Calendar for the Florida Constitution Revision Commission

December 10, 1997

THE COMMISSION WILL CONVENE ON

Wednesday, December 10, 1997
9:00 a.m.—2:00 p.m.

Thursday, December 11, 1997
9:00 a.m.—12:00 noon

Friday, December 12, 1997
9:00 a.m.—12:00 noon
1:00 p.m.—5:00 p.m. or until completion

Schedule for the week of December 8—12, 1997

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

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<th>MONDAY</th>
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<th>THURSDAY</th>
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<td>Select Com. on Art. V Costs</td>
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<td>Declaration of Rights</td>
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<td>Bonding &amp; Invests.</td>
<td>Education</td>
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COMMITTEE MEETINGS

WEDNESDAY, DECEMBER 10, 1997

BONDING AND INVESTMENTS: 2:00 p.m.—4:00 p.m., Room C (Senate Office Building):

Proposal 64  Revenue Bonds (Nabors)
Proposal 39  Florida Land & Water Conservation Trust Fund (Henderson)
Proposal 129  Aid to Professional Sports (Marshall)
Proposal 151  Extend Bonding Deadline for P2000 (Barkdull)
Proposal 91  Assessment of Pollution Control Devices (Hawkes)

DECLARATION OF RIGHTS: 2:00 p.m.—4:00 p.m., Room 309 (Capitol):

Matters relating to Protected Classes (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: 2:00 p.m.—4:00 p.m., Room A (Senate Office Building):

Proposal 19  Gubernatorial suspension (Barkdull)

Cabinet Reform:

Proposal 69  Appointed Commissioner of Education/Cabinet Reform (Riley)
Proposal 117  State Board of Education (Corr)
Proposal 113  Additional Duties of Lieutenant Governor (Evans-Jones)
Proposal 159  Membership of Cabinet (Mathis)
Proposal 163  Cabinet Reform (Evans-Jones)
Proposal 165  Cabinet Reform (Corr)
Proposal 166  Appointed State Board of Education (Riley)
Proposal 101  Elected Public Service Commission (Evans-Jones)
Proposal 122  Clemency (Barkdull)
Proposal 149  Modify Provisions Relating to Executive (Scott)
Proposal 168  Executive Departments (Corr)

FINANCE AND TAXATION: 2:00 p.m.—4:00 p.m., Room EL (Senate Office Building):

All outstanding proposals under consideration during the Tuesday, December 9, 1997, meeting of the Committee on Finance and Taxation are available for today's meeting.

DECLARATION OF RIGHTS: 4:00 p.m.—7:00 p.m., Room 309 (Capitol):

Court Costs:

Proposal 3  Court Costs when Exonerated (Riley)

Parents' Rights:

Proposal 97  Partial-Birth Abortion (Evans)
Proposal 104  Right to direct upbringing and education (Evans)

Parental Consent:

Proposal 107  Parental Consent for medical treatment (Connor)

Proposal 125  Unborn (Mathis)
Proposal 126  Conception/Natural Death (Mathis)

THURSDAY, DECEMBER 11, 1997

EDUCATION: 1:00 p.m.—4:00 p.m., Room EL (Senate Office Building):

Lottery Funds:

Proposal 54  Lottery Funds (Zack)
Proposal 89  Lottery Funds (Riley)
Proposal 118  Lottery Funds (Corr)
Proposal 138  Lottery Funds (Nabors)
Proposal 143  Lottery Funds (Sundberg)
Proposal 111  Provides education is a fundamental right (Mills)
Proposal 157  Provides education is a fundamental right (Mills)
Proposal 116  Creates Educational Scholarship Fund (Corr)
Proposal 119  Amends eligibility requirements for state school funds (Corr)

School Board Elections:

Proposal 139  Elected School Boards (Mathis)
Proposal 140  Free Public Schools/Universities (Mathis)

ETHICS AND ELECTIONS: 1:00 p.m.—4:00 p.m., Room C (Senate Office Building):

All outstanding matters on the agenda for the Tuesday, December 9, 1997, meeting of the Committee on Ethics and Elections are available for consideration during this meeting.

GENERAL PROVISIONS: 1:00 p.m.—4:00 p.m., Room A (Senate Office Building):

All outstanding matters on the agenda for the Tuesday, December 9, 1997, meeting of the Committee on General Provisions are available for consideration during this meeting.

LOCAL GOVERNMENT: 1:00 p.m.—4:00 p.m., Room 309 (Capitol):

Proposal 50  Fiscal Home Rule (Anthony)
Proposal 96  Ex Parte Communications (Nabors)
Proposal 92  Provides powers of non-charter counties (Nabors)

Abolish/Merge Municipalities:

Proposal 100  Provides methods to create, abolish or merge municipalities (Anthony)
Proposal 127  Referendum to Abolish Municipalities (Ford-Coates)
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 87 by Commissioner Wetherington—ARTICLE V, s. 1, Fla. Const.; allowing the legislature to establish by general law a system of family magistrates.

