

1 A proposal to revise
2 the Florida Constitution by adopting language
3 that is not gender-specific.

4
5 It is proposed by the Florida Constitution Revision Commission
6 that:

7
8 Section 1. Article I, Sections 4,16(a) and 23; Article
9 II, Section 5(b); Article III, Sections 3(f), 8(a) and (b),
10 and 17(b) and (c); Article IV, Sections 1(a) and (c), 2, 3(b),
11 4(e), and 7(a); Article V, Sections 2(b), 3(a), 8, 10(a),
12 11(c), 17, 18, and 20(c), (d) and (e), Article VII, Section
13 6(b); Article IX, Section 5; Article X, Sections 3 and 4(a);
14 Article XI, Sections 2(b) and (c) and 6(c) of the Florida
15 Constitution are amended to read:

16 ARTICLE I
17 DECLARATION OF RIGHTS

18 SECTION 4. Freedom of speech and press.--Every person
19 may speak, write and publish ~~his~~ sentiments on all subjects
20 but shall be responsible for the abuse of that right. No law
21 shall be passed to restrain or abridge the liberty of speech
22 or of the press. In all criminal prosecutions and civil
23 actions for defamation the truth may be given in evidence. If
24 the matter charged as defamatory is true and was published
25 with good motives, the party shall be acquitted or exonerated.

26 SECTION 16. Rights of accused and of victims.--

27 (a) In all criminal prosecutions the accused shall,
28 upon demand, be informed of the nature and cause of the
29 accusation ~~against him~~, and shall be furnished a copy of the
30 charges, and shall have the right to have compulsory process
31 for witnesses, to confront at trial adverse witnesses, to be

1 heard in person, by counsel or both, and to have a speedy and
 2 public trial by impartial jury in the county where the crime
 3 was committed. If the county is not known, the indictment or
 4 information may charge venue in two or more counties
 5 conjunctively and proof that the crime was committed in that
 6 area shall be sufficient; but before pleading the accused may
 7 elect in which of those counties the trial will take place ~~he~~
 8 ~~will be tried~~. Venue for prosecution of crimes committed
 9 beyond the boundaries of the state shall be fixed by law.

10 SECTION 23. Right of privacy.--Every natural person
 11 has the right to be let alone and free from governmental
 12 intrusion into the person's ~~his~~ private life except as
 13 otherwise provided herein. This section shall not be
 14 construed to limit the public's right of access to public
 15 records and meetings as provided by law.

16 ARTICLE II

17 GENERAL PROVISIONS

18 SECTION 5. Public officers.--

19 (b) Each state and county officer, before entering
 20 upon the duties of the office, shall give bond as required by
 21 law, and shall swear or affirm:

22
 23 "I do solemnly swear (or affirm) that I will support,
 24 protect, and defend the Constitution and Government of the
 25 United States and of the State of Florida; that I am duly
 26 qualified to hold office under the Constitution of the state;
 27 and that I will well and faithfully perform the duties of
 28 ...(title of office)... on which I am now about to enter. So
 29 help me God.",
 30
 31

1 and thereafter shall devote personal attention to the duties
2 of the office, and continue in office until ~~a his~~ successor
3 qualifies.

4 ARTICLE III

5 LEGISLATURE

6 SECTION 3. Sessions of the legislature.--

7 (f) ADJOURNMENT BY GOVERNOR. If, during any regular
8 or special session, the two houses cannot agree upon a time
9 for adjournment, the governor may adjourn the session sine die
10 or to any date within the period authorized for such session;
11 provided that, at least twenty-four hours before adjourning
12 the session, ~~and he shall~~, while neither house is in recess,
13 ~~give~~ each house shall be given formal written notice of the
14 governor's ~~his~~ intention to do so, and agreement reached
15 within that period by both houses on a time for adjournment
16 shall prevail.

