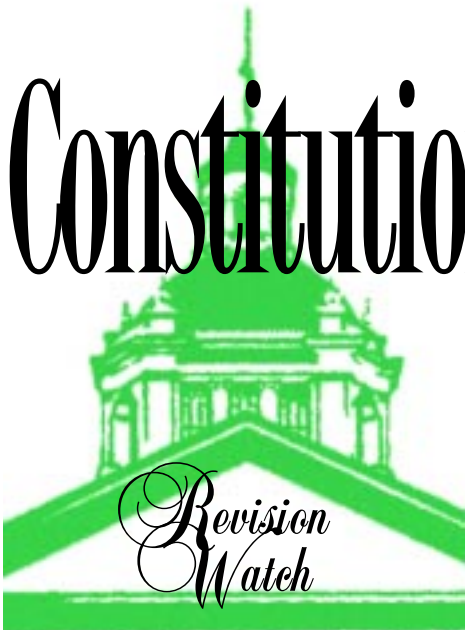


Constitution Revision Commission



A look at the monthly highlights and happenings for the Constitution Revision Commission

COMMISSION MEMBERS:

- Dexter Douglass, Chairman
- Carlos J. Alfonso
- Clarence E. Anthony
- Antonio L. Argiz
- Thomas H. Barkdull, Jr.
- Martha Walters Barnett
- Robert M. Brochin
- Robert A. Butterworth
- Kenneth L. Connor
- Chris Corr
- Ander Crenshaw
- Valerie W. Evans
- Marilyn Evans-Jones
- Barbara Williams Ford-Coates
- Ellen Catsman Freidin
- Paul M. Hawkes
- William Clay Henderson
- Toni Jennings
- Gerald Kogan
- Richard Langley
- John F. Lowndes
- J. Stanley Marshall
- Jacinta Mathis
- Jon Mills
- Frank Morsani
- Robert Lowry Nabors
- Carlos Planas
- Judith Byrne Riley
- Katherine Fernandez Rundle
- James A. Scott
- H. T. Smith
- Chris T. Sullivan
- Alan C. Sundberg
- James Harold Thompson
- Paul West
- Gerald T. Wetherington
- Stephen Neal Zack
- Alternates:
- Pat Barton
- Ira H. Leesfield
- Lyra Blizzard Logan

ISSUE 1

SEPTEMBER 1997



Dexter Douglass

MESSAGE FROM THE CHAIRMAN

There is a sentiment sweeping our nation that the public's voice is not being heard when it comes to the workings of government. Poll after poll tells us that the public is apathetic, if not entirely cynical, about government. They say citizens no longer play a role in deciding the future of their communities through the governmental process.

The citizens of Florida recently rebuked those theories.

If the Constitution Revision Commission's public hearings across the state are any indication, there remains a fire in the belly and a passion for citizen input among Floridians. From the fisherman in Panama City in late July to the tax lawyer in Fort Myers in mid-September, citizen after citizen stepped to the dias and let the 37 members of the Commission know that they care about the state of Florida and its future. They addressed the Commission with

continued on page 7

KIDS' EDITION

CRC INTRODUCES KIDS PAGE

The Constitution is for kids, too – With that in mind, the Constitution Revision Commission has introduced a Kids Page geared to a better understanding of the state constitution for elementary school students.

The Kids Page is available on the Internet and can be found at the following address: <http://www.law.fsu.edu>. It also is available by writing or calling the Constitution Revision Commission.

"The constitution is like a rule book or guide that the state's leaders must follow," said Dexter Douglass, chairman of the Constitution Revision Commission. "So, it's important for our youngest citizens to know and understand that the constitution is the people's rule book. The citizens of our state make and live by these rules."

The Kids Page includes numerous facts about the state of Florida and its

constitution. The Kids Page includes word searches, games, puzzles and quizzes. It is designed as a teaching tool,

continued on page 7



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COMMISSIONERS PROFILES

Each issue will highlight six members of the Constitution Revision Commission



CARLOS J. ALFONSO

Appointed by: Speaker
Occupation: President, Alfonso Architects
Birth date and place: March 27, 1955, Havana, Cuba
Education: MA from University of Florida, 1982

Address: 1705 N. 16th St.
Tampa, FL 33605

Telephone: (813) 247-3333

Fax: (813) 247-3395

E-Mail: cja@alfonso-arch.com

Web page: <http://www.alfonso-arch.com>

Comment: "This is a tremendous opportunity to give something back to the people of Florida. I am so indebted to the state of Florida. I've lived here my entire life and have gotten so much from the state. So, it's such an honor to be selected to the Commission and with it is a huge responsibility. It's a way for me to give something back to the state. I feel a huge sense of responsibility to this. We have a responsibility to keep our Constitution current with the times. Society does change, and we need to change our Constitution with it. Today, we're hearing that citizens want a voice, and we have a responsibility to our citizens to make sure that happens."



CLARENCE E. ANTHONY

Appointed by: Governor
Occupation: Mayor of South Bay
Birth date and place: October 10, 1959, Belle Glade
Education: MS from Florida Atlantic University, 1982

Address: 335 S.W. 2nd Ave.
South Bay, FL 33493

Telephone: (561) 996-6751

Fax: (561) 996-7950

E-Mail: cant33@aol.com

Comment: "As a public policy professional, this is a once-in-a-lifetime opportunity. I never imagined being a part of the Constitution Revision process. Clearly, the significance for me is to represent a constituency that historically has felt it did not have a voice in the process as our constitution of state was developed years ago."



