Comparing the U.S. Constitution & The Florida State Constitution

Mr. Raymond’s Civics EOC Academy
Last time: Federalism – the National, State & Local Governments working together.

How many governments are there in the United States?

- 1 U.S. Government
- 50 State Governments
- 89,476 Local Governments
- 3,033 County
- 19,492 City
- 16,519 Town
- 13,051 School District
- 37,387 Special District
- 89,527 TOTAL

Americans live under both national and state governments.

**NATIONAL POWERS**
- Maintain military
- Declare war
- Establish postal system
- Set standards for weights and measures
- Protect copyrights and patents

**SHARED POWERS**
- Collect taxes
- Establish courts
- Regulate interstate commerce
- Regulate banks
- Borrow money
- Provide for the general welfare
- Punish criminals

**STATE POWERS**
- Establish local governments
- Set up schools
- Regulate state commerce
- Make regulations for marriage
- Establish and regulate corporations
Benchmark: SS.7.C.3.13 – Compare the constitutions of the United States & Florida

Attn: Teachers – this PowerPoint, lesson plans, worksheet, activities, etc. are available @ Teachers Pay Teachers $1.99 – Mr. Raymond’s Civics EOC Academy
## Florida & the U.S. Constitution

### Comparing State Government

<table>
<thead>
<tr>
<th>Florida is like most states because:</th>
<th>Florida is unlike most states because:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Florida’s Constitution provides a basic framework of government.</td>
<td>members of the Florida executive cabinet are elected.</td>
</tr>
<tr>
<td>Florida’s legislature is bicameral, or made up of two houses.</td>
<td>many Florida commissions and boards are administered jointly by the governor and cabinet.</td>
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<tr>
<td>Florida’s Constitution reflects the American political tradition of separation of powers.</td>
<td>Florida establishes an automatic and regular review of the Constitution.</td>
</tr>
<tr>
<td>Florida’s Constitution grants more power to the legislative branch than to the executive.</td>
<td>Florida’s does not have a state income tax.</td>
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</tbody>
</table>
Florida & the U.S. Constitution – How many?

National – 2 Constitutions?

Articles of Confederation – 1777 – 1781

US Constitution – 1787 - Present

Florida – 6 Constitutions

First - 1838

Current – 1968 - Present
Florida & the U.S. Constitution –
How many?

National – 2
Constitutions?

Florida – 6
Constitutions
Florida’s 6 Constitutions

1838

Constitution of the State of Florida

1861

The Constitution of the Confederate States of America

1865

Constitution or form of Government for the People of Florida.

1868

Ordnance of the Provisional Government of the State of Florida

1885

Constitution of the State of Florida

1968

Constitution of the State of Florida
Florida & the U.S. Constitution

- Both start with Preambles
- Have Articles laying out the Government
- Have a list of Rights

**Organization of Florida’s Constitution**

The Preamble states the origin and purpose of the Constitution.

**Article I Declaration of Rights** explains the various rights of Florida’s citizens. Among these are religious freedom (section 3) and freedom of speech (section 4). Article I also guarantees due process of law and the right of privacy.

**Article II** Among the sections of the General Provisions are establishment of the three branches of state government and the choice of Tallahassee as the seat of state government.

**Article III The Legislature** explains the powers and limits of Florida’s two houses of Congress.

**Article IV** Section 1 describes the Executive powers, duties, and responsibilities of the governor of Florida.

**Article V** explains the function and the offices of the various courts of Florida that make up the Judiciary.

**Article VI** addresses different aspects of voting and elections in Florida.

**Article VII** sets the rules for government finance and taxation.

**Article VIII** defines the levels of local government.

**Article IX** deals with the rights of Florida citizens to a public education.

**Article X** covers many subjects including the state census and state lotteries.

**Article XI** describes how the Florida Constitution can be amended.

**Article XII** explains how the 1968 Constitution was to be implemented.
Florida & the U.S. Constitution

U.S. Short & Vague

Florida: Long & Specific

Broad

Specific

4,400 words

50,000 words 10 x longer than the U.S.