17 SECTION 8. Executive approval and veto.--

18 (a) Every bill passed by the legislature shall be
19 presented to the governor for ~~his~~ approval and shall become a
20 law if the governor ~~he~~ approves and signs it, or fails to veto
21 it within seven consecutive days after presentation. If
22 during that period or on the seventh day the legislature
23 adjourns sine die or takes a recess of more than thirty days,
24 the governor ~~he~~ shall have fifteen consecutive days from the
25 date of presentation to act on the bill. In all cases except
26 general appropriation bills, the veto shall extend to the
27 entire bill. The governor may veto any specific appropriation
28 in a general appropriation bill, but may not veto any
29 qualification or restriction without also vetoing the
30 appropriation to which it relates.

1 (b) When a bill or any specific appropriation of a
2 general appropriation bill has been vetoed by the governor,
3 ~~he~~ shall transmit ~~his~~ signed objections thereto to the house
4 in which the bill originated if in session. If that house is
5 not in session, the governor ~~he~~ shall file them with the
6 secretary of state, who shall lay them before that house at
7 its next regular or special session, and they shall be entered
8 on its journal.

9 SECTION 17. Impeachment.--

10 (b) An officer impeached by the house of
11 representatives shall be disqualified from performing any
12 official duties until acquitted by the senate, and unless the
13 ~~governor is~~ impeached, the governor ~~he~~ may by appointment fill
14 the office until completion of the trial.

15 (c) All impeachments by the house of representatives
16 shall be tried by the senate. The chief justice of the
17 supreme court, or another justice designated by the chief
18 justice ~~him~~, shall preside at the trial, except in a trial of
19 the chief justice, in which case the governor shall preside.
20 The senate shall determine the time for the trial of any
21 impeachment and may sit for the trial whether the house of
22 representatives be in session or not. The time fixed for trial
23 shall not be more than six months after the impeachment.
24 During an impeachment trial senators shall be upon their oath
25 or affirmation. No officer shall be convicted without the
26 concurrence of two-thirds of the members of the senate
27 present. Judgment of conviction in cases of impeachment shall
28 remove the offender from office and, in the discretion of the
29 senate, may include disqualification to hold any office of
30 honor, trust or profit. Conviction or acquittal shall not
31 affect the civil or criminal responsibility of the officer.

1 ARTICLE IV
2 EXECUTIVE
3 SECTION 1. Governor.--
4 (a) The supreme executive power shall be vested in a
5 governor, who. ~~He~~ shall be commander-in-chief of all military
6 forces of the state not in active service of the United
7 States. The governor ~~He~~ shall take care that the laws be
8 faithfully executed, commission all officers of the state and
9 counties, and transact all necessary business with the
10 officers of government. The governor ~~He~~ may require
11 information in writing from all executive or administrative
12 state, county or municipal officers upon any subject relating
13 to the duties of their respective offices. The governor shall
14 be the chief administrative officer of the state responsible
15 for the planning and budgeting for the state.
16 (c) The governor may request in writing the opinion of
17 the justices of the supreme court as to the interpretation of
18 any portion of this constitution upon any question affecting
19 the ~~his~~ executive powers and duties. The justices shall,
20 subject to their rules of procedure, permit interested persons
21 to be heard on the questions presented and shall render their
22 written opinion not earlier than ten days from the filing and
23 docketing of the request, unless in their judgment the delay
24 would cause public injury.
25 SECTION 2. Lieutenant governor.--There shall be a
26 lieutenant governor, who. ~~He~~ shall perform such duties
27 pertaining to the office of governor as shall be assigned ~~to~~
28 ~~him~~ by the governor, except when otherwise provided by law,
29 and such other duties as may be prescribed by law.
30 SECTION 3. Succession to office of governor; acting
31 governor.--

1 (b) Upon impeachment of the governor and until
2 completion of trial thereof, or during ~~his~~ physical or mental
3 incapacity, the lieutenant governor shall act as governor.
4 Further succession as acting governor shall be prescribed by
5 law. Incapacity to serve as governor may be determined by the
6 supreme court upon due notice after docketing of a written
7 suggestion thereof by four cabinet members, and in such case
8 restoration of capacity shall be similarly determined after
9 docketing of written suggestion thereof by the governor, the
10 legislature or four cabinet members. Incapacity to serve as
11 governor may also be established by certificate filed with the
12 secretary of state by the governor declaring ~~his~~ incapacity
13 for physical reasons to serve as governor, and in such case
14 restoration of capacity shall be similarly established.