ANTONIO L. ARGIZ

Appointed by: President
Occupation: Partner in accounting firm of Morrison, Brown, Argiz & Co.
Birth date and place: October 18, 1953, Cuba
Education: BA from Florida International University, 1974

Address: P.O. Box 560068
Miami, FL 33156

Phone: (305) 667-3500

Fax: (305) 661-9542

E-Mail: argiz@mba-cpa.com

Web page: www.mba-cpa.com

Comment: "As a Florida resident and Cuban immigrant, I am proud to have been selected for the important task of revising our state Constitution. We have the unique opportunity and challenge to shape the future of our state, and I believe that we can have a profound effect as we usher in a new millennium of prosperity in Florida."



THOMAS H. BARKDULL, JR.

Appointed by: Governor
Occupation: Senior Appellate Judge, Third District Court of Appeal
Birth date and place: August 15, 1925, Miami
Education: LLB from University of Florida, 1949

Address: 2001 S.W. 117th Ave.
Miami, FL 33175-1716

Telephone: (305) 229-3200

Fax: (305) 229-3206

Comment: "Service on the Revision Commission gives me an opportunity to participate in a periodic review of the basic document that establishes the authority and responsibility of our state government. The CRC of Florida is unique in this country for it gives the people of this state an opportunity to make known their grievances or recommendations for improvement to government to a body that can offer, if appropriate, a remedy to be considered by the people of the state without legislative, executive or judicial approval."



MARTHA WALTERS BARNETT

Appointed by: Governor
Occupation: Attorney, Holland & Knight
Birth date and place: June 1, 1947, Dade City
Education: JD from University of Florida, 1973

Address: P.O. Drawer 810
Tallahassee, FL 32302-0810

Telephone: (850) 425-5620 or (850) 425-5664

Fax: (850) 224-8832

E-Mail: mbarnett@hkclaw.com

Comment: "As a lawyer, I have such a deep respect for the Constitution as the foundation to our democratic government. To be involved in a review of the constitution is crucial to citizenship, and I view my role as having a unique opportunity to contribute to that."



ROBERT M. BROCHIN

Appointed by: Governor
Occupation: Attorney, Morgan Lewis & Bockius
Birth date and place: May 14, 1955, New York, N.Y.
Education: JD from University of Florida, 1980

