



A public education program
of The Florida Bar

CONSTITUTION REVISION COMMISSION

Every **20** Years

Developed by The Florida Law Related Education Association, Inc.
www.flrea.org



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WHAT WE KNOW?

National surveys conducted by the Annenberg Public Policy Center of the University of Pennsylvania have found:



Only 26% of Americans could name all three branches of the U.S. government.

Over 30% could not name a single branch of our government.



WHAT IS A CONSTITUTION?

- Similar to a rule book for government
 - Outlines structure and function of government
 - Limits the powers of government
 - Lists some of our rights
 - Reflects principles and values



BENCHMARKS

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COMPARING CONSTITUTIONS

U.S. CONSTITUTION

Sets up the structure of federal government

Limits the powers of the federal government

Bill of Rights

Outlines two amendment processes

Highest law in the United States

FLORIDA CONSTITUTION

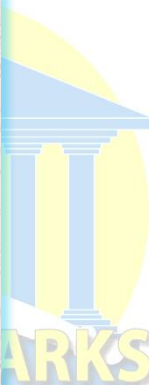
Sets up the structure of state government

Limits the powers of the state government

Declaration of Rights

Outlines five amendment processes

Highest state law in Florida



WHAT SHOULD BE IN A STATE CONSTITUTION?

Organization of the state government?

Powers of each branch of government?



WHAT SHOULD BE IN A STATE CONSTITUTION?

Establishing English as the official state language?

The process for selecting judges?



WHAT SHOULD BE IN A STATE CONSTITUTION?

Legalization of marijuana?

Definition of marriage?



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WHAT SHOULD BE IN A STATE CONSTITUTION?

Rights of the accused?

Protection of pregnant pigs?



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DEFINING THE FLORIDA CONSTITUTION

The Florida Legislature website defines the Florida Constitution as ***an organized system of fundamental principles for the government of the state. It is of a permanent and general nature and originates from the people rather than from the Legislature.***



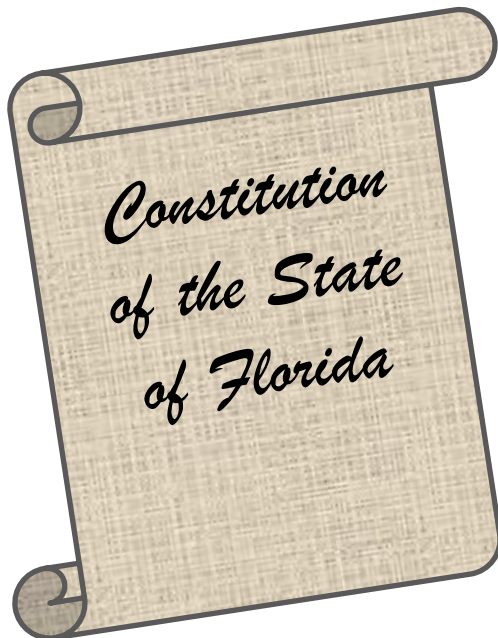
PROVISIONS OF THE FLORIDA CONSTITUTION

- Preamble
- Article I: Declaration of Rights
- Article II: General Provisions
- Article III: Legislature
- Article IV: Executive
- Article V: Judiciary
- Article VI: Suffrage and Elections
- Article VII: Finance and Taxation
- Article VIII: Local Government
- Article IX: Education
- Article X: Miscellaneous
- Article XI: Amendments
- Article XII: Schedule



CONSTITUTIONS V. STATUTES

What is the difference between a constitution and a statute?





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AMENDING THE FLORIDA CONSTITUTION

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HOW OFTEN SHOULD WE CHANGE A CONSTITUTION?

U.S. Constitution

- 27 amendments ratified
 - More than 10,000 amendments have been proposed
 - The U.S. Constitution has been amended only **17 times** since the first 10-- which make up the Bill of Rights-- were ratified in 1791.

Florida Constitution

- More than 100 amendments since 1968
 - Florida has more ways to amend its constitution than any other state

Amending Constitutions

Article XI of the Florida Constitution provides for 5 ways to amend the Constitution:

1

The Florida Legislature can propose changes through a Joint Resolution.

