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# THE POLITICAL CHRONICLE

The Journal of the Florida Political Science Association

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*A Brief Introduction to Florida Government*  
John J. Bertalan  
(Hillsborough Community College - Tampa)

# THE POLITICAL CHRONICLE

The Journal of the Florida Political Science Association

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**Editor:** Marco Rimanelli, Saint Leo College, University of South Florida. All contributing essays should be sent to Dr. Rimanelli, Saint Leo College, Division of Liberal Arts & Sciences, P.O. Box 6665, Saint Leo, Florida 33574-6665.

**Managing Editor:** Hudson Reynolds, Saint Leo College Institute for Policy Studies, Liberal Arts & Sciences, Department of Social Sciences-MC2127, P.O. Box 6665, Saint Leo, Florida 33574-6665 Tel. (352) 588-8340. **The Political Chronicle** is published twice yearly by Saint Leo College on behalf of the Florida Political Science Association. Information regarding subscriptions should be addressed to the Managing Editor. Annual subscription fee is \$20. Make checks payable to **The Political Chronicle**.

Manuscripts submitted for consideration can be returned only if accompanied by a self-addressed stamped envelope. All manuscripts should be double-spaced with wide margins. The standard length for articles is 4,500-6,500 words. For style and footnoting, authors should refer to the **Chicago Manual of Style**. When a manuscript is accepted for publication, authors need to submit a copy on an IBM-readable floppy disk.

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# THE POLITICAL CHRONICLE

The Journal of the Florida Political Science Association

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## PAGE

*A Brief Introduction to Florida Government ..... 1*  
*John J. Bertalan*

## Introduction

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This current issue of the *Political Chronicle* (vol. 9) n.1 (Spring 1997) is a special edition wholly dedicated to the analysis of the Florida State Government: *A Brief Introduction to Florida Government* by Professor John J. Bertalan of Hillsborough Community College-Tampa, Florida.

Bertalan's up-to-date scholarly survey fills a critical void in the literature: there is no supplemental State and Local textbook on Florida's government available to the college market and to the scholarly community (the most recent similar works are of 1991). As Florida is today the fourth most populous state in the Union and a vital swing state in national and Presidential electoral contests, this booklet is a handy treasure-trove of facts, figures and information. The *Political Chronicle* therefore is pleased to present as an exclusive to its readers this important work before its actual publication in a larger version on the textbook market.

Dr. Bertalan is eminently qualified for this task, having served for nearly thirty years as a Professor of American Government and State and Local Politics at Hillsborough Community College-Tampa and as a member of the Florida Political Science Association's Executive Committee (1984-1995). His informative booklet on Florida's government systematically compares and merges all key data, previously available only from a scattered, wide range of state governmental and scholarly sources. Bertalan's study provides easy-to-read charts and up-dated graphs on the current 1997 Florida House and Senate Committees (see p.20); Florida's Delegation to the U.S. Congress (p.42-43); 1996 State Electoral Districts and electorate by party in both 1970 and 1996 (p.29, 41-43); the 1996-97 Florida State Budget (p.40); Bill procedure into State Law (p.22, 36, 45-46); the Florida Constitution and 1996 Ballot's Constitutional Amendments (p.5-9, 37); the Florida Executive Branch (p.16-17); the Florida Supreme Court and Judicial Branch (p.28); essential statistical information on Florida's Counties and Metropolitan areas (p.31); Historical curios (p.38-39); and a list of the ten most important Interest Groups operating in Florida (p.44).

Universities and institutions interested in adopting an extended version of this definitive study for their courses and libraries should contact directly Professor John Bertalan at: Hillsobough Community College, P.O. Box-30030, Tampa, Florida 33630 (813) 253-7533.

Marco Rimanelli, *Editor*

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**A BRIEF INTRODUCTION TO FLORIDA GOVERNMENT**

**(Spring, 1997 Version)**

**compiled by**

*John J. Bertalan, EdD.*

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**DEDICATION**

This document is dedicated to Beverly, Chris, Mike, Mitch and Ashley Brooke.

**ACKNOWLEDGEMENTS**

The compiler would like to thank the members of the Florida Political Science Association. For twenty-two years the compiler has learned and gleaned much information about Florida government from these professionals who made presentations at their Annual Meeting. Thanks also to Cindy Williams who designed the cover and Mazie C. Young who typed, edited, and organized the manuscript for printing.

# **TABLE OF CONTENTS**

## **A Brief Introduction to Florida Government**

	<u>Page</u>
Preface and Introduction	ii
List of Figures	iii
Chapter 1 - A Brief History of Florida	1
Chapter 2 - Demographics	2
• Florida Population	
• Florida Emblems	
• Florida Salaries	
• Florida Facts	
Chapter 3 - The Florida Constitution	4
• History	
• Declaration of Rights	
• Amending Procedures	
Chapter 4 - The Executive Branch	10
• The Governor	
• The Cabinet	
• The Plural Executive	
Chapter 5 - The Legislative Branch	18
• Organization	
• Committees	
• How a Bill Becomes a Law	
Chapter 6 - The Judicial Branch	24
• Florida Supreme Court	
• District Courts of Appeal	
• Circuit Courts	
• County Courts	
Chapter 7 - Political Parties and Elections	29
• Party Identification	
• Elections	
Chapter 8 - Local Government in Florida	30
• Counties	
• School Districts	
• Municipalities	
• Largest Cities	
• Metropolitan Areas	
Chapter 9 - Some Contemporary Issues Affecting Florida Government	32
References	33
Appendices	35

## **PREFACE**

After teaching state and local government in Florida for nearly thirty years, the compiler is attempting to place all supplemental material concerning the basic foundations of Florida government into one concise document. Hopefully, a basic knowledge of Florida government will be easier to grasp for both the student and the concerned citizen.

The material contained herein is intended to be a supplemental package for a unit on Florida government in a State and Local or an American National Government class. This book can also be utilized by any individual who wants to learn more about the basic structure of Florida government.

Much of the material contained in this document is borrowed from other sources. The purpose is to introduce the reader with a brief, logical, sequential introduction to the Florida state government. Booklets produced by the Florida House and Senate, the Florida Constitution, the Florida Handbook and material provided by the Secretary of State's office were used extensively. The Florida government pages on the INTERNET were also extremely helpful and substantially excerpted.

## **INTRODUCTION**

The government of the state of Florida is modeled after the American national government. According to the state Constitution, all powers are inherent in the people. The Constitution further details that the state government will have three branches: executive, legislative and judicial. Each branch is sovereign in its own area of responsibility, but it is also influenced by the checks and balances of the other branches.

In the following chapters, constitutional provisions of each branch will be discussed. Organizational and procedural developments will be detailed. Demographics and items of interest in state government will also be presented.

## **ADDITIONAL COPIES**

For additional copies of this book, please contact Dr. John J. Bertalan, P.O. Box 1752, Palm Harbor, Florida 34682, 813-784-2819, or Hillsborough Community College, P.O. Box 30030, Tampa, Florida 33630, 813-253-7533.

## LIST OF FIGURES

FIGURE I	Florida Population	2
FIGURE II	1990 Ethnic Background	2
FIGURE III	Florida Emblems	2
FIGURE IV	State Salaries	3
FIGURE V	Florida Facts	3
FIGURE VI	Article I	5
FIGURE VII	Article XI	8
FIGURE VIII	Current Office Holders	16
FIGURE IX	Executive Branch	17
FIGURE X	Florida Senate Committees	19
FIGURE XI	Florida House Committees	20
FIGURE XII	How a Bill Becomes a Law	22
FIGURE XIII	Florida Court Structure	28
FIGURE XIV	Registered Voters 1970	29
FIGURE XV	Registered Voters 1996	29
FIGURE XVI	Most Populous Cities	30
FIGURE XVII	Metropolitan Areas	31



## **CHAPTER 1 A BRIEF HISTORY OF FLORIDA**

Florida has one of the richest histories of any state in the union. To summarize the history on one page, or even to know where to begin, is a real challenge.

Wherever a person travels around the state, evidence of earlier civilizations exists. Some piles of shells strategically placed along coastlines were recently used by "civilized" individuals to pave roads or lay the foundation for highways. These piles of shells turn out to be middens, refuse material from the kitchens of Florida's first inhabitants. Anthropologists place various dates when these individuals first arrived or lived in Florida, but all agree it was thousands of years ago. Pottery, shell tools and projectile points are some of the evidence they left behind. Florida's ancient inhabitants were more numerous than our modern Native Americans, the Seminole and Miccosukee. However, early encounters with Europeans through war and disease entirely wiped out these populations.

One hundred years before the Mayflower landed in New England, other Europeans were "discovering" Florida. A Spaniard named Ponce de Leon, an explorer and adventurer, landed on the northeast coast in 1513. It is believed he named the land "La Florida" in honor of Pascua Florida, Spain's Easter-time Feast of the Flowers. In 1521, Ponce de Leon returned with 200 people and landed on the southwest coast of Florida. For the next 200 years, Spanish conquistadors, as well as French explorers, and eventually the British, visited and colonized Florida.

Historical markers dot the state with the monumental De Soto Trail. De Soto marched from near Bradenton in southwest Florida, up the peninsula to the Mississippi River. Markers also abound in St. Augustine, noting French and Spaniard conquests and the location of the oldest European school, jail and permanent settlement. Pensacola and other panhandle towns were inhabited by differing European people as well, and have a rich and varied history.

Moving up several centuries to more recent times, Florida fought three Seminole Wars and attained statehood in 1845. The state withdrew from the Union in 1861 to become an independent nation, part of the Confederate States of America. Florida was shaped in the 19th century by the influx of Cubans to Key West, and then to Tampa, to manufacture fine cigars. Greeks immigrated to Tarpon Springs to dive for sponges and Italians to Tampa Bay to fish. The railroads extending down both coasts and across the state brought more inhabitants from the North and manufacturing to Florida.

Florida's most recent history has probably been shaped by another influx of Cubans in south Florida (this time to escape Castro's rule), several military bases constructed for 19th and 20th century wars, the NASA space center, the invention of air conditioning and the opening of Walt Disney World near Orlando.

## CHAPTER 2 - DEMOGRAPHICS

In 1950, Florida was the 20th largest state in population. After the 1990 census, Florida ranked fourth. The population grew by 3.2 million people during the 1980's, ranking Florida second in real growth. The population growth of 32.7 percent was the fourth largest. Since 1990, Florida has been one of the four fastest growing states. The 1990 census showed the percentage of Florida's African-American population was actually decreasing and the percentage of the population over age 85 was increasing.

In addition to the state's rapid population growth, tens of thousands of "snow birds" from Canada and Northern states temporarily reside in Florida during the mild winter months. In addition, 47,000,000 tourists visited Florida in 1996.

**Figure I FLORIDA POPULATION (As of 1990)**

		% Growth
1940	1,897,414	
1950	2,771,305	46.1
1960	4,981,560	78.7
1970	6,791,418	37.2
1980	9,746,961	43.5
1990	12,937,926	32.7
2000	<i>est.</i> 15,000,000	15.9

Source: 1990 Census Handbook of Florida

**Figure II 1990 ETHNIC BACKGROUND (As of 1990)**

FLORIDA	TOTAL:	12,937,926
	White	10,749,285
	African-American	1,759,534
	American Indian	35,461
	Eskimo and Aleut	874
	Asian	150,856
	Pacific Islander	4,446
	Hispanic	1,574,143
	Other	238,470

Source: Florida Population Census Summary 1990

**Figure III FLORIDA EMBLEMS**

State Animal	Florida Panther
State Tree	Sabal Palm
State Gem	Moonstone
State Stone	Agatized Coral
State Flower	Orange Blossom
State Song	"Old Folks at Home" (Suwannee River)
State Bird	Mockingbird
State Beverage	Juice from mature oranges
State Marine Mammal	Manatee
State Saltwater Fish	Salifish
State Shell	Horse Conch
State Freshwater Fish	Largemouth Bass
State Saltwater Mammal	Porpoise

Source: Florida Secretary of State

**STATE SALARIES (As of January 1, 1997)**

**Figure IV**

Governor	\$107,961
Lt. Governor	\$103,415
Cabinet	\$106,870
State Legislators	\$ 24,912
Supreme Court Justices	\$133,600
District Courts of Appeals Justices	\$120,244
Circuit Judges	\$107,758
County Judges	\$ 95,785

Source: Florida Secretary of State

**FLORIDA FACTS (As of January 1, 1997)**

**Figure V**

- Total area - 58,560 square miles
- Total land area - 54,252 square miles
- Total water area - 4,308 square miles
- Rank among states in total area - 22nd
- Highest natural point - 345 feet near Lakewood in northeast Walton County
- Coastline - 1,197 statute miles
- Beaches - 663 miles
- Longest River - St. Johns, 273 miles
- Largest Lake - Lake Okeechobee, 700 square miles
- Capital - Tallahassee
- Number of prison inmates in 1965 - 6,970
- Number of prison inmates in 1995 - 62,992
- Number of prison inmates projected for year 2005 - 148,382

Source: Florida Almanac and Secretary of State

## **CHAPTER 3 - THE FLORIDA CONSTITUTION**

Florida's present Constitution is the state's sixth and was adopted primarily in 1968. There have been several amendments and the judiciary section was overhauled in 1972. The current Constitution has a unique Declaration of Rights and an amendment process that will be excerpted in its entirety on the following pages.

In preparation for statehood, fifty-six delegates from Florida's twenty counties assembled in the panhandle town of Saint Joseph to frame the 1838 Constitution. The delegates were mainly planters and lawyers originally from thirteen of the nation's twenty-six states and from four foreign countries. Only three were native Floridians. The original Constitution was modeled after the structure of the United States framework of government with three branches. It banned bank officers, clergymen and duelists from election to the state legislature and governorship. Florida attained statehood under this constitution in 1845.

Florida's second Constitution, drafted in 1861, amended the first Constitution and declared that Florida was a sovereign nation and part of the Confederate States of America. A third Constitution was drafted in 1865 and amended the Ordinance of Secession. This Constitution never became operative. The fourth Constitution was created during the "Reconstruction" post Civil War period of the South and was devised when Florida was divided into military districts. The fifth Constitution of 1885 was created to reverse the contents of the previous "Reconstruction" Constitution. Florida operated under this Constitution until it was substantially revised in 1968. In 1978, a constitutional revision commission met and proposed several changes to the current Constitution. However, all of these changes were defeated in a public election.

The Florida Constitution provides five ways to propose amendments to the Constitution. Regardless of the manner used to propose amendments, all potential amendments must be placed on the ballot and voted on by the citizens of the state. In 1998, another constitutionally imposed constitutional revision commission will meet to discuss and propose possible amendments to the voters. The commission will have thirty-seven members; fifteen chosen by the Governor, nine each by the President of the Florida Senate and Speaker of the Florida House of Representatives, and three by the Chief Justice of the Florida Supreme Court. The Attorney General of the State will automatically be a member of the commission.

The Constitution contains articles dealing with a Declaration of Rights, General Provisions, Legislature, Executive, Judiciary, Suffrage and Elections, Finance and Taxation, Local Government, Education, Miscellaneous and Amendment procedures. It also provides a schedule for the differing sections and policies to become effective.

Amendments to the Constitution are incorporated into the body of the document by the Secretary of State after each election. The present Constitution contains some unique items, such as a prohibition on a state income tax, a "right to work" clause and a ban on marine net fishing.

