

# *The People's Business*

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# The State Constitutions

*“All political power is inherent in the people. The enunciation herein of certain rights shall not be construed to deny or impair others retained by the people.”*

Florida Constitution, Article I, Section 1

The foundation for government in Florida is the State Constitution. The Constitution tells officers of Florida’s government at all levels—state, county, city, and district—what they can do and what they cannot. These directions are subject to the limitations of the Constitution of the United States.

Florida’s present basic Constitution was ratified by the voters at elections in 1968 and 1972.

To obtain this Constitution, the voters first approved on November 5, 1968, three amendments proposed by the Legislature. These amendments revised all 20 articles of the Constitution of 1885 except Article V, governing the courts. A revision of Article V was ratified at a special election on March 14, 1972.

Adoption of the four amendments climaxed a quarter century of efforts to revise the Constitution. State commissions, legislative committees, the old Florida State Bar Association and The Florida Bar, and individuals had labored to replace the old Constitution.

## Amending the Constitution

The Constitution is a living body of basic laws, reflecting the changing needs of the people. This may be illustrated by the fact that the Legislature and the voters in 1969 amended the revised Constitution despite the years of thought and drafting which had gone into the year-old Constitution. Article XI of the Constitution provides that proposed amendments to the Constitution can come from four sources; all

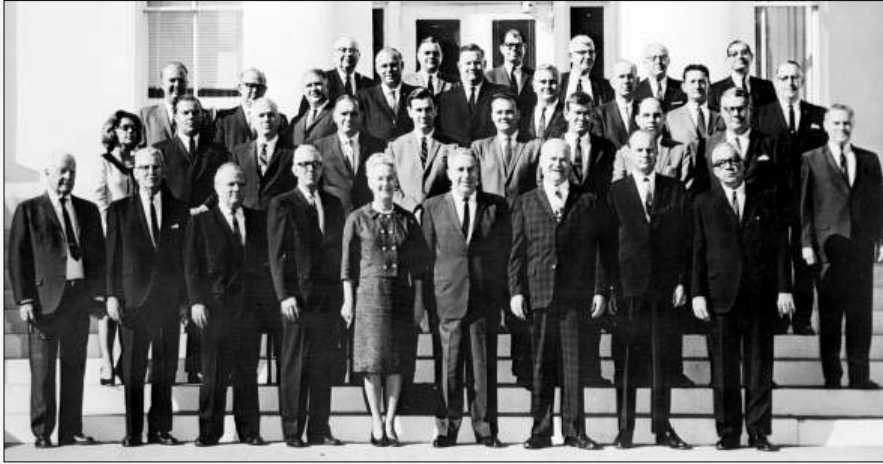
proposed amendments, regardless of source, must be ratified by the voters. Amendments may be proposed by joint resolution of the Legislature, initiative petition, the Constitution Revision Commission (meets every 20 years), and the Taxation and Budget Reform Commission (meets every 20 years). Article XI also provides a method for overhauling the entire Constitution—a constitutional convention.

## Joint Resolution

The most common method of amendment proposal is passage of a *joint resolution* by a three-fifths vote of the membership elected to each house of the Legislature. The text of a joint resolution is set forth in full in the Journals of the Senate and House of Representatives, with a listing of the Senators and Representatives and how they voted.

Once the Legislature has proposed the amendment through adoption of the joint resolution, the Secretary of State is required by the Constitution to publish the text of the proposed amendment twice—once in the tenth week prior to the election and once in the sixth week—in a newspaper of general circulation in each county in which a newspaper is published.

Ordinarily, a proposed amendment is submitted to the voters at the next general election held 90 days after the amendment has been filed by the Legislature with the Secretary of State. However, by a law enacted by the “Yes” votes of three-fourths of the



Florida State Archives

*Members of the Florida Constitution Revision Commission, 1966. The 1965 legislature established a constitution revision commission consisting of thirty-seven members, the attorney general, and representatives of the governor, Supreme Court, Florida Bar, Legislature, and the public. The commission organized on January 11, 1966, and delivered its recommendations to the legislature on December 13. The legislature freely exercised its right to revise the commission's draft.*

members elected to each house of the Legislature, a special election can be held on a date more than 90 days after the filing.

Since general elections are held regularly in November of each even-numbered year, an amendment proposed by a Legislature meeting in an odd-numbered year could not receive voter action for about a year and a half unless the amendment was regarded by the extraordinary majority of the legislators as being sufficient of an emergency to justify the expense of a special election.

In drafting the revised Constitution, the Legislature separated the issues of the amendment and the special election, which had previously been combined. Thus, should the bill for a special election fail of the required three-fourths affirmative votes, the amendment itself would be submitted at the next regular election.

Adoption of an amendment requires the "Yes" votes of 60 percent of those voting on the amendment at the general election. A simple majority was required until amendment of the Constitution in 2006 to require the supermajority.

### **Initiative**

The power of the people generally to propose amendments may be invoked by petition setting forth the proposed amendment. Signatures for activation are required from 8 percent of the electors in each of one half of the State's Congressional districts and of the state as a whole. The percentage is based upon the number of votes cast in both the Congressional districts and the state in the most recent Presidential election.

The Secretary of State determines whether a petition meets the requirements as to signatures and, if so, advertises the amendment twice in each county and places it on the next general election ballot.

### **Constitution Revision Commission**

The drafters of the 1968 Constitution provided for the convening of a Constitution Revision Commission of 37 members to periodically review the Constitution with a view to initiating changes deemed desirable (Article XI, Section 2).

The first such commission organized on July 7, 1977, and completed its deliberations on May 5, 1978, the deadline for reporting. Between those dates, the commission held 33 full membership meetings in Tallahassee and other locations around the state.

The commission's work product was packaged in eight amendments. All were rejected by the electorate. The 1980 Legislature submitted an amendment to repeal the provision of the Constitution for a revision commission. That, too, was rejected. This left the requirement for another revision commission to be organized in 1997 or 1998.

The work of the 1997-1998 Constitution Revision Commission was divided into six phases. The first phase was the organizational session. The second phase included 12 public hearings at various sites throughout the state. The third phase involved dividing the Commission into substantive committees for the purpose of considering proposed amendments. The fourth phase consisted of the commission debating and adopting a draft proposal. The fifth phase involved transmitting the draft proposal to the Style and Drafting Committee for review and circu-

lating the proposals for public comment. The sixth phase involved final review and approval by the revision commission.

The commission whittled the more than 500 proposals down to 33 that went on the November 1998 ballot in the form of nine amendments. Eight of the amendments were approved by the voters.

### **Taxation and Budget Reform Commission**

House Joint Resolution 1616 in 1988 proposed amendment to the Constitution establishing a Taxation and Budget Reform Commission. The amendment passed (s. 6, Art. XI), and the commission came into being. As with the Constitution Revision Commission, the Taxation and Budget Reform Commission proposes amendments to the Constitution to be voted on by the people. The new commission takes on any constitutional issues regarding taxation and the state budgetary process that were formerly within the purview of the Constitution Revision Commission.

### **Constitutional Convention**

Power to consider revision of the entire Constitution has been reserved to the people through a provision for calling a Constitutional Convention.

As is the case with an initiative petition to amend a portion of the Constitution, a petition would

be used. This would state the desire for a convention. Signatures would be required of 15 percent of the electors in each of half of the Congressional districts and of the state at large. This percentage also would be based upon the number of votes cast at the most recent Presidential election.

Should such a petition be certified by the Secretary of State, this question would be placed on the ballot of the next general election held more than 90 days after the filing of the petition:

“Shall a constitutional convention be held?”

If a majority of those voting on that question said Yes, the voters at the next general election would choose one member of the convention from each district of the House of Representatives. Twenty-one days following that election, the Convention would meet at Tallahassee to organize.

The work product of that convention, if any, would be filed with the Secretary of State not later than 90 days before the next succeeding general election. The Secretary of State then would advertise the revision twice in each county and place the proposed new language on the ballot.

### **Text of Constitutions**

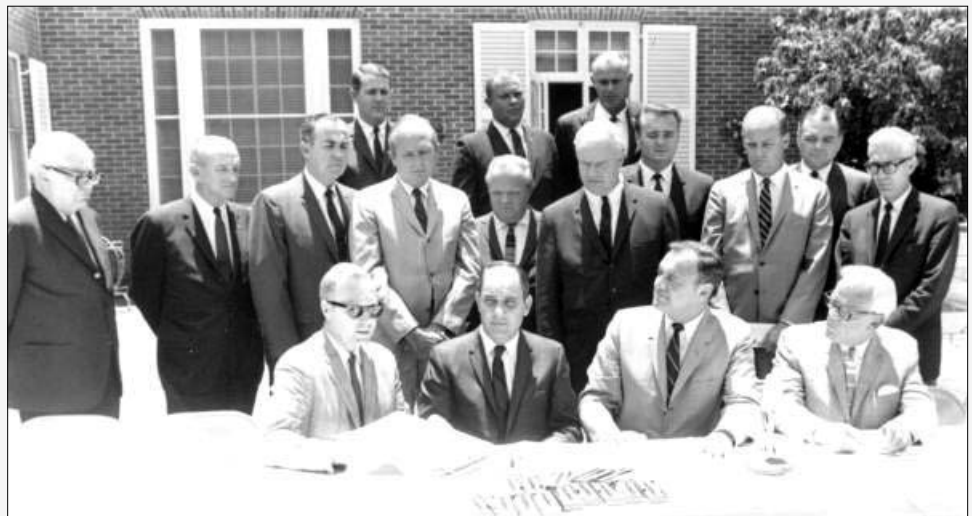
Text of the Constitutions, as well as information on proposed amendments to them, can be found at [www.leg.state.fl.us/](http://www.leg.state.fl.us/).

*Ceremonial signing of the 1968 Constitution at the Governor's Mansion.*

*Back row, from left: Lt. Governor Ray Osborne, House Minority leader Donald Reed, Charlie Harris.*

*Middle row: Clerk of the House Allen Morris, former Speaker E.C. Rowell, Representative Ralph Poston, Representative Murray Dubbin, Richard T. Earle Jr., Chesterfield Smith, Congressman "Bill" Young, Thomas H. Barkdull, John Crews, William G. O'Neill.*

*Seated: incoming Speaker Fred Schultz, outgoing Speaker Ralph Turlington, Governor Claude R. Kirk, President of the Senate Verle Pope.*



Florida State Archives

## ***The First Constitution—1838***

To prepare for statehood, a convention was convened at St. Joseph at noon on December 3, 1838, to draft a constitution. St. Joseph, a compromise site, was a bustling boom town which was devastated by yellow fever in 1841 and a hurricane in 1843 and passed out of existence.

A reflection of the newness of American occupation, only 3 of the 56 delegates were natives of Florida. The others were natives of 13 of the Union's then 26 states and 4 foreign countries. Lawyers and planters predominated, but there were at least two clergymen, two newspaper editors, three physicians, an innkeeper, a sea captain and fisherman, and a merchant.

### **Regulation of Banks**

Regulation of banks was the overriding question of the convention. The Territory's three great banks were secured by bonds of the Territory. Proceeds of the sale of these bonds went to the banks although the Territory was liable for their maturity. The face amount of these bonds was \$3,900,000, and their subsequent default damaged Florida's credit for years. The banks had based their substance upon a pyramiding scheme which used cotton and slaves as collateral. Three years after the convention the banks had collapsed.

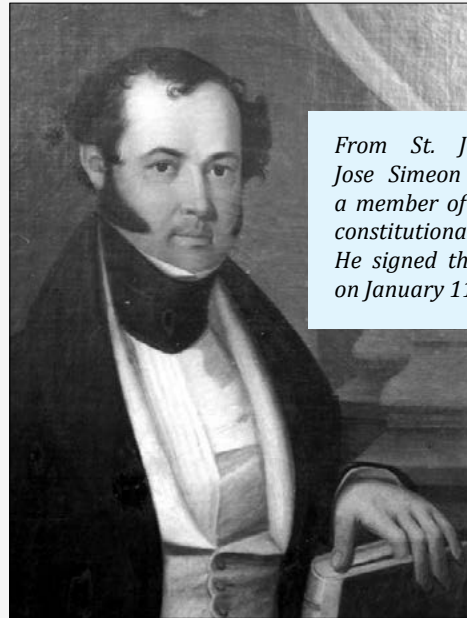
The convention established a governmental pattern which already prevailed in many of the states: a one-term governor, a bicameral legislature, and departmental administrators selected by the legislature and eligible for reelection.