Address: 200 S. Biscayne Blvd., Suite 5300
Miami, FL 33131-2339

Telephone: (305) 579-0490

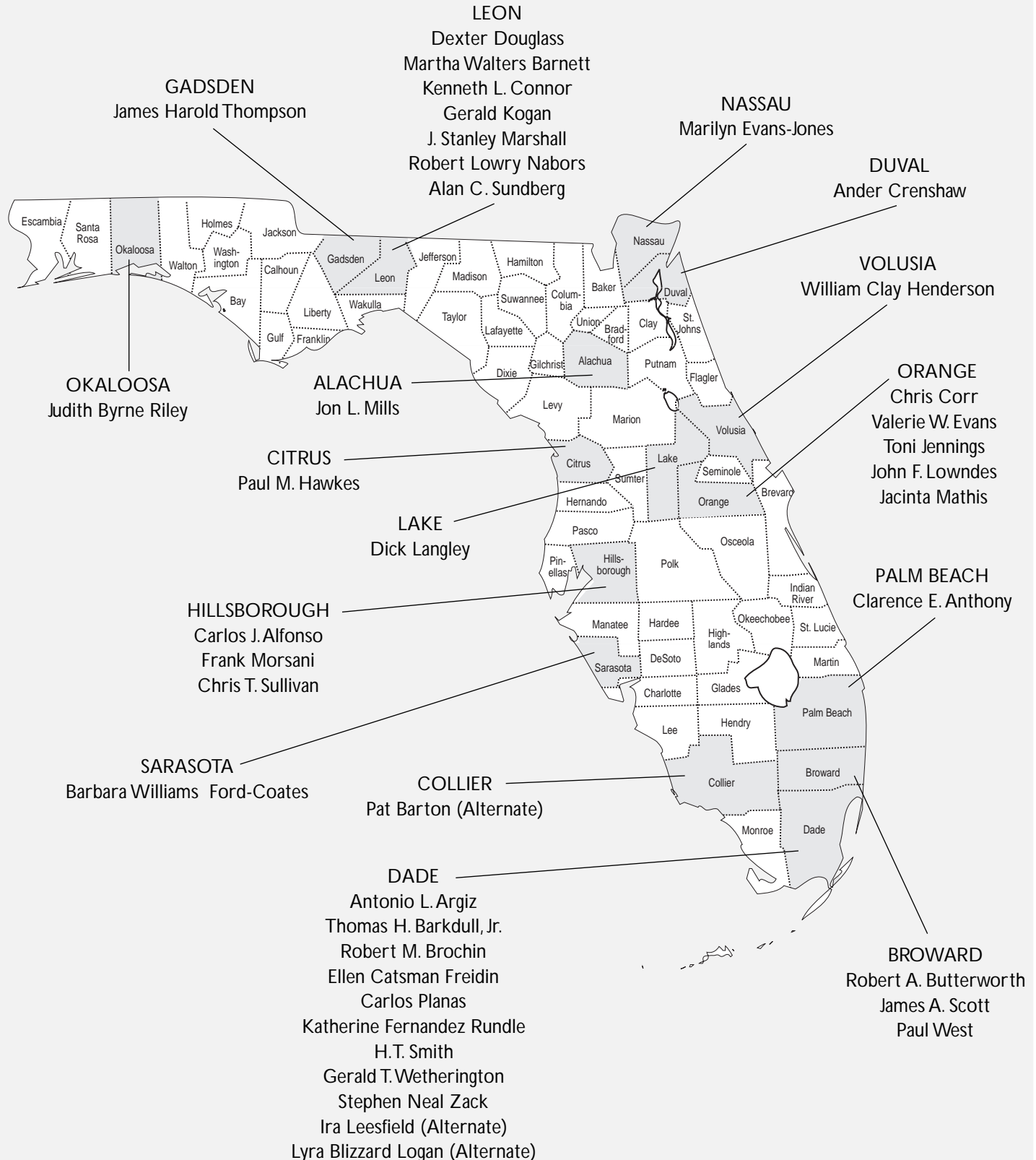
Fax: (305) 579-0321

Comment: "It's certainly a great honor and an awesome responsibility to thoroughly review our constitution and make the appropriate proposals for the voters to consider on the November ballot. My interest is to ensure that the Constitution is the framework for the long-term future of the state and that it sufficiently guides the state and the government for the next 20 years so we can ensure community spirit. It's very inspiring when you go to the hearings to see people participate. It renews your dedication for democracy."



COMMISSIONERS *BY COUNTIES*

The 1997-98 Constitution Revision Commission is composed of thirty-seven members and three alternates. The Commissioners represent every region of Florida. The following is a county-by-county breakdown of the commissioners and alternates:



THE MECHANICS OF FLORIDA'S INITIATIVE PROCESS

In 1972, the state constitution was amended to provide Floridians the right to amend their constitution through the citizen initiative process. We are one of eighteen states that allow for this method of amending the state's organic document. The initiative process is quite entailed, and includes the following steps: First, the sponsor is required to register with the Secretary of State as a political committee. This step allows for the sponsor to begin accepting contributions. Before obtaining any signatures, the sponsor must next submit the text of the proposal and a copy of the signature form to the Secretary of State for approval of the format. When the Division of Elections confirms that the sponsor has submitted signed forms to the appropriate supervisors of elections that equal 10% of the number of electors required for ballot placement from at least one-fourth of the congressional districts required, the Secretary of State will submit the initiative to the Attorney General. Currently, 43,510 signatures from at least 3 congressional districts must be obtained.

Within 30 days of receiving a petition from the Secretary of State, the Attorney General must petition the Supreme Court for an advisory opinion as to whether the text of the proposal complies with the single-subject

requirement of the constitution. Further, the Court is to give its opinion as to whether the substance of the proposal is clear and unambiguous, and that it is styled in such a manner that a "yes" vote will indicate approval of the proposal and a "no" vote will indicate rejection. The required explanatory statement may not exceed 75 words, and the caption may not exceed 15 words.

If the Supreme Court finds no basis for rejecting the initiative on the above grounds, the initiative will secure ballot placement upon the certification of signatures by the number of electors in each of one-half of the congressional districts and of the state as a whole, equal to eight percent of the votes cast in each of such districts and in the state as a whole at the last preceding election in which presidential electors were chosen. Currently, the number of signatures required is 435,073 from at least 12 congressional districts.

There are twenty-seven initiative petitions filed and pending in various stages of the process. Furthest along, with completion of Supreme Court certification, are four proposals.

The closest to ballot position is Stop Turning Out Prisoners, an effort to limit the early release of prisoners, with 197,461 signatures certified. The Florida Local Approved Gaming proposal, which would authorize gaming at twenty casinos, aboard river

boats, and in hotels with 1,000 or more rooms, if gaming is approved by the county of municipal government, has 155,107 signatures. Funding for Criminal Justice would create a trust fund dedicated to criminal justice purposes, funded by up to one percent tax on the sale of goods and/or services. That petition has 57,324 certified signatures. Finally, Prohibiting Public Funding of Political Candidates' Campaigns would prohibit the public financing of campaigns for statewide office (which is currently provided), and for legislative offices (which is currently not available).

Three initiatives have garnered enough signatures for review by the Supreme Court, and are currently pending before the Court. These include a provision which would define the existing constitutional requirement that the public schools be adequately funded (at least 40% of the total appropriation of state funds); the creation of the Fish and Wildlife Conservation Commission, which would unify the Marine Fisheries and Game & Fresh Water Fish Commission, which would exercise executive and regulatory powers pertaining to conservation of freshwater and marine aquatic life and wild animal life; and Right of Citizens to Choose Health Care Providers.

