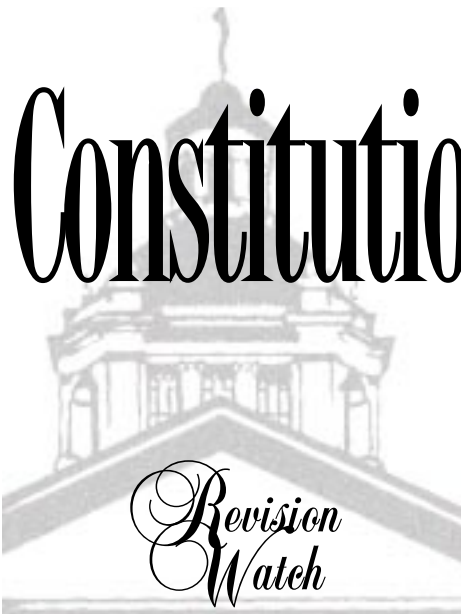


Constitution Revision Commission



A look at the monthly highlights and happenings for the Constitution Revision Commission

COMMISSION MEMBERS:

- Dexter Douglass, *Chairman*
- Carlos J. Alfonso
- Clarence E. Anthony
- Antonio L. Argiz
- Thomas H. Barkdull, Jr.
- Martha Walters Barnett
- Robert M. Brochin
- Robert A. Butterworth
- Kenneth L. Connor
- Chris Corr
- Ander Crenshaw
- Valerie W. Evans
- Marilyn Evans-Jones
- Barbara Williams Ford-Coates
- Ellen Catsman Freidin
- Paul M. Hawkes
- William Clay Henderson
- Toni Jennings
- Gerald Kogan
- Richard Langley
- John F. Lowndes
- J. Stanley Marshall
- Jacinta Mathis
- Jon Mills
- Frank Morsani
- Robert Lowry Nabors
- Carlos Planas
- Judith Byrne Riley
- Katherine Fernandez Rundle
- James A. Scott
- H. T. Smith
- Chris T. Sullivan
- Alan C. Sundberg
- James Harold Thompson
- Paul West
- Gerald T. Wetherington
- Stephen Neal Zack
- Alternates:**
- Pat Barton
- Ira H. Leesfield
- Lyra Blizzard Logan

Issue 3

November 1997



Dexter Douglass

MESSAGE FROM THE CHAIRMAN

One of the more refreshing aspects of the Constitution Revision Commission and its work to this point has been its non-political nature. From the time Governor Lawton Chiles directed the Commission's steering committee to keep politics out of the process through the initial floor debates by commissioners, party ties have been restricted to those worn around our necks.

And that's the way it should be, all the way to November of 1998 when Florida citizens determine whether they want to make any amendments to the Constitution.

When Governor Chiles first approached me about the possibility of serving as chairman of the Constitution Revision Commission, we discussed the political ramifications of such a move. We both agreed that it was perfectly legal for me to continue serving as his general counsel while steering the Constitution

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KIDS VOTING COMPETITION

Three Leon County area high school students will win the opportunity to make a presentation to the Constitution Revision Commission through a contest sponsored by Kids Voting Leon County.

"This presents a tremendous opportunity to educate students in Leon County about a process they apparently know very little about," said Tom DeRose, Board Chairman of Kids Voting Leon County.

DeRose said the competition was established in early November, not long after a straw poll at the Leon County Fair in which students 17 and younger were asked: "Do you know anything about the changes to the Florida Constitution in 1998?"

Ninety-percent of those students who responded said they knew nothing about the possible changes to the state Constitution.

"Hopefully, this will inspire students to participate in the process in the future," DeRose said.

Students from area high schools already have begun to research topics that could be proposed by the Constitution Revision Commission as amendments to the state Constitution. Florida State University law school

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COMMISSION MEMBER

PROFILES...