15 SECTION 4. Cabinet.--

16 (e) The treasurer shall keep all state funds and
17 securities and. ~~He~~ shall disburse state funds only upon the
18 order of the comptroller. Such order may be in any form and
19 may require the disbursement of state funds by electronic
20 means or by means of a magnetic tape or any other transfer
21 medium.

22 SECTION 7. Suspensions; filling office during
23 suspensions.--

24 (a) By executive order stating the grounds and filed
25 with the secretary of state, the governor may suspend from
26 office any state officer not subject to impeachment, any
27 officer of the militia not in the active service of the United
28 States, or any county officer, for malfeasance, misfeasance,
29 neglect of duty, drunkenness, incompetence, permanent
30 inability to perform ~~his~~ official duties, or commission of a
31 felony, and may fill the office by appointment for the period

1 of suspension. The suspended officer may at any time before
2 removal be reinstated by the governor.

3 ARTICLE V

4 JUDICIARY

5 SECTION 2. Administration; practice and procedure.--

6 (b) The chief justice of the supreme court shall be
7 chosen by a majority of the members of the court;~~He shall~~
8 be the chief administrative officer of the judicial system;
9 and.~~He shall~~ have the power to assign justices or judges,
10 including consenting retired justices or judges, to temporary
11 duty in any court for which the judge is qualified and to
12 delegate to a chief judge of a judicial circuit the power to
13 assign judges for duty in that ~~his~~ respective circuit.

14 SECTION 3. Supreme court.--

15 (a) ORGANIZATION.--The supreme court shall consist of
16 seven justices. Of the seven justices, each appellate
17 district shall have at least one justice elected or appointed
18 from the district to the supreme court who is a resident of
19 the district at the time of the ~~his~~ original appointment or
20 election. Five justices shall constitute a quorum. The
21 concurrence of four justices shall be necessary to a decision.
22 When recusals for cause would prohibit the court from
23 convening because of the requirements of this section, judges
24 assigned to temporary duty may be substituted for justices.

25 SECTION 8. Eligibility.--No person shall be eligible
26 for office of justice or judge of any court unless the person
27 ~~he~~ is an elector of the state and resides in the territorial
28 jurisdiction of the ~~his~~ court. No justice or judge shall
29 serve after attaining the age of seventy years except upon
30 temporary assignment or to complete a term, one-half of which
31 ~~he~~ has been served. No person is eligible for the office of

1 justice of the supreme court or judge of a district court of
2 appeal unless the person ~~he~~ is, and has been for the preceding
3 ten years, a member of the bar of Florida. No person is
4 eligible for the office of circuit judge unless the person ~~he~~
5 is, and has been for the preceding five years, a member of the
6 bar of Florida. Unless otherwise provided by general law, no
7 person is eligible for the office of county court judge unless
8 the person ~~he~~ is, and has been for the preceding five years,
9 a member of the bar of Florida. Unless otherwise provided by
10 general law, a person shall be eligible for election or
11 appointment to the office of county court judge in a county
12 having a population of 40,000 or less if the person ~~he~~ is a
13 member in good standing of the bar of Florida.

14 SECTION 10. Retention; election and terms.--

15 (a) Any justice of the supreme court or any judge of a
16 district court of appeal may qualify for retention by a vote
17 of the electors in the general election next preceding the
18 expiration of the justice's or judge's ~~his~~ term in the manner
19 prescribed by law. If a justice or judge is ineligible or
20 fails to qualify for retention, a vacancy shall exist in that
21 office upon the expiration of the term being served by the
22 justice or judge. When a justice of the supreme court or a
23 judge of a district court of appeal so qualifies, the ballot
24 shall read substantially as follows: "Shall Justice (or Judge)
25 ...(name of justice or judge)... of the ...(name of the
26 court)... be retained in office?" If a majority of the
27 qualified electors voting within the territorial jurisdiction
28 of the court vote to retain, the justice or judge shall be
29 retained for a term of six years commencing on the first
30 Tuesday after the first Monday in January following the
31 general election. If a majority of the qualified electors

1 voting within the territorial jurisdiction of the court vote
2 to not retain, a vacancy shall exist in that office upon the
3 expiration of the term being served by the justice or judge.