CITIZEN INITIATIVE METHOD AT A GLANCE

The following represents some amendments placed on the ballot by citizen initiative and their outcome:

- Established a State Commission on Ethics
- Rejected Casino Gambling
- Created a State Lottery

- Rejected Liability Cap on Damages
- Adopted English as the Official Language
- Limited the Raising of Property Valuations to 3% Annually
- Rejected a Sugar Tax

- Established Term Limits
- Banned Marine Net Fishing
- Limited Constitutionally imposed taxes
- Established an Everglades Trust Fund

OTHER STATES: CONSTITUTIONAL AMENDMENT PROCEDURE BY INITIATIVE

Florida is not the only state with direct citizen constitutional initiatives. Seventeen other states have the initiative process. Some of those states require majority vote of the electorate, while others require majority vote of the electorate in two consecutive general elections. The following is a summary of the initiative process in those states:

STATE	NUMBER OF SIGNATURES REQUIRED	REFERENDUM VOTE
Arizona	15% of total votes cast for all candidates for governor at last election	Majority vote on amendment
Arkansas	10% of votes cast for governor at last election	Majority vote on amendment
California	8% of total votes for all candidates for governor at last election	Majority vote on amendment
Colorado	5% of total legal votes cast for all candidates for secretary of state at last election	Majority vote on amendment
Florida	8% of total votes cast in the state in the last election for presidential candidates	Majority vote on amendment
Illinois	8% of total votes cast for all candidates for governor at last election	Majority voting in election or 3/5 voting on amendment
Massachusetts	3% of total votes cast for governor at preceding biennial state election	Majority vote on amendment which must be 30% of total ballots cast
Michigan	10% of total votes cast for all candidates at last gubernatorial election	Majority vote on amendment
Mississippi	12% of total votes cast for all candidates for governor in last election	Majority vote on amendment and no less than 40% of total votes cast
Missouri	8% of legal voters for all candidates for governor at last election	Majority vote on amendment
Montana	10% of qualified voters, the number of qualified electors to be determined by number of votes cast for governor in preceding election	Majority vote on amendment
Nebraska	10% of total votes cast for governor at last election	Majority vote on amendment which must be at least 35% of total vote at election
Nevada	10% of voters who voted in entire state for governor in last election	Majority vote on amendment in two consecutive general elections
North Dakota	4% of the population of the state	Majority vote on amendment
Ohio	10% of total number of electors who voted for governor in last election	Majority vote on amendment
Oklahoma	15% of legal votes cast for state office receiving highest number of votes at last general state election	Majority vote on amendment
Oregon	8% of total votes cast for all candidates for governor at last election at which governor was elected	Majority vote on amendment
South Dakota	10% of total votes cast for governor in last election	Majority vote on amendment

Source: The Book of States (1996-97)

CITIZEN'S GUIDE

The Collins Center for Public Policy has published a guide relating to the constitution revision process. The guide is published on the Commission's homepage or is available from the Collins Center at 904/ 644-1441.

ON THE NET: COMMISSION IN CYBERSPACE

We are pleased that the web page has been so widely utilized (approximately 7,000 visitors since October 1996) and we hope to continue to add features that are of use to the public.

New to the Internet homepage:

- Meeting Summaries
- High School Lesson Plan
- Public Proposals
- Commission Members
- Student Materials



THE COMMISSION CAN BE REACHED BY:

Mail:

Billy Buzzett

Executive Director

B-11, The Historic Capitol
Tallahassee, Florida 32399-1300

Telephone: (850) 413-7740

Fax: (850) 413-7728

Internet: <http://www.law.fsu.edu/crc>

REAL-TIME REPORTING

The Division of Administrative Hearings will soon make it possible for citizens of Florida to have speedy and accurate access to transcripts from full-committee hearings of the Constitution Revision Commission.

"This is the best of examples of how different branches of government can work together to best serve the public," said Dexter Douglass, Chairman of the Constitution Revision Commission. "The Division of Administrative Hearings is offering a helping hand to our Commission that can only serve the process and the people of Florida best."

The Division of Administrative Hearings will provide two court reporters who will record all statements during the Constitution Revision Commission's sessions. The service is being provided without cost to the CRC, according to Sharyn Smith, Chief Administrative Law Judge for the Division of Administrative Hearings.

"This is a very generous offer, and we are both thrilled and grateful," Douglass said. "We are indebted to Sharyn Smith and her staff for their commitment of time and manpower."

The reporters will utilize a process known as "real-time reporting," in which a rough draft of the hearings will be available immediately following any session. More importantly, within 12 hours of the conclusion of a hearing, a completed edited text will be available upon request. By having access to the court reporters and the "real-time reporting," a transcript of the session will be available on the Constitution Revision Commission web site (<http://www.law.fsu.edu/crc>) the following day.

The Constitution Revision Commission was faced with the prospect of providing only sketchy reports from its proceedings because the process was too costly, and the turnaround time was too great.

FAYE BLANTON PROFILE



Faye Blanton

The first time around was not enough for Faye Blanton, the Secretary of the Florida Senate. So, she is taking a second crack at assisting the Constitution

Revision Commission in its efforts to land amendments on November 1998 ballot.

Blanton is the secretary for this Constitution Revision Commission.

"I saw it as a real rewarding experience," Blanton said of her work with the Constitution Revision Commission 20 years ago when she was assistant to the Secretary of the Senate. "I was just in awe, then. The Revision Commission is a once-every-20-years event, and in my case I will have worked

with two. That's just a real honor."