Each issue will highlight six members of the Constitution Revision Commission



**BARBARA WILLIAMS
FORD-COATES**

Appointed by: Governor
Occupation: Tax collector,
Sarasota County
Birth date and place:
March 7, 1948, Richmond, VA
Education: BA from College

of William & Mary, 1970

Address: P.O. Box 1358
Sarasota, FL 34230-1358

Telephone: 941/951-5638

Fax: 941/951-5632

E-Mail: bfc@co.sarasota.fl.us

Comment: "My interest in the Florida Constitution stems, in particular, from my position as a Constitutional Officer where I see the Constitution's impact on the daily lives of my neighbors. I, and my staff, have contact, by telephone or in person, with over 200,000 people each year. Every law that I carry out, such as collecting property taxes or issuing license plates, comes from the authority of the Constitution. Therefore, I am very concerned that every decision by the Commission be considered in light of the final effect on the individual at the local level. It is an awesome responsibility and I am honored to play a part in the process."



ELLEN CATSMAN FREIDIN

Appointed by: Governor
Occupation: Attorney,
Akerman Senterfitt & Eidson
Birth date and place:
August 24, 1946, Miami
Education: JD from Univer-
sity of Miami, 1978

Address: 1 S.E. 3rd Ave., 28th Floor
Miami, FL 33131

Telephone: 305/374-5600

Fax: 305/374-5095

E-Mail: internet:efreidin@akerman.com

Comment: "I am deeply grateful for having been given this once-in-a-generation opportunity to make a contribution toward the course of our state's history. The Constitution Revision Commission is made up of a group of people whose combined expertise is awesome. I am optimistic that together we can really make a difference."



PAUL M. HAWKES

Appointed by: Speaker
Occupation: Attorney
Birth date and place:
March 6, 1957, New
London, CT
Education: JD from Florida
State University, 1985

Address: 5961 West Pine Circle
Crystal River, FL 34429

Telephone: 352/563-2200

Fax: 352/563-2025

Comment: "I think it's an honor to have an opportunity to serve the citizens of Florida to determine if there are any necessary revisions they would like to make to our state Constitution. It truly is just an honor to have the opportunity to participate on such a commission."



CLAY HENDERSON

Appointed by: Governor
Occupation: President/CEO,
Florida Audubon Society
Birth date and place:
September 16, 1955, Live
Oak

Education: JD from Cumberland (AL), 1979

Address: 1331 Palmetto Avenue
Winter Park, FL 32789

Telephone: 904/423-4437 or 407/539-5700

Fax: 407/539-5701

E-Mail: chenderson@audubon.org

Comment: "This is about living history. This is an opportunity to make broad fundamental decisions that will affect the quality of life for many people for many years to come. My great-great grandfather (Alexander Bell) served on the 1865 Constitution Convention. When I was a child, my grandmother took me to the log cabin that he built and that she was born in and told me that he had served on the Constitution Convention. That was a great experience, and this really does lend a sense of history for me."



TONI JENNINGS

Appointed by: President
Occupation: Senate President
Birth date and place: May
17, 1949, Orlando
Education: BA from Wesleyan
College, 1971

Address: Suite 409, The Capitol
Tallahassee, FL 32399-1100

Telephone: 850/487-5229 or 407/898-1861

Fax: 850/487-5844 or 407/897-4189

E-Mail: senpres@leg.state.fl.us

Comment: "It is truly an honor for me to serve on the Constitution Revision Commission. Reviewing and potentially altering our Constitution is a historic and significant undertaking, a charge we must take seriously and approach in a thorough and deliberative manner. Only thoughtful and necessary amendments will prove our work was worthwhile. If we take this kind of care in renovating our legal foundation, everything we build on top of it will be stronger."