### **Bankers, Clergymen Ineligible**

The 1838 Constitution included three unusual provisions. Bank presidents, directors, cashiers, and other officers were declared to be ineligible to serve as governor or legislator during their bank service and for a year after ceasing to serve. This was a reflection of the bank/anti-bank turmoil.

Similarly, no clergyman could serve as governor or legislator. The record does not reflect the reason for this prohibition but likely it was an outgrowth of the fierce desire of some to separate church from state. Interestingly, two delegates were clergymen, and each was shown to have voted for the prohibition although one may have voted by proxy.

The third provision, which lasted in Florida's Constitutions until ratification of the 1968 Constitution, denied public office to anyone participating in a duel as the challenger, challenged, or second.



*From St. Johns County, Jose Simeon Sanchez was a member of Florida's first constitutional convention. He signed the constitution on January 11, 1839.*

Florida State Archives

The 1838 Constitution initially provided for the offices of Secretary of State, Treasurer, Comptroller, and Attorney General. In 1845, the Legislature created the executive office of Registrar of Public Lands, and in 1851 the appointment of the Board of Agriculture. These two became the basis for the Office of Commissioner of Agriculture created by the Constitution in 1868.

By the morning of January 11, 1839, the President put the question, "Shall this be the Constitution of Florida?" The vote was: Ayes, 55, Nays, 1. (The lone "Nay" was cast by Richard Fitzpatrick of Dade, who earlier had sought to repeal the law authorizing the convention.) The President then arose and said: "I solemnly proclaim and declare, this to be the Constitution of the State of Florida."

Then commenced the struggle to persuade the voters to ratify the Constitution. The official return was 2,070 for the Constitution and 1,975 against, but the actual figures may have been even closer.

## First Ex-Officio Board

In 1855, the Legislature began a practice that was to become a distinguishing mark of Florida government: the first ex-officio board was established; the governor and “the departmental officers” of the executive branch were named the Board of Trustees of the Internal Improvement Fund.



*Engraved portrait of Confederate Colonel George T. Ward, circa 1862. Ward was a delegate from Leon County to the 1838 Florida Constitutional Convention.*

Moss Engraving Company

## ***The Second Constitution—1861***

The onrush toward Civil War brought an election in December 1860 of a convention “for the purpose of taking into consideration the position of this State in the Federal Union.” This convention met in Tallahassee on January 3, 1861, and had produced for adoption on January 10 an Ordinance of Secession and a Constitution which largely altered the existing Constitution by substituting “Confederate States” for “United States.” The Ordinance of Secession declared Florida to be “a sovereign and independent Nation.” This Constitution was not submitted to the electorate for ratification, the law creating the convention having empowered the convention to make necessary changes in the 1838 Constitution.

The terms of the governor and secretary of state were changed from 4 years to 2, to become effective in 1865 so the incumbents would not be deprived of a portion of their terms. The treasurer, comptroller, and attorney general similarly had terms reduced from 4 years to 2. With the collapse of the Confederacy, the 1861 Constitution became void before the 1865 election.

New to the Constitution was the duty imposed upon the General Assembly (Legislature) to “provide for the purchase or erection of a suitable building for the residence of the governor, and the governor shall reside at the seat of government.” Prior to this, governors resided in their home towns, only coming to Tallahassee when official business required. In the fall of 1861, a representative of South Carolina’s governor, touring the Southern states to see what the chances were of other Southern states following if South Carolina seceded, stopped in Tallahassee to meet with the Governor, only to find he was not in the city.

## ***The Third Constitution—1865***

To restore Florida to the Union, President Andrew Johnson on July 13, 1865, appointed William Marvin as Provisional Governor and directed Marvin to convene a convention. Its members having been elected, the convention met in Tallahassee on October 28, 1865. The convention annulled the Ordinance of Secession and adopted a constitution which was to have become effective on November 7, 1865, without being submitted to the people for ratification.

The Constitution never became operative, however, as Congress rejected President Johnson’s plan for returning Florida and other states of the Confederacy to their pre-war status. Instead, Congress established five military districts for those states, each under the command of a general. Florida was designated as the third district.

The abortive 1865 Constitution was interesting for several of its provisions. There would have been, for the first time, a lieutenant governor, separately elected with a governor, for 4-year terms with no limitation on reelection. Also, the Constitution provided for the election by the people, also for the first time, of a secretary of state, an attorney general, a comptroller, and a treasurer, for 4-year terms to coincide with the term of the governor.

## ***The Fourth Constitution—1868***

The “Reconstruction” or “Carpetbag” Constitution was born of partisan turmoil, largely resulting from the disenfranchisement of many whites and emancipation of blacks.

By military order, Florida was divided into 19 districts for the election of delegates to a constitutional convention. During the 3 days beginning November 14, 1867, this election was held under military supervision.

Soon after the delegates met in Tallahassee on January 20, 1868, bitter antagonisms arose among the delegates which divided them into factions, none of which could command the presence of a quorum. One minority faction gathered at Monticello and returned in force at midnight to Tallahassee to occupy the convention hall. Joined by two from the faction which had been engaged in writing the constitution, the new majority ousted the former majority. After much debate, the commanding general for the district of Florida finally made the choice and his selection wrote the constitution, which the people ratified May 4, 1868.



*Portrait of Sheriff David Montgomery, Madison, circa 1870. Montgomery was a Carpetbag sheriff from Long Island, New York. The Reconstruction constitution was born of partisan turmoil.*

Florida State Archives

### **Power of Populous Counties Restricted**

Those who wrote the “Carpetbag” Constitution provided for political power to reside in the governor by causing all county offices to be appointive rather than elective. The relative importance of the populous counties was reduced by limiting the number of legislators they could elect. The Constitution established a system of public schools with some state support, institutions for the mentally ill and blind and deaf, and a state prison, and authorized establishment and maintenance of a House of Refuge for juvenile offenders and a Home and Workhouse for “common vagrants.”

This Constitution was the first to use the term “cabinet” in describing the administrative officers. To the traditional offices of secretary of state, treasurer, comptroller, and attorney general were added a surveyor general, superintendent of public instruction, adjutant general, and commissioner of immigration.

### **Seats for Seminoles**

A unique provision was the allocating of a seat in the House and Senate for the Seminole Indians. This representation was limited to Seminoles “and

in no case by a white man.” So far as records show, only one person sought to serve under this provision and his seating was denied because it was claimed that he was white.

Two of the political factions of the time were the Carpetbaggers, the name applied to Northern adventurers whose belongings were said to be carried in satchels fashioned of carpeting, and Scalawags, Southern whites who supported Reconstruction policies.

## ***The Fifth Constitution—1885***

To reverse political decisions embedded in the 1868 Constitution, the calling of a new convention was approved by the voters at the general election of 1884. Convened at Tallahassee on June 9, 1885, the convention required an unexpected 56 days to produce its draft. The Constitution was ratified at the general election of November, 1886, and became effective January 1, 1887.

The Constitution restored the election of public offices to the people, reduced the salaries of the governor and cabinet officers and judges, made the governor ineligible for reelection, abolished the office of lieutenant governor, provided for a legislature

of fixed numbers, a Senate of 32 members and a House of 68, and reduced the pay of legislators.

The Constitution authorized the imposition of a poll tax as a prerequisite for voting, and this became one of the two hotly contested issues, the other being appointive versus elective local offices. The poll tax, designed to reduce black voting, lasted until 1937.

This Constitution remained the basic law of the state until superseded in major part in 1968. By then, however, it was a vastly different document. Two hundred and fourteen amendments had been submitted to the voters, and 151 were ratified.

## ***The Sixth Constitution—1968***

The 1965 Legislature established a constitutional revision commission consisting of 37 members, the attorney general and representatives of the governor, Supreme Court, Florida Bar, Legislature, and the public.

The commission organized on January 11, 1966, and delivered its recommendations to the Legislature on December 13. The Legislature freely exercised its right to revise the commission's draft in four special sessions, lasting a total of 61 days, the last adjourning on July 2, 1968.

For the present constitution as subsequently amended visit Online Sunshine, [www.leg.state.fl.us/](http://www.leg.state.fl.us/).

### P R E A M B L E

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.

### ARTICLE I

#### DECLARATION OF RIGHTS

Section 1. POLITICAL POWER.-- All political power is inherent in the people. The enunciation herein of certain rights shall not be construed to deny or impair others retained by the people.

Section 2. BASIC RIGHTS.-- All natural persons are equal before the law and have inalienable rights, among which are the right to enjoy and defend life and liberty, to pursue happiness, to be rewarded for industry, and to acquire, possess and protect property; except that the ownership, inheritance, disposition and possession of real property by aliens ineligible for citizenship may be regulated or prohibited by law. No person shall be deprived of any right because of race or religion.

Section 3. RELIGIOUS FREEDOM.-- There shall be no law respecting the establishment of religion or prohibiting or penalizing the free exercise thereof. Religious freedom shall not justify practices inconsistent with public morals, peace or safety. No revenue of the state or any political subdivision or agency thereof shall ever be taken from the public treasury directly or indirectly in aid of any church, sect, or religious denomination or in aid of any sectarian institution.

Florida State Archives

Page 1 of the 1968 Florida Constitution.





# Constitutional Amendments

## Number of Amendments Submitted to Voters

### Under Constitution of 1885 (1889–1968)

Submitted	214
Ratified	151
Rejected	63

### Under Constitution of 1968 (1969–2012)

Submitted (17 removed before election)	182
Ratified	121
Rejected	44

For a summary of amendments to the 1968 Constitution through 1998 and Constitution Commission members 1838-1998 see *Florida's Constitution Revision Commission 1997-1998 Manual* compiled by Ron Morris.

## Votes on Significant Amendments

Amendment	Year	For	Against
Homestead exemption.	1934	123,484	40,842
Right-to-work.	1944	147,860	122,770
Approves legislative apportionment with 42 Senate districts (two in most populous county) and 112 Representatives (at least one from each county).	1964	345,637	643,832
Bonds for four or more lane highways.	1965	280,103	429,630
Ratifies basic document revising 1885 Constitution.	1968	645,233	518,940
Allows 18-year-olds to vote.	1970	501,764	754,282
Four-year terms for State Representatives.	1970	435,052	675,473
Allows tax on income of corporations.	1971	841,433	355,023
“Sunshine Amendment” to require public officers to file net worth statement, on ballot by petition. (The first time the initiative process was used to get a proposed amendment approved by state voters.)	1976	1,765,626	461,940
Supreme Court Justices and District Court of Appeal Judges to be appointed by Governor upon recommendation of Nominating Commissions, with retention vote every 6 years.	1976	1,600,944	527,056