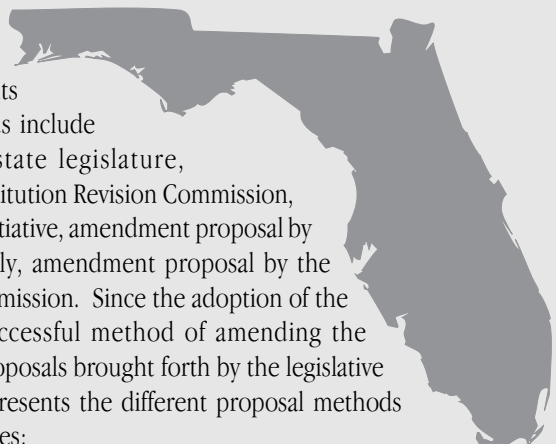
Blanton and her Senate staff will assist the Constitution Revision Commission in the drafting of proposals and amendments. She and her staff also will prepare bound volumes of the daily journals from the Constitution Revision Commission sessions.

"I'm relatively new at being Secretary of the Senate, so it's a dual honor to serve as secretary to both," said Blanton, who has worked for the Senate for the past 27 years.

Blanton is the first woman designated as Secretary of the Florida Senate for a two-year term. She was designated to that position in November 1996. As Secretary of the Senate, Blanton keeps all Senate records and authenticates each act and resolution passed by the Senate. She also publishes the journal and the calendar and supervises Legal Research and Drafting, which drafts proposed legislation.

REVISION FACT

Article XI of the Florida Constitution sets forth five distinct methods of proposing amendments to the constitution. The methods include amendment proposal by the state legislature, amendment proposal by the Constitution Revision Commission, amendment proposal by citizen initiative, amendment proposal by constitution convention, and lastly, amendment proposal by the Taxation and Budget Reform Commission. Since the adoption of the 1968 Constitution, the most successful method of amending the Constitution has been through proposals brought forth by the legislative method. The following table represents the different proposal methods and their respective ratification rates:



Proposal Method	Number Proposed	Number/ Percentage Ratified	Number/ Percentage Rejected
Legislative	77	62 (80.05%)	15 (19.48%)
Citizen Initiative	16	11 (68.75%)	5 (31.25%)
Budget and Taxation Reform Commission	3	2 (66.66%)	1 (33.33%)
Constitution Revision Commission	8	0 (0%)	8 (100%)
TOTAL	104	75 (72.11 %)	29 (27.88%)

Format for table taken from Bertalan, Revision of the Florida Constitution, 4 Governing Florida 1 (Fall/Winter 1993).

verve and with an unwavering belief that their ideas and their words were important and should be a part of this historic process.

When the Constitution Revision Commission last convened with the idea of modifying our state bylaws, then-Governor Reubin Askew had a few sound words of advice for those Commissioners.

“Talk to the people,” he said. “Listen to the people. Go out into the state and meet the people.”

This year’s Commission adhered to Askew’s charge of 20 years ago. The commissioners, numbering nearly 30 strong at every one of the 12 stops from Pensacola to Miami, listened intently as citizens often gave eloquent and moving testimonies to needed changes in the state Constitution. Essentially, the commissioners met the people.

By the conclusion of the public hearings, the commissioners were worn from a taxing schedule, yet invigorated by a process that afforded a viable voice for the public. The Commissioners, all of whom accepted the responsibility to serve without remuneration, traveled nearly 2,000 miles to 12 cities in every region of the state over a nine-week period and heard almost 100 hours of public testimony from more than 600 citizens.

The beauty of the public hearings was that every citizen in the state had a chance to speak. There were many subjects that, frankly, were not of constitutional concern. Yet we allowed those speakers their five minutes simply because it was not the Commission’s position to determine at public hearings the appropriate placement of any subject.

That’s the Commission’s next challenge. We must sort through the hundreds of proposals and first determine which ones should be examined further. Then we will break into committees to give intense scrutiny to each proposal. The arduous task will

conclude in May when we present our recommended amendments to the Constitution.

As the Commission weaves its way through the process of shaping an amendment or several amendments, it is imperative that we not lose sight of the initial step of including the citizens. It is the Constitution of the citizens of Florida, and the public should have a voice throughout the process.

I encourage all Commissioners to remember the faces and the voices of those who spoke at the public hearings. As we study the issues, let’s make certain that we refresh our memory by reading again the testimony of our citizens. If necessary, we should call to Tallahassee those citizens who were most knowledgeable and most passionate about amendments to the Constitution, and allow them to provide more depth to their proposals.

In an age when people cast a wary eye to government officials, we have a chance to beat back the cynicism of citizens and engage their minds in a process designed for public participation.

Following the Sept. 5 public hearing in Daytona Beach, Commissioner Thomas H. Barkdull, Jr. of Miami, who served on the previous two Commissions, talked to a reporter about the Constitution Revision Commission and its efforts to allow public input.

“I think people are looking for a forum for expressing their grievances,” Barkdull told the reporter. “It’s an idea Thomas Jefferson would approve.”

I welcome and encourage the continued participation of the public throughout this process. The Constitution is the people’s document and it is imperative that the people participate fully.