Only 27 Amendments in over 200 years

Amended more than 100 times since 1968
U.S. Constitution – Short & Vague?

At 4,400 words it is the **oldest** and **shortest** of any major government

4 pages long

Doesn’t define who is a citizen or who can vote!
Florida Constitution

Which part of the Florida Constitution protects individual rights?

1. Declaration of Rights
2. Bill of Rights
3. Amendments
4. Preamble
Florida & the U.S. Constitution – The Preambles

U.S. Constitution

We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

Florida Constitution

We, the people of the State of Florida, being grateful to Almighty God for our constitutional liberty, in order to secure its benefits, perfect our government, insure domestic tranquility, maintain public order, and guarantee equal civil and political rights to all, do ordain and establish this constitution.

Purpose & Goals of the U.S. & Florida Governments
### Florida & the U.S. Constitution – Rights

The Bill of Rights – First 10 Amendment

- **Free Speech,** Freedom of Religion, Press, Assembly
- Right to Bear Arms
- Search & Seizure
- Excessive Punishments
- Trial by Jury

**Article I – Florida Declaration of Rights**

27 Separate Rights

- Free Speech, Freedom of Religion, Press Assembly
- Right to Bear Arms
- Search & Seizure
- Excessive Punishment
- Trial by Jury
Florida & the U.S. Constitution – Similar Rights

- Free Speech, Freedom of Religion, Press, Assembly
- Right to Bear Arms
- Search & Seizure
- Excessive Punishments
- Trial by Jury
Florida & the U.S. Constitution – Rights

Article I – Florida Declaration of Rights

27 Separate Rights

Florida Rights NOT in the Bill of Rights

• Right to work
• Prohibited Laws
• Imprisonment for Debts
• Offenses committed by Juveniles
• Right to Privacy
• Taxpayers Bill of Rights
• Marriage defined
Florida & the U.S. Constitution – Flor. Rights Not in the U.S. Const.

- Right to work
- Imprisonment for Debts
- Offenses committed by Juveniles
- Right to Privacy
- Taxpayers Bill of Rights
- Marriage defined
Florida & the U.S. Constitution – Three Branches: Both
Florida – Bicameral Legislature

Two-House Lawmaking Body
Florida & the U.S. Constitution – Legislative

435 Members
# per state based on population

120 Members
At least 1 per district

100 Members
2 per state

40 Members
At least 1 per district
Florida & the U.S. Constitution – Executive Cabinet

US Cabinet

Appointed by President

15 Cabinet Departments

Florida:

Elected by voters

• Governor
• Attorney General
• Commissioner of Agriculture
• Chief Financial Officer
Executive Cabinets

US Cabinet
Appointed by President

Florida:
Elected by voters

- Governor
- Attorney General
- Commissioner of Agriculture
- Chief Financial Officer

15 Departments
Florida & the U.S. Constitution – State of the Union & State

National: President
Florida: Governor

Annual address to Congress
Annual address to state legislature

Gov. Rick Scott
Florida & the U.S. Constitution – Judicial Branch

US Supreme Court
9 Justices Appointed for Life

Florida Supreme Court:
7 Judges
Chosen by Judicial Nominating Committee
Appointed by Governor
People Vote to Retain Judges
Florida & the U.S. Constitution – Florida Supreme Court

7 Judges
Chosen by Judicial Nominating Committee
Appointed by Governor
People Vote to Retain Judges
Florida & the U.S. Constitution – Taxes & Finance

**National - Vague**

- Power to Tax given to Congress Article I

**Florida – Specific**

- **No Income Tax** – even though allowed
- **Sales Tax** – no more than 6% - Counties can add 1.5%
- **Balanced Budget**
Florida & the U.S. Constitution
“Living Document” - Amendments

US Amendments

2/3rds of Congress
3/4ths of the States

Florida Amendments

1. Propose
2. Ratify

Propose:

- 3/5th of House & Senate
- Constitution Commission meets every 20 years
- Petition signed by 8% of electorate – Put on ballot to be ratified – 60% vote to ratify
Florida Amendment Process
“Living Document”

Propose & Pass:
3/5\textsuperscript{th} of House & Senate

Ratified by voters!

