By Commissioner Martinez

martinezr-00003B-17

A proposal to create
Section 21 of Article V of the State Constitution 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.

Be It Proposed by the Constitution Revision Commission of
Florida:

Section 21 is added to Article V of the State Constitution
to read:

ARTICLE V

JUDICIARY

SECTION 21. Judicial interpretation of statutes and rules.—
In interpreting a state statute or rule, a state court or an
administrative law judge may not defer to an administrative
agency's interpretation of such statute or rule, and must
instead interpret such statute or rule de novo.
By Commissioner Karlinsky

karlinskyf-00087-17

A proposal to create
a new section in Article VII of the State Constitution
to establish that a law may not impose a new state tax
or fee or raise an existing state tax or fee unless
passed by a two-thirds vote of the membership of each
house of the Legislature.

Be It Proposed by the Constitution Revision Commission of
Florida:

A new section is added to Article VII of the State
Constitution to read:

ARTICLE VII
FINANCE AND TAXATION
Vote requirements for laws imposing or raising state taxes
or fees.

(a) Unless passed by a two-thirds vote of the membership of
each house of the legislature, a law may not impose a new state
tax or fee or raise a state tax or fee.

(b) This section does not authorize the imposition of any
state tax or fee that is otherwise prohibited by this
Constitution, and does not apply to any tax or fee imposed by a
county, municipality, school board, or special district.

(c) As used in this section, the term:

(1) "Fee" means any charge or payment required by law,
including any fee for service, fee or cost for licenses, and
charge for service.

(2) "Raise" means:

a. To increase the rate of a state tax or fee imposed on a
percentage or per-mill basis;

b. To increase the amount of a state tax or fee imposed on
a flat or fixed amount basis; or

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CODING: Words stricken are deletions; words underlined are additions.
c. To decrease or eliminate a state tax or fee exemption or credit.
By the Committee on General Provisions; and Commissioner Kruppenbacher

335-00147-17

A proposal to create a new section in Article X of the State Constitution to prohibit the state from limiting the number of specified health care facilities and services through the granting of certificates of need and to declare all conflicting laws void.

Be It Proposed by the Constitution Revision Commission of Florida:

A new section is added to Article X of the State Constitution to read:

ARTICLE X

MISCELLANEOUS

Prohibition on limitations on health care facilities and services.—

(a) The state may not limit the number of hospitals, nursing homes, hospices, or intermediate care facilities for individuals with intellectual disabilities, or services provided by these facilities, through the granting of certificates of need.

(b) Upon the effective date of this section, laws that relate to certificate of need approval for the number of hospitals, nursing homes, hospices, or intermediate care facilities for individuals with intellectual disabilities, or services provided by these facilities are void and of no effect. However, laws that restrict or limit the ownership or licensure of hospitals, nursing homes, hospices, or intermediate care facilities for individuals with intellectual disabilities shall remain in effect.

CODING: Words stricken are deletions; words underlined are additions.
By the Committee on Education; and Commissioners Washington and Plymale

345-00249-17

A proposal to create

Section 8 of Article IX of the State Constitution to
specify the purposes of the State College System and
provide for the governance structure of the system.

Be It Proposed by the Constitution Revision Commission of Florida:

Section 8 of Article IX of the State Constitution is
amended to read:

ARTICLE IX
EDUCATION

SECTION 8. State College System.—

(a) PURPOSES. In order to achieve excellence and to provide
access to undergraduate education to the students of this state;
to originate articulated pathways to a baccalaureate degree; to
ensure superior commitment to teaching and learning; and to
respond quickly and efficiently to meet the demand of
communities by aligning certificate and degree programs with
local and regional workforce needs, the people hereby establish
a system of governance for the state college system of Florida.

(b) STATE COLLEGE SYSTEM. There shall be a single state
college system comprised of all public community and state
colleges. A local board of trustees shall govern each state
college system institution and the state board of education
shall supervise the state college system.

(c) LOCAL BOARDS OF TRUSTEES. Each state college system
institution shall be governed by a local board of trustees
dedicated to the purposes of the state college system. A member
of a board of trustees must be a resident of the service
delivery area of the college. The powers and duties of the

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boards of trustees shall be provided by law. Each member shall be appointed by the governor to staggered 4-year terms, subject to confirmation by the senate.

(d) ROLE OF THE STATE BOARD OF EDUCATION. The state board of education shall supervise the state college system as provided by law.
By Commissioner Gaetz

gaetzd-00021-17

A proposal to create
a new section in Article IX of the State Constitution
to require the Legislature to provide for the
promotion of civic literacy in public education.

Be It Proposed by the Constitution Revision Commission of
Florida:

A new section is added to Article IX of the State
Constitution to read:

ARTICLE IX
EDUCATION

Civic literacy.—As education is essential to the
preservation of the rights and liberties of the people, the
Legislature shall provide by law for the promotion of civic
literacy in order to ensure that students enrolled in public
education understand and are prepared to exercise their rights
and responsibilities as citizens of a constitutional democracy.