2

The Constitution Revision Commission can recommend changes.

3

The power to amend the Florida Constitution is also provided to the people through the initiative process.

4

Constitutional conventions are another means of recommending changes.

5

Taxation and Budget Commission can recommend taxation and budgetary process changes.

Article 5 of the U.S. Constitution provides for 2 ways to amend the U.S. Constitution:

1

Proposal by Congress with a two-thirds majority vote in both the House and Senate

2

Constitutional convention called for by two-thirds of the state legislatures; never been used



Did You Know?

Florida has more ways to amend its Constitution than any other state.



AMENDMENT PROCESSES

- Florida has more ways to amend its Constitution than any other state.
- 5 ways to amend the Florida Constitution (Article XI):
 1. Proposal by Legislature
 2. Revision Commission every 20 years (2017-2018)
 3. Initiative
 4. Constitutional convention (never used)
 5. Taxation and Budget Reform Commission every 20 years (2027)



Constitution Commission

Where is the Constitution Revision Outlined?

Article XI, Section 2 of the Florida Constitution

Within thirty days before the convening of the legislature, and each twentieth year thereafter, the governor shall establish a constitution revision commission consisting of the following thirty-seven members:

- (1) the attorney general of the state;
 - (2) fifteen members selected by the governor;
 - (3) nine members selected by the speaker of the house of representatives and nine members selected by the president of the senate; and
 - (4) three members selected by the chief justice of the supreme court of Florida with the advice of the justices.
- (b) The governor shall designate one member of the commission as its chair. Vacancies in the membership of the commission shall be filled in the same manner as the original appointments.
- (c) Each constitution revision commission shall convene at the call of its chair, adopt its rules of procedure, examine the constitution of the state, hold public hearings, and, not later than one hundred eighty days prior to the next general election, file with the custodian of state records its proposal, if any, of a revision of this constitution or any part of it.

Constitution Revision Commission:

A group of 37 people will review and recommend changes to the Florida Constitution; found in Article XI, Section 2 of the Florida Constitution



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What does the Constitution Revision Commission do?

Every 20 years the Commission is appointed to:



Examine the Florida Constitution



Hold public hearings



File recommended changes to the Florida Constitution for voter consideration



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COMPOSITION OF THE CONSTITUTION REVISION COMMISSION

37 Total number of commissioners appointed by the legislative, executive, and judicial branches.*

- (AG is automatically appointed under the Florida Constitution.)

How should the remaining 36 appointments be divided among the three branches?



Who serves on the CRC?

15

Appointed by the
Governor



9

Appointed by the
Speaker of the Florida
House



9

Appointed by the
President of the Florida
Senate



3

Appointed by the Chief
Justice of the Florida
Supreme Court



1

Attorney General of
Florida



CHARACTERISTICS OF COMMISSIONERS

Characteristics to Consider

The people of Florida should play a critical role in the appointment of commissioners to the CRC by suggesting appointees and monitoring the process. What characteristics are most important to you in selecting commissioners?

