

CRC TASK FORCE UPDATE Week of October 2-6

Introduction

The 2017-2018 Constitution Revision Commission had its first full Commission meeting on Monday, October 2, 2017. During the meeting, the Commission adopted a revised schedule of meetings and deadlines.

Calendar Schedule

Due to the statewide effects of Hurricane Irma, the deadline for Commissioners to file proposals has been extended from October 24th to October 31st.

In addition, the Commission extended the deadline for filing public proposals from September 22nd to October 6th.

Public Proposals

In order for a public proposal to be heard by the Constitution Revision Commission, the proposal must be sponsored by a Commissioner and also obtain nine affirmative votes from additional members of the Commission. Commissioners have the opportunity to sponsor and/or support public proposals during the first two full Commission meetings. If a public proposal receives a sponsor and nine affirmative votes, the proposal will be assigned to committees and move through the CRC process in the same manner as a Commissioner's own proposal.

As of October 6, two public proposals were sponsored and supported by the requisite number of Commissioners:

[Public Proposal 700396](#): Suffrage and Elections, Section 5. Primary, general, and special elections

- Sponsored by: Commissioner Plymale
- Synopsis: Permits all qualified electors, regardless of party affiliation, to vote in primary elections if all candidates have the same party affiliation and the winner will have either no opposition in the general election or opposition from one or more write-in candidates
- FAC Analysis: This proposal does not directly affect counties, but will affect which constituents may vote in particular elections

[Public Proposal 700202](#): Removing Unconstitutional, Unnecessary, or Expired Provisions

- Sponsored by: Commissioner Timman
- Synopsis: Repeals Article X: Miscellaneous, Section 19, related to the high speed ground transportation system. This provision was already repealed by the voters of Florida, but the language has not yet been stricken from the Florida Constitution
- FAC Analysis: This proposal does not directly affect counties

Commissioner Proposals

[P 1: Judiciary, Eligibility](#)

- Proposal by Commissioner Martinez; (Co-Introducer) Commissioner Gaetz
- Synopsis: Amends Section 8 of Article V to increase the age after which a justice or judge may no longer serve in a judicial office
- FAC Analysis: This proposal does not directly affect counties, but will affect county and circuit court judges

[P 2: Suffrage and Elections, Disqualifications](#)

- Proposal by Commissioner Martinez
- Synopsis: Amends Section 4 of Article VI to automatically restore the civil rights of certain convicted felons upon completion of sentence
- FAC Analysis: This proposal does not directly affect counties

[P 3: Declaration of Rights, Basic Rights](#)

- Proposal by Commissioner Martinez
- Synopsis: Amends Section 2 of Article I to remove a provision authorizing laws that regulate or prohibit ownership, inheritance, disposition, and possession of real property by aliens ineligible for citizenship and to provide that a person may not be deprived of any right because of any disability
- FAC Analysis: This proposal does not directly affect counties

[P 4: Declaration of Rights, Religious Freedom](#)

- Proposal by Commissioner Martinez
- Synopsis: Amends Section 3 of Article I to remove the prohibition against using public revenues in aid of any church, sect, or religious denomination or any sectarian institution
- FAC Analysis: This proposal would permit counties to use public funds to directly or indirectly aid any church, sect, or religious denomination or any sectarian institution

[P 5: Declaration of Rights, Rights of Accused and of Victims](#)

- Proposal by Commissioner Nocco; (Co-Introducers) Commissioner Timman; Commissioner Levesque; Commissioner Plymale; Commissioner Jordan; Commissioner Cerio
- Synopsis: Amends Section 16 of Article I to revise and establish additional rights of victims of crime
- FAC Analysis: This proposal does not directly affect counties

[P 6: Judiciary](#)

- Proposal by Commissioner Martinez

- Synopsis: Creates Section 21 of Article V to require a state court or an administrative law judge to interpret a state statute or rule de novo in litigation between an administrative agency and a private party and not merely defer to the administrative agency's interpretation
- FAC Analysis: This proposal does not directly affect counties

[P 7: Suffrage and Elections, Disqualifications](#)

- Proposal by Commissioner Smith; (Co-Introducer) Commissioner Joyner
- Synopsis: Amends Section 4 of Article VI to restore voting rights of certain felons upon completion of sentence
- FAC Analysis: This proposal does not directly affect counties

[P 8: Judiciary, Eligibility; Vacancies](#)

- Proposal by Commissioner Gaetz
- Synopsis: Amends Sections 8 and 11 of Article V to increase the age after which a justice or judge may no longer serve in a judicial office and to require Senate confirmation of appointments to the offices of justice of the Supreme Court and judge of a district court of appeal
- FAC Analysis: This proposal does not directly affect counties

[P 9: Executive, Department of Veterans' Affairs](#)

- Proposal by Commissioner Timmann
- Synopsis: Amends Section 11 of Article IV to require, rather than authorize, the Legislature to provide for the Department of Veterans' Affairs and prescribes its duties by general law; to specify that the head of the department is the Governor and Cabinet; and to require that the Governor and Cabinet appoint an executive director of the department
- FAC Analysis: This proposal does not directly affect counties

[P 10: Education](#)

- Proposal by Commissioner Gaetz
- Synopsis: Creates a new section in Article IX to require the Legislature to provide for the promotion of civic literacy in public education
- FAC Analysis: This proposal does not directly affect counties

[P 11: Suffrage and Elections, Primary, General, and Special Elections](#)

- Proposal by Commissioner Plymale; (Co-Introducer) Commissioner Timman

- Synopsis: Amends Section 5 of Article VI to authorize all qualified electors, regardless of party affiliation, to vote in a partisan primary election for an office if all the candidates for the office have the same party affiliation and the winner will be opposed only by one or more write-in candidates in the general election
- FAC Analysis: This proposal does not directly affect counties

[P 12: Miscellaneous, repeal s. 19](#)

- Proposal by Commissioner Timmann
- Synopsis: repeal Section 19 of Article X to delete an obsolete provision regarding the development of a high speed ground transportation system
- FAC Analysis: This proposal does not directly affect counties

Other News and Announcements

On Tuesday, October 4th, FAC met with Commissioner Bob Solari to discuss Association priorities and interests with regard to the Constitution revision process. The meeting was very productive and FAC looks forward to working with Commissioner Solari, as well as the rest of the Commission, as the process moves forward.

Contact Information

FAC will keep the CRC Task Force updated with any relevant information related to the Constitutional Revision Commission. If you would like to discuss the Revision process or if you may have any concerns, please contact Brian Sullivan at bsullivan@flcounties.com or, by phone, at (850)-922-7868.