SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

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

Prepared By: Education Committee

BILL: SB 2088

SPONSOR: Senator Lynn

SUBJECT: Special Election

DATE: March 14, 2005   REVISED: 04/13/05

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Matthews	O'Farrell	ED	**Fav/1 amendment**
2.			EA	
3.			RC	
4.				
5.				
6.				

I.   Summary:

This bill authorizes a special election to be held on September 6, 2005, for the purpose of submitting Senate Joint Resolution 2090 to the voters. That joint resolution revises the constitution's class size requirements to require, beginning in the 2007 school year, that the district average number of students assigned to a teacher may not exceed:

- 18 students in prekindergarten through grade 3;
- 22 students in grade 4 through grade 8; and
- 25 students in grade 9 through grade 12.

In addition, the resolution requires that the minimum salary for each public school teacher shall be provided by law but must be at least $35,000 and must be higher than the national average beginning salary for public school teachers.

The bill takes effect upon becoming a law, which requires a three-fourths vote of each house of the Legislature.

This bill creates unnumbered sections of the Florida Statutes.

II. Present Situation:

Most proposed constitutional amendments or revisions are submitted to the voters at a general election held more than 90 days after the amendment or revision is filed with the Secretary of

State.[1] The State Constitution authorizes the Legislature, however, to mandate an earlier special election to submit an amendment or revision to the electors for their consideration, provided:

- The law is adopted by a three-fourths affirmative vote of each house;
- The proposed amendment or revision is limited to a single amendment or revision; and,
- The date set for the earlier special election is more than 90 days after the proposed amendment or revision is filed with the Secretary of State.[2]

III.   Effect of Proposed Changes:

This bill authorizes a special election to be held on September 6, 2005, for the purpose of submitting Senate Joint Resolution 2090 to the voters. That joint resolution revises the constitution's class size requirements to require, beginning in the 2007 school year, that the district average number of students assigned to a teacher may not exceed:

- 18 students in prekindergarten through grade 3;
- 22 students in grade 4 through grade 8; and
- 25 students in grade 9 through grade 12.

In addition, the resolution requires that the minimum salary for each public school teacher shall be provided by law but must be at least $35,000 and must be higher than the national average beginning salary for public school teachers.

The bill takes effect upon becoming a law, which requires a three-fourths vote of each house of the Legislature.

IV.   Constitutional Issues:

A.   Municipality/County Mandates Restrictions:

None.

B.   Public Records/Open Meetings Issues:

None.

C.   Trust Funds Restrictions:

None.

D.   Other Constitutional Issues:

The State Constitution requires that a legislatively-authorized special election on a proposed constitutional amendment or revision must occur at least 90 days after the

---

[1] Art. XI, s. 5(a), FLA. CONST.
[2] *Id.*

amendment or revision is filed with the Secretary of State.[3] Accordingly, Senate Joint Resolution 2090 must be filed with the Secretary of State no later than June 7, 2005.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

An unverified survey was conducted of the Superintendents of Elections of the 67 counties comprising the state to determine the approximate fiscal impact associated with conducting a special election in 2005. According to this survey, the cost of the special election would approximate $18,516,503. However, four counties have not yet responded: Alachua, Putnam, Seminole, and St. Lucie.

VI. Technical Deficiencies:

On page 1, line 19, the linked joint resolution number "2090" needs to be inserted.

VII. Related Issues:

None.

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

---

[3] *Id.*

VIII.   Summary of Amendments:

Barcode 201020 by Education:
This is a technical amendment that adds Senate Joint Resolution 2090 as the linked resolution.

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