Dexter Douglass

REVISION SNAPSHOT



Jose Simeon Sanchez

Delegate to the 1838 Constitutional convention from St. Johns County.
Signed Constitution Jan. 11, 1839
Source: Florida Photographic Archives

KIDS' EDITION

CRC INTRODUCES KIDS PAGE

CONTINUED FROM PAGE 1

and teachers from around the state already have requested copies to use in their classrooms.

The Constitution Revision Commission hopes to work with the Department of Education and its Commissioner, Frank Brogan, to provide better access and distribution of the Kids Page to elementary schools across the state.

“There can’t be a better way to learn about our state and its history than through the constitution,” Douglass said. “The Kids Page should help facilitate that learning process.”



GOVERNOR AND MRS. CHILES HOST RECEPTION FOR CONSTITUTION REVISION COMMISSION

Governor Lawton Chiles hosted a reception at the Governor's Mansion in mid-June to welcome the 37 members of the Constitution Revision Commission, then he warned the Commission to steer clear of groups attempting to buy their way onto the ballot and to avoid an overhaul of the state constitution.

Chiles used the reception to stress the historic significance of the Constitution Revision Commission and stressed to its members the importance of serving on such a prestigious group. The Governor was joined by state Cabinet members and many state legislators.

"Our government is one 'Of the people and by the people and for the people' — not one of the dollar, by the

polls and for the big-monied special interests," Chiles said following the reception.

Chiles, who was a member of the commission that wrote the current constitution 30 years ago, said those commissioners never thought wealthy special interest groups would spend millions to get amendments on the ballot and approved by citizens.

"We never imagined that people would pay to put the initiatives on the ballot," Chiles said. "This practice flies in the face of what representative democracy is all about."

Chiles reminded the Commission that the work of the last constitution group "came to naught" when voters rejected all eight proposed amendments.

"In the '78 commission, it was thought that we needed an overhaul of government," Chiles said. "I think maybe we'd be better off to work on a tune-up."

Chiles' statement was supported by Senate President Toni Jennings and House Speaker Dan Webster.

"Just because the constitution says we will have a Constitution Revision Commission every 20 years . . . we should not immediately believe it is important to change that basic document," Jennings said.

Webster advised the group to "review carefully, review rigorously but revise cautiously."

"Maybe the best revision is no revision," Webster said.



Commissioner and Mrs. Stanley Marshall



Governor Chiles greets Commissioner Marilyn Evans-Jones



Governor Lawton Chiles and Commissioner James A. Scott



(L to R) Commissioners H.T. Smith; Katherine Fernandez Rundle; and Gerald T. Wetherington



Commissioner Valerie Evans and Circuit Judge Bob Evans meet Governor Chiles

CONSTITUTION REVISION

IN THE NEWS...

“Probably more than 200 people spent at least part of their day (Sept. 11) in the large hall at the Tampa Convention Center. Dozens of them filled out the little yellow cards to register to speak. . . . The stars of the show were the citizens. Some of them waited all day for their turn. They listened attentively. After each speaker, no matter the topic, everybody else applauded warmly. Florida is supposedly a state of strangers, but it had a sense of town meeting about it. . . . There were a ton of people up from Sarasota, which apparently is a hotbed of Constitution-writing. One of them waited for hours just so he could read an essay about how things should be. In talking with several of the commission members, it was clear they have not begun to hash out what they are going to do. Most of them predicted the commission would put something on next year’s ballot. But they were not at all sure how much. Twenty years ago, the previous commission threw so much stuff at the voters that they rejected it all. No one wants to repeat that. Of course there were lobbyists there, and many special interests. The commission’s deliberations will be political. Later there might be deals and attempted sneakiness. But it was reassuring Thursday to see the people lined up to speak their minds about what their government should be like. It felt right.”

Howard Troxler
St. Petersburg Times
September 12, 1997

“It has always been my belief that our Constitution is not just another statutory document. It should contain our basic precepts and beliefs. Changing our Constitution should be a deliberative and pragmatic process. . . .

Some of the issues that have been brought up at hearings in other parts of the state are term limits, election reform, personal income tax, adjustment to county revenue sources, increases to the number of school districts in the state, appointment vs. election of trial judges, privacy and much more. The Constitution Revision Commission is the body that will make the recommendations for change that will be put before voters in November 1998. . . . This is one opportunity to be heard, and it is too important to pass up.”

Ralph Livingston
Guest columnist
Fort Myers News-Press
August 18, 1997

“Those assigned to review the state’s constitution have been given some sage advice by Governor Lawton Chiles. In effect, it was: Don’t overreach. . . . We assume the 37 members of the Constitution Revision Commission will do their duty and propose only changes that may be needed. They just need to keep 1978 in mind. “In the ’78 commission, it was thought that we needed an overhaul of government,” Chiles said. “I think maybe we’d be better off to work on a tune-up.” In 1978, the commission proposed seven amendments to the constitution. Voters rejected them all. The commission has an ambitious agenda, but most of the issues have been chewed over many times. Chiles gave wise counsel.”

Florida Times Union
June 18, 1997

“The Constitution Revision Commission has a rare combination of time, experience, staff and direct access to the ballot for its proposals. If Florida is ready to glide into 2018 without

changing how its weight is distributed, fine. But the commission should review carefully and rigorously before it becomes predisposed to inertia.”