4 SECTION 11. Vacancies.--

5 (c) The nominations shall be made within thirty days
6 from the occurrence of a vacancy unless the period is extended
7 by the governor for a time not to exceed thirty days. The
8 governor shall make the appointment within sixty days after
9 the nominations have been certified to him.

10 SECTION 17. State attorneys.--In each judicial circuit
11 a state attorney shall be elected for a term of four years.
12 Except as otherwise provided in this constitution, the state
13 attorney ~~he~~ shall be the prosecuting officer of all trial
14 courts in that circuit and shall perform other duties
15 prescribed by general law; provided, however, when authorized
16 by general law, the violations of all municipal ordinances may
17 be prosecuted by municipal prosecutors. A state attorney
18 shall be an elector of the state and reside in the territorial
19 jurisdiction of the circuit; ~~He~~ shall be and have been a
20 member of the bar of Florida for the preceding five years; ~~-~~
21 ~~He~~ shall devote full time to the his duties of the office;
22 and, ~~he~~ shall not engage in the private practice of law.
23 State attorneys shall appoint such assistant state attorneys
24 as may be authorized by law.

25 SECTION 18. Public defenders.--In each judicial
26 circuit a public defender shall be elected for a term of four
27 years, who. ~~He~~ shall perform duties prescribed by general
28 law. A public defender shall be an elector of the state and
29 reside in the territorial jurisdiction of the circuit and. ~~He~~
30 shall be and have been a member of the Bar of Florida for the
31

preceding five years. Public defenders shall appoint such assistant public defenders as may be authorized by law.

SECTION 20. Schedule to Article V.--

(c) After this article becomes effective, and until changed by general law consistent with sections 1 through 19 of this article:

(1) The supreme court shall have the jurisdiction immediately theretofore exercised by it, and it shall determine all proceedings pending before it on the effective date of this article.

(2) The appellate districts shall be those in existence on the date of adoption of this article. There shall be a district court of appeal in each district. The district courts of appeal shall have the jurisdiction immediately theretofore exercised by the district courts of appeal and shall determine all proceedings pending before them on the effective date of this article.

(3) Circuit courts shall have jurisdiction of appeals from county courts and municipal courts, except those appeals which may be taken directly to the supreme court; and they shall have exclusive original jurisdiction in all actions at law not cognizable by the county courts; of proceedings relating to the settlement of the estate of decedents and minors, the granting of letters testamentary, guardianship, involuntary hospitalization, the determination of incompetency, and other jurisdiction usually pertaining to courts of probate; in all cases in equity including all cases relating to juveniles; of all felonies and of all misdemeanors arising out of the same circumstances as a felony which is also charged; in all cases involving legality of any tax assessment or toll; in the action of ejectment; and in all

1 actions involving the titles or boundaries or right of
 2 possession of real property. The circuit court may issue
 3 injunctions. There shall be judicial circuits which shall be
 4 the judicial circuits in existence on the date of adoption of
 5 this article. The chief judge of a circuit may authorize a
 6 county court judge to order emergency hospitalizations
 7 pursuant to Chapter 71-131, Laws of Florida, in the absence
 8 from the county of the circuit judge and the county court
 9 judge shall have the power to issue all temporary orders and
 10 temporary injunctions necessary or proper to the complete
 11 exercise of such jurisdiction.