<b>Amendment</b>	<b>Year</b>	<b>For</b>	<b>Against</b>
Authorizes State-regulated, privately owned gambling casinos in a restricted designated area of eastern Dade County and southern Broward county, on ballot by petition.	1978	687,460	1,720,275
Eliminates elective Cabinet.	1978	540,979	1,614,630
Constitutional Revision Commission's package of eight amendments (all rejected).	1978	n/a	n/a
Allows counties and cities, with voter approval by referendum, to grant tax exemptions to new and expanded businesses.	1980	916,043	541,630
Modifies jurisdiction of the Supreme Court.	1980	940,420	460,266
Provides a homestead exemption of \$25,000.	1980	1,088,729	475,834
Allows casino gambling in hotels after local referendum.	1986	1,036,250	2,237,555
Authorizes the State to operate lotteries.	1986	2,039,437	1,168,858
Establishes English as the official language of Florida.	1988	3,457,039	664,861
Limitation of non-economic damages in civil actions.	1988	1,837,041	2,394,932
Establishes Taxation and Budget Reform Commission.	1988	2,111,320	1,538,470
Three-day waiting period for handgun purchases.	1990	2,840,912	522,248
Open government.	1990	2,795,784	392,323
Access to public records and meetings.	1992	3,883,617	793,229
Eight-year term limit for Florida's elected state and federal officers.	1992	3,625,500	1,097,127
Homestead property taxes capped at 3 percent or inflation, whichever is less.	1992	2,493,742	2,154,747
Limits the use of nets for catching saltwater finfish, shellfish, or other marine animals.	1994	2,876,091	1,135,110
Effective 2002, reduced cabinet membership to chief financial officer, attorney general, and agriculture commissioner; secretary of state and education commissioner eliminated from elected Cabinet.	1998	1,950,311	1,562,234
Preserves the death penalty in the constitution. Any method of execution allowed unless prohibited by the federal Constitution. Changes the wording in the constitution to conform to U.S. Supreme Court interpretation. Prohibits the reduction of death sentences based on invalidity of execution method. Provisions were retroactive.	1998	2,676,043	1,002,043
Provides for development of a high speed rail system linking Florida's five largest urban areas and providing for access to existing air and ground transportation facilities and services, with construction beginning by November 1, 2003 (repealed by amendment proposed by initiative petition adopted in 2004).	2000	2,900,253	2,607,495
Authorizes the death penalty for capital crimes and retroactively changed the method of execution. Changes the prohibition against "cruel or unusual punishment," to a prohibition against "cruel and unusual punishment" to conform with the wording of the Eighth Amendment to the United States Constitution.	2002	3,169,542	1,377,678
Requires that laws providing exemptions from public records or public meetings requirement must be passed by a two-thirds vote of each house of the Legislature.	2002	3,474,978	1,059,183

<b>Amendment</b>	<b>Year</b>	<b>For</b>	<b>Against</b>
Prohibits tobacco smoking in enclosed indoor workplaces excepting private residences, retail tobacco shops, designated hotel guest rooms, and other public lodging establishments, and stand-alone bars.	2002	3,501,161	1,431,966
Offers every 4-year-old child a free, high quality pre-kindergarten learning opportunity by the State no later than the 2005 school year, without taking away funds used for existing education, health, and development programs.	2002	2,868,500	1,974,408
Requires that the Legislature provide funding for sufficient classrooms to ensure meeting of maximum public school class size requirements for various grade levels, requires compliance by the beginning of the 2010 school year, and requires the Legislature to pay for the costs associated with reduced class size.	2002	2,550,201	2,317,671
Limits confinement of pigs during pregnancy so that the pig is prevented from turning around freely, except for veterinary purposes and during the prebirth period.	2002	2,608,996	2,155,911
Authorizes a local board of trustees to administer each state university. Each board shall have 13 members dedicated to excellence in teaching, research, and service to community. A statewide governing board of 17 members shall be responsible for the coordinated and accountable operation of the whole university system to avoid wasteful duplication of facilities or programs.	2002	2,813,145	1,834,816
Authorizes the Legislature to require by general law for notification to a parent or guardian of a minor before the termination of the minor's pregnancy.	2004	4,639,635	2,534,910
Requires the sponsor of a citizen-initiated constitutional amendment to file the initiative petition with the Secretary of State by February 1 of the year of a general election in order to have the measure submitted to the electors for approval or rejection at the following November general election.	2004	4,574,361	2,109,013
Authorizes Miami-Dade and Broward Counties to hold referenda on whether to authorize slot machines in existing, licensed parimutuel facilities. The Legislature may tax slot machine revenues. Any such taxes must supplement public education funding statewide.	2004	3,631,261	3,512,181
Repeals an amendment in the Florida Constitution that requires the Legislature, the Cabinet and the Governor to proceed with the development and operation of a high speed ground transportation system by the State and/or by a private entity.	2004	4,519,423	2,573,280
Requires any proposed amendment to or revision of the State Constitution, whether proposed by the Legislature, by initiative, or by any other method, must be approved by at least 60 percent of the voters of the state voting on the measure, rather than by a simple majority.	2006	2,600,969	1,900,359

<b>Amendment</b>	<b>Year</b>	<b>For</b>	<b>Against</b>
Prohibits the transfer of private property taken by eminent domain to a natural person or private entity; providing that the Legislature may by general law passed by a three-fifths vote of the membership of each house of the Legislature permit exceptions allowing the transfer of such private property.	2006	3,047,420	1,365,950
Increases the homestead exemption except for school district taxes; allows homestead property owners to transfer up to \$500,000 of their Save-Our-Homes benefits to their next homestead; provides a \$25,000 exemption for tangible personal property; and limits assessment increases for specified nonhomestead real property except for school district taxes. Adopted at Presidential Preference Primary, 1/29/2008.	2008	2,667,543	1,497,970
Provides that marriage is the legal union of only one man and one woman as husband and wife and that no other legal union that is treated as marriage or the substantial equivalent thereof shall be valid or recognized.	2008	4,890,883	3,008,026
Authorizes the Legislature, by general law, to prohibit consideration of changes or improvements to residential real property which increase resistance to wind damage and installation of renewable energy source devices as factors in assessing the property's value for ad valorem taxation purposes.	2008	4,351,975	2,839,825
Requires the Legislature to provide a property tax exemption for real property encumbered by perpetual conservation easements or other perpetual conservation protections and to provide for classification and assessment of land used for conservation purposes, and not perpetually encumbered, solely on the basis of character or use.	2008	4,875,162	2,235,969
Provides for assessment of working waterfront property based upon current use.	2008	4,983,313	2,072,041
Proposes the repeal of Section 7, Article VI of the State Constitution that requires public financing of campaigns of candidates for elective statewide office who agree to campaign spending limits.	2010	2,587,543	2,342,137
Requires the Legislature to provide an additional homestead property tax exemption by law for members of the United States military or military reserves, the United States Coast Guard or its reserves, or the Florida National Guard who receive a homestead exemption and were deployed in the previous year on active duty outside the continental United States, Alaska, or Hawaii in support of military operations designated by the Legislature.	2010	3,936,526	1,122,053
Requires that legislative districts or districting plans may not be drawn to favor or disfavor an incumbent or political party. Districts shall not be drawn to deny racial or language minorities the equal opportunity to participate in the political process and elect representatives of their choice. Districts must be contiguous. Unless otherwise required, districts must be compact, as equal in population as feasible, and where feasible must make use of existing city, county, and geographical boundaries.	2010	3,155,149	1,885,860

Amendment	Year	For	Against
Requires that congressional districts or districting plans may not be drawn to favor or disfavor an incumbent or political party. Districts shall not be drawn to deny racial or language minorities the equal opportunity to participate in the political process and elect representatives of their choice. Districts must be contiguous. Unless otherwise required, districts must be compact, as equal in population as feasible, and where feasible must make use of existing city, county, and geographical boundaries.	2010	3,153,199	1,857,748

### Amendments Proposed to Voters in 2012

**Amendment 1:** Proposed by the Legislature. Proposing an amendment to the State Constitution to prohibit laws or rules from compelling any person or employer to purchase, obtain, or otherwise provide for health care coverage; permit a person or an employer to purchase lawful health care services directly from a health care provider; permit a health care provider to accept direct payment from a person or an employer for lawful health care services; exempt persons, employers, and health care providers from penalties and taxes for paying directly or accepting direct payment for lawful health care services; and prohibit laws or rules from abolishing the private market for health care coverage of any lawful health care service. Specifies that the amendment does not affect which health care services a health care provider is required to perform or provide; affect which health care services are permitted by law; prohibit care provided pursuant to general law relating to workers' compensation; affect laws or rules in effect as of March 1, 2010; affect the terms or conditions of any health care system to the extent that those terms and conditions do not have the effect of punishing a person or an employer for paying directly for lawful health care services or a health care provider for accepting direct payment from a person or an employer for lawful health care services; or affect any general law passed by two-thirds vote of the membership of each house of the Legislature, passed after the effective date of the amendment, provided such law states with specificity the public necessity justifying the exceptions from the provisions of the amendment. The amendment expressly provides that it may not be construed to prohibit negotiated provisions in insurance contracts, network agreements, or other provider agreements contractually limiting copayments, coinsurance, deductibles, or other patient charges.

Yes: 3,632,567 No: 3,856,735

**Amendment 2:** Proposed by the Legislature. Proposing an amendment to expand the availability of the property discount on the homesteads of veterans who became disabled as the result of a combat injury to include those who were not Florida residents when they entered the military and schedule the amendment to take effect January 1, 2013.

Yes: 4,907,715 No: 2,850,927

**Amendment 3:** Proposed by the Legislature. Proposing an amendment to replace the existing state revenue limitation based on Florida personal income growth with a new state revenue limitation based on inflation and population changes. Under the amendment, state revenues, as defined in the amendment, collected in excess of the revenue limitation must be deposited into the budget stabilization fund until the fund reaches its maximum balance, and thereafter shall be used for the support and maintenance of public schools by reducing the minimum financial effort required from school districts for participation in a state-funded education finance program, or, if the minimum financial effort is no longer required, returned to the taxpayers. The Legislature may increase the state revenue limitation through a bill approved by a super majority

vote of each house of the Legislature. The Legislature may also submit a proposed increase in the state revenue limitation to the voters. The Legislature must implement this proposed amendment by general law.

Yes: 3,204,653 No: 4,346,829

**Amendment 4:** Proposed by the Legislature. (1) Proposed amendments to Florida Constitution Article VII, Section 4 (Taxation; assessments) and Section 6 (Homestead exemptions) and Article XII, Section 27, and add Sections 32 and 33, relating to the Schedule for the amendments. (2) In certain circumstances, the law requires the assessed value of homestead and specified nonhomestead property to increase when the just value of the property decreases. Therefore, this amendment provides that the Legislature may, by general law, provide that the assessment of homestead and specified nonhomestead property may not increase if the just value of that property is less than the just value of the property on the preceding January 1, subject to any adjustment in the assessed value due to changes, additions, reductions, or improvements to such property which are assessed as provided for by general law. This amendment takes effect upon approval by the voters. If approved at a special election held on the date of the 2012 presidential preference primary, it shall operate retroactively to January 1, 2012, or, if approved at the 2012 general election, shall take effect January 1, 2013. (3) This amendment reduces from 10 percent to 5 percent the limitation on annual changes in assessments of nonhomestead real property. This amendment takes effect upon approval of the voters. If approved at a special election held on the date of the 2012 presidential preference primary, it shall operate retroactively to January 1, 2012, or, if approved at the 2012 general election, takes effect January 1, 2013. (4) This amendment also authorizes general law to provide, subject to conditions specified in such law, an additional homestead exemption to every person who establishes the right to receive the homestead exemption provided in the Florida Constitution within 1 year after purchasing the homestead property and who has not owned property in the previous 3 calendar years to which the Florida homestead exemption applied. The additional homestead exemption shall apply to all levies except school district levies. The additional exemption is an amount equal to 50 percent of the homestead property's just value on January 1 of the year the homestead is established. The additional homestead exemption may not exceed an amount equal to the median just value of all homestead property within the county where the property at issue is located for the calendar year immediately preceding January 1 of the year the homestead is established. The additional exemption shall apply for the shorter of 5 years or the year of sale of the property. The amount of the additional exemption shall be reduced in each subsequent year by an amount equal to 20 percent of the amount of the additional exemption received in the year the homestead was established or by an amount equal to the difference between the just value of the property and the assessed value of the property determined under Article VII, Section 4(d), whichever is greater. Not more than one such exemption shall be allowed per homestead property at one time. The additional exemption applies to property purchased on or after January 1, 2012, if approved by the voters at the 2012 general election. The additional exemption is not available in the sixth and subsequent years after it is first received. This amendment also delays until 2023, the repeal, currently scheduled to take effect in 2019, of constitutional amendments adopted in 2008 which limit annual assessment increases for specified nonhomestead real property. This amendment delays until 2022 the submission of an amendment proposing the abrogation of such repeal to the voters.