CONSTITUTION OF THE STATE OF FLORIDA

PREAMBLE

We, the people of the State of Florida, being grateful to Almighty God for our constitutional liberty, in order to secure its benefits, perfect our government, insure domestic tranquility, maintain public order, and guarantee equal civil and political rights to all, do ordain and establish this constitution.

ARTICLE I

DECLARATION OF RIGHTS

Sec.

1. Political power.
2. Basic rights.
3. Religious freedom.
4. Freedom of speech and press.
5. Right to assemble.
6. Right to work.
7. Military power.
8. Right to bear arms.
9. Due process.
10. Prohibited laws.
11. Imprisonment for debt.
12. Searches and seizures.
13. Habeas corpus.
14. Pretrial release and detention.
15. Prosecution for crime; offenses committed by children.
16. Rights of accused and of victims.
17. Excessive punishments.
18. Administrative penalties.
19. Costs.
20. Treason.
21. Access to courts.
22. Trial by jury.
23. Right of privacy.
24. Access to public records and meetings.
25. Taxpayers' Bill of Rights.

**SECTION 1. Political power.**—All political power is inherent in the people. The enunciation herein of certain rights shall not be construed to deny or impair others retained by the people.

**SECTION 2. Basic rights.**—All natural persons are equal before the law and have inalienable rights, among which are the right to enjoy and defend life and liberty, to pursue happiness, to be rewarded for industry, and to acquire, possess and protect property; except that the ownership, inheritance, disposition and possession of real property by aliens ineligible for citizenship may be regulated or prohibited by law. No person shall be deprived of any right because of race, religion or physical handicap.

*History.*—Am. S.J.R. 917, 1974, adopted 1974.

**SECTION 3. Religious freedom.**—There shall be no law respecting the establishment of religion or prohibiting or penalizing the free exercise thereof. Religious freedom shall not justify practices inconsistent with pub-

lic morals, peace or safety. No revenue of the state or any political subdivision or agency thereof shall ever be taken from the public treasury directly or indirectly in aid of any church, sect, or religious denomination or in aid of any sectarian institution.

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

**SECTION 5. Right to assemble.**—The people shall have the right peaceably to assemble, to instruct their representatives, and to petition for redress of grievances.

**SECTION 6. Right to work.**—The right of persons to work shall not be denied or abridged on account of membership or non-membership in any labor union or labor organization. The right of employees, by and through a labor organization, to bargain collectively shall not be denied or abridged. Public employees shall not have the right to strike.

**SECTION 7. Military power.**—The military power shall be subordinate to the civil.

**SECTION 8. Right to bear arms.**—

(a) The right of the people to keep and bear arms in defense of themselves and of the lawful authority of the state shall not be infringed, except that the manner of bearing arms may be regulated by law.

(b) There shall be a mandatory period of three days, excluding weekends and legal holidays, between the purchase and delivery at retail of any handgun. For the purposes of this section, "purchase" means the transfer of money or other valuable consideration to the retailer, and "handgun" means a firearm capable of being carried and used by one hand, such as a pistol or revolver. Holders of a concealed weapon permit as prescribed in Florida law shall not be subject to the provisions of this paragraph.

(c) The legislature shall enact legislation implementing subsection (b) of this section, effective no later than December 31, 1991, which shall provide that anyone violating the provisions of subsection (b) shall be guilty of a felony.

CONSTITUTION OF THE STATE OF FLORIDA

(d) This restriction shall not apply to a trade in of another handgun.

*History.*—Am. C.S. for S.J.R. 43, 1999; adopted 1999.

**SECTION 9. Due process.**—No person shall be deprived of life, liberty or property without due process of law, or be twice put in jeopardy for the same offense, or be compelled in any criminal matter to be a witness against himself.

**SECTION 10. Prohibited laws.**—No bill of attainder, ex post facto law or law impairing the obligation of contracts shall be passed.

**SECTION 11. Imprisonment for debt.**—No person shall be imprisoned for debt, except in cases of fraud.

**SECTION 12. Searches and seizures.**—The right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures, and against the unreasonable interception of private communications by any means, shall not be violated. No warrant shall be issued except upon probable cause, supported by affidavit, particularly describing the place or places to be searched, the person or persons, thing or things to be seized, the communication to be intercepted, and the nature of evidence to be obtained. This right shall be construed in conformity with the 4th Amendment to the United States Constitution, as interpreted by the United States Supreme Court. Articles or information obtained in violation of this right shall not be admissible in evidence if such articles or information would be inadmissible under decisions of the United States Supreme Court construing the 4th Amendment to the United States Constitution.

*History.*—Am. H.J.R. 31-H, 1962; adopted 1962.

**SECTION 13. Habeas corpus.**—The writ of habeas corpus shall be grantable of right, freely and without cost. It shall be returnable without delay, and shall never be suspended unless, in case of rebellion or invasion, suspension is essential to the public safety.

**SECTION 14. Pretrial release and detention.**—Unless charged with a capital offense or an offense punishable by life imprisonment and the proof of guilt is evident or the presumption is great, every person charged with a crime or violation of municipal or county ordinance shall be entitled to pretrial release on reasonable conditions. If no conditions of release can reasonably protect the community from risk of physical harm to persons, assure the presence of the accused at trial, or assure the integrity of the judicial process, the accused may be detained.

*History.*—Am. H.J.R. 43-H, 1962; adopted 1962.

**SECTION 15. Prosecution for crime; offenses committed by children.**—

(a) No person shall be tried for capital crime without presentment or indictment by a grand jury, or for other felony without such presentment or indictment or an information under oath filed by the prosecuting officer of the court, except persons on active duty in the militia when tried by courts martial.

(b) When authorized by law, a child as therein defined may be charged with a violation of law as an act of delinquency instead of crime and tried without a jury or other requirements applicable to criminal cases. Any child so charged shall, upon demand made as provided by law before a trial in a juvenile proceeding, be tried in an appropriate court as an adult. A child found delinquent shall be disciplined as provided by law.

**SECTION 16. Rights of accused and of victims.**—

(a) In all criminal prosecutions the accused shall, upon demand, be informed of the nature and cause of the accusation against him, and shall be furnished a copy of the charges, and shall have the right to have compulsory process for witnesses, to confront at trial adverse witnesses, to be heard in person, by counsel or both, and to have a speedy and public trial by impartial jury in the county where the crime was committed. If the county is not known, the indictment or information may charge venue in two or more counties conjunctively and proof that the crime was committed in that area shall be sufficient; but before pleading the accused may elect in which of those counties he will be tried. Venue for prosecution of crimes committed beyond the boundaries of the state shall be fixed by law.

(b) Victims of crime or their lawful representatives, including the next of kin of homicide victims, are entitled to the right to be informed, to be present, and to be heard when relevant, at all crucial stages of criminal proceedings, to the extent that these rights do not interfere with the constitutional rights of the accused.

*History.*—Am. S.J.R. 135, 1987; adopted 1988.

**SECTION 17. Excessive punishments.**—Excessive fines, cruel or unusual punishment, attainder, forfeiture of estate, indefinite imprisonment, and unreasonable detention of witnesses are forbidden.

**SECTION 18. Administrative penalties.**—No administrative agency shall impose a sentence of imprisonment, nor shall it impose any other penalty except as provided by law.

**SECTION 19. Costs.**—No person charged with crime shall be compelled to pay costs before a judgment of conviction has become final.

**SECTION 20. Treason.**—Treason against the state shall consist only in levying war against it, adhering to its enemies, or giving them aid and comfort, and no person shall be convicted of treason except on the testimony of two witnesses to the same overt act or on confession in open court.

**SECTION 21. Access to courts.**—The courts shall be open to every person for redress of any injury, and justice shall be administered without sale, denial or delay.

**SECTION 22. Trial by jury.**—The right of trial by jury shall be secure to all and remain inviolate. The qualifications and the number of jurors, not fewer than six, shall be fixed by law.

CONSTITUTION OF THE STATE OF FLORIDA

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

*History.*—Added, C.S. for H.J.R. 387, 1980, adopted 1980

under the laws of this state. This section shall be effective July 1, 1993.

*History.*—Proposed by Taxation and Budget Reform Commission, Revision No. 2, 1992, filed with the Secretary of State May 7, 1992, adopted 1992.

*Note.*—This section, originally designated section 24 by Revision No. 2 of the Taxation and Budget Reform Commission, 1992, was redesignated section 25 by the editors in order to avoid confusion with section 24 as contained in H.J.R.'s 1727, 863, 2035, 1992.

**SECTION 24. Access to public records and meetings.**—

(a) Every person has the right to inspect or copy any public record made or received in connection with the official business of any public body, officer, or employee of the state, or persons acting on their behalf, except with respect to records exempted pursuant to this section or specifically made confidential by this Constitution. This section specifically includes the legislative, executive, and judicial branches of government and each agency or department created thereunder; counties, municipalities, and districts; and each constitutional officer, board, and commission, or entity created pursuant to law or this Constitution.

(b) All meetings of any collegial public body of the executive branch of state government or of any collegial public body of a county, municipality, school district, or special district, at which official acts are to be taken or at which public business of such body is to be transacted or discussed, shall be open and noticed to the public and meetings of the legislature shall be open and noticed as provided in Article III, Section 4(e), except with respect to meetings exempted pursuant to this section or specifically closed by this Constitution.

(c) This section shall be self-executing. The legislature, however, may provide by general law for the exemption of records from the requirements of subsection (a) and the exemption of meetings from the requirements of subsection (b), provided that such law shall state with specificity the public necessity justifying the exemption and shall be no broader than necessary to accomplish the stated purpose of the law. The legislature shall enact laws governing the enforcement of this section, including the maintenance, control, destruction, disposal, and disposition of records made public by this section, except that each house of the legislature may adopt rules governing the enforcement of this section in relation to records of the legislative branch. Laws enacted pursuant to this subsection shall contain only exemptions from the requirements of subsections (a) or (b) and provisions governing the enforcement of this section, and shall relate to one subject.

(d) All laws that are in effect on July 1, 1993 that limit public access to records or meetings shall remain in force, and such laws apply to records of the legislative and judicial branches, until they are repealed. Rules of court that are in effect on the date of adoption of this section that limit access to records shall remain in effect until they are repealed.

*History.*—Added, C.S. for C.S. for H.J.R.'s 1727, 863, 2035, 1992, adopted 1992.

**SECTION 25. Taxpayers' Bill of Rights.**—By general law the legislature shall prescribe and adopt a Taxpayers' Bill of Rights that, in clear and concise language, sets forth taxpayers' rights and responsibilities and government's responsibilities to deal fairly with taxpayers

CONSTITUTION OF THE STATE OF FLORIDAARTICLE XI  
AMENDMENTS

Sec.

1. Proposal by legislature.
2. Revision commission.
3. Initiative.
4. Constitutional convention.
5. Amendment or revision election.
6. Taxation and budget reform commission.

**SECTION 1. Proposal by legislature.**—Amendment of a section or revision of one or more articles, or the whole, of this constitution may be proposed by joint resolution agreed to by three-fifths of the membership of each house of the legislature. The full text of the joint resolution and the vote of each member voting shall be entered on the journal of each house.

**SECTION 2. Revision commission.**—

(a) Within thirty days after the adjournment of the regular session of the legislature convened in the tenth year following that in which this constitution is adopted, and each twentieth year thereafter, there shall be established a constitution revision commission composed 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 chairman. 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 chairman, adopt its rules of procedure, examine the constitution of the state, except for matters relating directly to taxation or the state budgetary process that are to be reviewed by the taxation and budget reform commission established in section 6, hold public hearings, and, not later than one hundred eighty days prior to the next general election, file with the secretary of state its proposal, if any, of a revision of this constitution or any part of it.

*History.*—Am. H.J.R. 1616, 1968, adopted 1968

**SECTION 3. Initiative.**—The power to propose the revision or amendment of any portion or portions of this constitution by initiative is reserved to the people, provided that, any such revision or amendment, except for those limiting the power of government to raise revenue, shall embrace but one subject and matter directly connected therewith. It may be invoked by filing with the secretary of state a petition containing a copy of the proposed revision or amendment, signed by a number of electors in each of one half of the congressional districts of the state, and of the state as a whole, equal to eight percent of the votes cast in each of such districts respectively and in the state as a whole in the last preceding election in which presidential electors were chosen.

*History.*—Am. H.J.R. 2835, 1972, adopted 1972. Am. by Initiative Petition filed with the Secretary of State August 3, 1953, adopted 1954.

**SECTION 4. Constitutional convention.**—

(a) The power to call a convention to consider a revision of the entire constitution is reserved to the people. It may be invoked by filing with the secretary of state a petition, containing a declaration that a constitutional convention is desired, signed by a number of electors in each of one half of the congressional districts of the state, and of the state as a whole, equal to fifteen percent of the votes cast in each such district respectively and in the state as a whole in the last preceding election of presidential electors.

(b) At the next general election held more than ninety days after the filing of such petition there shall be submitted to the electors of the state the question: "Shall a constitutional convention be held?" If a majority voting on the question votes in the affirmative, at the next succeeding general election there shall be elected from each representative district a member of a constitutional convention. On the twenty-first day following that election, the convention shall sit at the capital, elect officers, adopt rules of procedure, judge the election of its membership, and fix a time and place for its future meetings. Not later than ninety days before the next succeeding general election, the convention shall cause to be filed with the secretary of state any revision of this constitution proposed by it.

**SECTION 5. Amendment or revision election.**—

(a) A proposed amendment to or revision of this constitution, or any part of it, shall be submitted to the elec-



tors at the next general election held more than ninety days after the joint resolution, initiative petition or report of revision commission, constitutional convention or taxation and budget reform commission proposing it is filed with the secretary of state, unless, pursuant to law enacted by the affirmative vote of three-fourths of the membership of each house of the legislature and limited to a single amendment or revision, it is submitted at an earlier special election held more than ninety days after such filing.

(b) Once in the tenth week, and once in the sixth week immediately preceding the week in which the election is held, the proposed amendment or revision, with notice of the date of election at which it will be submitted to the electors, shall be published in one newspaper of general circulation in each county in which a newspaper is published.

(c) If the proposed amendment or revision is approved by vote of the electors, it shall be effective as an amendment to or revision of the constitution of the state on the first Tuesday after the first Monday in January following the election, or on such other date as may be specified in the amendment or revision.

History.—Am. H.J.R. 1616, 1968, adopted 1968.

**SECTION 6. Taxation and budget reform commission.—**

(a) Beginning in 1990 and each tenth year thereafter, there shall be established a taxation and budget reform commission composed of the following members:

(1) eleven members selected by the governor, none of whom shall be a member of the legislature at the time of appointment.

(2) seven members selected by the speaker of the house of representatives and seven members selected by the president of the senate, none of whom shall be a member of the legislature at the time of appointment.

(3) four non-voting ex officio members, all of whom shall be members of the legislature at the time of appointment. Two of these members, one of whom shall be a member of the minority party in the house of representatives, shall be selected by the speaker of the house of representatives, and two of these members, one of whom shall be a member of the minority party in the senate, shall be selected by the president of the senate.

(b) Vacancies in the membership of the commission shall be filled in the same manner as the original appointments.

