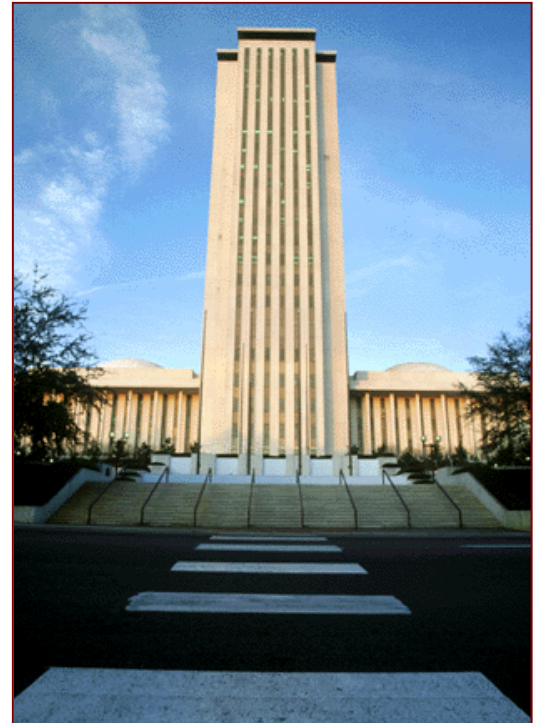


February 17, 2004

Reform is Top Senate Priority

Senate Select Committee Recommends Reform of Constitutional Amendment Process

Senate President King has made reform of the process by which the Florida Constitution can be amended his highest priority. His select committee to study the issue has come to a series of decisions that will now be used to draft legislation.



The Senate Select Committee on Constitutional Amendment Reform met for the final time yesterday to report their recommendations and vote on which proposals to include in their final report. Among the issues considered were various provisions to the process of amending Florida's Constitution, including passage requirements, process refinements, requisites for signature gatherers and guidelines for public hearings. Following is an outline of each recommendation presented at the final meeting, along with the outcome of each proposal.

Outcome: The committee voted to include this recommendation.

Passage Requirement

Increase the vote required for passage of a constitutional amendment from a majority vote of the electors to a higher standard.

Outcome: The committee voted to include this recommendation and decided to set the higher standard at 3/5 of the vote.

Process Refinements

Modify the parameters of Supreme Court review to permit the court to determine the appropriateness for inclusion of a measure in the constitution prior to approving its placement on ballot.

Should the Legislature, as the elected representatives of the people, be permitted to

propose amendments to the Florida Constitution outside the parameters to be established above and without Supreme Court approval?

Outcome: The committee voted to include this recommendation.

Provide for the earlier required submission of an initiative petition to the custodian of state records from the current required submission 91 days prior to the election.

Outcome: The committee voted to include this recommendation, with the earlier date being February 1st of the election year.

Shorten the period of validity for gathered signatures from the current 48 months to a lesser period.

Outcome: The committee voted to not include this recommendation.

Provide for the preparation of a voter guide to be distributed to the voters to afford greater opportunity for opposing sides to present their respective positions and anticipated fiscal impact of ballot initiatives.

Outcome: This proposed recommendation was withdrawn.

Who should provide the statements for inclusion in the voter guide?

Outcome: This proposed recommendation was withdrawn.

Do you favor permitting previously adopted amendments to the state Constitution to be repealed by the same vote by which they were adopted, rather than by any new standard approved by the electors?

Outcome: The committee voted to not include this recommendation.

Require the sponsor of an initiative to identify in the text of the measure the amount and source of revenue required to implement the

initiative. If the initiative requires a reduction in any source of government revenue, or a reallocation of funding from currently funded programs, the sponsor is required, in the text of the initiative, to identify the program on programs whose funding must be reduced or eliminated to implement the initiative.

Outcome: This proposed recommendation was withdrawn.

Require the sponsor of an initiative to identify in the text of the amendment a newly created funding source or mechanism to pay for the anticipated costs of the measure.

Outcome: This proposed recommendation was withdrawn.

Signature Gatherers

Pay signature gatherers on an hourly rather than per signature basis.

Outcome: The committee voted to not include this recommendation.

Permit the revocation of signatures.

Outcome: The committee voted to not include this recommendation.

Currently, Supervisors of Elections are required to promptly verify the validity of signatures submitted by initiative sponsors. Should Supervisors of Elections be required to process petitions for verification as to the number and validity of signatures and issue their certificate to the Secretary of State within a time certain after signature submission by sponsors?

Outcome: The committee voted to include this recommendation.

If yes, how long should Supervisors of Elections be given to complete this task after sponsor submission of signatures?

Outcome: The committee voted to give the Supervisors of Elections 60 days.

If signature gatherers are required to be paid on an hourly basis rather than on a per signature basis, reduce to 6% the number of signatures required for an initiative, if initiative sponsors utilize volunteer signature gatherers.

Outcome: This proposed recommendation was withdrawn.

Public Hearings

Require public hearings on all proposed constitutional amendments as to be provided by general law.

Outcome: This proposed recommendation was withdrawn.

Statutory Initiatives

Enact a statutory initiative process in Florida.

Outcome: This proposed recommendation was withdrawn.

Special Election

Would you favor placement of a joint resolution to amend the passage requirement for amending the Florida Constitution on the ballot at a special election to coincide with the August 31, 2004, primary election, provided that all measures certified for ballot placement on June 1, 2004, shall not be affected in any way?

Outcome: The committee voted to include this recommendation.

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