12 (4) County courts shall have original jurisdiction in
 13 all criminal misdemeanor cases not cognizable by the circuit
 14 courts, of all violations of municipal and county ordinances,
 15 and of all actions at law in which the matter in controversy
 16 does not exceed the sum of two thousand five hundred dollars
 17 (\$2,500.00) exclusive of interest and costs, except those
 18 within the exclusive jurisdiction of the circuit courts.
 19 Judges of county courts shall be committing magistrates. The
 20 county courts shall have jurisdiction now exercised by the
 21 county judge's courts other than that vested in the circuit
 22 court by subsection (c)(3) hereof, the jurisdiction now
 23 exercised by the county courts, the claims court, the small
 24 claims courts, the small claims magistrates courts,
 25 magistrates courts, justice of the peace courts, municipal
 26 courts and courts of chartered counties, including but not
 27 limited to the counties referred to in Article VIII, sections
 28 9, 10, 11 and 24 of the Constitution of 1885.

29 (5) Each judicial nominating commission shall be
 30 composed of the following:
 31

1 a. Three members appointed by the Board of Governors
2 of The Florida Bar from among The Florida Bar members who are
3 actively engaged in the practice of law with offices within
4 the territorial jurisdiction of the affected court, district
5 or circuit;

6 b. Three electors who reside in the territorial
7 jurisdiction of the court or circuit appointed by the
8 governor; and

9 c. Three electors who reside in the territorial
10 jurisdiction of the court or circuit and who are not members
11 of the bar of Florida, selected and appointed by a majority
12 vote of the other six members of the commission.

13 (6) No justice or judge shall be a member of a
14 judicial nominating commission. A member of a judicial
15 nominating commission may hold public office other than
16 judicial office. No member shall be eligible for appointment
17 to state judicial office so long as that person ~~he~~ is a member
18 of a judicial nominating commission and for a period of two
19 years thereafter. All acts of a judicial nominating
20 commission shall be made with a concurrence of a majority of
21 its members.

22 (7) The members of a judicial nominating commission
23 shall serve for a term of four years except the terms of the
24 initial members of the judicial nominating commissions shall
25 expire as follows:

26 a. The terms of one member of category a. b. and c. in
27 subsection (c)(5) hereof shall expire on July 1, 1974;

28 b. The terms of one member of category a. b. and c. in
29 subsection (c)(5) hereof shall expire on July 1, 1975;

30 c. The terms of one member of category a. b. and c. in
31 subsection (c)(5) hereof shall expire on July 1, 1976;

1 (8) All fines and forfeitures arising from offenses
2 tried in the county court shall be collected, and accounted
3 for by clerk of the court, and deposited in a special trust
4 account. All fines and forfeitures received from violations
5 of ordinances or misdemeanors committed within a county or
6 municipal ordinances committed within a municipality within
7 the territorial jurisdiction of the county court shall be paid
8 monthly to the county or municipality respectively. If any
9 costs are assessed and collected in connection with offenses
10 tried in county court, all court costs shall be paid into the
11 general revenue fund of the state of Florida and such other
12 funds as prescribed by general law.

13 (9) Any municipality or county may apply to the chief
14 judge of the circuit in which that municipality or county is
15 situated for the county court to sit in a location suitable to
16 the municipality or county and convenient in time and place to
17 its citizens and police officers and upon such application
18 said chief judge shall direct the court to sit in the location
19 unless the chief judge ~~he~~ shall determine the request is not
20 justified. If the chief judge does not authorize the county
21 court to sit in the location requested, the county or
22 municipality may apply to the supreme court for an order
23 directing the county court to sit in the location. Any
24 municipality or county which so applies shall be required to
25 provide the appropriate physical facilities in which the
26 county court may hold court.

27 (10) All courts except the supreme court may sit in
28 divisions as may be established by local rule approved by the
29 supreme court.

30 (11) A county court judge in any county having a
31 population of 40,000 or less according to the last decennial

1 census, shall not be required to be a member of the bar of
2 Florida.

3 (12) Municipal prosecutors may prosecute violations of
4 municipal ordinances.

5 (13) Justice shall mean a justice elected or appointed
6 to the supreme court and shall not include any judge assigned
7 from any court.

8 (d) When this article becomes effective:

9 (1) All courts not herein authorized, except as
10 provided by subsection (d)(4) of this section shall cease to
11 exist and jurisdiction to conclude all pending cases and
12 enforce all prior orders and judgments shall vest in the court
13 that would have jurisdiction of the cause if thereafter
14 instituted. All records of and property held by courts
15 abolished hereby shall be transferred to the proper office of
16 the appropriate court under this article.