Yes: 3,244,419 No: 4,268,597

**Amendment 5:** Proposed by the Legislature. Proposing a revision of Article V of the State Constitution relating to the judiciary. Eliminates the requirement that a general law repealing a court rule pass by a two-thirds vote of each house, thereby providing that the Legislature may repeal a rule of court by a general law approved by a majority vote of each house of the Legislature that expresses the policy behind the repeal. The court could readopt the rule in conformity with the public policy expressed by the Legislature, but if the Legislature determines that a rule has been readopted and repeals the readopted rule, this proposed revision prohibits the court from further readopting the repealed rule without the Legislature's prior approval. Under

current law, rules of the judicial nominating commissions and the Judicial Qualifications Commission may be repealed by general law enacted by a majority vote of the membership of each house of the Legislature. Under this proposed revision, a vote to repeal those rules is changed to repeal by general law enacted by a majority vote of the legislators present. Under current law, the Governor appoints a justice of the Supreme Court from a list of nominees provided by a judicial nominating commission, and appointments by the Governor are not subject to confirmation. This revision requires Senate confirmation of a justice of the Supreme Court before the appointee can take office. If the Senate votes not to confirm the appointment, the judicial nominating commission must reconvene and may not renominate any person whose prior appointment to fill the same vacancy was not confirmed by the Senate. For the purpose of confirmation, the Senate may meet at any time. If the Senate fails to vote on the appointment of a justice within 90 days, the justice will be deemed confirmed and will take office. The Judicial Qualifications Commission is an independent commission created by the State Constitution to investigate and prosecute before the Florida Supreme Court alleged misconduct by a justice or judge. Currently under the constitution, commission proceedings are confidential until formal charges are filed by the investigative panel of the commission. Once formal charges are filed, the formal charges and all further proceedings of the commission are public. Currently, the constitution authorizes the House of Representatives to impeach a justice or judge. Further, the Speaker of the House of Representatives may request, and the Judicial Qualifications Commission must make available, all information in the commission's possession for use in deciding whether to impeach a justice or judge. This proposed revision requires the commission to make all of its files available to the Speaker of the House of Representatives but provides that such files would remain confidential during any investigation by the House of Representatives and until such information is used in the pursuit of an impeachment of a justice or judge. This revision removes the power of the Governor to request files of the Judicial Qualifications Commission to conform to a prior constitutional change.

Yes: 2,728,193                      No: 4,654,341

**Amendment 6:** Proposed by the Legislature. This proposed amendment provides that public funds may not be expended for any abortion or for health-benefits coverage that includes coverage of abortion. This prohibition does not apply to an expenditure required by federal law, a case in which a woman suffers from a physical disorder, physical injury, or physical illness that would place her in danger of death unless an abortion is performed, or a case of rape or incest. This proposed amendment provides that the State Constitution may not be interpreted to create broader rights to an abortion than those contained in the United States Constitution. With respect to abortion, this proposed amendment overrules court decisions which conclude that the right of privacy under Article I, Section 23 of the State Constitution is broader in scope than that of the United States Constitution.

Yes: 3,511,631                      No: 4,308,513

**Amendment 7:** Proposed by the Legislature. Proposing an amendment to provide, consistent with the United States Constitution, that no individual or entity may be denied, on the basis of religious identity or belief, governmental benefits, funding, or other support and to delete the prohibition against using revenues from the public treasury directly or indirectly in aid of any church, sect, or religious denomination or in aid of any sectarian institution.

Removed, rewritten by Office of Attorney General, became Amendment 8

**Amendment 8:** Proposed by the Legislature. Proposing an amendment to provide that no individual or entity may be denied, on the basis of religious identity or belief, governmental benefits, funding, or other support, except as required by the First Amendment to the United States Constitution, and deleting the prohibition against using revenues from the public treasury directly or indirectly in aid of any church, sect, or religious denomination or in aid of any sectarian institution.

Yes: 3,441,330 No: 4,286,572

**Amendment 9:** Proposed by the Legislature. Proposing an amendment to authorize the Legislature to provide by general law ad valorem homestead property tax relief to the surviving spouse of a military veteran who died from service-connected causes while on active duty or to the surviving spouse of a first responder who died in the line of duty. The amendment authorizes the Legislature to totally exempt or partially exempt such surviving spouse's homestead property from ad valorem taxation. The amendment defines a first responder as a law enforcement officer, a correctional officer, a firefighter, an emergency medical technician, or a paramedic.

Yes: 4,747,879 No: 2,950,159

**Amendment 10:** Proposed by the Legislature. Proposing an amendment to (1) provide an exemption from ad valorem taxes levied by counties, municipalities, school districts, and other local governments on tangible personal property if the assessed value of an owner's tangible personal property is greater than \$25,000 but less than \$50,000, and (2) authorize a county or municipality for the purpose of its respective levy, and as provided by general law, to provide tangible personal property tax exemptions by ordinance.

Yes: 3,433,162 No: 4,113,535

**Amendment 11:** Proposed by the Legislature. Authorizes the Legislature, by general law and subject to conditions set forth in the general law, to allow counties and municipalities to grant an additional homestead tax exemption equal to the assessed value of homestead property if the property has a just value less than \$250,000 to an owner who has maintained permanent residency on the property for not less than 25 years, who has attained age 65, and who has a low household income as defined by general law.

Yes: 4,718,158 No: 2,984,348

**Amendment 12:** Proposed by the Legislature. Proposing an amendment to replace the president of the Florida Student Association with the chair of the council of state university student body presidents as the student member of the Board of Governors of the State University System and to require that the Board of Governors organize such council of state university student body presidents.

Yes: 3,060,700 No: 4,306,176





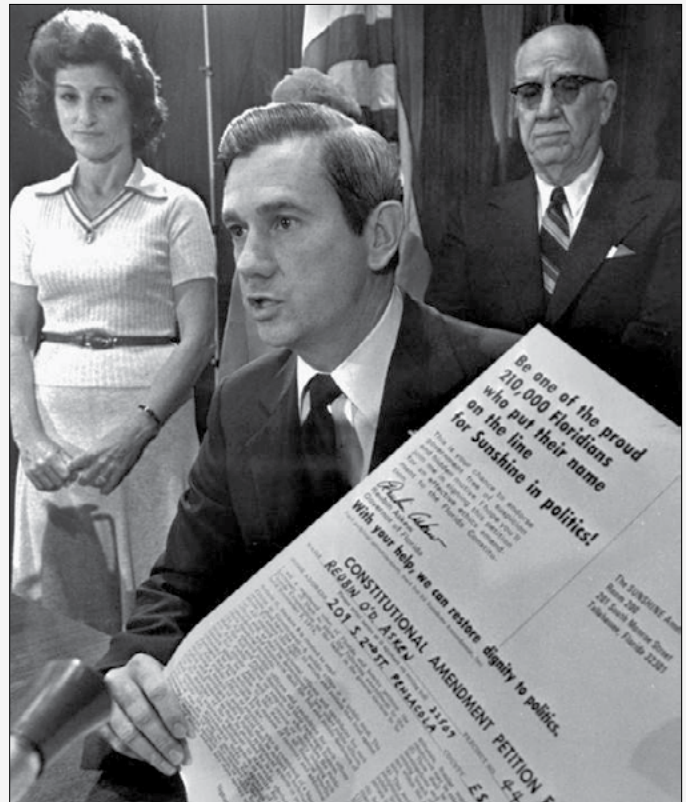
## *A Brief History of Florida's Sunshine Laws*

Florida is a leading proponent of the public's right to inspect and copy governmental records and to attend and observe governmental meetings, or what has come to be known as "Government in the Sunshine".

In 1909, Florida began its tradition of open government with the passage of the "Public Records Law," Chapter 119, *Florida Statutes*. This law provides that any records made or received by public agencies in the course of official business are available for inspection and copying, unless specifically exempted by the Legislature. Since 1909, the definition of what constitutes a "public record" has been expanded to include not just traditional written documents but also tapes, photographs, films, recordings, and computer or other forms of electronic records.

In 1967, Florida enacted the "Government-in-the-Sunshine Law," Chapter 286, *Florida Statutes*. This law requires that reasonable notice of public meetings must be given; that all meetings of boards and commissions, except as otherwise provided in the Constitution, at which official acts are to be taken are declared to be public meetings open to the public at all times; that no resolution, rule or formal action shall be considered binding except as taken or made at such meetings; and that minutes of meetings must be taken and promptly recorded.

Initially, state prosecutors brought suit in the criminal courts to enforce Florida's ethics laws. In 1974, the Legislature deleted the criminal penalties associated with violations of the ethics laws, thus removing their enforcement from the criminal justice system. Simultaneously, the Legislature created the Commission on Ethics and charged it with admin-



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*Governor Reubin Askew holds up a giant petition postcard similar to the small one that was distributed to registered voters so that ethics reform would be added to the November 1976 ballot. Behind Askew, also present at the 1975 news conference, are Esther Friedan, legislative director of Common Cause, and E. Harris Drew, State Ethics Committee Chairman.*

istering the Code of Ethics for Public Officers and Employees, Chapter 112, Part III, *Florida Statutes*.

The philosophy of open government soon expanded to encompass the conduct of public officials and candidates for public office. In 1976, Florida voters approved the "Sunshine Amendment" to the state constitution which:

- requires elected constitutional officers and candidates to file a sworn statement annually showing their net worth and the actual value of each asset and liability in excess of \$1,000.00;
- requires full and public disclosure of campaign finances by all elected public officers and candidates for such offices;
- establishes liability to the state for all financial benefits obtained by any public officer or employee who breaches the public trust for private gain;
- provides for forfeiture of retirement benefits upon conviction of a felony involving breach of the public trust;
- prohibits members of the Legislature and state-wide elected officers from personally representing another person or entity for compensation before the government body or agency of which the individual was an officer for two years following vacation of office;
- prohibits members of the Legislature from personally representing clients for compensation during term of office before any state agency other than a judicial tribunal;
- provides for an independent “Commission on Ethics” to conduct investigations and to make public reports on all complaints concerning

breach of the public trust by public officers or employees; and

- requires a statutory code of ethics for all state employees and non-judicial officers to ensure that public officials do not use their employment or office for private gain or in such a manner that the public interest is subverted.

The passage of the Sunshine Amendment elevated the Commission on Ethics to constitutional status and entrusted it with the duty to investigate and make public reports on all complaints concerning “breach of public trust.” Rules of the Commission equate complaints concerning “breach of public trust” with alleged unethical conduct, including violations of conflict-of-interest standards for public officials in the *Florida Statutes* and the Florida Constitution. Examples of such provisions include the disclosure requirements of the Sunshine Amendment and Code of Ethics and the standards of conduct set forth in statute s. 112.313, F.S. Any citizen may file a sworn complaint with the Commission. Forms for this purpose are available from the Commission and from the Supervisors of Elections in each county. The Commission on Ethics is further empowered to prescribe forms for public and financial disclosures, to administer fines for public officers and employees

*Group portrait of the Florida Ethics Commission members, 1976. From left: Charlotte Hubbard, DuBose “Duby” Ausley, Jim Sebesta, Orlando real estate executive Don Asher, executive director Lawrence A. “Larry” Gonzalez, retired Supreme Court Justice and Commission Chairman E. Harris Drew, assistant executive director Bonnie Johnson, Janice Jones, John A. Grant Jr., former House Republican leader Don Reed, Paul B?, Lois Harrison.*



Florida State Archives

who fail to timely file their required financial disclosures, and to render advisory opinions upon the written request of any public official or employee.

Florida voters have continued to demand greater access to public records and decision making. In 1990, Florida voters overwhelmingly passed a constitutional amendment providing for open legislative meetings. Whether the Public Records Law and the Sunshine Law permitted access to legislative records and access to the judicial branch, however, was still unresolved. In 1991, a Florida Supreme Court opinion cast a cloud of doubt over the people's right of access. In *Locke v. Hawkes*, the Court issued an opinion holding that the Public Records Law *did not apply* to the constitutional officers of the three branches of government or to their functions.