**Knowledgeable
about government**

Forward thinking

**Reflective
of Florida's
diverse culture**

**From all walks
of life**

Civic-minded



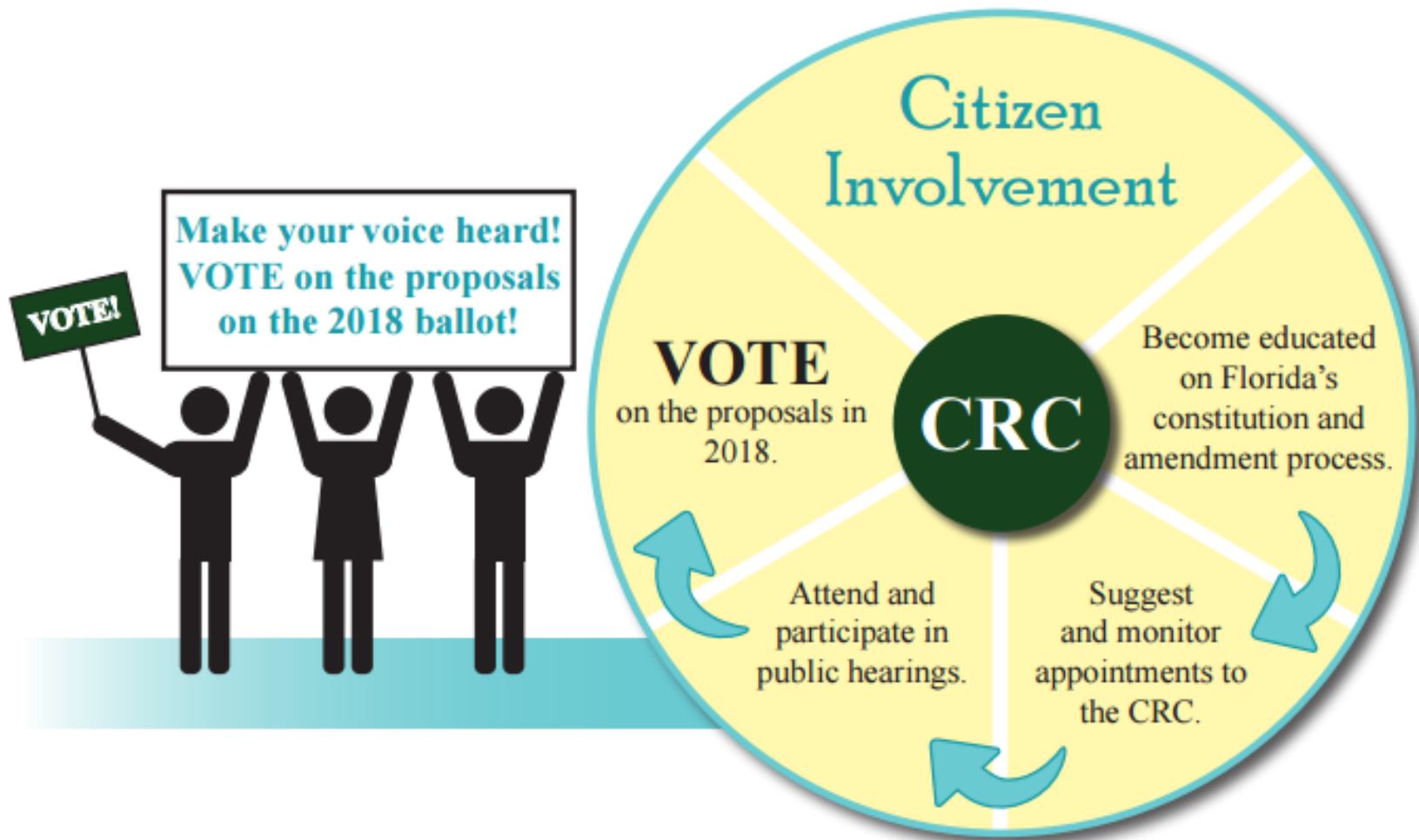


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How can citizens be involved in the constitution
revision process?

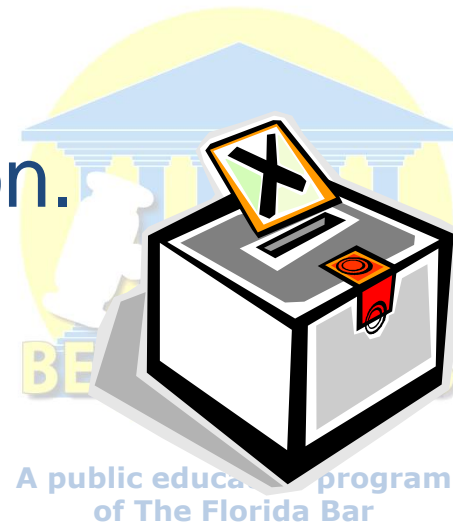
CITIZEN PARTICIPATION

The Role of Citizens



FOR ALL TYPES OF AMENDMENT PROPOSALS

- The voters decide if a proposal is added to the Florida Constitution.
- Requires 60% of voters to approve the proposal (Article XI, Section 5(e) Florida Constitution).
- Once passed by the voters, it is included in the Florida Constitution.