17 (2) Judges of the following courts, if their terms do
18 not expire in 1973 and if they are eligible under subsection
19 (d)(8) hereof, shall become additional judges of the circuit
20 court for each of the counties of their respective circuits,
21 and shall serve as such circuit judges for the remainder of
22 the terms to which they were elected and shall be eligible for
23 election as circuit judges thereafter. These courts are: civil
24 court of record of Dade county, all criminal courts of record,
25 the felony courts of record of Alachua, Leon and Volusia
26 Counties, the courts of record of Broward, Brevard, Escambia,
27 Hillsborough, Lee, Manatee and Sarasota Counties, the civil
28 and criminal court of record of Pinellas County, and county
29 judge's courts and separate juvenile courts in counties having
30 a population in excess of 100,000 according to the 1970
31 federal census. On the effective date of this article, there

1 shall be an additional number of positions of circuit judges
2 equal to the number of existing circuit judges and the number
3 of judges of the above named courts whose term expires in
4 1973. Elections to such offices shall take place at the same
5 time and manner as elections to other state judicial offices
6 in 1972 and the terms of such offices shall be for a term of
7 six years. Unless changed pursuant to section nine of this
8 article, the number of circuit judges presently existing and
9 created by this subsection shall not be changed.

10 (3) In all counties having a population of less than
11 100,000 according to the 1970 federal census and having more
12 than one county judge on the date of the adoption of this
13 article, there shall be the same number of judges of the
14 county court as there are county judges existing on that date
15 unless changed pursuant to section 9 of this article.

16 (4) Municipal courts shall continue with their same
17 jurisdiction until amended or terminated in a manner
18 prescribed by special or general law or ordinances, or until
19 January 3, 1977, whichever occurs first. On that date all
20 municipal courts not previously abolished shall cease to
21 exist. Judges of municipal courts shall remain in office and
22 be subject to reappointment or reelection in the manner
23 prescribed by law until said courts are terminated pursuant to
24 the provisions of this subsection. Upon municipal courts
25 being terminated or abolished in accordance with the
26 provisions of this subsection, the judges thereof who are not
27 members of the bar of Florida, shall be eligible to seek
28 election as judges of county courts of their respective
29 counties.

30 (5) Judges, holding elective office in all other
31 courts abolished by this article, whose terms do not expire in

1 1973 including judges established pursuant to Article VIII,
2 sections 9 and 11 of the Constitution of 1885 shall serve as
3 judges of the county court for the remainder of the term to
4 which they were elected. Unless created pursuant to section
5 9, of this Article V such judicial office shall not continue
6 to exist thereafter.

7 (6) By March 21, 1972, the supreme court shall certify
8 the need for additional circuit and county judges. The
9 legislature in the 1972 regular session may by general law
10 create additional offices of judge, the terms of which shall
11 begin on the effective date of this article. Elections to
12 such offices shall take place at the same time and manner as
13 election to other state judicial offices in 1972.

14 (7) County judges of existing county judge's courts
15 and justices of the peace and magistrates' court who are not
16 members of bar of Florida shall be eligible to seek election
17 as county court judges of their respective counties.

18 (8) No judge of a court abolished by this article
19 shall become or be eligible to become a judge of the circuit
20 court unless the judge ~~he~~ has been a member of bar of Florida
21 for the preceding five years.

22 (9) The office of judges of all other courts abolished
23 by this article shall be abolished as of the effective date of
24 this article.

25 (10) The offices of county solicitor and prosecuting
26 attorney shall stand abolished, and all county solicitors and
27 prosecuting attorneys holding such offices upon the effective
28 date of this article shall become and serve as assistant state
29 attorneys for the circuits in which their counties are situate
30 for the remainder of their terms, with compensation not less
31

1 than that received immediately before the effective date of
2 this article.