GERALD KOGAN

Appointed by: Chief Justice
Occupation: Florida Supreme
Court
Birth date and place: May
23, 1933, New York, NY
Education: JD from Univer-
sity of Miami, 1955

Address: 500 South Duval Street
Tallahassee, FL 32399-1925

Telephone: 850/488-0007

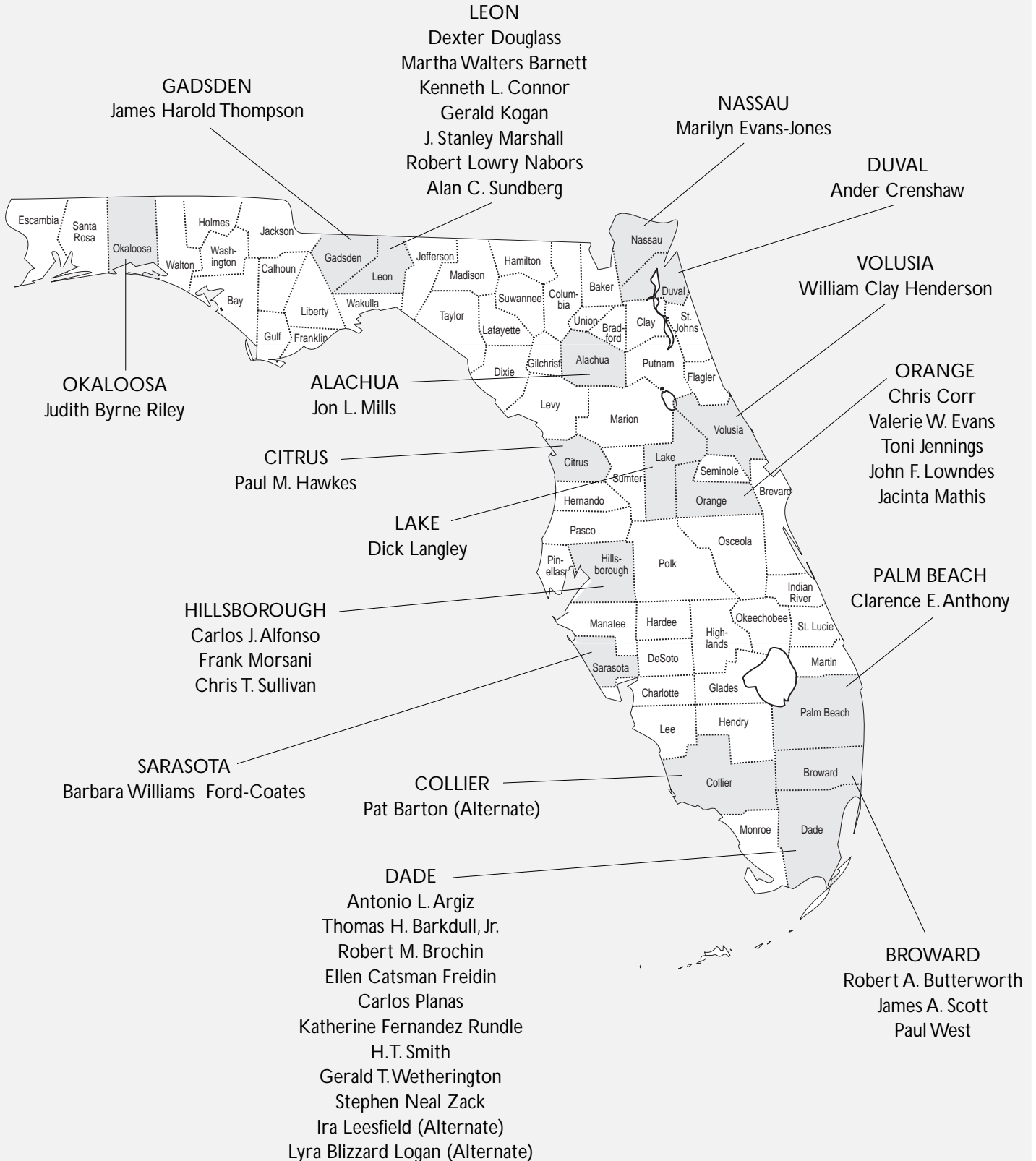
Fax: 850/922-6625

E-Mail: s-1859@wpgate.courts.state.fl.us

Comment: "As a Commissioner, I am one of only 37 votes. Nevertheless, I also am your public servant — or, to use Thomas Jefferson's ideas, a trustee obliged to do my best for Florida's future. . . . Jefferson was right when he said the earth belongs to the living, but the living hold the earth only as trustees or stewards. I am convinced of it every time I look at my own precious children and grandchildren. To all of you with similar concern for your own daughters and sons and their children, I have only this to say: Get involved. The time to prepare for their future is now."