(c) At its initial meeting, the members of the commission shall elect a member who is not a member of the legislature to serve as chairman and the commission shall adopt its rules of procedure. Thereafter, the commission shall convene at the call of the chairman. An affirmative vote of two thirds of the full commission and the concurrence of a majority of the members appointed by the governor pursuant to paragraph (a)(1), a concurrence of a majority of the members appointed by the speaker of the house of representatives pursuant to paragraph (a)(2), and a concurrence of a majority of the members appointed by the president of the senate pursuant to paragraph (a)(2) shall be necessary for any revision

of this constitution or any part of it to be proposed by the commission.

(d) The commission shall examine the state budgetary process, the revenue needs and expenditure processes of the state, the appropriateness of the tax structure of the state, and governmental productivity and efficiency; review policy as it relates to the ability of state and local government to tax and adequately fund governmental operations and capital facilities required to meet the state's needs during the next ten year period; determine methods favored by the citizens of the state to fund the needs of the state, including alternative methods for raising sufficient revenues for the needs of the state; determine measures that could be instituted to effectively gather funds from existing tax sources; examine constitutional limitations on taxation and expenditures at the state and local level; and review the state's comprehensive planning, budgeting and needs assessment processes to determine whether the resulting information adequately supports a strategic decisionmaking process.

(e) The commission shall hold public hearings as it deems necessary to carry out its responsibilities under this section. The commission shall issue a report of the results of the review carried out, and propose to the legislature any recommended statutory changes related to the taxation or budgetary laws of the state. Not later than one hundred eighty days prior to the general election in the second year following the year in which the commission is established, the commission shall file with the secretary of state its proposal, if any, of a revision of this constitution or any part of it dealing with taxation or the state budgetary process.

History.—Added, H.J.R. 1616, 1968, adopted 1968.

## **CHAPTER 4 - EXECUTIVE BRANCH**

### **Overview**

Florida is unique among the 50 states in America. It is the only state that has a governor plus a cabinet consisting of six independently and constitutionally elected state executives. The Governor is the popularly elected "chief executive" of Florida, but the six members of the Cabinet are also elected by the people and serve as a collective decision and rule-making body for the state. Each cabinet member serves a four-year term (with a two-term limit) and is wholly responsible for the administration of at least one state department. The Governor is responsible for the administration of 12 other state departments (see chart at the end of this chapter).

The Governor cannot intervene directly in major departments headed by Cabinet members, neither can the Chief Executive have a direct impact on other executive boards and commissions of which he is not a member. Though he is "first among equals" on matters of broad policy, he must "clear" them with other members.

### **GOVERNOR**

The Governor shall be the supreme executive of the state. He must be at least 30 years of age and a resident of Florida for the preceding seven years. He can serve no more than two consecutive terms. Some of the governor's duties are listed below.

### **Responsibilities**

- Assure that the laws are faithfully executed.
- Commission all officers of the state and county.
- Transact all necessary business with the offices of government at all levels.
- Prepare a State of the State message to the Legislature.
- Fill vacancies in the United States Senate and executive and judicial posts. (Vacancies in the State Legislature and U.S. House of Representatives can be filled only by the voters.)
- Suspend from office, for cause, elective and appointive officers not subject to impeachment. Such suspended officers may be removed by, and with, the consent of the Senate.
- Serve as Commander-in-Chief of the militia and appoint all commissioned officers of the National Guard.

## **Governor Responsibilities (Continued)**

- Grant reprieves and suspend fines in all cases except impeachment.
- Act in all matters of extradition of persons charged with a crime.
- Serve as a member of boards and commissions prescribed by law.
- Appoint the members of prescribed state, county and district boards, and commissions (approximately 200 State and 450 local boards).
- Proclaim holidays.

## **LIEUTENANT GOVERNOR**

The office of Lieutenant Governor was created in the 1968 Constitution. Upon vacancy in the office of Governor, the Lieutenant Governor shall become Governor for the remainder of the term.

The Lieutenant Governor must be an elector not less than thirty years of age, who has resided in Florida for the preceding seven years. He is elected with the Governor for a four year term. Each elector of the state casts a single vote for the joint candidacy of the Governor and his running mate, the Lieutenant Governor. Duties of the Lieutenant Governor are assigned by the Governor. Other duties may be prescribed by law. Upon impeachment of the Governor, or during his physical or mental incapacity, the Lieutenant Governor shall serve as acting Governor. The Lieutenant Governor of Florida does not preside over the State Senate.

## **MEMBERS OF THE CABINET**

Florida has the only constitution which provides for a plural executive, commonly referred to as "The Cabinet." The members of the Cabinet are: Secretary of State, Attorney General, Comptroller, Treasurer, Commissioner of Education, and Commissioner of Agriculture.

These six executive officers are elected by the qualified voters of Florida to serve four-year terms. Each must be an elector not less than thirty years old, who has resided in Florida for the preceding seven years. He must be eligible for re-election in the next regular term without limitation. The Attorney General must have been a member of the Florida Bar for the preceding five years. Removal from Cabinet posting is by impeachment. Compensation is fixed by the Legislature. The Constitution gives specific duties to these officers and authorizes the Legislature to add other responsibilities. Each Cabinet member serves on boards and commissions prescribed by law.

## **SECRETARY OF STATE**

Operations of the Department of State are carried out by six divisions: Elections, Archives, History and Records Management Corporations, Library Services, Administrative Services, and Cultural Affairs. The Elections Canvassing Commission (Governor and Cabinet) is part of the Department of State.

### **Responsibilities**

- Keep safely the records of official acts of the Legislature and the Executive Department.
- Be the custodian of the Great Seal of the State.
- Furnish copies of all official papers; print and distribute laws in pamphlet and book form.
- Proclaim official time of elections.
- Prescribe and certify form of the ballot used in State elections.
- Handle the qualifying of candidates for State and congressional offices.
- File periodic reports of candidates' campaign expenses and contributions.
- Issue charters and maintain records for corporations; issue permits for out-of-state corporations and receive their annual reports.
- Register trademarks and brands used by firms doing business in Florida.

## **ATTORNEY GENERAL**

The Attorney General is the head of the Department of Legal Affairs, which is responsible for providing all legal services required by any department unless otherwise specified by law. The Attorney General has more than 30 Assistant Attorney Generals. In addition to the Capitol, there are offices in Miami, Tampa, Lakeland and Vero Beach.

### **Responsibilities**

- Serve as legal advisor to the Governor, other Executive Officers and State agencies.
- Defend the public interest.
- Represent the State in legal proceedings.
- Serve as reporter for the Supreme Court.

### **Attorney Gen. (cont.)**

- Assemble the Circuit judges to consider improvement of the judicial system, including recommendations to the Legislature.
- Render and record opinions in response to requests from the Legislature and public officials at all levels of government.
- Index statutes and resolutions of each session of the Legislature.
- Conduct a continuing study of statutes for revision and improvement.
- Report to the Governor, for transmission to the Legislature, on the operation of laws of the previous session, including court decisions affecting these laws.

### **COMPTROLLER**

The Comptroller is head of the Department of Banking and Finance. Its operations are carried out by six divisions: Administration, Account and Auditing, Banking, Data and Fiscal Processing, Regulatory and Securities.

#### **Responsibilities**

- Pre-audit all claims against the State.
- Issue warrants for payment of salaries and claims.
- Record all revenues collected, disbursements and appropriation balances.
- Assure that monies are correctly deposited into the State treasury.
- Provide an annual report of all funds received or disbursed by every State agency.
- Estimate the revenue anticipated during a two-year period for the use of the Legislature.
- Supervise banks, trust companies, building and loan associations, credit unions and small loan companies.
- Collect estate, documentary stamp, utilities and occupational license taxes.
- Supervise collection of intangible tax information for county assessors.
- Certify amounts due counties under the Minimum Foundation Program.

## **INSURANCE COMMISSIONER AND TREASURER**

The Department of Insurance, administered by the Insurance Commissioner and Treasurer, is responsible for registration and regulation of the insurance industry, as well as inspections for fire safety standards and administration of the financial responsibility law relating to uninsured motorists.

### **Responsibilities:**

- Pay warrants drawn on the Treasurer and keep detailed records.
- Deposit State funds in banks, requiring collateral as security.
- Serve as custodian for all State-owned securities.
- Be ex officio Treasurer of each of Florida's 67 counties.

### **As State Insurance Commissioner:**

- Supervise insurance companies, their agents and adjusters.
- Regulate insurance rates.
- Collect the State's tax on insurance.
- Enforce the Motor Vehicle Financial Responsibility Law.
- Approve organization of nonprofit hospitalization associations.
- Administer a state-wide traffic safety program.

### **As State Fire Marshal:**

- Investigate suspicious fires.
- Promulgate and enforce safety regulations controlling storage, sale and use of liquified petroleum gas, combustibles and explosives.
- Regulate fire alarm systems, extinguishing systems and escape routes.

## **COMMISSIONER OF EDUCATION**

The Commissioner of Education is the chief State educational officer. The State Board of Education (composed of the Governor and Cabinet) is the head of the State Department of Education, which includes four divisions: Elementary and Secondary Education, Vocational Education, Universities and Community Colleges.

### **Responsibilities**

- Exercise general supervision over education in public elementary and secondary schools, junior colleges and universities.
- Recommend to the State Board of Education (The Governor, Secretary of State, Attorney General, Treasurer, Comptroller, Commissioner of Agriculture and Commissioner of Education) policies for school improvement.
- Prepare and recommend to the State Board minimum standards and rules and regulations in the following fields: establishment, organization, operation and classification of school personnel, child welfare, courses of study and instructional aids, transportation, school plant, finance, records and reports.
- Issue teacher certificates, permits and licenses authorized by law and recommend revocation for cause.
- Apportion all State school funds among the counties.
- Exercise supervision over county school budgets and approve or recommend changes.
- Assist county boards in purchase of school buses, equipment and supplies by providing a plan whereby bids may be pooled.
- Recommend policies for the preservation of the State Permanent School Fund balance.
- Serve as ex officio Secretary of the State Advisory Council on Education.
- Plan for cooperation with the federal government for a State vocational education and rehabilitation program.

## **COMMISSIONER OF AGRICULTURE**

Operations of the Commissioner's Agriculture Department are carried out by several divisions: Administration, Animal Industry, Chemistry, Consumer Services, Dairy Industry, Forestry, Fruit and Vegetable Inspection, Marketing, Plant Industry and Standards.

## **Responsibilities**

- Provide leadership to the State's agricultural community.
- Administer laws enacted for the health and welfare of consumers of farm and related products.
- Inspect fertilizers, feeds, seeds, petroleum products, frozen desserts, pesticides, fruits, vegetables and milk products.
- Identify, control and eradicate contagious and infectious diseases, parasites, insects and pests.
- Collect and disseminate agricultural information.

**Figure VIII      CURRENT OFFICE HOLDERS  
As of March 1, 1997**

**Lawton Chiles, Governor**

**Buddy McKay, Lt. Governor**

**Sandra B. Mortham, Secretary of State**

**Bob Butterworth, Attorney General**

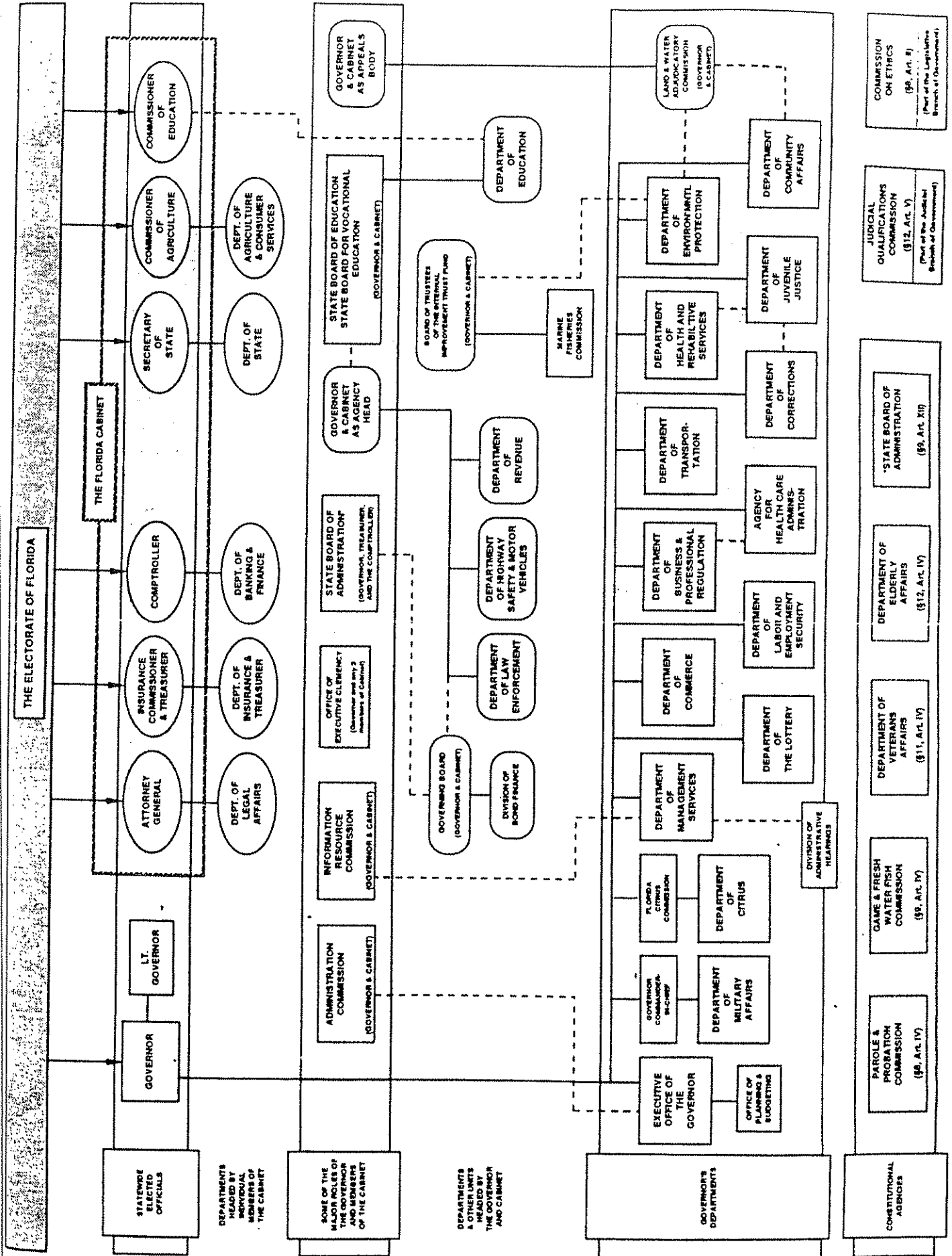
**Robert F. Milligan, Comptroller**

**Bill Nelson, Insurance Commissioner & Treasurer**

**Bob Crawford, Commissioner of Agriculture**

**Frank T. Brogan, Commissioner of Education**





PREPARED BY GEORGE H. MEIER NOVEMBER 1994 01

**FIGURE IX EXECUTIVE BRANCH**

## **CHAPTER 5 - LEGISLATIVE BRANCH**

### **ORGANIZATION**

The Legislative Branch is bicameral, that is, composed of two Chambers - a House of Representatives and a Senate. The primary job of the legislative branch is to pass laws. For a bill to become law, it must be approved by both houses in identical form.

The **LEGISLATURE** has a regular session every year. Regular sessions begin on the first Tuesday after the first Monday in March. Reapportionment sessions begin in February and occur every 10 years. Sessions last for 60 calendar days.