In response to the Court's decision in *Locke*, the Attorney General proposed a definitive constitutional amendment to be added to the Declaration of Rights in Article I of Florida's Constitution. In February 1992, the Florida Legislature enacted a joint resolution proposing such a constitutional amendment entitled "Access to Public Records and Meetings" to be placed on the November ballot. Shortly thereafter, the Florida Supreme Court withdrew its earlier decision in *Locke* and in a substituted opinion reiterated that the Public Records Law and the

Sunshine Law applied to the executive branch and local governments but reaffirmed the court's earlier opinion that the Public Records Law did not apply to the legislative or judicial branches. That discrepancy did not last long. In November 1992, Florida voters resolved the matter, overwhelmingly approving the amendment by more than 83 percent, to ensure and secure the public's right of access to all three branches of government.

In November 2002, Florida voters again amended the Constitution to require a two-thirds vote of the Legislature, rather than just a simple majority, to approve new exemptions to Florida's Sunshine Laws.

In *Federalist No. 49*, James Madison wrote that "the people are the only legitimate foundation of power, and it is from them that the constitutional charter ... is derived." To secure the public from abuse, government must be fully accountable to the people for the actions it supposedly takes on their behalf. For more than 100 years the State of Florida has embraced this philosophy, embodying it in its Sunshine Laws and guaranteeing it in the state's Constitution. Today, Florida continues to lead the nation in advocating that the best assurance of a government that is responsive and responsible to the needs of the people is one that operates in the sunshine.



# *Floridians in Federal Office*

## **The Federal Court System**

The United States Constitution provides for the establishment of a Supreme Court of the United States and leaves to the Congress the establishment of inferior courts. The Congress has divided the nation into 12 Judicial Circuits, each embracing specified contiguous states. The Eleventh Circuit, created in 1980, embraces Florida, Georgia, and Alabama.

The United States Court of Appeals for the Eleventh Circuit has its headquarters and the office of its clerk in Atlanta.

Florida is divided into three federal court districts; they are designated as the Northern, Middle and Southern Districts of Florida, respectively. The Northern District's office is in Tallahassee, the Middle District's office is in Orlando, and the Southern District's office is in Miami.

## **First Woman Admitted by U.S. Supreme Court**

It is believed that Herberta Leonardy of Coral Gables was the first Florida woman admitted to practice before the Supreme Court of the United States. Mrs. Leonardy was admitted on April 17, 1930.

## **First Woman Federal Judge**

State Circuit Judge Susan Black of Jacksonville was appointed by President Carter and confirmed by the Senate in 1979 as the first woman to serve as a U.S. District Judge in Florida. Thirty-five years old at the time of appointment, Judge Black had earned her degree at Florida State University and her law de-

gree from the University of Florida. She had served as a County Court judge and for six years as a Circuit Judge.

Judge Black was not, however, the first Florida woman appointed to a federal judgeship. Pinellas County Circuit Judge Elizabeth A. Kovachevich was appointed by President Gerald R. Ford in 1976 but, lacking the support of Florida's two U.S. Senators, she was never confirmed by the Senate. Judge Kovachevich had a second chance with the election of President Ronald Reagan. She was again appointed in March 1982, and was confirmed by the Senate.

## **First Black District Judge**

Alcee L. Hastings of Fort Lauderdale was appointed a Federal District Judge by President Carter, upon the recommendation of U.S. Senators Lawton M. Chiles and Richard (Dick) Stone, on November 14, 1979. He was the first black to serve as a Federal District Court Judge in Florida. He was impeached, convicted by the Senate, and removed on August 3, 1988. He was restored to office in 1992 by a federal district judge voiding the removal; subsequently he was elected to Congress.

Judge Hastings had been appointed a Circuit Court Judge by Governor Reubin O'D. Askew on May 2, 1977. He was not the first black to serve in that capacity. Judge Hastings had been an unsuccessful candidate for the Democratic nomination for United States Senate in 1974 and for the Public Service Commission in 1974. He was elected to the U.S. House of Representatives in 1992 where he presently serves.

### **First Latin American Federal Judge**

In June 1986, Federico A. Moreno was named to a county bench by Governor Robert Graham. He was promoted to a circuit seat in October 1987 by Governor Robert Martinez, and, in 1990, he received a lifetime appointment to the federal bench and became the first judge of the Southern District to be born in Latin America.

### **United Nations Representatives from Florida**

Ned L. Siegel, who has called Boca Raton his home since 1984, was appointed by President George W. Bush to serve as a Representative of the United States to the United Nations from 2006-2007. Following this assignment, Siegel served as Ambassador to the Bahamas from 2007-2009.

In 2011, President Barack Obama appointed former Florida Congressman Kendrick Meek as a representative to the U.N. Meek represented Florida's 17th District in the U.S. House from 2003-2011 and served in the Florida Legislature, both House and Senate, from 1994-2002.



*Kendrick B. Meek*

### **Floridians as Cabinet Under Secretaries**

At least five Floridians have served as under secretaries in cabinet departments of the federal government.

Francis P. Whitehair of Deland was Under Secretary of the Navy under President Harry S. Truman in 1951-53, and for a period of about 10 days also under President Dwight D. Eisenhower. Previously, Whitehair had been the first General Counsel in the U.S. Office of Economic Stabilization.

LeRoy Collins of Tallahassee was Under Secretary of Commerce under President Lyndon B. Johnson from July 7, 1965, to October 1, 1966. Collins had previously served as first Director of the U.S. Community Relations Service under the Civil Rights Act of 1964. (See Collins biography.)

Jerry Thomas of Jupiter Island was appointed

Under Secretary of the Treasury under President Gerald R. Ford in March, 1976, and J. H. Williams of Ocala was appointed Deputy Secretary of Agriculture by President Jimmy Carter on January 15, 1979.

Interestingly, Whitehair, Collins, Thomas, and Williams had been candidates for Governor of Florida prior to their federal service. Whitehair ran unsuccessfully in 1940 and Thomas unsuccessfully in 1974. Collins was twice elected Governor, in 1954 and 1956. Williams lost in the Democratic first primary of 1978.

In 2009, native Floridian Francisco J. Sanchez was appointed Under Secretary for International Trade at the U.S. Department of Commerce by President Barack Obama. He had previously served at the U.S. Department of Transportation and at the White House. Prior to receiving his Masters in Public Administration from Harvard, Sanchez earned his B.A. and J.D. at Florida State University.

### **Floridians in the U. S. Cabinet**

Florida had its first member of the Cabinet of a President of the United States with the appointment of Alan S. Boyd by President Lyndon B. Johnson as first Secretary of Transportation on January 16, 1967. Boyd served until the Johnson administration ended on January 20, 1969.

As a lawyer in Miami, he entered public service as general counsel for the Florida Turnpike Authority and subsequently was appointed a member of the Florida Railroad and Public Utilities Commission by Governor LeRoy Collins. Boyd was later elected to the commission and served as its chairman. He resigned to accept appointment to the U.S. Civil Aeronautics Board by President Eisenhower. He was later appointed Under Secretary of Commerce for Transportation by President Johnson, and stepped up to Secretary of Transportation when the cabinet post was created.

Former Governor Reubin O'D. Askew served in the Cabinet of President Carter as Trade Representative, with the rank of Ambassador Extraordinary and Plenipotentiary, from October 1, 1979, until the end of the Carter administration.

Robert H. Spiro, Jr., of Jacksonville served, by appointment of President Carter, as Under Secretary of the Army in 1979-1980.

President Bill Clinton drafted two Floridians for his cabinet in 1993: Janet Reno as Attorney General and Carol M. Browner as Administrator of the Environmental Protection Agency. Janet Reno, a career prosecutor, was appointed State Attorney in Miami by Governor Reubin O'D. Askew in 1978 and developed a sterling reputation for integrity in a criminal justice system. She served for Clinton's entire term, longer than any other U.S. Attorney General in the 20th century.

Carol Browner served in the federal government's most important post for setting environmental policy from 1993 to 2001.

Mel Martinez was nominated Secretary of Housing and Urban Development in 2001 by President George W. Bush and confirmed by the Senate. Martinez came to Florida from Cuba in 1962. He is an FSU law school graduate, ran as Lt. Governor in Ken Connor's 1994 gubernatorial bid and served as Orange County Chairman, a position akin to mayor of the county. He left his cabinet post in 2004 to run for the seat of retiring Senator Robert Graham. He is the first Cuban-American elected to the U.S. Senate. He retired in 2010.



Photo by David Bujak

*Florida Division of Emergency Management director W. Craig Fugate speaking during annual hurricane briefing at the Emergency Operations Center, Tallahassee, 2005. President Obama nominated Fugate to lead the Federal Emergency Management Agency in 2009.*

Jim Towey, director of Florida's Department of Health and Rehabilitative Services in the Chiles administration, was appointed to head the White House Office of Faith-Based and Community Initiatives in February 2002, reporting directly to President Bush. He served until May 2006.

In 2008, Carol Browner was nominated by President-elect Barack Obama to a position titled Energy Coordinator, a position to oversee and promote coordination among the different energy and climate entities.

President Barack Obama nominated Craig Fugate, head of the Florida Division of Emergency Management, to lead the Federal Emergency Management Agency in 2009.

### **Floridian in Confederate Cabinet**

Stephen R. Mallory of Pensacola withdrew as a United States Senator from Florida when the state seceded from the Union in January 1861. Mallory then became Secretary of the Navy in the Cabinet of President Jefferson Davis of the Confederate States.

### **Territorial Representation**

Prior to the admission of Florida as a state on March 3, 1845, the last day of the 29th Congress, the territory was represented in Congress by a delegate. David Levy Yulee was the last delegate, having served in the 27th, 28<sup>th</sup>, and 29th Congresses.

The first delegate was Joseph M. Hernandez of St. Augustine, who was seated on January 3, 1823. Hernandez was succeeded on March 4, 1823, by Richard K. Call of Pensacola and afterwards Territorial Governor.

### **Florida's First in Congress**

The first United States Senators from Florida were David Levy Yulee of St. Augustine and James D. Westcott, Jr., of Tallahassee. Yulee and Westcott took their seats in Washington on December 1, 1845. Yulee won, by lot, the long term, running to March 3, 1851, while Westcott's term expired on March 3, 1849.

Yulee presented credentials as "David Levy," but on January 12, 1846, in conformity with an act

of the Florida Legislature, the Senate ordered the surname “Yulee” added to his name in the official records. “Yulee” was the family name in Gibraltar. (See Levy County.)

The first Congressman from Florida was Edward C. Cabell of Tallahassee whose election was successfully contested by William H. Brockenborough, also of Tallahassee, who took his seat in the House of Representatives on January 24, 1846.

### **Civil War and Reconstruction**

With the secession of Florida from the Union, U.S. Senators Stephen R. Mallory of Pensacola and David Levy Yulee, then a resident of Homosassa, along with U.S. Representative George S. Hawkins of Pensacola, withdrew from Congress on January 21, 1861.

### **Brothers in Congress**

Lincoln and Mario Diaz-Balart, elected to serve in the 108th Congress (2003-2005), are the first Florida brothers to serve together.

### **Florida’s First Blacks in Congress**

Josiah T. Walls, born a slave in Winchester, Virginia, in 1842, has the distinction of having been three times elected to the U.S. Congress from Florida and twice unseated in the election turbulence of Reconstruction.

He served in both the Confederate and Union armies: in the Confederate as an impressed servant with an artillery battery, and in the Union, serving in Florida with the Third and the 35th United States Colored Infantry and ultimately at Jacksonville as a sergeant major and instructor of artillery. He was mustered out in Florida and settled in Alachua County as a farmer.

He was elected to the Florida House of Representatives in 1868 and to the Senate in 1869. Walls first was elected to Congress in 1870 and served from March 4, 1871, to January 29, 1873, before being unseated by a white opponent in an election contest. He was reelected and served throughout the next Congress. Walls served in the forty-fourth Congress from March 4, 1875 to April 19, 1876, before he was

unseated by another white opponent. Walls returned to Alachua County and, although he was a member of a Gainesville law firm, he resumed farming. He was ruined financially by a freeze which killed his orange trees. He was placed in charge of the farm at Florida Agricultural College in Tallahassee and died there May 5, 1905. As a Congressman, he had introduced a bill which granted 90,000 acres of public lands to the college.