Amended and adopted on November 13, 1997

With pending motion to reconsider by Commissioner Barkdull (November 14, 1997)

SPECIAL ORDER AS DETERMINED BY THE RULES AND ADMINISTRATION COMMITTEE FOR WEDNESDAY, DECEMBER 10, 1997
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.

Approved as a Committee Substitute by the Committee on Judicial (Article V)—consideration deferred on November 14, 1997 with amendment # 1 by Commissioner Sundberg adopted

Motion to be taken up on December 10, 1997 at 2:00 p.m. adopted

Committee Substitute for Proposal 66 by the Committee on Judicial and Commissioner Wetherington—ARTICLE V, ss. 10 and 11, Fla. Const.; providing for circuit court judges and county court judges to run for re-election 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.

The Committee on Judicial (Article V) recommends a committee substitute

Proposal 61 by Commissioner Wetherington—ARTICLE V, ss. 10 and 11, Fla. Const.; providing for circuit and county judges to be subject to a vote of retention rather than running for reelection.

Disapproved by the Committee on Judicial (Article V)

Proposal 74 by Commissioner Langley—ARTICLE V, s. 10, Fla. Const.; providing for the election of justices of the supreme court and judges of a district court of appeal; providing for public financing for judicial elections.

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.

— IF RECEIVED
Proposal 115 by Commissioner Corr—ARTICLE V, s. 10, Fla. Const.; prohibiting judicial candidates from soliciting and accepting campaign contributions from members of The Florida Bar.

Disapproved by the Committee on Ethics and Elections (Article VI, Part of Article II)
Proposal 108 by Commissioner Connor—ARTICLE VI, s. 4, Fla. Const.; providing that judicial officers may not hold office for more than eight consecutive years.

— IF RECEIVED

Committee Substitute for Proposal 45 by the Committee on Executive 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.

Approved as a Committee Substitute by the Committee on Executive (Article IV)—consideration deferred on November 14, 1997

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.

Approved as a Committee Substitute by the Committee on Declaration of Rights (Article I)

Proposal 144 by Commissioner Barnett—ARTICLE I, s. 17, Fla. Const.; relating to punishment for crime.

Proposal 1 by Commissioner Sundberg—ARTICLE I, s. 9, Fla. Const.; providing that private property may not be forfeited unless the owner is convicted of a felony and has exhausted all appeals.

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 40 by Commissioner Marshall—ARTICLE IX, s. 4, Fla. Const.; authorizing certain counties to be divided into more than one school district.

Approved by the Committee on Education (Article IX)—consideration deferred on November 14, 1997

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.

Disapproved by the Committee on Legislative (Article III)—consideration deferred on November 13, 1997

Committee Substitute for Proposal 70 by the Committee on General Provisions and Commissioner Mills—ARTICLE X, s. 4, Fla. Const.; providing a value limitation on the homestead exemption; authorizing the legislature to change the amount of the value limitation; providing that the homestead exemption does not apply to certain property.

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)—consideration deferred on November 14, 1997

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.

Disapproved by the Committee on Ethics and Elections (Article VI, Part of Article II)—consideration deferred on November 13, 1997

Proposal 5 by Commissioner Runkle—ARTICLE IV, s. 9, 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)
Proposals Placed on Calendar

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 Committee on Declaration of Rights (Article I)

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 Committee on Declaration of Rights (Article I)

Committee Substitute for Proposal 77 by Commissioner Freidin—ARTICLE X, s. 13, Fla. Const.; providing that the state and its agencies and subdivisions are liable for damages as a result of their actions to the same extent as private parties.

Approved as a Committee Substitute by the Committee on Declaration of Rights (Article I)

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

Approved by the Committee on Ethics and Elections (Article VI, Part of Article II)—consideration deferred on November 13, 1997

Committee Substitute for Proposal 79 by Commissioner Riley—ARTICLE VI, s. 1, Fla. Const.; providing that requirements for placing the name of an independent or minor party candidate on an election ballot must not be greater than the requirements for major party candidates.

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

Proposal 80 by Commissioner Freidin—ARTICLE III, s. 18, Fla. Const.; requiring that a code of ethics for persons or entities in the exercise of governmental duties which prohibits conflict between public duty and private interests be prescribed by law.

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

Committee Substitute for Proposal 81 by Commissioner Rundle—ARTICLE XI, s. 3, Fla. Const.; authorizing supervisors of elections to conduct random signature checks on initiative petitions; specifying time for submitting initiative petitions to supervisors of elections for verification of signatures.

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

Proposal 84 by Commissioner Corr—ARTICLE VI, s. 5, Fla. Const.; providing that campaign contributions may be made only by persons who are eligible to vote for the candidate to whom they are making the contribution.

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

Proposal 114 by Commissioner Corr—ARTICLE VI, Fla. Const.; providing that campaign contributions may be made by only a natural person.

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

Proposal 128 by Commissioner Ford-Coates—ARTICLE VI, s. 5, Fla. Const.; providing for primary elections.