Palm Beach Post
June 22, 1997

“Almost every issue of importance to the citizens of Florida is impacted by the constitution. Whether it is education, crime, the environment or taxation, each issue is intricately tied to provisions within the constitution. With the Constitution Revision Commission ready to begin the task of reviewing this important document, each citizen of Florida should take part in the process. Florida’s ability to face the twenty-first century with confidence may be at stake.”

Florida Banking
July/August 1997

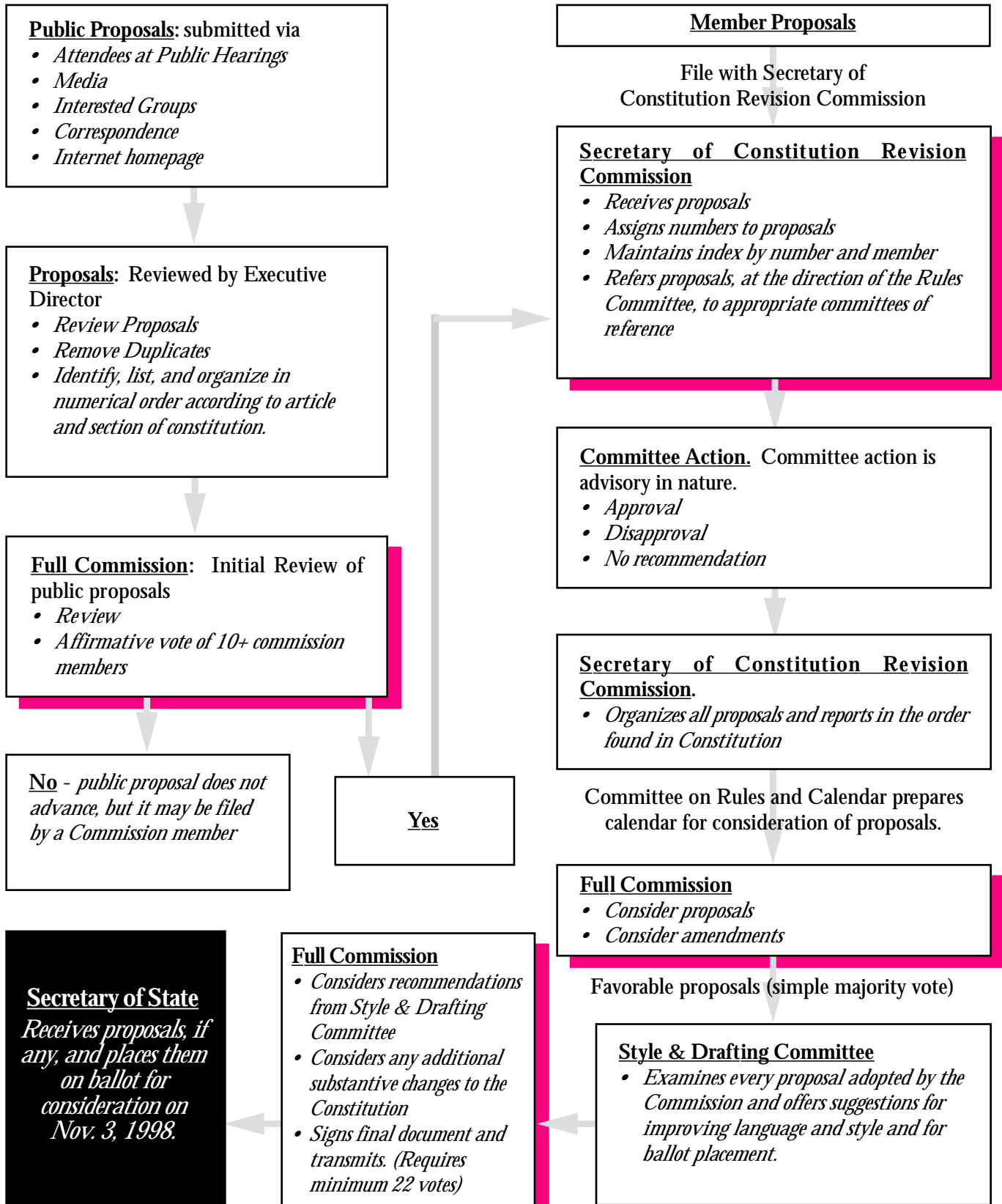
“The 38,000-word Constitution touches many aspects of everyone’s life in Florida. Because of that, all Floridians should make constitution revision a priority. They should educate themselves about the issues being examined, speak out at public hearings and then cast an informed vote when any amendments are voted on Nov. 3, 1998. Seize the chance to take part in this extraordinary process or get shut out of doing so again until the year 2017. Educate yourself, make sure your voice is heard. Don’t let your absence or silence pass a bad amendment or block passage of a good one.”

Fort Lauderdale Sun-Sentinel
August 3, 1997



CONSTITUTION REVISION COMMISSION

How a proposal advances through the Commission Process



NATURE AND PURPOSE OF THE CONSTITUTION REVISION

Once every 20 years Florida's Constitution provides for the creation of a 37-member revision commission for the purpose of reviewing Florida's Constitution and proposing changes for voter consideration. The Commission will meet for approximately one year, travel the State of Florida, identify issues, perform research, and possibly recommend changes to the Constitution.