The **SENATE** has 40 members, each elected to a four-year term. Half the Senate members are elected every two years, providing for staggered terms. Senate districts are based on population with each senator representing approximately the same number of residents. To do so, some senators may represent only one county or a portion of a county, while another senator may represent multiple counties. The Senate, like the House, is reapportioned every 10 years when the federal census is released. Currently they represent approximately 350,000 constituents.

The **HOUSE OF REPRESENTATIVES** has 120 members. All are elected every two years during the general elections held in even-numbered years. House districts are based on population with each member representing approximately the same number of residents. To do so, some members may represent only one county or a portion of a county, while another may represent multiple counties. The House, like the Senate, is reapportioned every 10 years when the federal census is released. Currently, each represents about 108,000 citizens.

### **REAPPORTIONMENT**

Until the early 1980's, Florida had a complicated system of districting for the State House and Senate. To comply with the 1960's one man/one vote reapportionment court rulings, most legislative members represented multi-member districts. In Hillsborough County, for example, there were nine members of the State House of Representatives with nine numbered districts. However, there were not nine distinct districts on the legislative boundary map--only two, with five and four district numbers respectively. Five House members represented what was essentially the city limits of Tampa and four represented the remainder of the county. This system was fairly effective in keeping Blacks, Cubans and Republicans out of the State Legislature. In anticipation of another series of lawsuits, the Legislature voted to create single-member districts after the final tabulation of the 1980 federal census. (Current legislative districts appear in the appendix.)

In the 1990's another interesting series of reapportionment events occurred. In creating single-member U.S. House of Representative and Florida House and Senate districts resulting from the 1990 federal census, the state government employed private consulting firms, as well as state research agencies, to generate computer models of legislative districts that met state and federal court rulings and administrative guidelines. Ironically, after arduously establishing the final district boundaries from several possibilities generated, the Legislature was accused of reverse gerrymandering. Some of these state and federal legislative districts have recently been reviewed by the courts. The lawsuits cite the inclusion of Black and Hispanic neighborhoods overtly creating "minority districts."

Ironically, in 1997, after two decades of sweeping ethnic, political, and redistricting changes, Republicans have a majority in both the Florida House and Senate. The current President of the Florida Senate was elected by a unanimous vote of 39-0. She is the first Republican woman to hold this office in the history of the state. Additionally, both the Speaker Pro Tempore of the House and the President Pro Tempore of the Senate were born in Havana, Cuba.

## COMMITTEES

Committees of each House meet during the months preceding the regular session on a schedule set by the presiding officer. The presiding officers of each House appoint committees to review legislation. Additionally, the House and Senate have an organizational meeting in December, after the general election every two years. They meet to choose their leadership and reorganize committee memberships.

Committees are the heart of the legislative process. There are three types of committees: standing or permanent, which in many cases include subcommittees; joint committees that are comprised of members from both houses of the legislature; and select or temporary committees that are formed to address a special issue (e.g. child abuse and neglect).

**Figure X FLORIDA STATE SENATE COMMITTEES (As of February 13, 1997)**

Standing Committees:	Joint Committees:
<ul style="list-style-type: none"> <li>Agriculture</li> <li>Banking and Insurance</li> <li>Children, Families, and Seniors</li> <li>Commerce and Economic Opportunities</li> <li>Community Affairs</li> <li>Criminal Justice</li> <li>Education</li> <li>Executive Business, Ethics, and Elections</li> <li>Governmental Reform and Oversight</li> <li>Health and Rehabilitative Services</li> <li>Health Care</li> <li>Higher Education</li> <li>Judiciary</li> <li>Natural Resources</li> <li>Regulated Industries</li> <li>Rules and Calendar</li> <li>Transportation</li> <li>Ways and Means</li> </ul>	<ul style="list-style-type: none"> <li>Administrative Procedures</li> <li>Florida Legislative Committee on Intergovernmental Relations</li> <li>Legislative Information Technology Resources</li> <li>Legislative Auditing</li> <li>Legislative Management</li> </ul>

Source: Florida Government Internet pages 18a

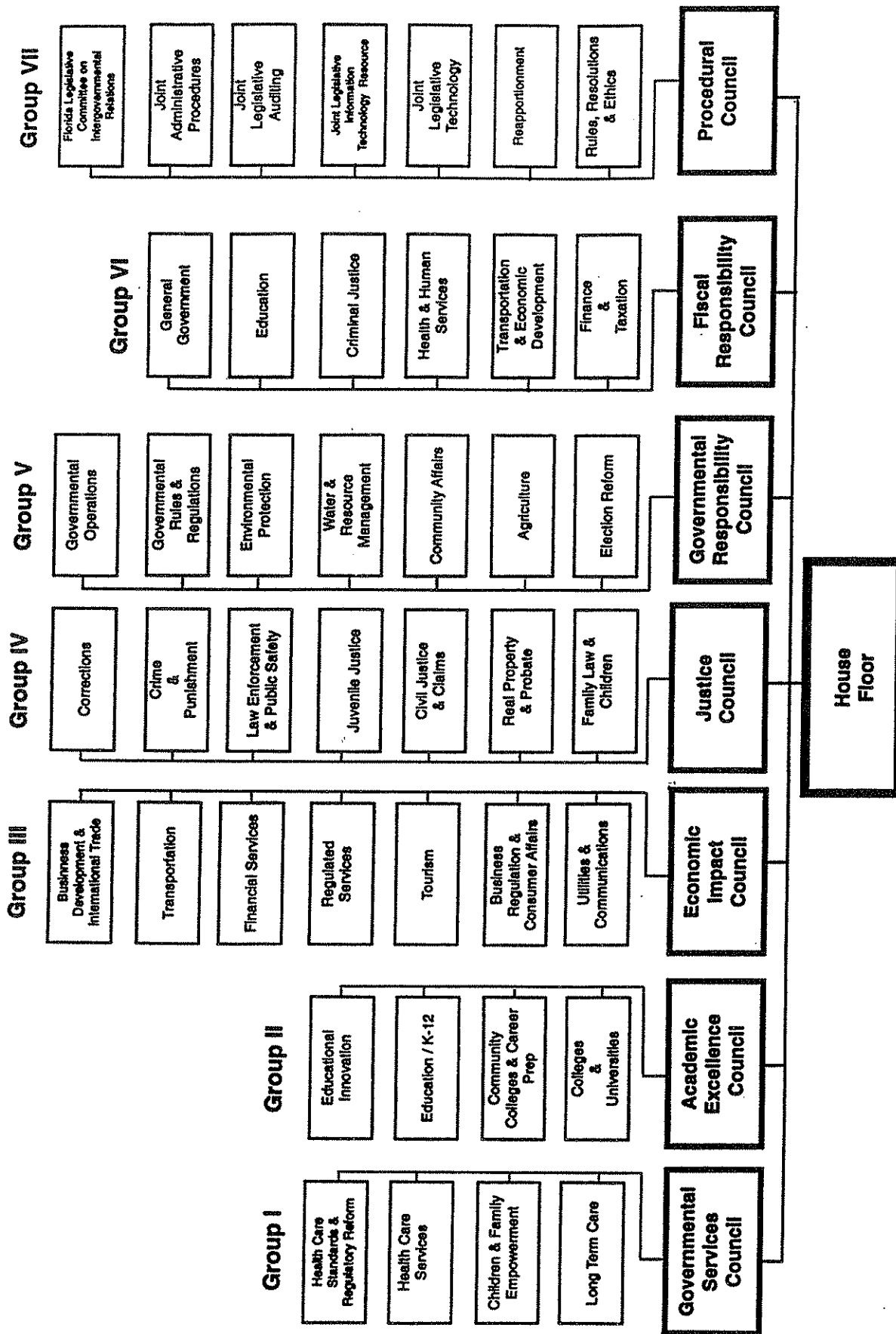


FIGURE XI - FLORIDA HOUSE COMMITTEES (As of March 17, 1997)

The formation of committees breaks down the membership into numerous small groups. Opportunity is thus afforded the Senate and the House for closer study of a bill than would be possible in debate on the floor. In this preliminary screening, the committee will hear from the legislator who introduced the bill. It will hear, too, from other legislators, citizens and lobbyists who either favor or oppose the bill.

## **HOW A BILL BECOMES A LAW**

Upon introduction, every bill or joint resolution (except those originating in a committee of jurisdiction) will be assigned by the presiding officer to a committee. This is called reference.

Bills relating to the spending or raising of money must be referred to the Committee on Appropriations or the Committee on Finance and Taxation. But when bills involve more than one purpose, they are often jointly referred to one or more additional committees.

For a bill to become an act it must be passed by both Houses in precisely the same words and figures. The second House frequently amends and returns the bill to the House of origin.

Different courses may then be taken. The originating house may concur in the amendments, thereby completing the legislative process. Or, it may reject the amendments and ask the other house to recede. Or, it may concur in some of the amendments and ask the other house to recede from those remaining. Bills may travel back and forth until, depending upon the importance of the legislation and the tenacity of the persons involved, one House surrenders, or the re-worked bill satisfies both Houses.

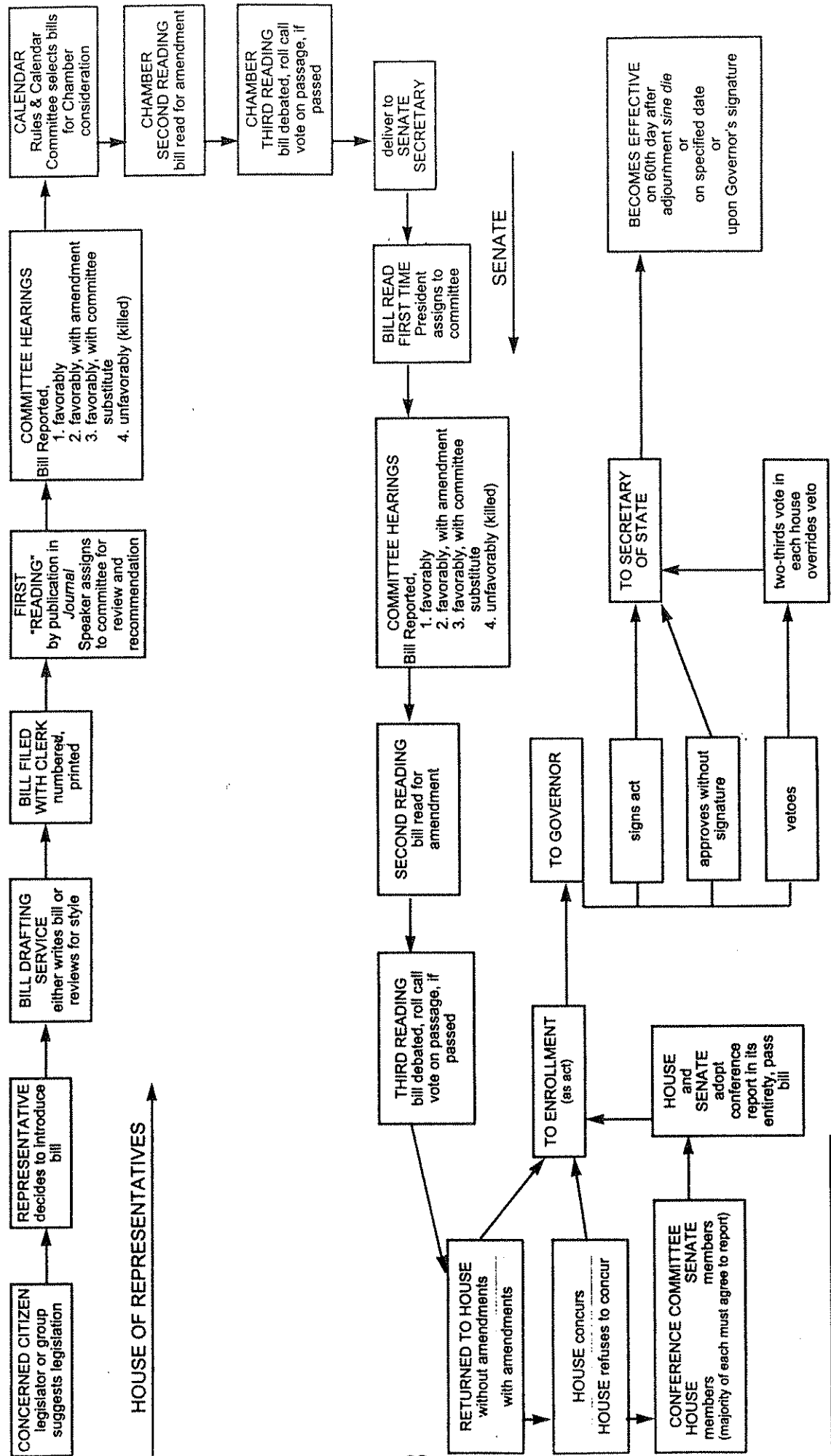
In the case of a significant bill with substantial differences, the shortcut of a conference committee likely will be taken almost immediately. A conference committee, in reality, is composed of separate committees from the Senate and the House of Representatives. Conference committees are intended to reconcile differences. This suggests a give-and-take process because if a majority of the conferees from either House refuses to budge, the conference would be stalemated and the bill could fail. However, this rarely happens.

The House and Senate standing committees on Rules and Calendar are the final sieve through which legislation must pass to achieve chamber consideration. The regular calendars have become a shelf list for the Rules Committee of bills that have been reported favorably by all committees of reference.

Figure XII on the next page illustrates a simplified path a bill must take to become law. Rule changes implemented by the House at the commencement of the 1997 session have significantly changed the method whereby a bill can be passed in the House.

Appendix 9, which spans two pages, illustrates the new path for a bill to pass in the House. Additionally, the chart depicted on Appendix I was provided by an elected member of the Florida House of Representatives as the most accurate path a bill takes to become a law.

# How An Idea Becomes A Law



A simplified chart showing the route a bill takes through the Florida Legislature. Bills may originate in either House. This bill originated in the House of Representatives.

OFFICE OF THE CLERK HOUSE OF REPRESENTATIVES

Figure XII HOW A BILL BECOMES A LAW

### **Composition of the House and Senate**

Although law is the most common occupation of the members of the legislature, members come from diverse fields such as banking, retailers, education, professional sports, law enforcement, insurance, medical professionals, housewives and consultants. About eighty percent are male and seventy-five percent are Anglo. The median age is just under fifty and about eighty percent have a college degree.

### **Presiding Officers**

The presiding officers in both Houses are the Speaker of the House and President of the Senate. Through newspaper stories, personal interviews and rules of each chamber, reports flourish that these officials exercise an enormous amount of power in the State and in their respective chambers. The presiding officers appoint all standing and select committee members and chairs and can remove these members and chairs even during the session. Occasionally, members have been removed for disagreeing on a vote. The presiding officers may also appoint themselves to all committees, as chair of the Rules Committee, and decide to which committee or committees a bill is referred. To carry matters to the extreme, the presiding officers assign office space and parking space to the members. Additionally, the presiding officers usually have control over a special discretionary campaign fund that they can use to help their supporters.

The positions of Speaker of the House and President of the Senate are positions that are sought after years in advance. The recent close votes between Democrats and Republicans have complicated the votes for the presiding officers. In Florida's recent past, the opposition party was not even consulted prior to the presiding officer taking power. When the Senate was evenly divided between Democrats and Republicans, the Presidency rotated one-year terms between parties.