Corrine Brown, Alcee Hastings, and Carrie Meek were elected to Congress in 1992, the first blacks from Florida to serve since Reconstruction.

### **Claude Pepper’s Service**

Claude D. Pepper served in both houses of Congress but in reverse of the usual order. He was a U.S. Senator for 14 years from 1936 until his defeat in 1950, then the second longest term to Thomas Hart Benton’s 30 years service. His 50 years of service in Congress, between 1936 and 1989, is a record. Earlier, in 1929, he served one term in the Florida House from Taylor County. It was there that he first displayed his concern for the aging. He introduced a bill to permit people 65 and older to fish without a license. During his service in Congress, from a district with part of Dade County, he earned a national reputation as the advocate of the elderly and the ailing.

### **Florida’s Longest Serving Congressman**

U.S. Representative Charles E. Bennett of Jacksonville served in Congress for 44 years, from 1948 until 1993. He was the second longest-tenured member of the House when he retired.

Known as a principal advocate for ethical reforms in Congress, his reputation earned him the nickname “Mr. Clean.” He sponsored legislation creating the House Ethics Committee and served as its first chairman.

When asked to list the most important legislation he had sponsored he listed: creating an ethics code for government service; co-



*Charles E. Bennett*

sponsorship of the bill enacting the Americans With Disabilities Act; legislation providing federal assistance toward school construction and making “In God We Trust” the U.S. motto and requiring it to be included on all coins and currency.

Also an historian, Bennett wrote several books on early Florida history. He was instrumental in the creation of the Fort Caroline National Memorial in Jacksonville and the Timucuan Ecological and Historic Preserve.

## ***Floridians in Congress***

### **One Hundred and Fifth Congress**

January 3, 1997 to January 3, 1999

Senators: D. Robert Graham (D), Connie Mack (R)

Representatives: Joe Scarborough (R), Allen Boyd (D), Corrine Brown (D), Tillie K. Fowler (D), Karen L. Thurman (D), Clifford B. Stearns (R), John L. Mica (R), William McCollum (R), Michael Bilirakis (R), C. William Young (R), James Davis (D), Charles T. Canady (R), Dan Miller (R), Porter J. Goss (R), David Weldon (R), Mark Foley (R), Carrie Meek (D), Ileana Ros-Lehtinen (R), Robert Wexler (D), Peter Deutsch (D), Lincoln Diaz-Balart (R), E. Clay Shaw, Jr. (R), Alcee L. Hastings (D) [Democrats 9, Republicans 14]

### **One Hundred and Sixth Congress**

January 3, 1999 to January 3, 2001

Senators: D. Robert Graham (D), Connie Mack (R)

Representatives: Joe Scarborough (R), Allen Boyd (D), Corrine Brown (D), Tillie K. Fowler (R), Karen L. Thurman (D), Clifford B. Stearns (R), John L. Mica (R), William McCollum (R), Michael Bilirakis (R), C. William Young (R), James Davis (D), Charles T. Canady (R), Dan Miller (R), Porter J. Goss (R), David Weldon (R), Mark Foley (R), Carrie Meek (D), Ileana Ros-Lehtinen (R), Robert Wexler (D), Peter Deutsch (D), Lincoln Diaz-Balart (R), E. Clay Shaw, Jr. (R), Alcee L. Hastings (D) [Democrats 8, Republicans 15]

### **One Hundred and Seventh Congress**

January 3, 2001 to January 3, 2003

Senators: D. Robert Graham (D), C. William Nelson (D)

Representatives: Joe Scarborough (R), Allen Boyd (D), Corrine Brown (D), Ander Crenshaw (R), Karen L. Thurman (D), Clifford B. Stearns (R), John L. Mica (R), Ric Keller (R), Michael Bilirakis (R), C. William Young (R), James Davis (D), Adam H. Putnam (R), Dan Miller (R), Porter J. Goss (R), David Weldon (R), Mark Foley (R), Carrie Meek (D), Ileana Ros-Lehtinen (R), Robert Wexler (D), Peter Deutsch (D), Lincoln Diaz-Balart (R), E. Clay Shaw, Jr. (R), Alcee L. Hastings (D), [Democrats 8, Republicans 15]

### **One Hundred and Eighth Congress**

January 3, 2003 to January 3, 2005

Senators: D. Robert Graham (D), C. William Nelson (D)

Representatives: 1. Jeff Miller (R), 2. Allen Boyd (D), 3. Corrine Brown (D), 4. Ander Crenshaw (R), 5. Virginia Brown-Waite (R), 6. Clifford B. Stearns (R), 7. John L. Mica (R), 8. Ric Keller (R), 9. Michael Bilirakis (R), 10. C. William Young (R), 11. James Davis (D), 12. Adam H. Putnam (R), 13. Katherine Harris (R), 14. Porter Goss (R), 15. David Weldon (R), 16. Mark Foley (R), 17. Kendrick Meek (D), 18. Ileana Ros-Lehtinen (R), 19. Robert Wexler (D), 20. Peter Deutsch (D), 21. Lincoln Diaz-Balart (R), 22. Clay Shaw (R), 23. Alcee L. Hastings (D), 24. Tom Feeny (R), 25. Mario Diaz-Balart (R)



## **One Hundred and Ninth Congress**

January 3, 2005 to January 3, 2007

Senators: C. William Nelson (D), Melquiades “Mel” R. Martinez (R)

Representatives: 1. Jeff Miller (R) 2. Allen Boyd (D), 3. Corrine Brown (D), 4. Ander Crenshaw (R), 5. Virginia Brown-Waite (R), 6. Clifford B. Stearns (R), 7. John L. Mica (R), 8. Ric Keller (R), 9. Michael Bilirakis (R), 10. C. William Young (R), 11. Jim Davis (D), 12. Adam H. Putnam (R), 13. Katherine Harris (R), 14. Connie Mack (R), 15. Dave Weldon (R), 16. Mark Foley (R), 17. Kendrick Meek (D), 18. Ileana Ros-Lehtinen (R), 19. Robert Wexler (D), 20. Debbie Wasserman Schultz (D), 21. Lincoln Diaz-Balart (R), 22. Clay Shaw (R), 23. Alcee L. Hastings (D), 24. Tom Feeney (R), 25. Mario Diaz-Balart (R)

## **One Hundred and Tenth Congress**

January 3, 2007 to January 3, 2009

Senators: C. William Nelson (D), Melquiades “Mel” R. Martinez (R)

Representatives: 1. Jeff Miller (R), 2. Allen Boyd (D), 3. Corrine Brown (D), 4. Ander Crenshaw (R), 5. Virginia Brown-Waite (R), 6. Clifford B. Stearns (R), 7. John L. Mica (R), 8. Ric Keller (R), 9. Gus Michael Bilirakis (R), 10. C. William Young (R), 11. Kathy Castor (D), 12. Adam H. Putnam (R), 13. Vern Buchanan (R), 14. Connie Mack (R), 15. Dave Weldon (R), 16. Tim Mahoney (D), 17. Kendrick Meek (D), 18. Ileana Ros-Lehtinen (R), 19. Robert Wexler (D), 20. Debbie Wasserman Schultz (D), 21. Lincoln Diaz-Balart (R), 22. Ron Klein (D), 23. Alcee L. Hastings (D), 24. Tom Feeney (R), 25. Mario Diaz-Balart (R)

## **One Hundred and Eleventh Congress**

January 3, 2009 to January 3, 2011

Senators: C. William Nelson (D), Melquiades “Mel” R. Martinez (R)

Representatives: 1. Jeff Miller (R) 2. Allen Boyd (D), 3. Corrine Brown (D), 4. Ander Crenshaw (R), 5. Virginia Brown-Waite (R), 6. Clifford B. Stearns (R), 7. John L. Mica (R), 8. Alan Grayson (D), 9. Gus Michael Bilirakis (R), 10. C. William Young (R), 11. Kathy Castor (D), 12. Adam H. Putnam (R), 13. Vern Buchanan (R), 14. Connie Mack (R), 15. Bill Posey (R), 16. Tom Rooney (R), 17. Kendrick Meek (D), 18. Ileana Ros-Lehtinen (R), 19. Robert Wexler (D), 20. Debbie Wasserman Schultz (D), 21. Lincoln Diaz-Balart (R), 22. Ron Klein (D), 23. Alcee L. Hastings (D), 24. Suzanne M. Kosmas (D), 25. Mario Diaz-Balart (R)

## **One Hundred and Twelfth Congress**

January 3, 2011 to January 3, 2013

Senators: C. William Nelson (D), Marco Rubio (R)

Representatives: 1. Jeff Miller (R) 2. Steven Southerland (R), 3. Corrine Brown (D), 4. Ander Crenshaw (R), 5. Richard B. Nugent (R), 6. Clifford B. Stearns (R), 7. John L. Mica (R), 8. Daniel Webster (R), 9. Gus Michael Bilirakis (R), 10. C. William Young (R), 11. Kathy Castor (D), 12. Dennis A. Ross (R), 13. Vern Buchanan (R), 14. Connie Mack (R), 15. Bill Posey (R), 16. Tom Rooney (R), 17. Frederica S. Wilson (D), 18. Ileana Ros-Lehtinen (R), 19. Ted Deutch (D), 20. Debbie Wasserman Schultz (D), 21. Mario Diaz-Balart (R), 22. Allen West (R), 23. Alcee L. Hastings (D), 24. Sandra Adams (R), 25. David Rivera (R)

## One Hundred and Thirteenth Congress

January 3, 2013 to January 3, 2015

Senators: C. William Nelson (D), Marco Rubio (R)

Representatives: 1. Jeff Miller, (R) 2. Steven Southerland (R), 3. Ted Yoho (R), 4. Ander Crenshaw (R), 5. Corrine Brown (D), 6. Ron DeSantis (R), 7. John L. Mica (R), 8. Bill Posey (R), 9. Alan Grayson (D), 10. Daniel Webster (R), 11. Richard Nugent (R), 12. Gus. M. Bilirakis (R), 13. C. William Young (R), 14. Kathy Castor (D), 15. Dennis Ross (R), 16. Vern Buchanan (R), 17. Tom Rooney (R), 18. Patrick Murphy (D), 19. Trey Radel (R), 20. Alcee L. Hastings (D), 21. Ted Deutch (D), 22. Lois Frankel (D), 23. Debbie Wasserman Schultz (D), 24. Frederica S. Wilson (D), 25. Mario Diaz Balart (R), 26. Joe Garcia (D), 27. Ileana Ros-Lehtinen (R)

NOTE: For the names of Floridians in Congress 1821-1997 see *The Florida Handbook* 2003-2004, p. 242-251. For Congressional General and Primary Election votes see the Elections section of this edition, earlier editions, or the Division of Elections website, <http://election.dos.state.fl.us/>.

## Federal Impeachments

Of the 15 impeachments voted by the U.S. House of Representatives during this country's existence, three affected Federal offices in Florida.

The first Florida impeachment was of Charles Swayne of Pensacola, Judge of the U.S. Court for the Northern District of Florida. Swayne, who had moved to Florida from Philadelphia in 1885, was appointed Judge in 1899. In 1903, the House of Representatives impeached Judge Swayne for padding expense accounts, using railroad property in receivership for personal benefit, and misusing contempt power. The Senate acquitted him on 12 articles by votes of fewer than the two-thirds required for conviction.

The next Florida impeachment was of Halsted L. Ritter of Miami, Judge of the U.S. Court for the Southern District of Florida. Ritter, who had moved to Florida from Colorado shortly before his appointment to the bench, was impeached on March 2, 1936. He was accused of a variety of judicial improprieties and went to trial before the Senate on seven articles.

He was acquitted on six but was convicted by a vote of 56 guilty (the precise number necessary) to 28 of the seventh article, a catch-all charging Ritter with bringing the court into disrepute.