COMMISSIONERS *BY COUNTIES*

The 1997-98 Constitution Revision Commission is composed of thirty-seven members and three alternates. The Commissioners represent every region of Florida. The following is a county-by-county breakdown of the commissioners and alternates:



BILLY BUZZETT PROFILE



Billy Buzzett, *Executive Director*

As an army brat who lived all across the country, one might wonder why Billy Buzzett has such an undying interest in the state of Florida and its Constitution. Then one learns that Buzzett's family has deep-rooted ties to the state and its basic document.

"It's a very special opportunity, to me as a lawyer and as a Floridian, to be involved in this process," said Buzzett, who is the Florida Constitution Revision Commission's executive director. "Because my family has a long history in this state, I have a real interest in the Constitution."

Buzzett's family has roots in the Apalachicola area that date to the mid-1800s. His great-grandfather, Dennis Sullivan, was responsible for the construction of the Florida Constitutional Memorial in Port St. Joe that recognizes the first signing of the document. Buzzett's wife, Kelly, is the great-great granddaughter of Col. John McKinnon, one of the signers of that first Constitution.

Buzzett, who serves as president of the Seaside Neighborhood Charter School and is the father of two young sons, said he has a special interest in

the public education aspect of the Constitution Revision Commission.

"We're trying to dedicate a lot of time to encourage the electorate of Florida to understand the Constitution Revision process, and to get school children involved in learning the process," said Buzzett, who is 39. "The Constitution really can be used as a learning opportunity for students throughout the state."

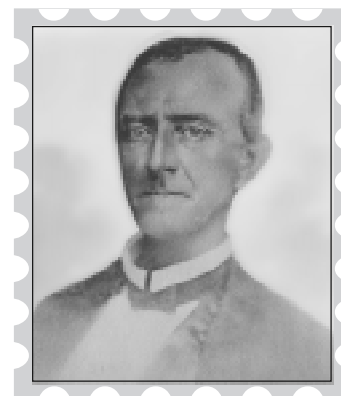
To that end, Buzzett established a Kids' Edition of the Constitution Revision Commission that already has been distributed to more than 5,000 students in the state. He also helped establish lesson plans about the Constitution that can be used by teachers in the classroom.

As executive director of the Constitution Revision Commission, Buzzett is responsible for much of the Commission's behind-the-scenes work. In addition to arranging public hearings, committee meetings and full-commission hearings, he helped write the rules for the Commission and has played a major role in the drafting of proposals.

Buzzett, who earned his law degree from Florida State University, previously served as executive director of the Florida Constitution's Article V Task Force, as a staff attorney for the Judiciary Committee and in private practice. Prior to law, Buzzett practiced civil engineering in New Orleans.

"It's just been a real pleasure working with a diverse group of commissioners," Buzzett said about his service with the Constitution Revision Commission. "I feel honored to get to know all of them better and to assist them in this historic and important process."

REVISION SNAPSHOT



Richard Johnston Mays

Delegate to the 1838 Constitutional Convention from Madison County. Signed Constitution Jan. 11, 1839. Prominent in the Florida Baptist Convention.
Source: Florida State Library

CITIZEN'S GUIDE

The Collins Center for Public Policy has published a guide relating to the constitution revision process. The guide is published on the Commission's homepage or is available from the Collins Center at 904/ 644-1441.

ON THE NET: COMMISSION IN CYBERSPACE

We are pleased that the web page has been so widely utilized (approximately 12,000 visitors since October 1996) and we hope to continue to add features that are of use to the public.