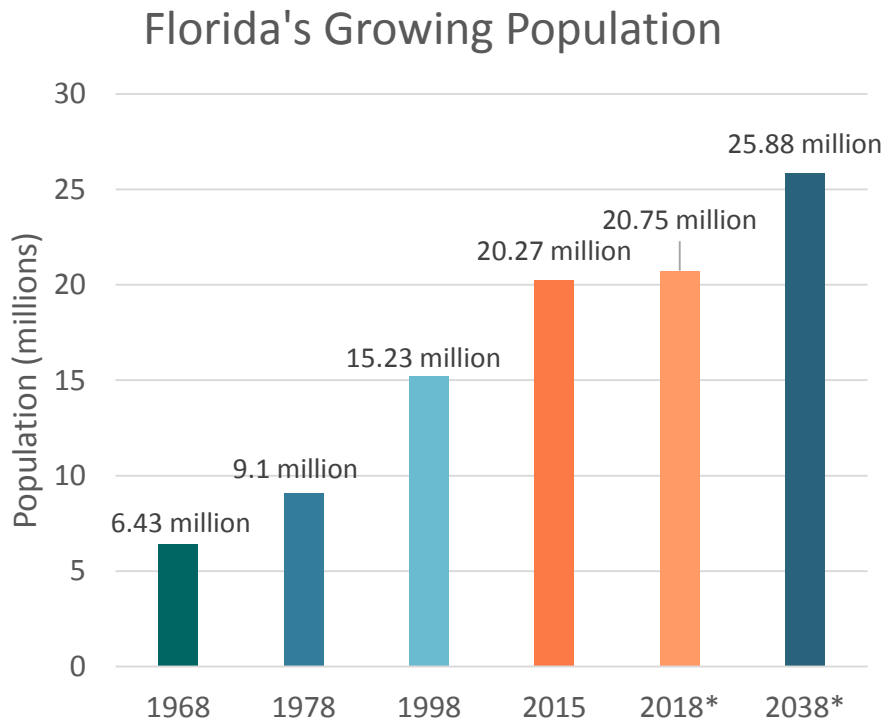


9 Proposed CRC Revisions for the 1998 Ballot

- Of the 13 proposed amendments to the Florida Constitution in 1998, **9 were revisions proposed by the Constitution Revision Commission.**
 - Of the 9 proposals, **Florida voters approved eight.**
- As of 2006, a proposed amendment to the Florida Constitution requires at least 60% of the vote to pass. In 1998, only a simple majority (more than 50%) was required.



CONSIDERATIONS FOR A GROWING SUNSHINE STATE



Considerations for keeping up with a growing Sunshine State:

Transportation
Education
Natural Resources
Crime
Representation
Healthcare
Youth, Elderly, and the Underserved
Gun Control
Immigration
Economy
What would you add?

NAME THE ISSUES

What current issues of importance to Florida do you think need to be addressed in the Florida Constitution?