This sweeping review of Florida's Constitution last occurred approximately 20 years ago (1977-78). Since 1978, Florida's population has grown by 63 percent. Equally significant is the projection that Florida's population will exceed 17 million by the year 2010. This astronomical population growth will have an impact on the state in areas such as transportation, education, health care, natural resources, recreation, pollution, and crime.

The state's treatment of such important issues rests primarily in the Constitution, and the Revision Commission will be looking to the citizens of this state for direction and suggestions.

Commission Members

The Constitution provides for three persons to appoint 37 members. The Governor appointed 15 members, the Speaker of the House of Representatives and the President of the Senate each appointed nine, the Chief Justice of the Supreme Court appointed three, and the Attorney General automatically serves.

Unique Process

No other state in the union has empowered a Commission to propose changes to its Constitution and to place them directly on the ballot for voter consideration.

Potential Issues for 1998

Over the past few months, the following issues have surfaced as potential matters for consideration by the Commission:

- *Appointment or election of trial judges.* Currently, justices of the Supreme Court and judges of the District

Courts of Appeal are appointed by the Governor from a slate of candidates. In contrast, county and circuit judges are elected. Critics of the current system assert that the appointment process results in the strongest candidate being presented to the Governor, while opponents assert that it removes the opportunity for citizens to vote for and select their judges. Should Florida's system for trial judges be modified? Should such modification be uniform throughout Florida?

- *Cabinet reform.* Florida is considered to have a "weak" executive branch because the Governor must share his power with an elected Cabinet with each member given an equal vote. Proponents of an elected Cabinet claim that the system works and that it allows the sharing of executive power. Opponents of the system claim that it reduces accountability because the entire Cabinet has an equal vote on issues. Should the state Cabinet be reduced in size or abolished?
- *Citizen ballot initiatives.* In recent years, Floridians have considered constitutional initiatives on sugar, marine fishing nets, English only, and others. Some have suggested that the process has circumvented the authority of the Legislature by placing general law directly into the Constitution and by allowing special interest groups the ability to easily meet the petition signature requirement. Others claim that the Constitution is the "people's" document and as such should be liberally amended. Should the Commission propose to change or eliminate the ballot initiative process for amending the Constitution?
- *Legislative reapportionment.* Every 10 years, Florida is reapportioned for the purpose of state and federal elections. The Florida Legislature, pursuant to the Constitution, is charged with dividing the state into districts. Some have suggested that this task should

be given to an independent entity rather than to the Legislature. Others assert that reapportionment, by its very nature, is political and therefore belongs in the Legislature. Should the system of reapportionment remain with the Legislature or be transferred to an independent group?

- *Privacy rights.* Article I, Section 23, of Florida's Constitution provides that "every natural person has the right to be let alone and free from government intrusion into his private life." The section has been construed to address, among other things, issues relating to abortion, assisted suicide, and equal treatment of persons. Should Florida residents have the right to an assisted suicide? Should our Constitution address a woman's right to an abortion?
- *Taxes.* Are there better and more equitable ways that citizens could be taxed and government services provided?
- *Crime and punishment.* Should Florida change the way that it punishes criminals? Should Florida keep the death penalty in its present form?
- *Education.* Should a specific portion of the state budget be dedicated to education? Should the public school system be put under a Board of Education that is appointed, thereby eliminating the elected Commissioner of Education?
- *Medical Care.* Should poor children have the right to medical care paid for by the state? Should residents have the right to choose their own doctor and hospital?

Public Participation

While many experts are satisfied that our Constitution does not warrant wholesale change, Florida's mandated Revision Commission provides a unique opportunity to review the framework that is the foundation for Florida government. Each citizen has the opportunity to influence the shape and future of our state by getting involved in the process, participating in the public hearings, and monitoring the work of the Commission.

IMPORTANT DATES RELATING TO THE REVISION PROCESS

YEAR	EVENT	AUTHORITY
1997		
June 16-17	Organization Session	<i>Article XI, section 2(a), Florida Constitution</i>
July 21	Commission Meeting	
July 22	Public Hearing–Panama City	<i>Article XI, section 2(c), Florida Constitution</i>
July 23	Public Hearing–Pensacola	
July 29	Public Hearing–Jacksonville	
July 30	Public Hearing–Gainesville	
August 20	Public Hearing–Miami	
August 21	Public Hearing–Fort Lauderdale	
August 22	Public Hearing–West Palm Beach	
September 4	Public Hearing–Orlando	
September 5	Public Hearing–Daytona Beach	
September 11	Public Hearing–Tampa	
September 12	Public Hearing–Ft. Myers	
September 24	Public Hearing–Tallahassee	
September 25	Commission Meeting–Tallahassee	
September 26	Commission Meeting–Tallahassee	
	<i>Meeting/Hearing dates October – April to be announced</i>	
1998		
May 5	Revision Commission submits recommendations to the Secretary of State	<i>Article XI, section 2(c), Florida Constitution</i>
November 3	General Election	

Constitution Revision Commission

B-11, The Historic Capitol
Tallahassee, Florida 32399-1300