On August 3, 1988, the U. S. House of Representatives voted 413–3 to impeach U.S. District Judge Alcee Hastings of Fort Lauderdale on charges ranging from conspiracy to solicit a \$150,000 bribe to perjury. Hastings, a charismatic black politician in South Florida for more than 20 years, had been acquitted in criminal court of charges that later became the basis of the impeachment. The proceedings then went to the Senate which convicted Hastings. In 1990 he was an unsuccessful candidate for Secretary of State. Hastings had been nominated in 1979 to the court by President Jimmy Carter.

In 1992 a Federal court voided Hastings' conviction and in the election that followed, Hastings was elected to the United States Congress, facing as colleagues some of the Congressmen who voted to impeach him. He has subsequently been reelected.



## Local Government

Most citizen interaction with government takes place at the local level. There are 67 counties, more than 400 municipalities, and over 1,600 special districts in the state of Florida. Municipalities and counties are general purpose governments providing a broad range of services, while most special districts are considered limited purpose governments in most instances providing more targeted services.

Historically, counties have been subdivisions of the state, created by the state to perform state-related functions on a decentralized basis. Municipalities,

on the other hand, are created to provide a variety of local services that the residents of the municipality desire.

Special districts were typically formed to provide limited functions such as water drainage or mosquito control, with the costs incurred being paid by those residing within the district. More recently, however, some special districts have been created to provide broader services that can at times resemble those of municipalities and counties.



*One melon enough for all, Brooksville, 1875.*

*Back row, from left: Harry C. Mickler, Clerk of Circuit Court; William P. Tucker, County Commissioner; R.H. (Harry Hennes), County Commissioner; J.W. Kimbrough, County Commissioner; J.K. (Jerry) Kilpatrick, County Commissioner; R.T. Hancock, County Commissioner; F. Elmore Saxon, tax assessor; W.D. Cobb, Sheriff; J.W. Crum, Constable; (?), janitor. Front row: G.V. Ramsey, County Judge; L.D. Hathaway, Supervisor of Pub. Inst.; Anna Hathaway, clerk; Lorena Grimsley, clerk; Linda Jennings, clerk; C.C. Kirk, tax collector.*

Florida State Archives

*\*This essay was originally authored by John Wesley White, who for nearly 35 years contributed his expertise to The Florida Handbook. Mr. White dedicated his career to public service as a state and local official, including service as a local government specialist for the Florida Legislature. The current essay is based on this solid foundation, and it was substantially expanded and updated in January 2014 by staff of the Local & Federal Affairs Committee of the Florida House of Representatives. Much of this article is excerpted from the committee's current publications.*

## ***County Government***

This section discusses the history of county formation in Florida; constitutional and statutory authority for county establishment; modification of county boundaries; and the differences between charter and non-charter counties.

### **History of County Formation**

Florida's first counties, Escambia and St. Johns, were established July 21, 1821, by the passage of an ordinance by then-provisional Governor Andrew Jackson, who obtained possession of Florida from Spain four days earlier.<sup>1</sup> This ordinance established in Florida the American form of government known as the "county," established a county judicial system, and provided for the appointment of county judges, clerks, and sheriffs. Government in the two counties was administered through the court system by five justices of the peace.<sup>2</sup>

Governor Jackson's provisional government was replaced in 1822 by a territorial council consisting of the Governor and 13 presidential appointees. During that year, the territorial council provided for three more counties: Escambia County encompassed the territory west of the Choctawhatchee River; Jackson County encompassed the territory east of Choctawhatchee River and west of the Suwannee River; and Duval County was created by dividing St. Johns County.

When Florida entered the Union, it was organized under the State Constitution of 1838 as established by the territorial council. The 1838 State Constitution did not provide for counties; however, the General Assembly, consisting of the House of Representatives and the Senate, established boards of county commissioners. The territorial council governed until Florida became a state in 1845.

The State Constitution of 1861 gave counties constitutional status for the first time. However, it was not until passage of the State Constitution of 1885 that provisions for cities and counties were included in a separate article. Counties were recognized as legal subdivisions of the state and the Legislature was granted the power to create new counties and alter county boundaries. By 1925, county boundaries were fixed and have, with a few minor changes,

remained unchanged. The last county to be formed was Gilchrist County, which was created by special act of the Legislature in 1925 under the provisions of the amended 1885 State Constitution. There currently are 67 counties in Florida, 20 of which are charter counties.

In 1956, an amendment to the 1885 State Constitution authorized Dade County "to adopt, revise and amend from time to time a home rule charter government for Dade County." The voters of Dade County approved that charter on May 21, 1957.<sup>3</sup> This was the first evidence that Florida was moving toward recognition of home rule authority for counties. Until this time, local governments had no power to enact local laws (ordinances); the Legislature controlled local laws through the passage of numerous special legislative acts (local bills) directed at specific locales.

The authors of the revised State Constitution of 1968, as amended in January 1999, deleted the provisions that allowed counties to be established by constitutional authority and simply provided that counties may be "created, abolished or changed by law, with provision for payment or apportionment of the public debt."<sup>4</sup> The revised Constitution also allowed for the passage of local ordinances consistent with the idea of "home rule."

### **Constitutional Powers and Duties of Counties**

Article VIII, Section 1 of the State Constitution contains provisions specifically related to the county form of government in Florida, and requires the state to be divided by law into political subdivisions called "counties." Counties may be created, abolished or changed by law, with provision for the payment or apportionment of public debt. Pursuant to general or special law, a county government may be established by charter, which must be adopted, amended or repealed only upon a vote of the electors of the county in a special election called for that purpose. Each county must designate a county seat where the principal offices of the county are located and permanent records of all county officers are maintained.

The Florida Constitution recognizes two types of county government in Florida: 1) counties that

are not operating under a county charter and 2) counties that are operating under a county charter. Article VIII, Sections 1(f) and (g) of the State Constitution, respectively, provide as follows:

Non-Charter Government: Counties not operating under county charters shall have such power of self-government as is provided by general or special law. The board of county commissioners of a county not operating under a charter may enact, in a manner prescribed by general law, county ordinances not inconsistent with general or special law, but an ordinance in conflict with a municipal ordinance shall not be effective within the municipality to the extent of such conflict.

Charter Government: Counties operating under county charters shall have all powers of local self-government not inconsistent with general law, or with special law approved by vote of the electors. The governing body of a county operating under a charter may enact county ordinances not inconsistent with general law. The charter shall provide which shall prevail in the event of conflict between county and municipal ordinances.

In addition, a special constitutional provision provides unique authorization for the Miami-Dade County home rule charter. See Article VIII, Section 11 of the State Constitution of 1885, as referenced in Article VIII, Section 6(e) of the State Constitution of 1968, as amended January 1999.

The most significant distinction between charter and non-charter county power is the fact that the State Constitution provides a direct constitutional grant of the power of self-government to a county upon charter approval, whereas a non-charter county has “such power of self-government as is provided by general or special law.” As such, charter counties possess greater home rule authority than non-charter counties as evidenced by the following:

- A special act of the Legislature may not diminish the home rule powers of a charter county unless the act is approved by electors in the county.
- A county’s charter may authorize the county to regulate an activity on a countywide basis and provide that the county regulation prevails over any conflicting municipal ordinance.



Photo by Francis Johnson

*A Duval County commissioner gives a speech during the Mathews Bridge barbecue, Jacksonville, 1953.*

- A charter county may levy any tax within its jurisdiction that is authorized by general law for a municipality unless the general law prohibits levy by a county.<sup>5</sup>

Unlike charter counties, non-charter counties do not have the flexibility to establish their form of government. Non-charter counties are granted home rule powers in general law mostly found in Part I of Chapter 125, *Florida Statutes*. These counties must organize their governing body either by the traditional commission form or the commission-administrator form of county government, which may be enacted by county ordinance.

In a non-charter county, Article VIII, Section 1(e) of the State Constitution requires the county’s governing body to be composed of a five or seven member board of county commissioners serving staggered terms of four years. After each decennial census, the board of county commissioners must divide the county into districts of contiguous territory as nearly equal in population as practicable. One commissioner residing in each district must be elected as provided by law. On the other hand, if a county operates under a county charter, the charter may vary the number of members serving on the county’s governing body and provide selection procedures for county officers.

A charter county may also abolish any county office when its duties are transferred to another county office. If a charter county wishes to alter its basic structure, the county charter must be amended.

Charter counties are authorized to establish salaries for their county officials independent of state mandate, whereas salaries of non-charter county officials are set by Chapter 145, *Florida Statutes*. Charter counties may manage administrative functions under centralized control of the county governing board. Non-charter counties divide the administrative functions individually among the various constitutional officers unless a special law approved by vote of the electors provides otherwise.

Section 125.01, *Florida Statutes*, outlines the powers and duties of chartered and non-chartered counties. This section provides that the county commission shall have the power to carry on county government to the extent not inconsistent with general or special law.

The governing body of a county also has the power to establish, and subsequently merge or abolish, dependent special districts that include both incorporated and unincorporated areas. Inclusion of an incorporated area is subject to the approval of the governing body of the affected incorporated area.<sup>6</sup> Municipal services and facilities may be provided from funds derived from service charges, special assessments, or taxes within the district. Pursuant to section 200.001(8)(d), *Florida Statutes*, ad valorem taxes levied by dependent special districts are included within the county's 10 mill cap.

### Statutory Provisions Relating to Adoption of County Charters

A county that does not have a charter form of government may locally initiate and adopt a county home rule charter pursuant to the provisions of sections 125.60-125.64, *Florida Statutes*. In addition to satisfying multiple statutory requirements, the charter must be adopted by a majority vote of the qualified electors of the county.

### Formation of New Counties and Changes in County Boundaries

The process for creating a new county has not been tested for a number of years. Although authorized by the State Constitution, as revised in 1968 and amended in January 1999, no general law exists regarding the creation of new counties. However, Chapter 7, *Florida Statutes*, provides the exact legal description of each county.

Because the boundaries for all 67 Florida counties are established in Chapter 7, *Florida Statutes*, a general act would be required to change any existing county boundary. The general act also would need to include provisions for the assumption of any indebtedness of the affected area. A general act that contains these provisions appears to be the only requirement necessary under the State Constitution.

Adjusting the legal descriptions of one or more counties requires an amendment to general law. Several acts have passed the Legislature that change existing county boundaries by amending the appropriate section of Chapter 7, *Florida Statutes*. Since 1925, 33 formal boundary adjustments have been enacted by Legislature.<sup>7</sup>



Florida State Archives

## Municipal Government

This section provides historical information on the origins of municipal government and describes the legal requirements for the creation, dissolution, and merger of municipalities in Florida.

A municipality is a local government entity located within a county and created to perform additional functions and provide additional services for the particular benefit of the population within the municipality. The term “municipality” can be used interchangeably with the terms “town,” “city,” and “village.”

Typically, incorporation efforts are undertaken by a group of citizens working through their elected state representatives. Oftentimes, citizens are seeking greater levels of urban services and infrastructure expansion than can be reasonably provided through county government. Municipalities have an advantage in providing urban services by virtue of their traditionally compact and contiguous nature. Municipal residents must pay ad valorem taxes levied by both municipal and county governments, generally resulting in increased taxes for citizens within a newly created city. The decision to incorporate is one requiring careful consideration by communities to ensure the desired result.