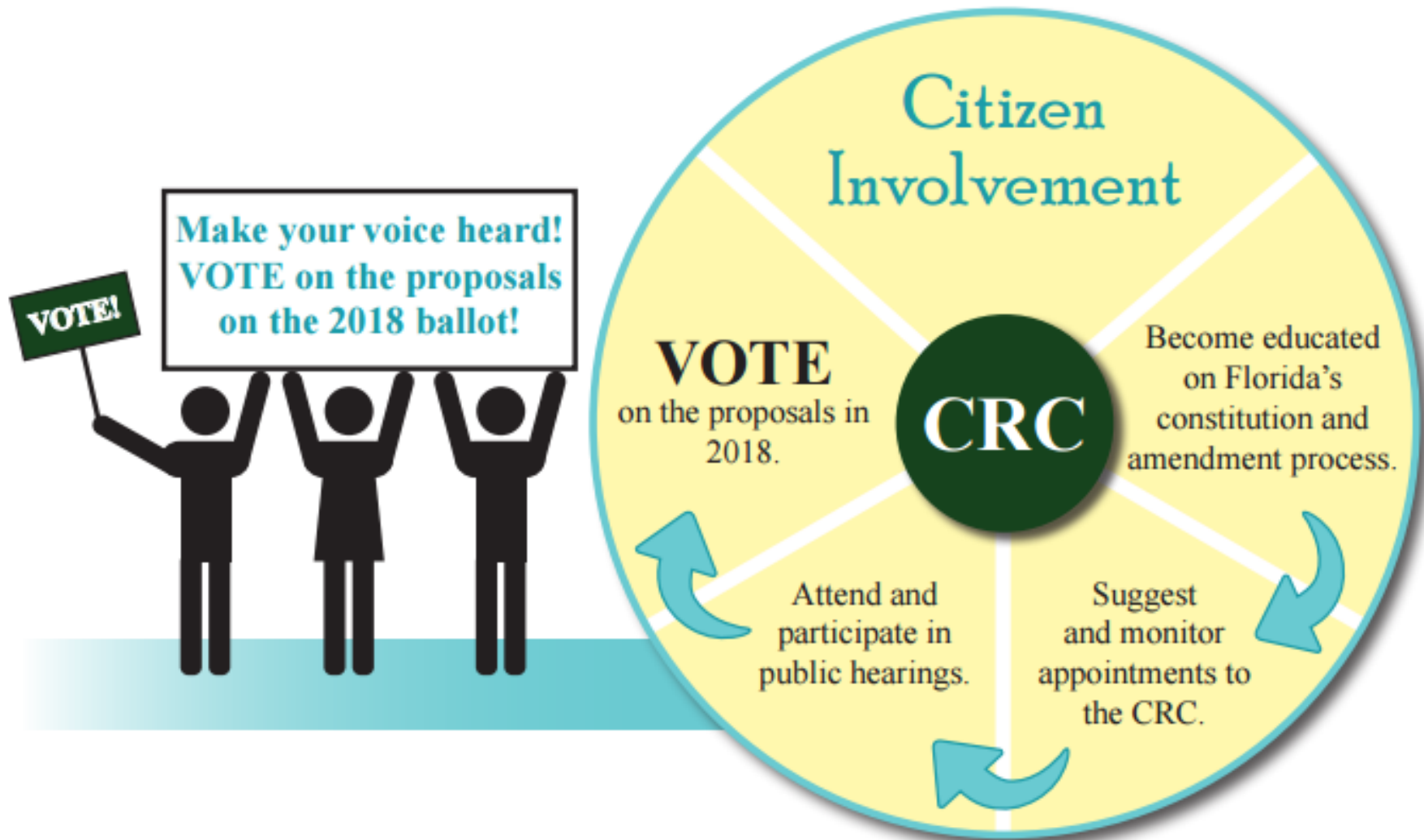
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**WHERE DO WE GO FROM
HERE?**

The Role of Citizens



KEEPING IN CONTACT



**Office of the
Governor of the
State of Florida**

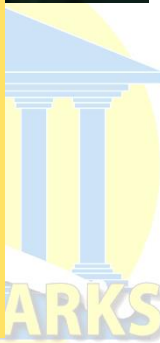


**Office of
Attorney General**

**Office of the
Florida Senate
President**

**Office of the
Speaker of the
Florida House of
Representatives**

**Office of the Chief
Justice, Supreme
Court of Florida**





Florida Constitution Revision Commission Appointments

The Chief Justice, the Governor and the President of the Senate have issued a call for applications for appointment to the Constitution Revision Commission.

Chief Justice Jorge Labarga accepting resumes. [Read more.](#)

Governor Rick Scott accepting applications. [Read more.](#)

Senate President Andy Gardiner calls for applications.

Florida House of Representatives to be announced.