New to the Internet homepage:

- Meeting Summaries
- High School Lesson Plan
- Public Proposals
- Commission Members
- Student Materials

THE COMMISSION CAN BE REACHED BY:

Mail:

Billy Buzzett

Executive Director

B-11, The Historic Capitol
Tallahassee, Florida 32399-1300

Telephone: (850) 413-7740

Fax: (850) 413-7728

Internet: <http://www.law.fsu.edu/crc>

“The 1978 Constitution Revision Commission muffed a chance to reform the (governance) system by trying to repeal it all. The Cabinet, led by Agriculture Commissioner Doyle Conner and Education Commissioner Ralph Turlington, whipped its constituencies into a frenzy against it. Those veteran pols are long gone, however, as will be the current officeholders after one more term, and a sense is developing that the political climate finally is right for real change. Term limits — an impending disaster where the Legislature is concerned — may be credited with this one beneficial effect.

“The education establishment, so hostile last time, sang a different tune to the Revision Commission last week. . . .

“It may be, of course, that the unions’ new attitude owes less to a more informed philosophy than to the facts that Turlington was their guy and (Education Commissioner Frank) Brogan isn’t. Whatever the reason, there is a chance here to finally crack the Cabinet. The Commission should make the most of it.”

*Martin Dyckman
St. Petersburg Times
September 14, 1997*

“In this late-summer swing around Florida, commissioners have listened to voters’ ideas. That was a good idea. It drew lots of interest. The last commission 20 years ago didn’t do it and lost the chance to build momentum.

“Commissioners won’t be able to give the public all it asked for. They ought to plan a return engagement

next summer, before the election. Only next time, they should do the talking. They can explain their choices and why we, the people, should ratify them.”

*Tom Blackburn
Palm Beach Post
September 1, 1997*

“Southwest Florida residents will have to speak up to be heard in the state’s constitutional revision process.

“That’s because, by either design or accident, the region enjoys scant representation among the 37 members and three alternates serving on a commission to sift through proposed changes to the state’s constitution. . . .

“Only one alternate to the commission, Pat Barton of Naples, hails from the Collier/Lee/Charlotte area.

“That in spite of the fact that the area is home to roughly one-sixteenth of the state’s population. Had the 37-member commission been chosen purely at random, you would expect Southwest Florida to have at least two members selected. . . .

“But more likely, the composition of the committee is a function of public inertia.

“Political power in Florida has emanated from Tallahassee, still emanates from Tallahassee and will continue to emanate from Tallahassee for the foreseeable future.

“And we on the Southern Gulf Coast are a long way from Tallahassee.”

*Brent Batten
Naples Daily News
August 15, 1997*

“In the coming year, Florida will be the focus of attention for many experts of state government around the country. Florida has placed an unparalleled confidence in its citizens by authorizing the appointment of this panel of citizens to propose constitutional changes directly to the people.

“In an era of political disillusionment, this process gives Floridians the opportunity to take control and to influence the shape and future of their state. Take the challenge and participate in the upcoming Constitution Revision Commission process.”

*Kathleen Slbodnick
Government Chair
League of Women Voters, Collier County*

“At this juncture, here are three thoughts to guide commissioners:

“Address issues that affect our constitutional rights as citizens, discouraging infringement whenever possible.

“If there ought to be a law, then it belongs before the Legislature. Put it there — forcefully, if possible — along with a way for citizens to do so as well. That is preferable to cluttering the Constitution with important but inappropriate issues.

“When in doubt — leave it out. The power of the Constitution lies in simplicity, as a place for citizens to see their rights and obligations straightforwardly.

“Protect that, and you will have achieved a job well done.”

*Fort Myers News-Press
October 3, 1997*

MESSAGE FROM THE CHAIRMAN continued from page 1

Revision Commission. We also both agreed that it would be inappropriate for me to do both.

That decision set the tone for the Commission from a political standpoint. Governor Chiles appointed me as chairman without a single instruction other than to do what was best for the citizens of Florida and to insure the integrity of the Commission.

When the governor then appointed 15 members to the Commission, he made it clear that each of those members was to serve as an individual without a mandate from the governor on any issue. It proved helpful that Gov. Chiles had served on the 1968 Constitution Revision Commission and he realized the importance of allowing members to represent their own views and not those of a political party.

