Florida Senate - 2001

By Senator Rossin

35-16B-01 1 Senate Joint Resolution No. 2 A joint resolution proposing amendments to Section 15 of Article III, Section 5 of Article 3 4 IV, and Sections 4 and 7 of Article VI of the State Constitution; revising the terms of 5 office for certain elected constitutional 6 7 officers; providing for staggered terms of office; revising limitations on the number of 8 9 consecutive years during which certain elected constitutional officers may hold office; 10 limiting the amount that a person or other 11 12 entity may contribute to a candidate for local or statewide public office or to a political 13 14 party. 15 16 Be It Resolved by the Legislature of the State of Florida: 17 That the following amendments to Section 15 of Article 18 19 III, Section 5 of Article IV, and Sections 4 and 7 of Article VI of the State Constitution are agreed to and shall be 20 21 submitted to the electors of this state for approval or 22 rejection at the next general election or an earlier special election specifically authorized by law for that purpose: 23 24 ARTICLE III 25 LEGISLATURE SECTION 15. Terms and qualifications of legislators .--26 27 (a) SENATORS. Senators shall be elected for terms of 28 six four years, those from odd-numbered districts in the years the numbers of which are multiples of four and those from 29 30 even-numbered districts in even-numbered years the numbers of 31 which are not multiples of four; except, at the election next 1

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following a reapportionment, some senators shall be elected for terms of two years or four years when necessary to maintain staggered terms. Senators from districts the number of which is a multiple of three shall be elected in each even-numbered year that is a multiple of three, senators from all other even-numbered districts shall be elected in the second year following each even-numbered year that is a multiple of three, and senators from all other odd-numbered districts shall be elected in the fourth year following each even-numbered year that is a multiple of three. (b) REPRESENTATIVES. Members of the house of representatives shall be elected for terms of four two years, those from odd-numbered districts in the years the numbers of which are multiples of four and those from even-numbered districts in even-numbered years the numbers of which are not multiples of four; except, at the election next following a reapportionment, some representatives shall be elected for

18 <u>terms of two years when necessary to maintain staggered terms</u> 19 in each even-numbered year.

20 (c) QUALIFICATIONS. Each legislator shall be at least 21 twenty-one years of age, an elector and resident of the 22 district from which elected and shall have resided in the 23 state for a period of two years prior to election. 24 (d) ASSUMING OFFICE; VACANCIES. Members of the

25 legislature shall take office upon election. Vacancies in 26 legislative office shall be filled only by election as 27 provided by law.

ARTICLE IV

EXECUTIVE

30 SECTION 5. Election of governor, lieutenant governor 31 and cabinet members; qualifications; terms.--

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1 (a) At a state-wide general election in each calendar 2 year the number of which is even but not a multiple of four, 3 the electors shall choose a governor and a lieutenant governor and members of the cabinet each for a term of four years 4 5 beginning on the first Tuesday after the first Monday in б January of the succeeding year. In primary elections, 7 candidates for the office of governor may choose to run 8 without a lieutenant governor candidate. In the general 9 election, all candidates for the offices of governor and 10 lieutenant governor shall form joint candidacies in a manner 11 prescribed by law so that each voter shall cast a single vote for a candidate for governor and a candidate for lieutenant 12 13 governor running together. (b) When elected, the governor, lieutenant governor 14 and each cabinet member must be an elector not less than 15 thirty years of age who has resided in the state for the 16 17 preceding seven years. The attorney general must have been a 18 member of the bar of Florida for the preceding five years. No 19 person who has, or but for resignation would have, served as 20 governor or acting governor for more than twelve six years in three two consecutive terms shall be elected governor for the 21 22 succeeding term. 23 ARTICLE VI 24 SUFFRAGE AND ELECTIONS SECTION 4. Disqualifications.--25 (a) No person convicted of a felony, or adjudicated in 26 27 this or any other state to be mentally incompetent, shall be 28 qualified to vote or hold office until restoration of civil 29 rights or removal of disability. (b) No person may appear on the ballot for re-election 30 31 to any of the following offices: 3

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1 (1)Florida representative, 2 (2) Florida senator, 3 (3) Florida Lieutenant governor, any office of the Florida cabinet, 4 (4) 5 (5) U.S. Representative from Florida, or б (6) U.S. Senator from Florida 7 8 if, by the end of the current term of office, the person will have served (or, but for resignation, would have served) in 9 10 that office for twelve eight consecutive years. 11 SECTION 7. Campaign contribution spending limits; and funding of campaigns for elective state-wide office .--12 13 (a) A person or any other entity may not, directly or indirectly, contribute to or expend on behalf of any one 14 15 candidate more than \$5,000 during the course of an election, which includes the first primary, any second primary, and the 16 17 general election. This limitation applies to any contribution or expenditure made for the purpose of promoting a person's 18 19 nomination or election to, or retention in, a local or statewide office that is filled by a vote of the electors. The 20 legislature may provide by law additional restrictions on 21 contributions or expenditures made to or on behalf of a 22 candidate for public office. 23 24 (b) A person or any other entity may not, directly or 25 indirectly, contribute to or expend on behalf of a political party more than \$5,000 during the course of an election, which 26 27 includes the first primary, any second primary, and the 28 general election. 29 (c) It is the policy of this state to provide for 30 state-wide elections in which all qualified candidates may 31 compete effectively. A method of public financing for 4

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1 campaigns for state-wide office shall be established by law. 2 Spending limits shall be established for such campaigns for 3 candidates who use public funds in their campaigns. The legislature shall provide funding for this provision. General 4 5 law implementing this paragraph shall be at least as б protective of effective competition by a candidate who uses 7 public funds as the general law in effect on January 1, 1998. 8 BE IT FURTHER RESOLVED that the following statement be 9 placed on the ballot: 10 CONSTITUTIONAL AMENDMENT 11 ARTICLE III, SECTION 15 ARTICLE IV, SECTION 5 12 ARTICLE VI, SECTION 4 13 TERMS OF OFFICE AND TERM LIMITS. -- Proposing amendments 14 to the State Constitution to prohibit a person or other entity 15 from contributing more than \$5,000 to a candidate for local or 16 17 statewide public office or to a political party; increase the 18 terms of office for Florida Senators from 4 years to 6 years 19 and for Florida Representatives from 2 years to 4 years; and 20 increase, from 8 years to 12 years, the number of consecutive 21 years during which a Governor, Lieutenant Governor, Florida Representative, Florida Senator, member of the Florida 22 Cabinet, United States Representative from Florida, or United 23 24 States Senator from Florida may hold office. 25 26 27 28 29 30 31 5

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