<http://www.floridabar.org/crc>



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APPOINTMENTS TO THE CRC

Florida Governor's CRC Application (Appointments Questionnaire)



Appointments Questionnaire

The information from this questionnaire will be used by the Governor's office and, where applicable, The Florida Senate in considering action on your confirmation. The questionnaire **MUST BE COMPLETED IN FULL**. Answer "none" or "not applicable" where appropriate. Please type or print in black ink.

Section 2- Education and Background

High School: _____ Year Graduated: _____
(Name) (Location)

List all postsecondary education institutions attended:

Name	Dates	Degree Received

Are you or have you ever been a member of the armed forces of the United States? Yes ☐ No ☐

If "Yes" List:

Dates of service: _____
Branch or component: _____
Date & type of discharge: _____

Concerning your current employer and for all of your employment during the last ten years, list your employer's name, business address, type of business, occupation or job title, and period(s) of employment.


Employer's Name & Location	Type of Business	Occupation Title	Period

Have you ever been employed by any state, district, or local governmental agency in Florida? Yes ☐ No ☐

If "Yes", identify the position(s), the name(s) of the employing agency, and the period(s) of employment:

Position	Employing Agency	Period of Employment

Application for Senate Board and Commission Appointments



Disclosure

21. If required by law or administrative rule, will you file financial disclosure statements? Yes ☐ No ☐

22. Have you been a registered lobbyist or have you lobbied at any level of government at any time during the past four years? Yes ☐ No ☐
If yes, did you receive compensation other than reimbursement for expenses? Yes ☐ No ☐

Agency Lobbied	Principal(s) Reimbursed	Dates

23. Have you ever been employed by any state, district, or local governmental agency in Florida? Yes ☐ No ☐

Position	Employment Dates	Dates of Employment

24. Have you or any business with which you are or have been affiliated as an owner, officer, or employee ever held any contractual dealings during the last four years with any state, district, or local governmental agency in Florida? Yes ☐ No ☐
If yes, please provide:

Business Name	Your Relationship to Business	Agency	Business's Relationship to Agency

25. Have members of your immediate family—spouse, child, parent(s), sibling(s)—or businesses of which members of your immediate family have been owners, officers, or employees, held any contractual or other direct dealings during the last four years with any state, district, or local governmental agency in Florida? Yes ☐ No ☐
If yes, please provide:

Business Name	Family Member's Relationship to you	Family Member's Relationship to Business	Agency	Business's Relationship to Agency

Request for a Supreme Court Appointment

CONSTITUTION REVISION COMMISSION 2017 Supreme Court Appointments

About the CRC The Constitution Revision Commission meets once every 20 years to propose revisions to the Florida Constitution. It is created by [Article XI, section 2](#) of the Constitution and consists of 37 members, three of whom are selected by the Chief Justice with the advice of the Justices of the Florida Supreme Court. You can read the Chief Justice's [Press Release](#) about his appointments.

Asking for a Supreme Court Appointment Each person wishing to become one of the three Florida Supreme Court appointments to the 2017 CRC should submit the following to the Clerk of Court:

- A cover letter
- A complete resume

No application form is needed. Each application must be submitted as a [PDF](#) attached to an email and submitted by 5:00 p.m. Eastern Time, Dec. 31, 2016, to the following email address at the Supreme Court:

CRC@flcourts.org

Please note that all application materials submitted to the Court are public records and are subject to disclosure as provided in the [Florida Rules of Judicial Administration](#).

GET INVOLVED

Partnership for Revising
Florida's Constitution
EDUCATE, ENGAGE, EMPOWER



<http://www.revisefl.com/>



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CITATIONS

- <http://election.dos.state.fl.us/constitutional-amendments/init-peti-process.shtml>
- <http://www.law.fsu.edu/journals/lawreview/downloads/251/martin.pdf>
- http://www.sagepub.com/lippmanstudy/state/fl/Ch01_Florida.pdf
- <http://www.tampabay.com/news/business/corporate/florida-legislatures-proposed-constitutional-amendments-keep-getting/1112920>
- <http://www.law.fsu.edu/journals/lawreview/issues/232/jameson.html#FNR138>

