

Bill No. CS for CS for SJR 1436

Barcode 072064

	CHAMBER ACTION	
<u>Senate</u>		<u>House</u>

1	.
2	.
3	.
4	.
5	.
6	.
7	.
8	.
9	.
10	.

Floor: WD/2R
 04/28/2006 03:43 PM

11 Senator Campbell moved the following amendment:

12

13 **Senate Amendment (with title amendment)**

14 On page 1, lines 14-18, delete those lines

15 and insert:

16 That the following creation of Section 20 of Article

17 III and the following amendments to Section 10 of Article IV

18 and Section 7 of Article XI of the State Constitution are

19 agreed to and shall be submitted to the electors of this state

20 for approval or rejection at the next general election or at

21 an earlier special election specifically authorized by law for

22 that purpose:

ARTICLE III

LEGISLATURE

23 SECTION 20. Legislation by citizen initiative.--

24 (a)(1) The power to propose legislation by initiative

25 is reserved to the people, provided that any such legislation

26 shall embrace one subject and matter directly connected

27 therewith. This power may be invoked by filing with the

28 custodian of state records a petition containing a copy of the

Bill No. CS for CS for SJR 1436

Barcode 072064

1 proposed legislation.

2 (2) The following subjects may not be proposed by
3 initiative: special and general laws of local application;
4 laws that impose, eliminate, increase, or grant exemption from
5 taxes; laws that are created for the sole purpose of
6 appropriating state funds; laws requiring counties or
7 municipalities to spend funds or eliminating their ability to
8 raise revenues or receive state tax revenue; laws that provide
9 exemption from public-records or public-meeting requirements;
10 laws that provide for the number or assignment of judges or
11 the jurisdiction of courts; laws that the legislature is
12 prohibited from passing or must pass by an extraordinary vote;
13 and laws changing the boundaries of any municipality, county,
14 special district, legislative district, or congressional
15 district.

16 (b)(1) Upon filing with the custodian of state records
17 a petition signed by a number of electors in the state as a
18 whole equal to one percent of the votes cast in the state as a
19 whole in the last preceding election in which presidential
20 electors were chosen, the proposed legislation shall be
21 brought before the legislature for enactment at the next
22 regular session held more than thirty days following
23 submission of the petition as provided herein. The proposed
24 legislation shall be treated as a bill subject to section 7 of
25 this Article. The enacting clause of every law proposed by
26 initiative shall read: "Be It Enacted by the People of the
27 State of Florida by Initiative:"

28 (2) If the legislature fails to enact the proposed
29 legislation, the proposed legislation may be placed on the
30 ballot at the next general election held more than ninety days
31 after a initiative petition proposing legislation is filed

Bill No. CS for CS for SJR 1436

Barcode 072064

1 with the custodian of state records signed by a number of
2 electors in the state equal to two percent of the votes cast
3 in the state as a whole in the last preceding election in
4 which presidential electors were chosen.

5 (c) The governor may not veto legislation proposed by
6 initiative which is approved by the electors. Laws that are
7 enacted by initiative may be amended or repealed as provided
8 in this section and shall otherwise be subject to the powers
9 of the governor and the legislature granted by this
10 constitution, as such powers apply to any law or legislation.
11 However, notwithstanding section 7 of this Article, the
12 legislature may amend or repeal legislation approved by vote
13 of the electors for the first five years after it takes effect
14 only by a vote of three-fourths of the membership of each
15 house of legislature and thereafter by a majority vote of the
16 membership of each house of the legislature.

17 (d) Once in the tenth week, and once in the sixth week
18 immediately preceding the week in which the election is held,
19 the proposed legislation, with notice of the date of the
20 election at which it will be submitted to the electors, shall
21 be published in one newspaper of general circulation in each
22 county in which a newspaper is published.

23 (e) If the legislation proposed by initiative is
24 approved by majority vote of the electors voting on the
25 proposed legislation, it shall be effective on the first day
26 of July following the next regular session of the legislature
27 after the general election at which the legislative initiative
28 was approved.

29 ARTICLE IV

30 EXECUTIVE

31 SECTION 10. Attorney General.--The attorney general

Bill No. CS for CS for SJR 1436

Barcode 072064

1 shall, as directed by general law, request the opinion of the
 2 justices of the supreme court as to the validity of any
 3 initiative petition proposing legislation circulated pursuant
 4 to Section 20 of Article III, or any initiative petition
 5 proposing to amend or revise this constitution circulated
 6 pursuant to Section 3 of Article XI. The justices shall,
 7 subject to their rules of procedure, permit interested persons
 8 to be heard on the questions presented and shall render their
 9 written opinion no later than April 1 of the year in which the
 10 initiative is to be submitted to the voters pursuant to
 11 Section 5 of Article XI.

12
13

14 ===== T I T L E A M E N D M E N T =====

15 And the title is amended as follows:

16 On page 1, lines 2-5, delete those lines

17

18 and insert:

19 A joint resolution proposing the creation of
 20 Section 20 of Article III and amendments to
 21 Section 10 of Article IV and Section 7 of
 22 Article XI of the State Constitution, to
 23 provide for legislation proposed by citizen
 24 initiative, to provide for the Supreme Court to
 25 render an opinion on the initiative petition,
 26 and to specify the application of limitations
 27 to the

28
29
30
31