11, 1997	November 12, 1997	November 13, 1997	November 14, 1997
	Veterans Day	<u>9:00-9:30</u> SESSION <u>9:30-1:00</u> Bonding and Invests. (NM)* Declaration of Rights Rm. 309 Executive Rm. A Finance and Taxation Rm. EL Judicial Rm. 301	<u>9:00-12:00</u> SESSION	<u>9:00-until completion</u> Session/ Committee Meetings (To Be Announced)
		<u>1:00-2:00</u> LUNCH	<u>12:00-1:00</u> LUNCH	LUNCH--TBA
		<u>2:00-until completion of agenda</u> Education Rm. EL Ethics and Elections Rm. 301 General Provisions Rm. A Legislative Rm. C Local Gov. Rm. 309 <u>5:00-6:00</u> Rules and Admin. Rm. B	Session/ Committee Meetings (To Be Announced) <u>4:00-until completion of agenda</u> Declaration of Rights Rm. 309 <u>5:00-6:00</u> Rules and Admin. Rm. H	

(NM)* = Not Meeting

COMMITTEE MEETING

WEDNESDAY, NOVEMBER 12, 1997

DECLARATION OF RIGHTS: 9:30 a.m.—1:00 p.m., Room 309 (Capitol):

Privacy relating to computers:

Proposal 57 Privacy of personal data (Zack)

Background information: The Right of Privacy in Florida in the Age of Technology and the Twenty-first Century: A need for Protection From Private and Commercial Intrusion, (The Honorable Ben F. Overton and Katherine E. Giddings)

Medical Marijuana:

Proposal 29 Medical Marijuana (Riley)

Access to Courts:

Proposed Committee Substitute for Proposals 12 & 68 Access to Courts regardless of Age (Freidin)

Municipal Sovereign Immunity:

Proposal 46 Suits against state agencies, etc. (Anthony)

Court Costs:

Proposal 3 Court Costs when exonerated (Riley)

Putative Father:

Proposal 21 Putative Father (Rundle)

Death Penalty:

Proposal 13 Death Penalty (Brochin)

Matters relating to Protected Classes (Article I, section 2):

Background Information: Protected classes under Article I, Section 2

Proposal 58 Age (Zack)
Proposal 17 Gender/Sexual Orientation (Riley)
Proposal 11 Gender (Freidin)
Proposal 86 Guarantee of Equality (Freidin)
Proposal 14 Disability (Freidin)
Proposal 5 National Origin (Planas)

EXECUTIVE: 9:30 a.m.—1:00 p.m., Room A (37-LL-Senate Office Building):

Gubernatorial Suspension:

Proposal 19 Gubernatorial Suspension (Barkdull)

Unification Amendment:

Proposal 45 Unification Amendment (Henderson)

Cabinet Reform:

Proposal 69 Appointed Commissioner of Education (Riley)

Public Service Commission:

Proposal 75 Move PSC to Executive (Douglass)

FINANCE AND TAXATION: 9:30 a.m.—1:00 p.m., Room EL (Senate Office Building):

Presentation by Department of Revenue

Proposal on Intangible Tax (Mills) IF RECEIVED
Proposal 20 Taxing Leased Property (Evans-Jones)
Proposal 41 Special District Exemptions (Mathis)
Proposal 33 Elimination of Income Tax (Barnett)
Proposal 52 Ad Valorem Taxation (Anthony)
Proposal 51 Partial Year Assessment (Anthony)
Proposal 49 Tax Exemption determined by Municipality (Anthony)
Proposal 26 Creating 5 Departments of Water Management (Langley)

JUDICIAL: 9:30 a.m.—1:00 p.m., Room 301 (Capitol):

Selection and Election of Justices and Judges:

Proposal 61 Merit Selection and Retention - pure (Wetherington)
Proposal 66 Merit Selection and Retention - opt-in (Wetherington)
Proposal 74 Election of Justices and Judges (Langley)

Mandatory Retirement:

Proposal 62 Mandatory Retirement (Wetherington)

Judicial Qualifications:

Proposal 67 Judicial Qualifications (Wetherington)

Military Law:

Proposal 44 Advisory opinions (Langley)
Proposal 4 Court Martial Actions (Langley)
Proposal 25 Appeal of court martial (Langley)