3 (e) LIMITED OPERATION OF SOME PROVISIONS.--

4 (1) All justices of the supreme court, judges of the
5 district courts of appeal and circuit judges in office upon
6 the effective date of this article shall retain their offices
7 for the remainder of their respective terms. All members of
8 the judicial qualifications commission in office upon the
9 effective date of this article shall retain their offices for
10 the remainder of their respective terms. Each state attorney
11 in office on the effective date of this article shall retain
12 the ~~his~~ office for the remainder of the ~~his~~ term.

13 (2) No justice or judge holding office immediately
14 after this article becomes effective who held judicial office
15 on July 1, 1957, shall be subject to retirement from judicial
16 office because of age pursuant to section 8 of this article.

ARTICLE VII

FINANCE AND TAXATION

SECTION 6. Homestead exemptions.--

20 (b) Not more than one exemption shall be allowed any
21 individual or family unit or with respect to any residential
22 unit. No exemption shall exceed the value of the real estate
23 assessable to the owner or, in case of ownership through stock
24 or membership in a corporation, the value of the proportion
25 which the ~~his~~ interest in the corporation bears to the
26 assessed value of the property.

ARTICLE IX

EDUCATION

29 SECTION 5. Superintendent of schools.--In each school
30 district there shall be a superintendent of schools who. ~~He~~
31 shall be elected at the general election in each year the

number of which is a multiple of four for a term of four years; or, when provided by resolution of the district school board, or by special law, approved by vote of the electors, the district school superintendent in any school district shall be employed by the district school board as provided by general law. The resolution or special law may be rescinded or repealed by either procedure after four years.

ARTICLE X

MISCELLANEOUS

SECTION 3. Vacancy in office.--Vacancy in office shall occur upon the creation of an office, upon the death ~~of the incumbent or his~~ removal from office, or resignation of the incumbent or the incumbent's succession to another office, unexplained absence for sixty consecutive days, or failure to maintain the residence required when elected or appointed, and upon failure of one elected or appointed to office to qualify within thirty days from the commencement of the term.

SECTION 4. Homestead; exemptions.--

(a) There shall be exempt from forced sale under process of any court, and no judgment, decree or execution shall be a lien thereon, except for the payment of taxes and assessments thereon, obligations contracted for the purchase, improvement or repair thereof, or obligations contracted for house, field or other labor performed on the realty, the following property owned by a natural person:

(1) a homestead, if located outside a municipality, to the extent of one hundred sixty acres of contiguous land and improvements thereon, which shall not be reduced without the owner's consent by reason of subsequent inclusion in a municipality; or if located within a municipality, to the extent of one-half acre of contiguous land, upon which the

1 exemption shall be limited to the residence of the owner or
2 the owner's ~~his~~ family;

3 (2) personal property to the value of one thousand
4 dollars.

5 ARTICLE XI

6 AMENDMENTS

7 SECTION 2. Revision commission.--

8 (b) The governor shall designate one member of the
9 commission as its chairperson ~~chairman~~. Vacancies in the
10 membership of the commission shall be filled in the same
11 manner as the original appointments.

12 (c) Each constitution revision commission shall
13 convene at the call of its chairperson ~~chairman~~, adopt its
14 rules of procedure, examine the constitution of the state,
15 hold public hearings, and, not later than one hundred eighty
16 days prior to the next general election, file with the
17 secretary of state its proposal, if any, of a revision of this
18 constitution or any part of it.

19 SECTION 6. Taxation and budget reform commission.--

20 (c) At its initial meeting, the members of the
21 commission shall elect a member who is not a member of the
22 legislature to serve as chairperson ~~chairman~~ and the
23 commission shall adopt its rules of procedure. Thereafter,
24 the commission shall convene at the call of the chairperson
25 ~~chairman~~. An affirmative vote of two thirds of the full
26 commission and the concurrence of a majority of the members
27 appointed by the governor pursuant to paragraph (a)(1), a
28 concurrence of a majority of the members appointed by the
29 speaker of the house of representatives pursuant to paragraph
30 (a)(2), and a concurrence of a majority of the members
31 appointed by the president of the senate pursuant to paragraph

1 (a)(2) shall be necessary for any revision of this
2 constitution or any part of it to be proposed by the
3 commission.
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31