How to Amend Florida’s Constitution

- Ballot Initiative Process
- Constitutional Convention
- Taxation and Budget Reform Commission
- Legislative Joint Resolution
- Constitutional Revision Commission

The Florida Legislature can pass a joint resolution supported by three-fifths of the membership of each house of the legislature.
Why is constitutional revision important?

Changing a constitution has a much more lasting impact than changing state laws. Florida’s Constitution Revision Commission is historic in that it occurs only once every 20 years. Those 37 commissioners will ultimately decide on proposed changes to the Florida Constitution that will make it to the ballot for a voter decision in 2018.
Florida Amendment Process

Propose:

Petition – Need 8% of the electorate!
Florida Amendment Process

Ratify:
Needs 60% of the Voters
## Florida & the U.S. Constitution

<table>
<thead>
<tr>
<th>United States Constitution</th>
<th>Florida Constitution</th>
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<tbody>
<tr>
<td>- Begins with “We the People” – shows that the federal government gets its power from the citizens</td>
<td>- Begins with “We the People” – shows that the state government gets its power from the citizens</td>
</tr>
<tr>
<td>- Shorter than the Florida Constitution</td>
<td>- Longer than the U.S. Constitution</td>
</tr>
<tr>
<td>- Seven articles</td>
<td>- 12 articles</td>
</tr>
<tr>
<td>- 1 (large) page</td>
<td>- 80 pages</td>
</tr>
<tr>
<td>- Contains a Bill of Rights (enumerated list of rights for the people)</td>
<td>- Contains the Florida Declaration of Rights (enumerated list of the rights for the people that includes many of the same rights as those found in the U.S. Bill of Rights)</td>
</tr>
<tr>
<td>- 27 amendments</td>
<td>- Written as a “living document” to be interpreted and changed. There are many amendments to the Florida Constitution that are very specific. The Florida Constitution is a living document that changes with the times.</td>
</tr>
<tr>
<td>- Written as a “living document” to be interpreted over time.</td>
<td>- Addresses public education, motor vehicles, and elections</td>
</tr>
<tr>
<td>- Contains a “Supremacy Clause” stating the Constitution is the highest law of the land.</td>
<td>- Deals with day-to-day issues that impact state residents</td>
</tr>
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</table>
Constitutional relationship between national & state governments

Article VI of the U.S. Constitution states that the Constitution & Federal Laws are the "supreme law of the land & superior to state laws"
Up Next: Forms of Government

The Types of Government

Democracy
- Democracy has an official elected by the people.
  ex. USA & Chad

Communism
- Communism is the type of government that is controlled by the people.
  ex. N. Korea & China

Monarchy
- Monarchy is ruled by a royal family member called a king or queen depending on gender.
  ex. England & Spain

Anarchy
- Anarchy is were there is absolutely no government.
  ex. Antarctica & Somalia

Dictatorship
- Dictatorship is a autocratic form of government which means the government is ruled by an individual.
  ex. Egypt & Fiji

But first let’s review...
How many Constitutions has Florida had?

6
What year was Florida’s current Constitution written?

1968
Which constitution is longer the U.S. or Florida?

Florida
What are some similarities between the U.S. & Florida Constitutions?

Both have preambles, both create 3 branches, both have similar rights
What are some differences between the U.S. & Florida Constitutions?

Florida’s is: much longer, has a more rights & amendments, has much more specifics
Which Constitution allows more ways for Amendments to be passed?

The Florida
Which Constitution allows deals with Education & Elections?

The Florida
Thanks for watching!

Up Next: types & forms of government – be sure to subscribe!

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