Article V Costs:

Proposed Committee Substitute for Proposals 31 & 55 Article V Costs (Sundberg and Zack)

Family Court Magistrates:

Proposal 87 Family Court Magistrates (Wetherington)

Sovereign Immunity:

Proposal 59 Sovereign Immunity (Zack)

EDUCATION: 2:00 p.m.—until completion of agenda, Room EL (Senate Office Building):

Appointed/Elected Commissioner of Education:

The Honorable Frank Brogan, Commissioner of Education
Proposal 69 Commissioner of Education (Riley)

Appointed Superintendent of Schools:

Proposal 28 Appointed Superintendent of Schools (Riley)

First two years of college free:

Proposal 22 First two years of college free (Rundle)

Lottery Funds:

- Proposal 54 Lottery Funds (Zack)
- Proposal 89 Lottery Funds (Riley)

Divided School District:

- Proposal 40 Divided school districts (Marshall)

ETHICS AND ELECTIONS: 2:00 p.m.—until completion of agenda, Room 301 (Capitol):

Ethics Commission:

- Proposal 7 Ethics Commission Investigation (Mills)
- Proposal 63 Strengthen Ethics Commission (Rundle)

Code of Ethics to Legislature:

- Proposal 15 Application of Code of Ethics to Legislature (Barnett)

Weekend Voting:

- Proposal 53 Weekend Voting (Anthony)
- Proposal 18 Weekend Voting (Riley)
- Report: Desirability and Feasibility of Conducting Elections on Saturdays and Sundays, Commonwealth of Virginia

Term Limits:

- Proposal 10 Term Limits (Sundberg)
- Proposal 78 Delete term limits for Congress (Ford-Coates)

Ballot Access:

- Proposal 79 Ballot Access (Connor, Riley and Marshall)

Recall Voting:

- Proposal 42 Recall Voting (Mathis)

Open Primary:

- Proposal 71 Open Primary (Mills)

Residency Requirement:

- Proposal 43 Residency Requirement for Candidates (Riley)

Campaign Financing:

- Proposal 84 Only natural citizens may contribute (Corr)
- Background: Model Law for Campaign Finance, Ethics, and Lobbying Regulation

Ballot Language:

- Proposal 82 Listing candidates on ballot (Corr)

Signature Verification:

- Proposal 81 Verification of signatures for initiatives (Rundle)

GENERAL PROVISIONS: 2:00 p.m.—until completion of agenda, Room A (37-LL-Senate Office Building):

Homestead:

- Proposal 23 Homestead/forfeiture (Rundle)
- Proposal 70 Homestead (Mills)

Florida Retirement System:

- Proposal 27 Florida Retirement System (Riley & Wetherington)

Environment:

- Proposal 36 Natural Resources (Henderson)
- Proposal 38 Environmental Bill of Rights (Mills)

Initiatives affecting Municipalities:

- Proposal 47 Initiatives relating to Municipal Power (Anthony)

Statutory Initiatives:

- Proposal 65 Statutory Initiatives (Langley)
- Proposal 72 Statutory Initiatives (Mills)

LEGISLATIVE: 2:00 p.m.—until completion of agenda, Room C (32-LL-Senate Office Building):

Single-member Districts:

- Proposal on Single-member Districts (Scott) IF RECEIVED

Multi-member districts:

- Proposal on Multi-member districts (Barnett) IF RECEIVED

Redistricting Commission Workshop:

- Background Material: Constitutional Provisions of the Several States Relating to Apportionment

Unicameral Legislature:

- Proposal 85 Unicameral Legislature (Sundberg and Evans-Jones)

Legislative Immunity:

- Proposal 90 Legislative Immunity (Hawkes)

Legislative Article Technical Amendments Workshop

LOCAL GOVERNMENT: 2:00 p.m.—until completion of agenda, Room 309 (Capitol):

Fiscal Home Rule:

- Proposal 50 Fiscal Home Rule (Anthony)

Mandates:

- Proposal 48 Local government not bound by mandates (Anthony)

Executive (Article IV) Parte Communications:

- Proposal Snyder decision (Nabors) IF RECEIVED

RULES AND ADMINISTRATION: 5:00 p.m.—6:00 p.m., Room B (42-LL-Senate Office Building):

Ratify Special Order Calendar for Thursday, November 13, 1997

Discuss mechanism to address statutory proposals

Discuss process for members to withdraw proposals

THURSDAY, NOVEMBER 13, 1997

DECLARATION OF RIGHTS: 4:00 p.m.—until completion of agenda, Room 309 (Capitol):

Equal Opportunity:

Proposal 2 Equal opportunity (Sundberg)

Medical Care:

Proposal 56 Children's Medical Care (Zack)

Forfeiture of Private Property:

Proposal 1 Forfeiture of Private Property (Sundberg)

Criminal Sentencing:

Proposal 24 Serve 85% of Sentence (Rundle)

Workshop on Parental Consent:

Background Information: Right to Privacy and Issues of Parental Consent
5 Draft Proposals on Parental Consent (Connor)

Other standing committees may meet at the call of the Chairman of the Commission or the Chairman of the Committee

FRIDAY, NOVEMBER 14, 1997

Standing committees may meet at the call of the Chairman of the Commission or the Chairman of the Committee

Daily Order of Business

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

**PROPOSED
SPECIAL ORDER CALENDAR FOR
THURSDAY, NOVEMBER 13, 1997**

JUDICIAL

Proposal 62 by Commissioner Wetherington—ARTICLE V, s. 8, Fla. Const.; raising the mandatory retirement age for justices and judges; eliminating the provision that a justice or judge reaching mandatory retirement age may serve out a term already half served.

—IF RECEIVED

Proposal 9 by Commissioner Sundberg—ARTICLE V, s. 8, Fla. Const.; repealing the provision that stipulates a maximum age beyond which individuals may not serve as justices or judges.

Disapproved by the Committee on Judicial (Article V)

Proposal 67 by Commissioner Wetherington—ARTICLE V, s. 8, Fla. Const., and to create ARTICLE XII, s. 21, Fla. Const.; providing for an increase in the length of membership in the Florida bar which is required of a candidate for the office of circuit judge or county judge; providing that a circuit judge or county judge who is in office when this amendment takes effect retains eligibility to serve in that office.

—IF RECEIVED

Proposal 44 by Commissioner Langley—ARTICLE V, s. 2, Fla. Const.; allowing the state supreme court and district courts of appeal to submit questions of military law to the federal Court of Appeal for the Uniform Services for an advisory opinion.

—IF RECEIVED

Proposal 25 by Commissioner Langley—ARTICLE V, s. 1, Fla. Const.; providing for military courts martial to be conducted by military judges of the Florida National Guard with direct appeal to the District Court of Appeal, First District.

—IF RECEIVED

Proposal 4 by Commissioner Langley—ARTICLE I, s. 18, Fla. Const.; clarifying the authority of the Department of Military Affairs, through courts-martial, to impose sentences of imprisonment and other penalties.

—IF RECEIVED

Proposal 87 by Commissioner Wetherington—ARTICLE V, s. 1, Fla. Const.; allowing the legislature to establish by general law a system of family magistrates.

—IF RECEIVED

DECLARATION OF RIGHTS

Proposal 21 by Commissioner Rundle—ARTICLE I, s. 22, Fla. Const.; providing that a putative father in a paternity suit does not have a right to a trial by jury.

—IF RECEIVED

Proposal 13 by 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 unanimously recommended by a jury of 12 persons.

—IF RECEIVED

Proposal 29 by Commissioner Riley—ARTICLE I, s. 26, Fla. Const.; allowing the lawful possession, use, and prescribing of marijuana for medicinal purposes.

—IF RECEIVED

Proposal 57 by Commissioner Zack—ARTICLE I, s. 23, Fla. Const.; prohibiting the sale from a database of information that relates to a natural person, unless the person gives written consent.

—IF RECEIVED

Proposal 5 by Commissioner Planas—ARTICLE I, s. 2, Fla. Const.; prohibiting discrimination based on national origin.

—IF RECEIVED

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.

—IF RECEIVED

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.

—IF RECEIVED

Proposal 11 by Commissioner Freidin—ARTICLE I, s. 2, Fla. Const.; providing that persons may not be deprived of their rights because of gender.