### **State Statutes**

In addition to passing laws for the entire state of Florida, the Legislature can pass local laws that pertain to just one area of the State. In fact, local laws have a much higher pass rate than general laws. In 1995, 159 local bills were introduced and 81 were passed. By comparison, 2605 general bills were introduced and only 450 were passed. Local laws can include such diverse matters as stadium and taxicab authorities, and even laws that might affect just one individual.

## **CHAPTER 6 - THE JUDICIAL BRANCH**

### **Overview**

The judicial branch is the law-interpreting branch of the state government. Its powers are exercised primarily through courts established by the constitution. With constitutional changes in 1972, the Florida court system became one of the most streamlined in the country. All municipal courts were to be phased out by 1977 and there would be a county court in every county of the state. There would be four courts: the Supreme Court, the District Courts of Appeal, the Circuit Courts and the County Courts.

### **Supreme Court**

The Supreme Court of Florida, the highest court in Florida, and is composed of seven Justices. Five Justices are required to constitute a quorum to conduct business, and four Justices must agree on a decision in each case. The Court's official headquarters is the Supreme Court Building in Tallahassee.

To be eligible for the office of Justice, a person must be a qualified elector who resides in Florida and must have been admitted to the practice of law in Florida for the preceding 10 years.

The jurisdiction of the Supreme Court is set out in the Constitution with some degree of flexibility by which the Legislature may add or take away certain categories of cases. The court must review final orders imposing death sentences, District Court decisions declaring a State statute or provision of the State Constitution invalid, bond validations and certain orders of the Public Service Commission on utility rates and services.

In addition to these forms of mandatory review authority, the Court, at its discretion, may review any decision of a District Court of Appeal that expressly declares valid a State statute, construes a provision of the State or Federal Constitution, affects a class of constitutional or State officers or directly conflicts with a decision of another district court or of the Supreme Court on the same question of law.

The Supreme Court may review certain categories of judgments, decisions and questions of law certified to it by the District Courts of Appeal and Federal Appellate Courts.

The Supreme Court has the constitutional authority to issue the extraordinary writs of prohibition, mandamus, quo warranto and habeas corpus and to issue all the other writs necessary to the complete exercise of its jurisdiction, such as an order to stay lower court proceedings.

### **The District Court of Appeals**

The Constitution provides that the Legislature shall divide the State into appellate court districts and that there shall be a District Court of Appeal (DCA) serving each district. There are five such districts that are headquartered in Tallahassee, Lakeland, Miami, West Palm Beach and Daytona Beach.



As of January 1995, fifteen judges serve in the First DCA, fourteen serve in the Second DCA, eleven serve in the Third DCA, twelve serve in the Fourth DCA and nine serve in the Fifth DCA. That makes a total of 61 DCA judges. DCA judges must meet the same eligibility requirements for appointment to office, and they are subject to the same procedures and conditions for discipline and removal from office as Justices of the Supreme Court. Like the Supreme Court Justices, District Court judges also serve terms of six years and will be eligible for successive terms under a merit retention vote of the electors in their districts.

In each District Court, a chief judge, who is selected by the body of District Court judges, is responsible for the administrative duties of the court.

The Jurisdiction of the District Courts of Appeal extends to appeals from final judgments or orders of trial courts in cases that either are not directly appealable to the Supreme Court, or are not taken from a county court to a circuit court, and to the review of certain non-final orders. By general law, the district courts have been granted the power to review most actions taken by State agencies in carrying out the duties of the executive branch of government.

Finally, the district courts have been granted constitutional authority to issue the extraordinary writs of certiorari, prohibition, mandamus, quo warranto and habeas corpus, as well as all other writs necessary to the complete exercise of their jurisdiction.

Supreme Court and District Court of Appeal Justices are initially chosen by the Governor from a list of names submitted by the Judicial Nominations Commission for a six-year term. Subsequently, justices run on non-partisan, retention/rejection ballots submitted to the voters of the state and district for successive six-year terms.

### **The Circuit Courts**

The majority of jury trials in Florida take place before one judge sitting as judge of the Circuit Court. The Circuit Courts are sometimes referred to as Courts of General Jurisdiction, in recognition of the fact that most criminal and civil cases originate at this level.

### **Organization**

The Constitution provides that a circuit court shall be established to serve each judicial circuit established by the Legislature, of which there are twenty. Within each circuit, there may be any number of judges, depending upon the population and caseload of the particular area. At present, the most circuit judges sit in the Eleventh Judicial Circuit (Miami) and the fewest judges sit in the Sixteenth Judicial Circuit (Florida Keys).

To be eligible for the office of circuit judge, a person must be a resident elector of Florida and must have been admitted to the practice of law in the State for the preceding five years. Circuit Court judges are elected by the voters of the circuits in nonpartisan, contested elections against other persons who choose to qualify as candidates for the position. Circuit court judges serve for six-year terms, and they are subject to the same disciplinary standards and procedures as Supreme Court Justices and District Court judges. A chief judge is chosen from among the circuit judges in each judicial circuit to carry out administrative responsibilities for all trial courts (both circuit and county courts) within the circuit.

## **Jurisdiction**

Circuit Courts have general trial jurisdiction over matters not assigned by statute to the County Courts and also hear appeals from County Court cases. Thus, Circuit Courts are simultaneously the highest trial courts and the lowest appellate courts in Florida's judicial system. The trial jurisdiction of Circuit Courts includes, among other matters, original jurisdiction over civil disputes involving more than \$15,000; controversies involving the estates of decedents; minors and persons adjudicated to be incompetent; and cases relating to juveniles. Additionally, Circuit Courts have exclusive original jurisdiction in all actions of law not vested in county courts. The Circuit Court also covers:

- estate settlement
- competency and involuntary hospitalization
- all cases in equity including those relating to juveniles, except certain traffic offenses
- cases involving tax assessments or tolls, ejectment and titles or boundaries or rights of possession of real property
- felonies or misdemeanors arising out of same circumstances as a felony
- jurisdiction over all appeals from county courts

## **County Courts**

At least one county court judge is specified for each county and is elected to a four-year term. The population and caseload determines the number of county judges. To be eligible for the office of county judge, a person must be a resident of the county and must have been a member of the Florida Bar for five years for counties with a population over 40,000. (If the county has less than 40,000 residents, a person must only be a member of the bar.)

## **Jurisdiction**

The jurisdiction of county courts extends to civil disputes involving \$10,000 or less for actions accruing on or after July 1, 1990, and \$15,000 for causes of action accruing on or after July 1, 1992.

The majority of non-jury trials in Florida take place before a judge in the county court. The county courts are sometimes referred to as "The People's Courts," probably because a large part of the courts' work involves volumes of citizen disputes, such as traffic offenses, less serious criminal matters (misdemeanors) and relatively small monetary disputes.

By 1994, Florida's various county courts were handling about 800,000 cases a year, not counting civil matters involving automobile accident disputes. In early 1995, there were 254 county judges in Florida.

### **Other Judicial Officials**

The Constitution creates official positions essential to the administration of justice and to the operation of the state's judicial system. Clerks of courts are created to manage and preserve the record of judicial proceedings.

In each of the 20 judicial circuits, a State Attorney is elected for a term of four years to prosecute persons charged with criminal conduct. The 1963 Legislature established the office of Public Defender in each circuit to defend indigent criminal defendants in all but a small number of minor matters. Public defenders are also elected for a term of four years.

## FIGURE XIII FLORIDA COURT STRUCTURE

### Appellate Courts

**Supreme Court  
7 Justices  
sits in Tallahassee  
6 year terms**

**5 District Courts of Appeal  
61 judges  
sit in panels of 3  
1st District - Tallahassee (15 judges)  
2nd District - Lakeland (14 judges)  
3rd District - Miami (11 judges)  
4th District - West Palm Beach (12 judges)  
5th District - Daytona Beach (9 judges)  
6 year terms**

### Trial Courts

**20 Circuit Courts  
442 judges - different number in each of the 20 judicial circuits  
preside individually  
6 year terms**

**67 County Courts  
254 judges - at least 1 in each county  
preside individually  
4 year terms**

## CHAPTER 7 - POLITICAL PARTIES AND ELECTIONS

Florida is experiencing a rapid period of flux with political party identification and affiliation. The State voted for Democratic presidential candidate Bill Clinton in 1996, at the same time it elected a Republican majority in the State House of Representatives and State Senate. The State House and State Senate have not been Republican since the time of "Reconstruction." Two years earlier, the State Senate had a slim Republican majority and two years earlier there was an even twenty-twenty tie of partisan membership. Prior to that, Republicans had not had a majority in the State Senate and State House for over 100 years. In fact, Republicans were omitted from much of the lawmaking process until recently.

Prior to Bill Clinton's recent re-election, Florida had voted for the Republican presidential nominee for sixteen years. To complicate matters more, Florida currently has one Republican U.S. Senator and one Democratic Senator. In fact, data supplied by the Secretary of State's office is startling:

**Figure XIV Registered Voters 1970**

Registered Democrats	2,024,387
Registered Republicans	711,090
Other	61,523
Total	2,797,000

Source: Fla. Secretary of State

**Figure XV Registered Voters 1996**

Registered Democrats	3,728,513
Registered Republicans	3,309,105
No Party	928,492
Total	8,077,877

Source: Fla. Secretary of State

The number of individuals who have registered in the last 26 years has nearly tripled. There are more "no party" registered voters in the state in 1996 than there were Republicans in 1970. Finally, there are almost as many registered Republicans as there are Democrats in 1996. There were three times more Democrats than Republicans in 1970.

The State of Florida is a "closed primary" presidential preference primary state where the names of the Presidential candidates appear on the ballot. Only those registered to a party may vote in party primary elections at all levels. Throughout the state, county and circuit judges run on non-partisan ballots. Party affiliation may not be disclosed on the ballot. In some counties, school boards and county officials are partisan elections with candidates allowed to disclose their party affiliation. As mentioned earlier, appellate justices are chosen by the Governor from a list provided by the Judicial Nominating Commission. After a six-year term they are placed on the ballot in a rejection/retention system with the justices who are retained to serve another six years.

Lobbying is legal in the state of Florida and all lobbyists must register with the state. There are about 3,000 registered lobbyists in Tallahassee. Some lobbyists are paid professional representatives of companies, unions, schools, businesses, etc. Others are volunteers that may represent group or individual positions on moral issues, educational issues and such. There is also intragovernmental lobbying where one branch lobbies the other.

## CHAPTER 8 - LOCAL GOVERNMENT

Article VIII of the State Constitution establishes the legal framework for local government in Florida. The state is divided into sixty-seven political subdivisions called counties. School districts have the same boundaries as the counties, however, they are controlled by differing governing bodies—local elected school boards.

Counties are allowed home rule charters under the constitution that are not in conflict with state statues or policies. About ten out of the sixty-seven counties have home rule charters. Where home rule charters do not exist, residents of a county are to elect constitutional officers to perform stated governmental functions. These elected officials are: clerk of the circuit court, supervisor of elections, sheriff, property appraiser and tax collector. Also, residents are to elect five to seven county commissioners to be the governing body of the county. The county commissioners are to be elected from districts of relatively equal population for four year staggered terms. The county commission is empowered to levy taxes, provide service and enact local ordinances not in conflict with state laws.

Municipalities may be created throughout the state and are entitled to home rule charters. According to the constitution, municipalities shall have corporate and proprietary powers to conduct government, render services and perform other municipal functions. Each municipal legislative body shall be elected by the voters of the area. As provided for in general and special laws, municipalities have the power of consolidation, annexation and the exercise of extra-territorial powers. Both the counties, school boards and municipalities have a ten-mil cap on property taxation. Currently there are about 392 municipalities in Florida, of which the largest are listed below:

**Figure XVI**

Most Populous Cities			
Florida's 36 most populated cities (1990 census) are:			
Jacksonville (Duval)	672,971	Pembroke Pines (Broward)	65,452
Miami (Dade)	358,548	Sunrise (Broward)	64,452
Tampa (Hillsborough)	280,015	Palm Bay (Brevard)	62,632
St. Petersburg (Pinellas)	238,629	Daytona Beach (Volusia)	61,921
Hialeah (Dade)	188,004	Boca Raton (Palm Beach)	61,402
Orlando (Orange)	164,693	Melbourne (Brevard)	59,646
Fort Lauderdale (Broward)	149,377	Pensacola (Escambia)	58,165
Tallahassee (Leon)	125,773	Port St. Lucie (St. Lucie)	55,866
Hollywood (Broward)	121,697	Sarasota (Sarasota)	50,961
Clearwater (Pinellas)	98,784	North Miami (Dade)	49,998
Miami Beach (Dade)	92,639	Lauderhill (Broward)	49,708
Gainesville (Alachua)	84,770	Davie (Broward)	47,217
Coral Springs (Lee)	74,991	Delray Beach (Palm Beach)	47,181
Pompano Beach (Broward)	72,411	Deerfield Beach (Broward)	46,325
Lakeland (Polk)	70,576	Boynton Beach (Palm Beach)	46,194
W. Palm Beach (Palm Beach)	67,643	Fort Myers (Lee)	45,206
Plantation (Broward)	66,692	Tamarac (Broward)	44,882
Largo (Pinellas)	65,674	Ocala (Marion)	42,045

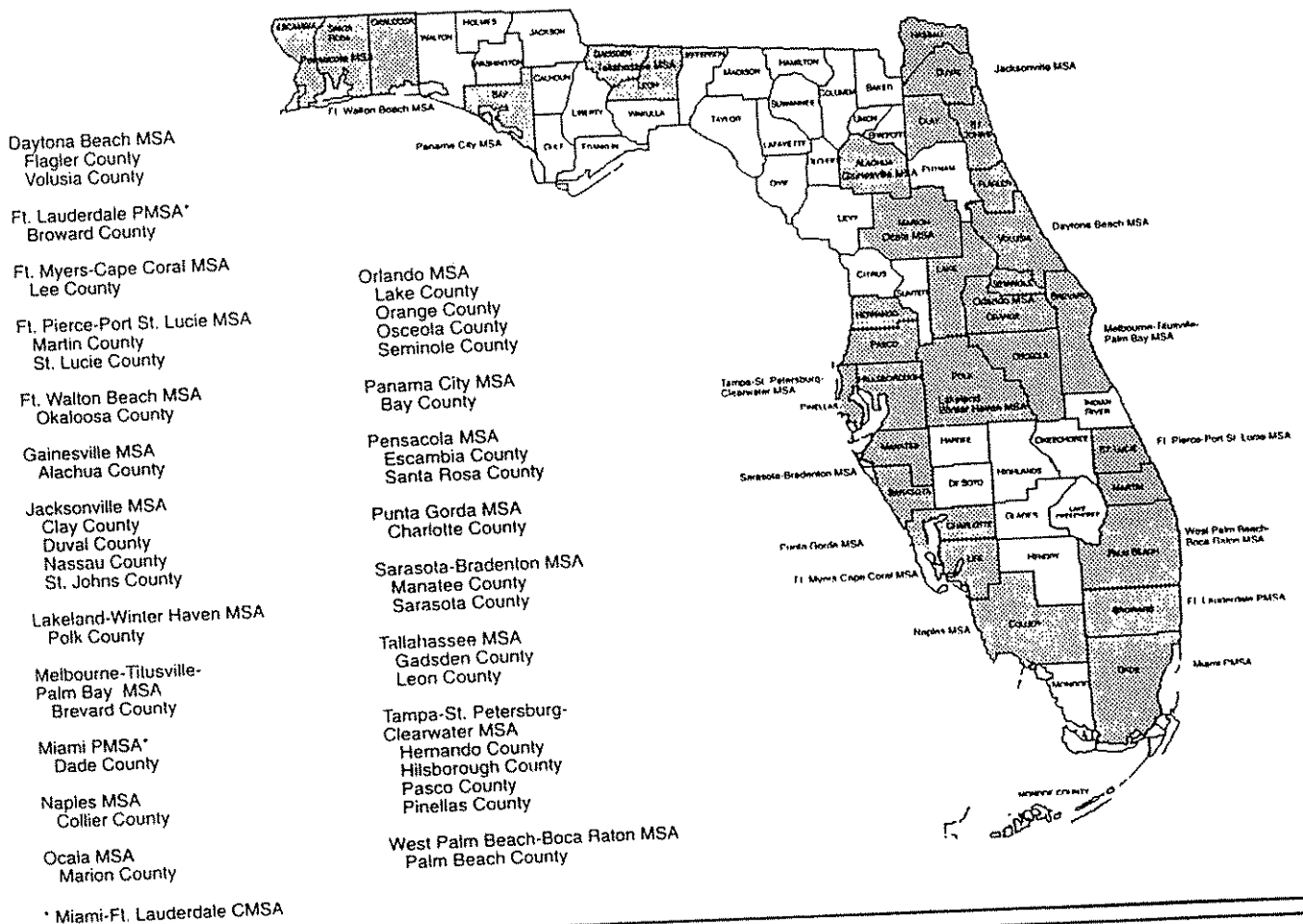
Source: Florida Almanac

Florida has nearly 1,000 special districts. These districts are usually created by general or local state statute to meet the service needs of the public. Special districts have governing boards and taxing powers. They run the service gamut from flood and drought control, to water navigation districts, to sports authorities.

