

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based only on the provisions contained in the legislation as of the latest date listed below.)

BILL: CS/SB 752

SPONSOR: Committee on Ethics and Elections, Senator Saunders and others

SUBJECT: Elections; Lieutenant Governor

DATE: February 18, 1999 **REVISED:** _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Bradshaw</u>	<u>Bradshaw</u>	<u>EE</u>	<u>Favorable/CS</u>
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

I. Summary:

Committee Substitute for Senate Bill 752 implements the amendment to Art. IV, sec. 5(a), Florida Constitution, which allows a candidate for Governor to run without a Lieutenant Governor running mate during the primary elections. The bill provides that if the candidate for Lieutenant Governor is not designated and has not qualified during the regular qualifying period in July, the phrase "Not Yet Designated" will appear on primary election ballots and the advance general election ballot in lieu of the Lieutenant Governor candidate's name.

This bill substantially amends ss. 99.095, 99.0955, 100.111, 101.62, and 102.112, F.S., repeals s. 99.092(3), F.S., and creates s. 99.063, F.S.

II. Present Situation:

Effective January 5, 1999, Art. IV, sec. 5(a), Florida Constitution, allows candidates for the office of Governor to choose to run without a Lieutenant Governor running mate during the primary elections.

Currently, all candidates must qualify during the prescribed qualifying period. Candidates for Governor and Lieutenant Governor form a joint candidacy and voters cast a single vote for the joint candidacy in both the primary and general elections. Each candidate for Governor and Lieutenant Governor is required to pay a separate qualifying fee. However, candidates for the offices of Governor and Lieutenant Governor obtaining ballot position by the petition method use the same petition for both candidates.

Section 100.111, F.S., prohibits a candidate who qualifies for nomination or election to office and who either withdraws or is eliminated, from qualifying for another office to be filled at the same election as the first office for which he or she qualified.

Section 102.112, F.S., requires the county canvassing board to certify the results of elections to the Department of State by 5 p.m. of the 7th day following the election.

III. Effect of Proposed Changes:

Committee Substitute for Senate Bill 752 will allow a candidate for Governor to wait until after the second primary election to designate a Lieutenant Governor running mate. This will allow the candidate for Governor to consider candidates who have been eliminated in the primary elections when choosing his or her running mate.

The bill requires the candidate for Governor to designate a Lieutenant Governor running mate *no later than* the sixth day following the second primary election. Failure of the Lieutenant Governor candidate to be designated and qualified by this time shall result in the forfeiture of ballot position by the gubernatorial candidate.

If the Lieutenant Governor candidate is designated and has qualified during the regular qualifying period in July, both the name of the candidate for Governor and the name of the candidate for Lieutenant Governor will appear on the primary election ballots. However, if the Lieutenant Governor candidate is not designated and has not qualified by the end of the regular qualifying period in July, the phrase "Not Yet Designated" will appear in lieu of the Lieutenant Governor candidate's name on the primary and advance general election ballots. Candidates for Lieutenant Governor will not be required to pay a separate qualifying fee or obtain signatures on petitions.

In order to allow candidates who have withdrawn or been eliminated in the primary elections to be considered as potential running mates, s. 100.111, F.S., is amended to provide an exception to the provision which prohibits a candidate from qualifying for another office in the same election.

The bill changes the date for county canvassing boards to certify the results of the second primary election from the 7th day following the election to the 3rd day following the election. The earlier submission will allow the results of the second primary election to be certified prior to the deadline for candidates for Lieutenant Governor to be designated.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.