—IF RECEIVED

Proposal 86 by Commissioner Freidin—ARTICLE I, s. 26, Fla. Const.; guaranteeing the equal rights of women and men throughout the state.

—IF RECEIVED

Proposal 14 by Commissioner Freidin—ARTICLE I, s. 2, Fla. Const.; changing the term "physical handicap" to "disability."

—IF RECEIVED

ETHICS AND ELECTIONS

Proposal 53 by Commissioner Anthony—ARTICLE VI, s. 5, Fla. Const.; providing that general elections shall be held on the first Saturday and Sunday after the first Monday in November of each even-numbered year.

—IF RECEIVED

Proposal 18 by Commissioner Riley—ARTICLE VI, s. 5, Fla.

Const.; providing for elections to be held on Saturday and Sunday and prohibiting second primaries.

—IF RECEIVED

Proposal 10 by Commissioner Sundberg—ARTICLE VI, s. 4, Fla. Const.; deleting term limits for the offices of state senator or representative, lieutenant governor, Cabinet member, U.S. representative, and U.S. senator.

—IF RECEIVED

Proposal 78 by Commissioner Ford-Coates—ARTICLE VI, s. 4, Fla. Const.; deleting provisions that establish term limits for Florida delegates to Congress.

—IF RECEIVED

Proposal 71 by Commissioner Mills—ARTICLE VI, s. 5, Fla. Const.; providing for open primary elections.

—IF RECEIVED

Proposal 35 by Commissioner Freidin—ARTICLE II, s. 8, Fla. Const., relating to ethics in government; including in that section the requirement set out in ARTICLE III, s. 18, Fla. Const., which requires creation of a code of ethics; repealing ARTICLE III, s. 18, Fla. Const., as a distinct section.

Approved by the Committee on Ethics and Elections (Article VI, Part of Article II)

Proposal 32 by Commissioner Ford-Coates—ARTICLE VI, s. 2, Fla. Const.; reducing the voting age to eighteen.

Approved by the Committee on Ethics and Elections (Article VI, Part of Article II)

Proposal 34 by Commissioner Barnett—ARTICLE VI, s. 2, Fla. Const.; lowering the voting age from twenty-one to eighteen.

Approved by the Committee on Ethics and Elections (Article VI, Part of Article II)

LEGISLATIVE

Proposal 85 by Commissioner Sundberg—ARTICLE I, s. 24; ARTICLE III, ss. 1, 2, 3, 4, 5, 7, 8, 9, 11, 15, 16, 17, 19; ARTICLE IV, ss. 6, 7, 9, 13; ARTICLE V, ss. 2, 9, 11, 12, 20; ARTICLE VII, ss. 1, 5, 18; ARTICLE VIII, s. 6; ARTICLE X, ss. 2, 12; ARTICLE XI, ss. 1, 2, 5, 6; ARTICLE XII, ss. 11, 12, 14, Fla. Const.; and to create ARTICLE III, ss. 20, 21, ARTICLE XII, s. 22, Fla. Const.; providing for a unicameral Legislature.

—IF RECEIVED

EXECUTIVE

Proposal 8 by Commissioner Barkdull—ARTICLE III, s. 8, Fla. Const.; increasing the length of time within which the governor may veto legislation.

Approved by the Committee on Executive (Article IV)

Proposal 45 by 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.

—IF RECEIVED

Proposal 19 by Commissioner Barkdull—ARTICLE IV, s. 7, Fla.

Const.; requiring the Senate to remove or reinstate an officer suspended by the Governor.

—IF RECEIVED

Proposals Placed on Calendar

Proposal 7 by Commissioner Mills—ARTICLE II, s. 8, Fla. Const.; authorizing the Florida Commission on Ethics to investigate, on its own initiative or at the request of any person, complaints concerning breach of public trust by certain public officers and employees.

Disapproved by the Committee on Ethics and Elections (Article VI, Part of Article II)

Proposal 63 by Commissioner Rundle—ARTICLE II, s. 8, Fla. Const.; strengthening the powers of the Florida Commission on Ethics.

Disapproved by the Committee on Ethics and Elections (Article VI, Part of Article II)