As mentioned earlier, Florida is now the fourth largest state in the nation and growing. As it grows, it becomes more urbanized. On the chart below (Figure XVII) diagrams the metropolitan statistical areas in the state as of 1992.

Figure XVII

Counties and Metropolitan Statistical Areas  
Effective December 31, 1992



Source: 1990 Census Handbook

## **Chapter 9 - Some Contemporary Issues Affecting Florida Government**

The compiler would like to briefly mention some contemporary issues the Florida Government will be wrestling with in the very near future. They are provided to the reader as points for further thought, reflection and discussion. As Florida grows and matures, several difficult political, social and economic issues need to be resolved. The contemporary issues listed are not presented in any specific order except that all have received recent media attention.

- The State Song, "Old Folks at Home," has met with sharp opposition because of the use of several politically unacceptable terms.
- Computers that run the state government are not able to compute past the year 1999. It is estimated that it will cost the taxpayers an estimated \$152.7 million to correct the deficiency.
- According to the results of recent college placement tests, half of Florida's high school graduates are not prepared for college. Consequently, the number of high school graduates who successfully pass entrance exams has consistently declined over the past five years.
- There is a nation-wide controversy regarding Florida and other states not extending the "Full Faith and Credit" clause of the United States Constitution to same sex marriages performed in the State of Hawaii.
- There have been recent court decisions and public attitudes concerning physician assisted suicide, within Florida's boundaries.
- A constitutional amendment was passed by the voters in 1996 to prohibit new state taxes unless approved by a 2/3 popular vote.
- A constitutional amendment was passed by the voters in 1991 limiting state legislators to eight years in office. This amendment will have a dramatic effect beginning in the year 2000.
- There are allegations and fears that the current Speaker of the Florida House of Representative has close ties to the Christian Right, and he will be implementing their agenda in the upcoming sessions.
- There are impending Medicare and other welfare crises. By 2010, the number of residents over 65 will increase by 33% from 1995. The number of residents over 85 will rise by 91% and the number of disabled elderly in nursing homes will increase by 34% in the next fifteen years.



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**Electronics:**

Much of the material contained in this document can be found on the Internet and World Wide Web. The State of Florida and many of the branches of State government maintain information pages that are up-dated regularly. When you have an automatic locator, type "Florida Government."

Or other sites are: [http: www.dos.state.fl.us/fgils/](http://www.dos.state.fl.us/fgils/)  
[http: elections.dos.state.fl.us/](http://elections.dos.state.fl.us/)  
[http: lwww./eg.state.fl.us/](http://www./eg.state.fl.us/)

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## **APPENDICES**

**1. How a Bill Really Becomes a Law.**

This chart was given to the compiler by a member of the Florida House of Representatives. Several news articles and some personal experiences may reflect this as an accurate chart.

**2. Florida Constitutional Amendments: November 5, 1996.  
Official General Election Ballot, November 5, 1996.  
(All passed except number 4)**

**3. About the Florida House of Representatives.**

**4. Florida Budget Summary.**

**5. Districts of the Florida Congressional Delegation.**

**6. Districts of the Florida House of Representatives.**

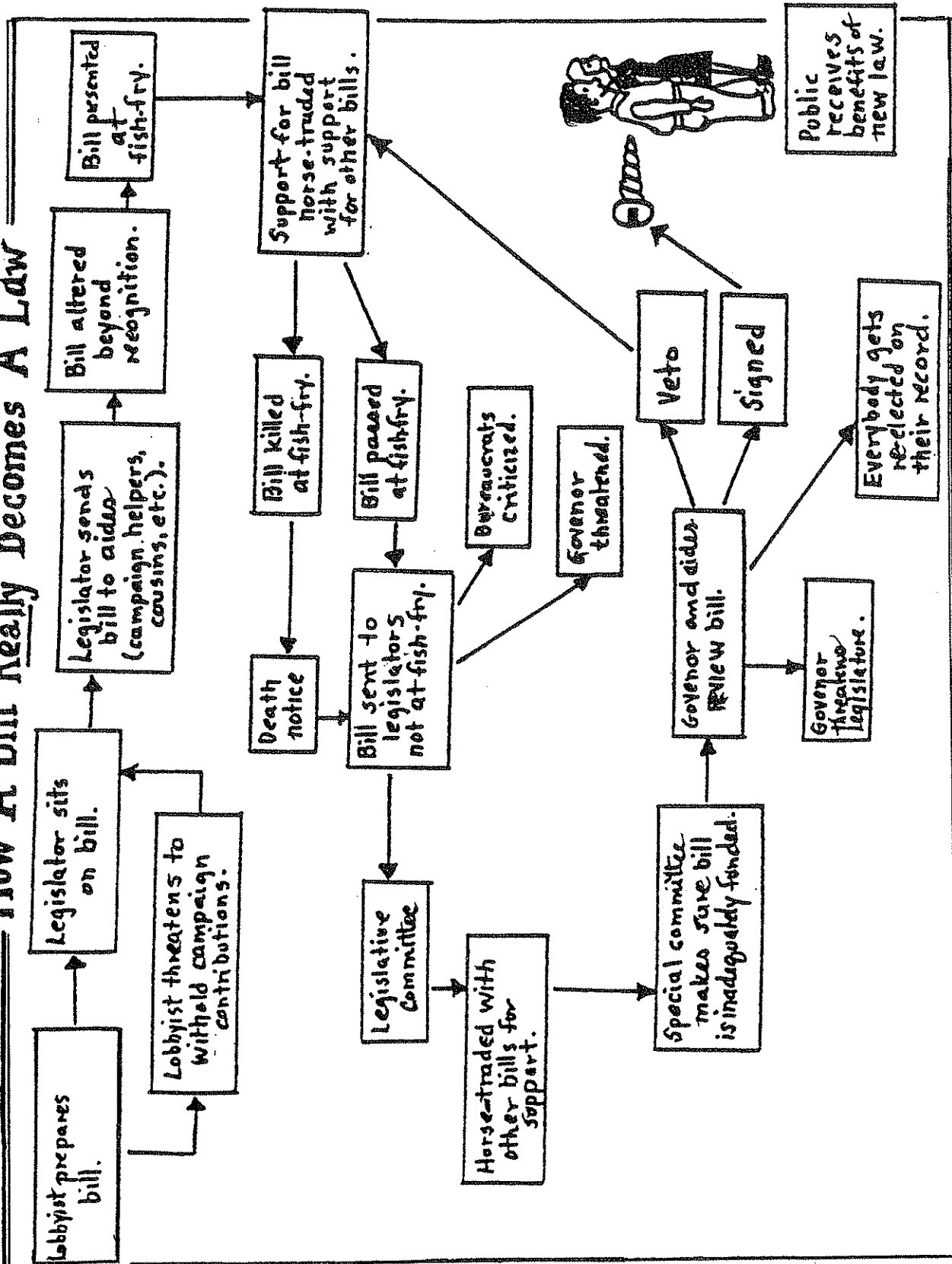
**7. Districts of the Florida Senate.**

**8. The Special Interests.**

**9. Ranked Bill in House.  
Consent Bill in House.**

**10. The reader has a general idea on how the Florida Government works. Select another state and describe its governmental structure.**

# How A Bill Really Becomes A Law



# OFFICIAL GENERAL ELECTION BALLOT

## NOVEMBER 5, 1996

### CONSTITUTIONAL AMENDMENTS



**CONSTITUTIONAL AMENDMENT NO. 1**  
(Initiative)  
**ARTICLE XI, SECTION 7**

**TAX LIMITATION: SHOULD TWO-THIRDS VOTE BE REQUIRED FOR NEW CONSTITUTIONALLY-IMPOSED STATE TAXES/FEES?**

Prohibits imposition of new State taxes or fees on or after November 8, 1994 by constitutional amendment unless approved by two-thirds of the voters voting in the election. Defines "new State taxes or fees" as revenue subject to appropriation by State Legislature, which tax or fee is not in effect on November 7, 1994. Applies to proposed State tax and fee amendments on November 8, 1994 ballot and those on later ballots.

<b>YES for Approval</b>	<b>161</b>
<b>NO for Rejection</b>	<b>162</b>

**CONSTITUTIONAL AMENDMENT NO. 3**  
**ARTICLE V, SECTIONS 11 AND 12**  
(Legislative)  
**JUDICIARY**

Proposing amendments to the State Constitution to allow judicial nominating commissions to recommend from three up to six persons to fill a court vacancy; and to restructure the Judicial Qualifications Commission and permit additional sanctions for judicial misconduct.

<b>YES for Approval</b>	<b>179</b>
<b>NO for Rejection</b>	<b>180</b>

**CONSTITUTIONAL AMENDMENT NO. 2**  
(Legislative)  
**ARTICLE XI, SECTION 2**

**CONSTITUTION REVISION COMMISSION; CONVENING; DUTIES WITH RESPECT TO TAXATION AND STATE BUDGETARY MATTERS**

Proposing an amendment to Section 2 of Article XI of the State Constitution to change from 1998 to 1997 the convening of the next Constitution Revision Commission, in conformity with the schedule previously established by the Florida Supreme Court. Removing the restriction upon the commission's authority to examine matters relating to taxation or the state budgetary process that are otherwise to be reviewed by the Taxation and Budgetary Reform Commission every ten years.

<b>YES for Approval</b>	<b>170</b>
<b>NO for Rejection</b>	<b>171</b>

**CONSTITUTIONAL AMENDMENT NO. 5**  
(Initiative)  
**ARTICLE II, SECTION 7**

**RESPONSIBILITY FOR PAYING COSTS OF WATER POLLUTION ABATEMENT IN THE EVERGLADES**

The Constitution currently provides the authority for the abatement of water pollution. This proposal adds a provision to provide that those in the Everglades Agricultural Area who cause water pollution within the Everglades Protection Area or the Everglades Agricultural Area shall be primarily responsible for paying the costs of the abatement of that pollution.

<b>YES for Approval</b>	<b>199</b>
<b>NO for Rejection</b>	<b>200</b>

**CONSTITUTIONAL AMENDMENT NO. 6**  
(Initiative)  
**ARTICLE X, SECTION 17**

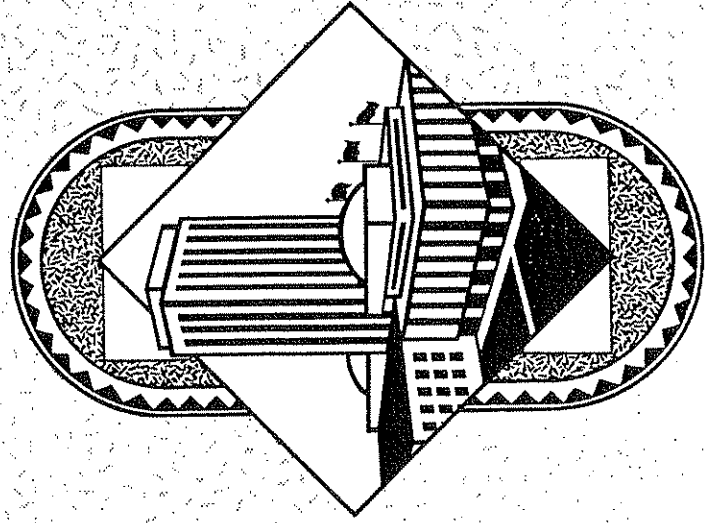
**EVERGLADES TRUST FUND**

Establishes an Everglades Trust Fund to be administered by the South Florida Water Management District for purposes of conservation and protection of natural resources and abatement of water pollution in the Everglades. The Everglades Trust Fund may be funded through any source, including gifts and state or federal funds.

<b>YES for Approval</b>	<b>208</b>
<b>NO for Rejection</b>	<b>209</b>



# ABOUT THE FLORIDA HOUSE OF REPRESENTATIVES



If you wanted to qualify to be a legislator at the turn of the 20th century, you had to be male, at least 21 years old, a resident for one year in Florida and 6 months in the United States and you must have paid a poll tax of \$1 per year. Today, there is no restriction on gender.

A Representative must be at least 21 years old, a resident of the district to which he/she was elected and a Florida resident for 2 years.

96 men and 23 women were elected to the House in 1992.

The shortest legislative session occurred on Nov. 17, 1970. As legislators were already in Tallahassee for an organizational session, a special session was called to address official expenses of Governor-elect Ruben Askew. The House was in session for 21 minutes; the Senate for 15 minutes.

There are 120 districts represented in the Florida House of Representatives.

The most popular profession among House Members is, coincidentally, law; with 31 members being attorneys.

- Other leading professions include:
- business
  - education
  - medicine
  - real estate
  - agriculture
  - marketing

During the 1993 Legislative Session, 2,441 bills were filed. Of that, 416 bills passed, 111 were approved by the Governor, 286 became law without the Governor's signature and 16 were vetoed.

## DID YOU KNOW...

In 1903, the average age of a Representative was 45 years.

Today, it is 46 years.

In 1903, there was only one Republican Member of the House. 49 Republicans were elected to serve from 1992-1994.

83% of House members are married.

Smoking laws are nothing new to the Legislature. In 1903, Rep. John P. Wall sponsored House Resolution 11 which stated that no one be allowed to smoke in the chamber during session or one-half hour before session. As the resolution did not cover chewing tobacco, cuspidors were provided to each Member.

**WHEN DOES THE LEGISLATURE MEET?**

The Florida Legislature meets in regular session once a year. This session lasts 60 days beginning on the first Tuesday after the first Monday in February. Committees meet prior to session to review legislation.