It also helps with this Commission that we have only three elected officials as members. Those include Attorney General Bob Butterworth, Senate President Toni Jennings and Senator Jim Scott. Only Butterworth among those three is currently seeking re-election and it appears that Jennings already has won a second

term as Senate President. So there is virtually no pressure, the kind inherent with any candidate running for office, to weigh his or her vote on an issue based on political standing.

Having served on the previous Commission, it appears that this group as a whole is much more congenial than that of 1978. I believe a big reason for that is the rules change that ultimately will require 22 approval votes for an amendment to reach the ballot. Twenty years ago, a simple majority was all that was needed to approve an amendment.

When 22 votes (from a 37-member panel) are required, it is more of a necessity that a group work toward a consensus on issues. Understand, also, that when final votes are taken there could be members who are absent. Even so, the 22-vote rule stands.

So, if I am strongly in favor of a particular issue, it behooves me not to isolate myself from other members. With that in mind, the result has been a group that has a heart-felt respect for the views and beliefs of others, and with it a desire to be as

knowledgeable as possible on all subjects.

From the outset, the Commission was urged by the governor to be sensitive to the needs of all Floridians and to create a Commission that is inclusive and representative of Florida's diverse population. Yes, we have several attorneys on the Commission. But we also have a home-school teacher, a housewife, a retired teacher, a tax collector, the president of the Florida Audubon Society, a Realtor and the president of a major restaurant chain in the state. The attorney's views are as adverse as they could be.

These people bring wildly varying interests, concerns and views to the Commission. Yet, it has been quite apparent from the outset that this group is attentive and conscientious. Its members are not partisan. They don't vote party lines. We have had no division on issues by party affiliation.

What we have had is a commitment by the Commission and its members to produce the best possible Constitution for the state of Florida . . . partisan politics aside.

KIDS VOTING COMPETITION continued from page 1

students enrolled in a class about the Constitution Revision Commission have volunteered to assist the high school students in their research and presentations.

Each of the area schools will hold competition early next year to determine which students will advance to area competition. The students will be asked to present three- to five-minute speeches.

The winners at each school will then present their speeches in area competition in mid-March at Leon High School. Among the judges for the area competition will be Dexter Douglass, chairman of the Constitution Revision Commission.

"This serves as just one more vehicle for the public to be part of the Constitution Revision Commission process," Douglass said. "It's particularly exciting to know that high school students are enthusiastic enough and informed enough to make presentations that our commissioners should consider seriously.

"This competition should provide an outstanding opportunity for our younger citizens to be a part of Florida's history. Their presentations will be officially recorded as part of the Constitution Revision Commission's historical process."

The three winners in area competition will make their presen-

tations at a Constitution Revision Commission public hearing in late March or early April. Just like experts invited from around the state, the students will be included on the Constitution Revision Commission agenda and will speak to the 37 commissioners. Each student could also be asked questions about their presentation by commissioners.

High schools invited to participate in the competition include Aucilla Christian, Florida High, Florida A&M High, Godby, Jefferson County, Lincoln, Leon, Maclay, North Florida Christian, Quincy Shanks, Rickards and Wakulla County.

NATURE AND PURPOSE OF THE CONSTITUTION REVISION COMMISSION

Once every 20 years Florida's Constitution provides for the creation of a 37-member revision commission for the purpose of reviewing Florida's Constitution and proposing changes for voter consideration. The Commission will meet for approximately one year, travel the State of Florida, identify issues, perform research, and possibly recommend changes to the Constitution.

This sweeping review of Florida's Constitution last occurred approximately 20 years ago (1977-78). Since 1978, Florida's population has grown by 63 percent. Equally significant is the projection that Florida's population will exceed 17 million by the year 2010. This astronomical population growth will have an impact on the state in areas such as transportation, education, health care, natural resources, recreation, pollution, and crime.

The state's treatment of such important issues rests primarily in the Constitution, and the Revision Commission will be looking to the citizens of this state for direction and suggestions.

Commission Members

The Constitution provides for four persons to appoint 37 members. The Governor appointed 15 members, the Speaker of the House of Representatives and the President of the Senate each appointed nine, the Chief Justice of the Supreme Court appointed three, and the Attorney General automatically serves.