**WHAT IS A**

**SPECIAL SESSION?**

A special session may be called by the Governor or by the Senate President and House Speaker jointly for the purpose of considering legislation that cannot wait until the next regular session. The proclamation for the special session is known as the "call" and limits the Legislature to specific items of business.

**WHY AREN'T MEMBERS IN THE**

**CHAMBER DURING MOST OF THE LEGISLATIVE SESSION?**

During the first three weeks of the 60-day session, legislators meet less frequently in the Chamber because they are in committee meetings. Each Member is appointed to serve on a number of committees which hear debate before approving or rejecting the bill's passage onto other committees and eventually the full floor.

During the last half of the session, legislators are in the Chamber more frequently as bills come up for a full House vote. Check the TV monitors on the 4th floor of the Capitol and on the entry level of the House Office Building for session and com-

mittee meeting schedules. Daily calendars are available at the Information Desk on the 4th floor of the Capitol.

**ALL MEETINGS ARE OPEN TO THE PUBLIC.**

**WHY DO LEGISLATORS**

**TALK WHILE LEGISLATION**

**IS BEING PRESENTED?**

Most of the work and debate on a bill is done during the committee process. When a bill reaches the House floor, most legislators are familiar with its provisions and have an idea of how they will vote.

**CAN CITIZENS GO ON THE FLOOR OF THE CHAMBER?**

Citizens are not allowed on the Chamber floor when the Legislature is in session. Citizens can send written messages to Members during session via the House Message Center on the 4th floor of the Capitol.

The Chamber is open to visitors during certain hours throughout the year. Contact the House Sergeant's Office to find out when visitors are allowed.

**WHO ARE THE LEADERS OF THE HOUSE?**

The Speaker of the House is the presiding officer for a two-year term and is elected by Members of the House. One of his primary duties is to appoint committee members and select committee chairs who serve as key players in carrying out legislative priorities.

The Speaker Pro Tempore assists the Speaker in maintaining order and organization in the House. The Speaker Pro Tempore also advises the Speaker on substantive issues and fills the Speaker's post should there be a vacancy during the two-year term.

The Majority Leader, selected by the majority party of the House (Democrats), organizes and supervises the Majority Office.

The Republican, or Minority Leader, is selected by the House's minority party to supervise the Republican Office and lead his/her party's viewpoint in the House.

**WHAT ARE THE QUALIFICATIONS FOR BECOMING A LEGISLATOR?**

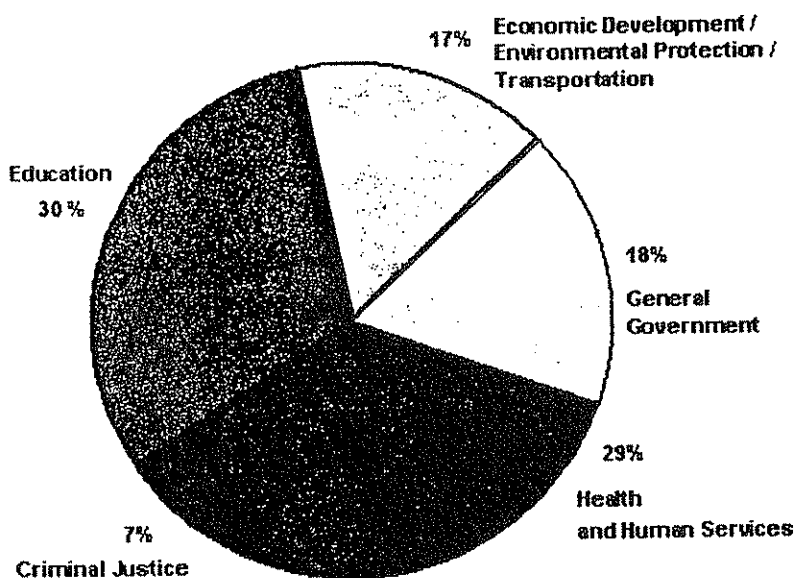
The Florida Constitution requires a Representative to be at least 21 years of age, an elector, a resident of the district from which elected and a resident of Florida for at least two years prior to election.

**WHAT IS A CAUCUS?**

A caucus is a group of legislators belonging to the same political party or faction who come together to decide policy or candidates. There are several caucuses in the House. Some of them include the Black Caucus, the Cuban-American Caucus, the Conservative Caucus, the Democratic Caucus, the Freshman Caucus, the Republican Caucus and the Women's Caucus.

\*Compiled from the Clerk's Manual and the booklet "Welcome to your Florida House of Representatives."

**Florida Budget 1996-97** Session Summary 1996



Florida's budget for 1996-97 is \$39.8 billion, a 1.75 percent increase over the current fiscal year and the second smallest increase in 20 years. Even so, the budget includes significant increases in education funding, economic development incentives, and children's services. Efforts to increase government efficiency and effectiveness resulted in a much leaner budget, including \$855 million in spending reductions and shifts. Florida's challenge, as rapid growth continues, will be to use our resources wisely to invest in a more productive and competitive Florida.

**Education** was the top priority this session, which is reflected in an \$800 million increase in funding for 1996-97. The Legislature increased per pupil spending by \$155, and decreased the funding disparity among school districts by \$205 per student. Lawmakers appropriated \$139 million to fully fund textbook purchases, and \$601 million additional dollars will be used for public school construction.

The Legislature earmarked \$38.3 million for **Jobs Creation Incentives** and other economic development strategies.

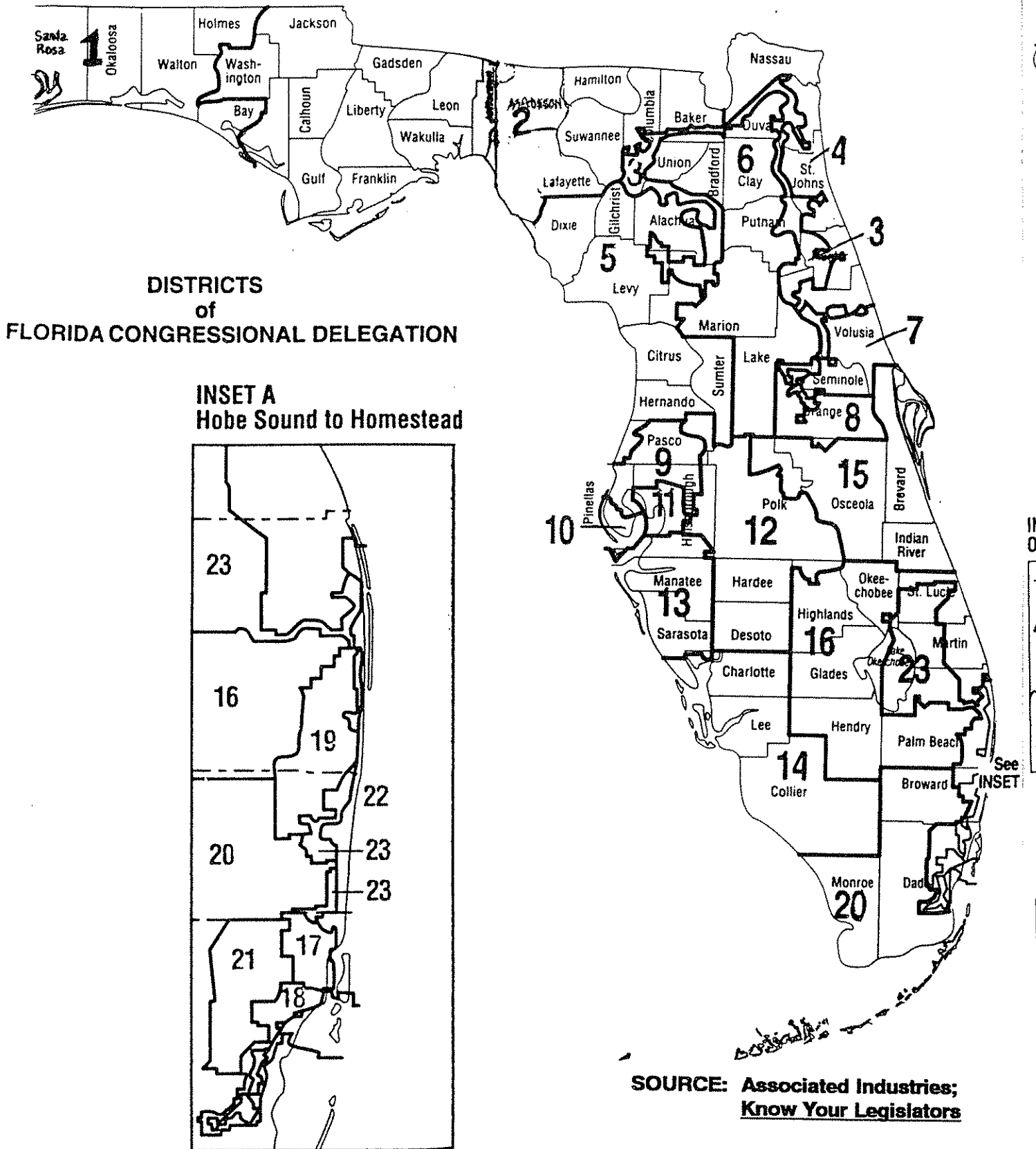
A total of \$11,376.6 million will fund **Health and Human Services** programs that benefit Florida's most vulnerable citizens. The Healthy Kids Corporation will receive \$13 million to maintain and expand its programs, and \$15.7 million will fund 4,900 additional day care slots.

**Criminal Justice** appropriations of \$2,706 million will provide 544 additional corrections officers, 1,449 additional juvenile commitment beds, 10 new judgeships, and assistance for state attorney and public defender workloads.

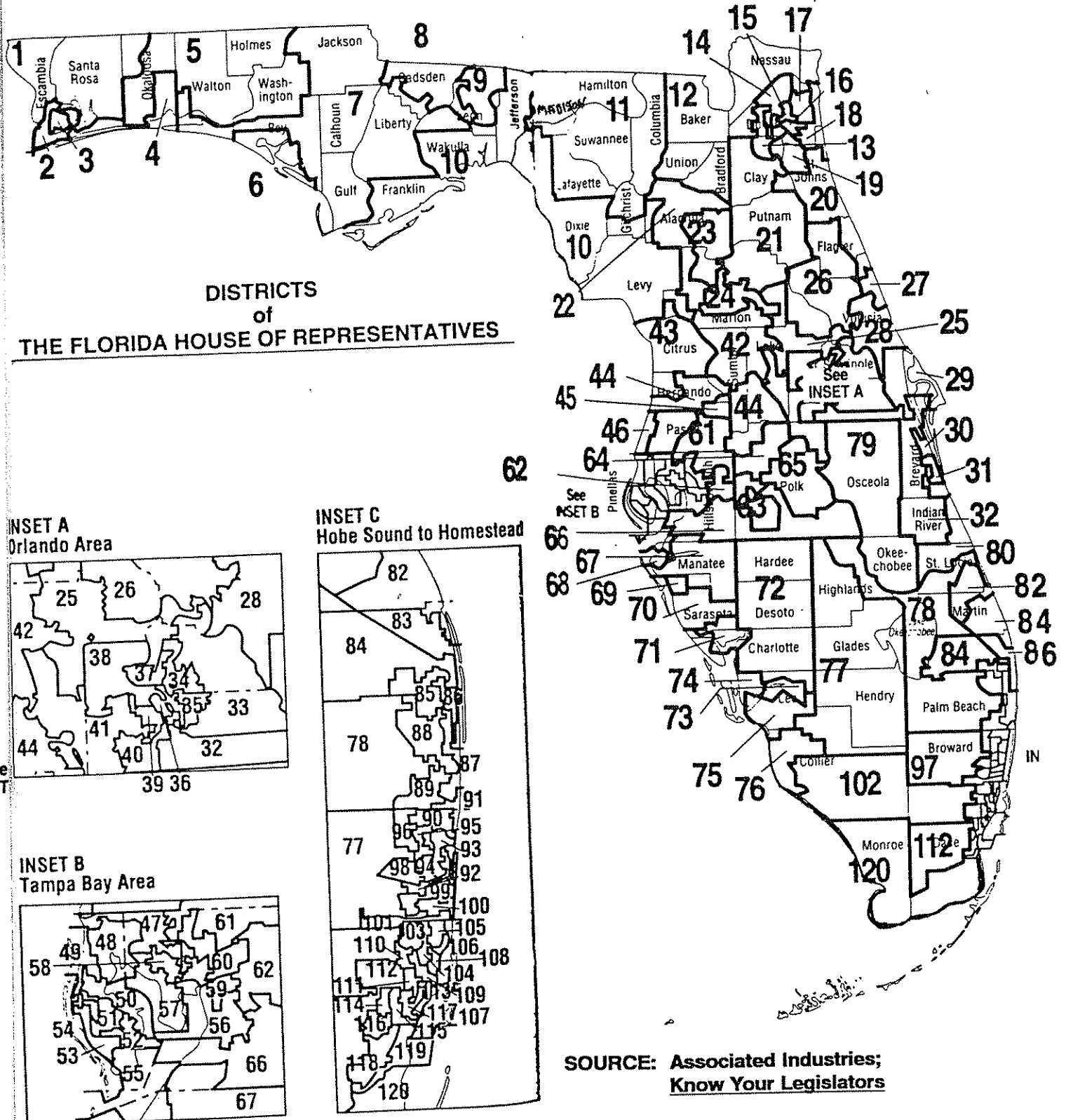
Florida will remain a leader in **Environmental Protection** with \$324.5 million for the purchase of environmentally sensitive lands, beach renourishment and restoration, and the Surface Water Improvement and Management (SWIM) program.

Compiled from the Clerk's Manual and the booklet  
 five priorities  
 Office Building for session and.com

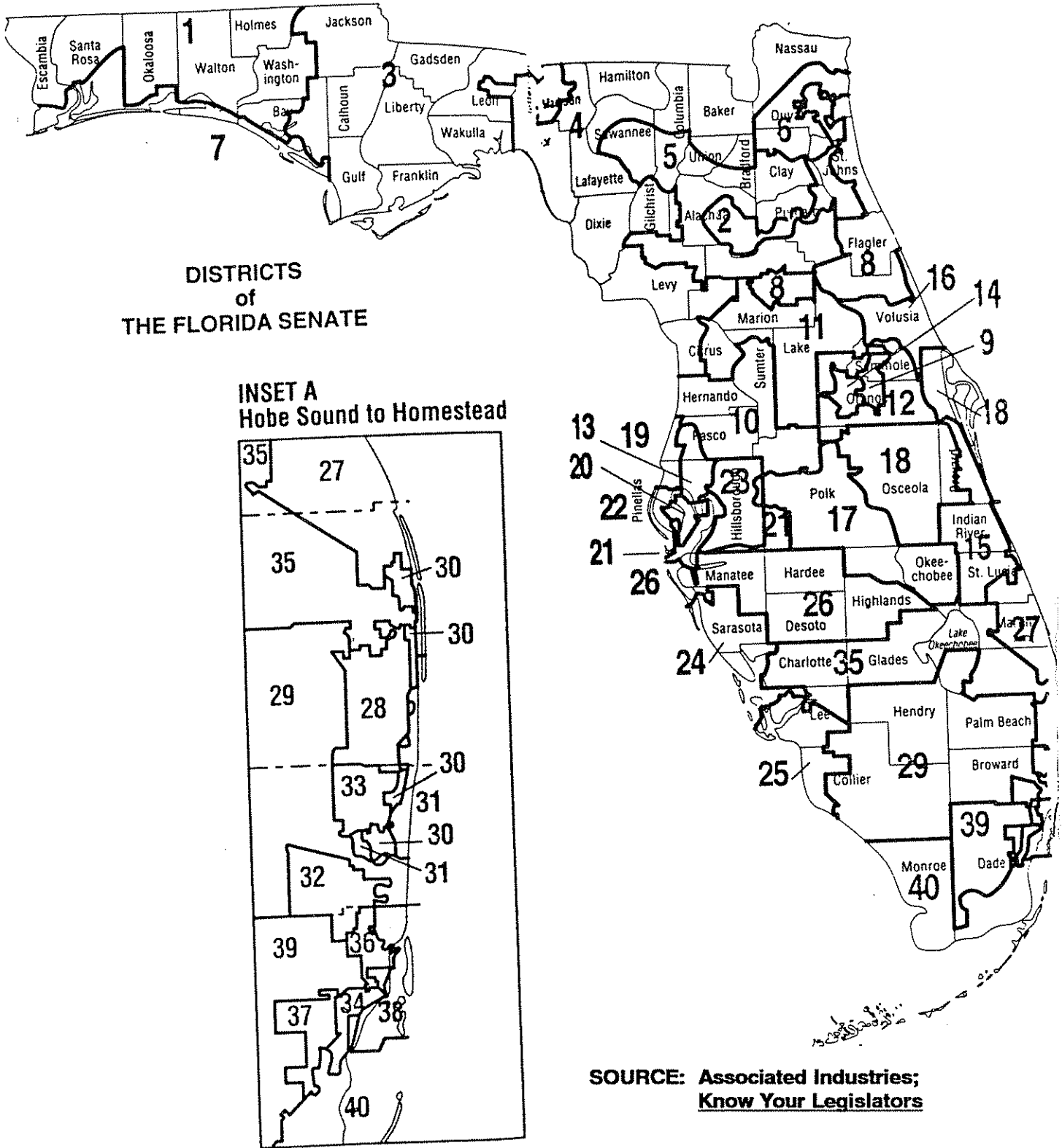




APPENDIX 6



**APPENDIX 7**



## APPENDIX 8

# THE SPECIAL INTERESTS

Some interest groups carry more weight than others in Tallahassee, and what they want often determines the course of the session. Here are some of the more influential ones.

### THE CHRISTIAN COALITION OF FLORIDA

**Issues:** Strongly supports public school vouchers, school prayer, a 24-hour waiting period for abortions and an end to no-fault divorce laws. Expectations are high now that a Christian conservative, Daniel Webster, is House speaker. **Phone:** (407) 658-7557

### FLORIDA EDUCATION ASSOCIATION-UNITED

**Issues:** FEA-United wants to preserve tenure for K-12 teachers, block school vouchers and get more money for teacher training programs. Executive Director Pat Tornillo is perhaps the biggest opponent of Republican education initiatives. **Phone:** (904) 224-1161

### THE ACADEMY OF FLORIDA TRIAL LAWYERS

**Issues:** The leading voice for attorneys, the group will oppose controversial proposals supported by businesses to overhaul laws of civil wrongdoing, or tort, that would crack down on lawyers' fees and

so-called frivolous lawsuits. The group also supports making it easier to sue HMOs when they deny care. **Phone:** (904) 224-4254

### FLORIDA MEDICAL ASSOCIATION

**Issues:** A major ally of Gov. Lawton Chiles in his push to punish the tobacco industry. Supports tort reform. Opposes legislation to make it easier for relatives of patients to sue doctors for larger malpractice damages. **Phone:** (904) 224-6496

### ASSOCIATED INDUSTRIES OF FLORIDA

**Issues:** The state's largest business lobby epitomizes power and influence in the Capitol. It's represented by two high-profile lobbyists, Jon Shebel and Jodi Chase. Major supporter of tort reform. Calls for lower business taxes. Opponent of Chiles' plan to increase cigarette taxes by 10 cents per pack. **Phone:** (904) 224-7173

### FLORIDA CHAMBER OF COMMERCE

**Issues:** Asking lawmakers for new laws to reduce the taxpayer's burden of proof in disputes with property appraisers. The group opposes taxes on Internet services and computer software. **Phone:** (904) 425-1200

### PHILIP MORRIS

**Issues:** Represented by veteran lobbyist John French, the tobacco producer wants to block 10-cents-a-pack increase on cigarettes and repeal a law the state is using to sue cigarette makers for

billions of dollars. However, it backs a bill to punish minors who possess tobacco. **Phone:** (770) 392-7080

### THE FLORIDA ASSOCIATION OF HMOs

**Issues:** The growth of managed care has increased this group's presence in the Capitol. Represented by lobbyist Gerald Wester, the association will continue to fight proposals allowing patients direct access to specialists, such as dermatologists, and a proposal making it easier for patients to sue HMOs. **Phone:** (904) 386-2904

### FLORIDA RESTAURANT ASSOCIATION

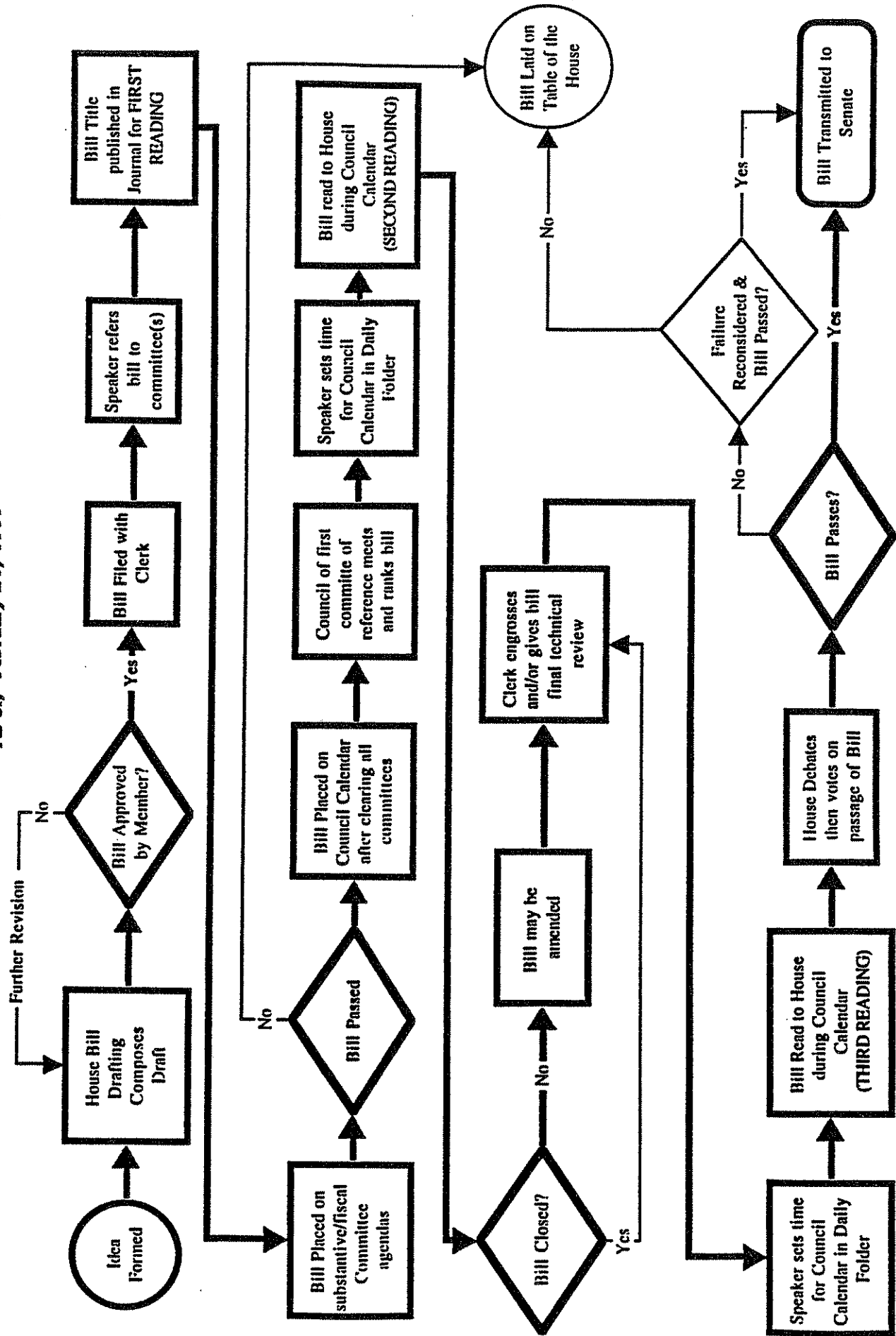
**Issues:** Believes a bill to give local governments power to set policy for smoking in public would severely damage the restaurant business in Florida. But powerful supporters of the bill include Sen. Donald Sullivan, the chairman of the Senate budget panel, and Gov. Lawton Chiles. **Phone:** (904) 224-2250

### THE AMERICAN ASSOCIATION OF RETIRED PERSONS

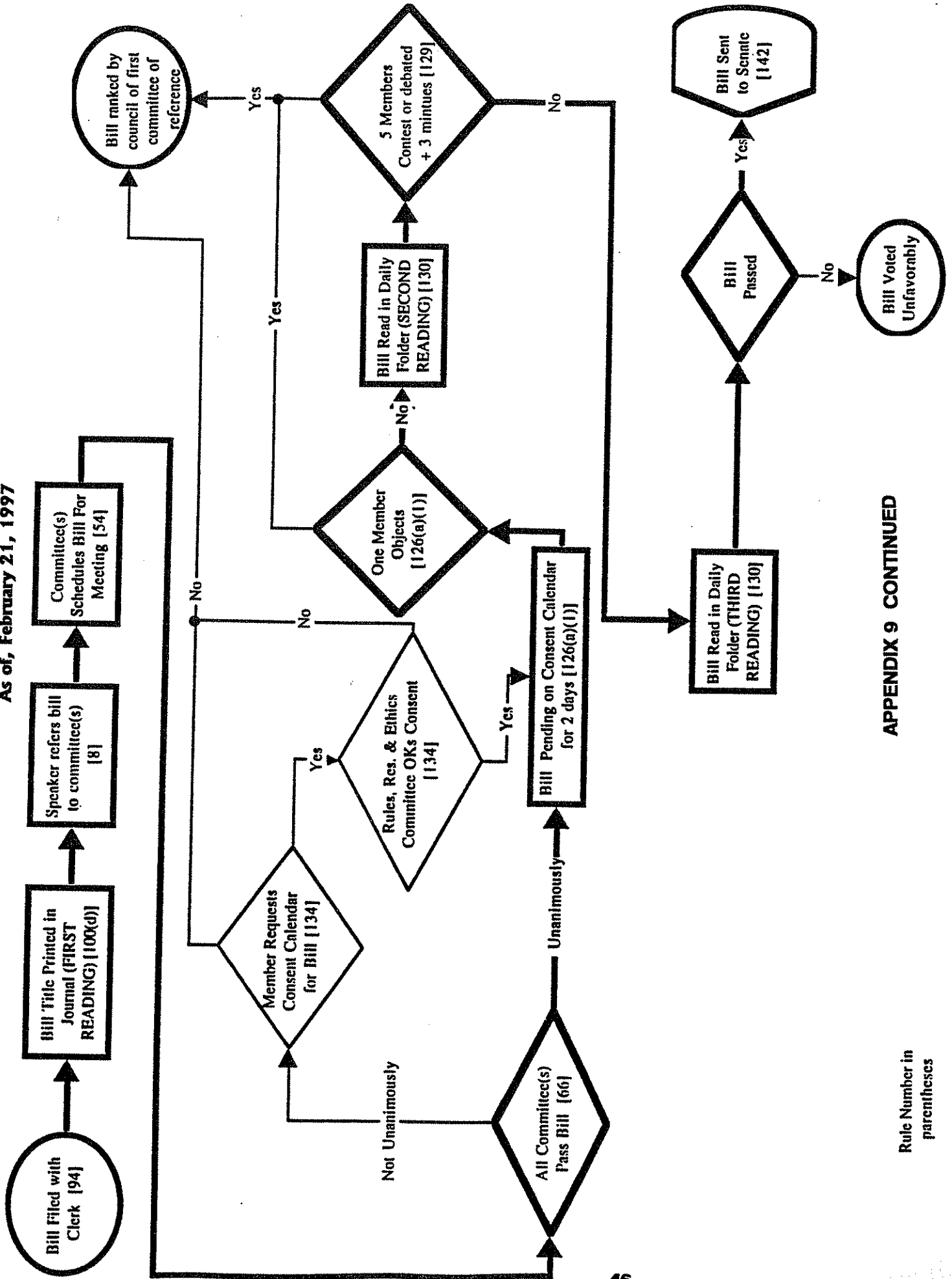
**Issues:** Supports consumer protection measures, including managed care reforms, ombudsman programs to advocate for nursing home residents and fair utilities and telecommunications rates. Also supports public financing of political campaigns and public transportation for the poor, elderly and disabled. **Phone:** (813) 576-1155

Source: Tampa Tribune and Times

**RANKED BILL IN HOUSE**  
As of, February 21, 1997



As of, February 21, 1997



APPENDIX 9 CONTINUED

Rule Number in parentheses

**APPENDIX 9**

**STATE:** \_\_\_\_\_

**LEGISLATIVE BRANCH**

	<b>Name</b>	<b>Term</b>	<b>Salary</b>	<b>Sessions</b>	<b>No. of Members</b>
<b>1st House</b>	_____	_____	_____	_____	_____
<b>2nd House</b>	_____	_____	_____	_____	_____

**EXECUTIVE BRANCH**

	<b>Term</b>	<b>Salary</b>	<b>Can he Repeat?</b>
<b>Governor's Name</b>	_____	_____	_____

**Party** \_\_\_\_\_

**Does he have a Lt. Governor** \_\_\_\_\_

**Does he have a Cabinet?** \_\_\_\_\_

**Cabinet Posts** \_\_\_\_\_

\_\_\_\_\_

<b>JUDICIAL BRANCH</b>	<b>Name</b>	<b>Term</b>	<b>Elected?</b>	<b>No. of Judges</b>
------------------------	-------------	-------------	-----------------	----------------------

**Supreme Court:** \_\_\_\_\_

**Appellate Court:** \_\_\_\_\_

**District Court:** \_\_\_\_\_

**Other:** \_\_\_\_\_

**NATIONAL GOVERNMENT**

**No. of Representatives:** \_\_\_\_\_ **Party Affiliation: # Demo.** \_\_\_\_\_ **# Repub.** \_\_\_\_\_

**Senators:**

**1st Name:** \_\_\_\_\_ **Party:** \_\_\_\_\_

**2nd Name** \_\_\_\_\_ **Party:** \_\_\_\_\_

**POINTS OF INTEREST**

**State Population** \_\_\_\_\_

**Student's Name** \_\_\_\_\_

**Source** \_\_\_\_\_

**Miscellaneous** \_\_\_\_\_



Institute for Political Studies-MC2127  
Division of Liberal Arts & Sciences  
P. O. Box 6665  
Saint Leo, Florida 33574-6665

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