Unique Process

No other state in the union has empowered a Commission to propose changes to its Constitution and to place them directly on the ballot for voter consideration.

Potential Issues for 1998

Over the past few months, the following issues have surfaced as potential matters for consideration by the Commission:

- *Appointment or election of trial judges.* Currently, justices of the Supreme Court and judges of the District Courts of Appeal are appointed by the

Governor from a slate of candidates. In contrast, county and circuit judges are elected. Critics of the current system assert that the appointment process results in the strongest candidate being presented to the Governor, while opponents assert that it removes the opportunity for citizens to vote for and select their judges. Should Florida's system for trial judges be modified? Should such modification be uniform throughout Florida?

- *Cabinet reform.* Florida is considered to have a "weak" executive branch because the Governor must share his power with an elected Cabinet with each member given an equal vote. Proponents of an elected Cabinet claim that the system works and that it allows the sharing of executive power. Opponents of the system claim that it reduces accountability because the entire Cabinet has an equal vote on issues. Should the state Cabinet be reduced in size or abolished?
- *Citizen ballot initiatives.* In recent years, Floridians have considered constitutional initiatives on sugar, marine fishing nets, English only, and others. Some have suggested that the process has circumvented the authority of the Legislature by placing general law directly into the Constitution and by allowing special interest groups the ability to easily meet the petition signature requirement. Others claim that the Constitution is the "people's" document and as such should be liberally amended. Should the Commission propose to change or eliminate the ballot initiative process for amending the Constitution?
- *Legislative reapportionment.* Every 10 years, Florida is reapportioned for the purpose of state and federal elections. The Florida Legislature, pursuant to the Constitution, is charged with dividing the state into districts. Some have suggested that this task should be given to an independent entity rather than to the Legislature. Others assert that reapportionment, by its

very nature, is political and therefore belongs in the Legislature. Should the system of reapportionment remain with the Legislature or be transferred to an independent group?

- *Privacy rights.* Article I, Section 23, of Florida's Constitution provides that "every natural person has the right to be let alone and free from government intrusion into his private life." The section has been construed to address, among other things, issues relating to abortion, assisted suicide, and equal treatment of persons. Should Florida residents have the right to an assisted suicide? Should our Constitution address a woman's right to an abortion?
- *Taxes.* Are there better and more equitable ways that citizens could be taxed and government services provided?
- *Crime and punishment.* Should Florida change the way that it punishes criminals? Should Florida keep the death penalty in its present form?
- *Education.* Should a specific portion of the state budget be dedicated to education? Should the public school system be put under a Board of Education that is appointed, thereby eliminating the elected Commissioner of Education?
- *Medical Care.* Should poor children have the right to medical care paid for by the state? Should residents have the right to choose their own doctor and hospital?

Public Participation

While many experts are satisfied that our Constitution does not warrant wholesale change, Florida's mandated Revision Commission provides a unique opportunity to review the framework that is the foundation for Florida government. Each citizen has the opportunity to influence the shape and future of our state by getting involved in the process, participating in the public hearings, and monitoring the work of the Commission.

Constitution Revision Commission

B-11, The Historic Capitol
Tallahassee, Florida 32399-1300

IMPORTANT DATES TO REMEMBER

YEAR	EVENT	AUTHORITY
1997		
November 12–14	Session/committee meetings – Tallahassee	
November 25	Deadline for Commission member proposals	
December 9–12	Session/committee meetings – Tallahassee	
1998		
January 12–16	Session/committee meetings – Tallahassee	
January 26–28	Session/committee meetings – Tallahassee	
February 9–12	Session/committee meetings – Tallahassee	
February 23–27	Session/committee meetings – Tallahassee	
March 6–7	Session/committee meetings – Tallahassee (if necessary)	
March 13	Public hearing (controlled agenda)	
March 20	Public hearing (controlled agenda)	
March 26	Public hearing (controlled agenda)	
April	Sessions/committee meetings, if necessary – Tallahassee	
May 5	Proposals transmitted to Secretary of State	
November 3	Election Day	