### History

In Florida, counties historically were created as subdivisions of the state to carry out central (i.e., state) government purposes at the local level. Municipalities were created to perform additional functions and provide additional services for the particular benefit of the population within the municipality. Originally, counties provided state services (i.e., courts, tax collection, sheriff functions, health, and welfare services) uniformly throughout the county, while municipalities provided services, such as utilities and transportation, only within the boundaries described in the municipal charter.<sup>8</sup>

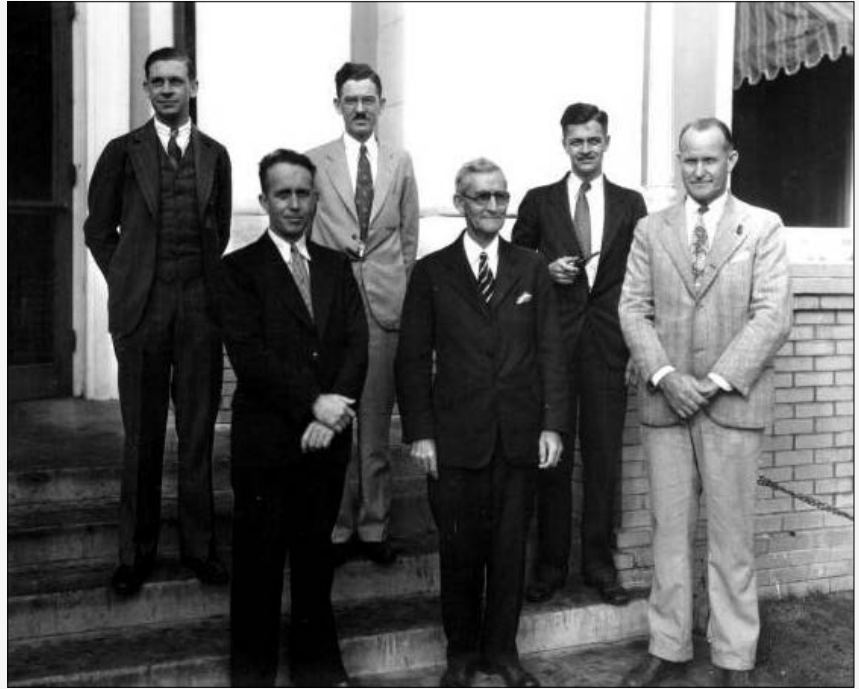


Photo by Robert Dahlgren

*City officials, Winter Haven, 1933. From left: John Terwilliger, City Clerk; W. H. Schultz Jr., Commissioner; Henry Jollay, City Attorney; O. P. Warren, Mayor; Al Newman, City Manager; and Jay Stull, Commissioner.*

During the Spanish era of Florida history, St. Augustine and Pensacola were established. Provisional Governor Andrew Jackson recognized these cities as governmental entities after receiving possession of Florida from the Spanish in 1821.<sup>9</sup> A territorial council replaced Governor Jackson’s provisional government in 1822. This council granted municipal charters for several cities, including Apalachicola and Key West.<sup>10</sup>

Historically, municipalities in Florida have been created by special acts of the Legislature. The 1885 State Constitution limited municipal authority to that expressly granted by the Legislature. Any reasonable doubt regarding a municipality’s right to exercise power was to be resolved by a court against the municipality. This limitation of municipal authority was widely known as “Dillon’s Rule” and prevailed generally throughout the United States.<sup>11</sup> Municipalities were not authorized to enact local laws (ordinances); therefore, all ordinances were made through the passage of special legislative acts directed at specific locales.

The 1968 State Constitution began the process of granting what is referred to as “municipal home

rule.” With the 1972 enactment of Chapter 166, *Florida Statutes*, the Legislature granted municipalities all governmental, corporate, and proprietary powers necessary to enable municipalities to independently function and provide services. Today, the Legislature must create a municipality through passage of a special act enacting a municipality’s charter (with the exception of Miami-Dade County), but subsequent special acts are not required to grant specific powers to conduct municipal government. Currently, there are approximately 411 municipalities in Florida.

### **Constitutional Powers and Duties of Municipalities**

Article VIII, Section 2 of the State Constitution authorizes the Legislature to establish or abolish municipalities or amend their charters by general or special law. However, in the case of Miami-Dade County, Article VIII, Section 6 of the State Constitution, by reference to Article VIII, Section 11(e) of the 1885 Constitution, authorizes the board of county commissioners to provide a method for establishing new municipalities and prescribing their jurisdiction and powers.<sup>12</sup>

The Constitution grants municipalities all governmental, corporate, and proprietary powers necessary to conduct municipal government, perform municipal functions, and render municipal services. Municipalities may exercise any power for municipal purposes except as otherwise provided by general or special law. The power to tax can be granted only by general law. Each municipal legislative body must be elected by qualified voters. When any municipality is abolished, the State Constitution requires that provisions be made for the protection of its creditors.

### **Statutory Provisions Relating to Municipalities**

*Municipal Home Rule Powers Act, Chapter 166, Florida Statutes:*

The Municipal Home Rule Powers Act acknowledges that the State Constitution grants municipalities governmental, corporate and proprietary power necessary to conduct municipal government, functions and services, and authorizes municipalities to exercise any power for municipal purposes, except

when expressly prohibited by general or special law.

*Formation of Municipalities Act, Chapter 165, Florida Statutes:*

Florida law governing formation and dissolution of municipal governments is found in Chapter 165, *Florida Statutes*, the “Formation of Municipalities Act,” which was enacted in 1974. The stated purpose of the Act is to provide general law standards, direction, and procedures for the incorporation, merger, and dissolution of municipalities, and to achieve the following goals:

- orderly patterns of growth and land use;
- adequate quality and quantity of local public services;
- financial integrity of municipalities;
- the elimination or reduction of avoidable and undesirable differences in fiscal capacity among neighboring local governmental jurisdictions;
- the promotion of equity in the financing of municipal services.

Pursuant to Chapter 165, *Florida Statutes*, there is only one way to establish a municipality where one did not previously exist: the Legislature must adopt a charter for incorporation by a special act upon determination that the standards in Chapter 165, *Florida Statutes*, have been met. It appears, however, that Miami-Dade County has the exclusive power to create cities in Miami-Dade County under its constitutional home rule powers.<sup>12</sup>

A special act is a law that applies to a limited geographic area. A proposed special act is filed by a member of the Legislature in the form of a local bill. For incorporation purposes, the special act must include a proposed municipal charter that prescribes the form of government and clearly defines the legislative and executive functions of city government. The special act may not prohibit or limit tax levies otherwise authorized by law.

The Legislature has required special acts creating municipal incorporations to be subject to a referendum. The bill proposing creation of a municipality will be reviewed based on standards for municipal incorporation established in section 165.061, *Florida Statutes*. A feasibility study is also required to be completed and submitted to the Legislature.



## ***Municipal Conversion of Independent Special Districts***

The 2012 Florida Legislature created a new process for the municipal conversion of independent special districts. The qualified electors of an independent special district may initiate this proceeding

by filing a petition with the governing body of the independent special district proposed to be converted if the district meets all of the criteria in section 165.0615, *Florida Statutes*.

## ***Municipal Boundary Changes***

Florida municipalities address boundary changes through either the addition (annexation) or subtraction (contraction) of land. Annexation is the addition of real property to the boundaries of an incorporated municipality, where such an addition becomes, in every way, a part of the annexing municipality. Contraction, also referred to as deannexation, is the reversion or removal of real property from municipal boundaries. The removed area becomes unincorporated and its governance reverts to the county.

Annexation is one of the primary tools used by American cities to adjust to urban population growth and to meet the needs of people for government services on the periphery of a city. Through annexation, a city may increase its tax base, expand its service delivery area, maintain a unified community, allow additional persons to vote in elections that affect their quality of life, and control growth and development.

Article VIII, Section 2(c) of the State Constitution authorizes the Legislature to annex unincorporated property into a municipality by special act. This section also authorizes the Legislature to establish procedures in general law for the annexation of property by local action. Miami-Dade County, however, has exclusive jurisdiction over its municipal annexations under Article VIII, Sections 11(1)(c), (5) and (6) of the 1885 State Constitution, as adopted by reference in Article VIII, Section 6(e) of the State Constitution.

The Legislature established local annexation procedures by general law in 1974. Part 1 of Chapter 171, *Florida Statutes*, the “Municipal Annexation or Contraction Act,” describes the ways that property can be annexed or deannexed by cities without pas-



Florida State Archives

*Sign at city limit on U.S. Highway 1, Key West, circa 1955.*

sage of an act by the Legislature, and creates two types of annexations in Florida: voluntary and involuntary. With voluntary annexations, generally all property owners in the area proposed for annexation formally seek the annexation by petition. For an involuntary annexation to occur, at least a majority of the electors in the area proposed for annexation must vote in favor of the annexation. The municipality may submit the annexation ordinance to the voters of the annexing municipality, but that vote is discretionary. In addition, for the annexation to be valid under Chapter 171, *Florida Statutes*, the annexation must take place within the boundaries of a single county. Part II of Chapter 171, *Florida Statutes*, the “Interlocal Service Boundary Agreement Act,” was passed by the Legislature in 2006, and provides an alternative procedure for the annexation of territory into a municipality.

Florida annexation laws have a twofold purpose: 1) to set forth local annexation/contraction procedures, and 2) to establish criteria for achieving the legislative goals of sound urban development, uniform legislative standards, and the efficient provision of urban services.

## ***City/County Consolidations***

This section discusses the constitutional and statutory provisions relating to the consolidation of city and county governments and provides a brief history of constitutional activity relating to consolidation.

### **History of City/County Consolidations**

Consolidation involves combining city and county governments so that the boundaries of the county and an affected city or cities become the same. Consolidation can be total or partial. Total consolidation occurs where all independent governmental units within a county are assimilated into the consolidated government. When some of the governmental units remain independent, the consolidation is partial.

All jurisdictions need not participate in the consolidation effort. Consolidation also does not automatically preclude the later formation of new cities or special districts. For example, when the consolidated government of Jacksonville/Duval County, Florida, was formed, four cities retained their identity (Atlantic Beach, Baldwin, Jacksonville Beach and Neptune Beach), but four special districts were eliminated and 12 more were consolidated into two dependent districts. Since that time, at least one new independent special district has been created within the geographic boundaries of the consolidated government.

Few successful city-county consolidations have occurred in the United States. Of the nearly 3,068 county governments in the United States, only 38 are combined city/county governments.<sup>13</sup>

### **The Florida Constitution and Consolidation**

Prior to 1934, the 1885 State Constitution was silent on the subject of consolidation. This lack of constitutional direction left many questions unanswered about the authority of the Legislature to enact statutes consolidating city and county governments. Consequently, to avoid potential legal challenges, the Legislature began specifically authorizing consolidation efforts by proposing constitutional amendments.

The 1933 Legislature passed a joint resolution to amend the Constitution declaring its own power to establish a municipal corporation consolidating the governments of Duval County and any of the municipalities within its boundaries, subject to referendum approval of the affected voters.<sup>14</sup> The electorate of Florida adopted this amendment in 1934. However, the voters of the City of Jacksonville and Duval County did not adopt a municipal charter pursuant to this constitutional provision until 1967.<sup>15</sup>

In 1935, the Legislature enacted a joint resolution to amend the Constitution, adopted by the Florida electorate in 1936, establishing similar legislative authority, subject to voter approval, with respect to Key West and Monroe County.<sup>16</sup> The citizens of Key West and Monroe County have not voted to employ this authority and enact a consolidated government.

In 1965, the Legislature passed a constitutional amendment, adopted by the Florida electorate in 1966, authorizing consolidation in Hillsborough County in a slightly different manner. This constitutional provision directly authorizes the electors of Hillsborough County to adopt a county charter, conditioned upon the consolidation of the governments of the City of Tampa and the county.<sup>17</sup> This authority also has not been exercised. Hillsborough County, however, became a charter county pursuant to general law in 1983.<sup>18</sup>

Presently, only Duval County and the City of Jacksonville have taken advantage of the specific constitutional authority to consolidate. However, the enabling amendments to the 1885 Constitution for the consolidation of the City of Key West and Monroe County, and the consolidation of the City of Tampa and Hillsborough County, remain a part of the State Constitution, adopted by reference in Article VIII, Section 6(e) of the State Constitution.

The 1955 Legislature authorized the voters of Dade County to enact a home rule charter through an amendment to the 1885 State Constitution.<sup>19</sup> This constitutional provision did not authorize consolidation as authorized for the other three counties. However, the provision empowered the electors of Miami-Dade County, through their charter, to: 1) create a central metropolitan government; 2) merge,



Photo by Robert E. Fisher

*Aerial view of Jacksonville Beach, looking north to Neptune and Atlantic, Duval County, circa 1950. Atlantic Beach, Baldwin, Jacksonville Beach, and Neptune Beach all maintained separate city identities when Jacksonville merged with Duval County in 1967.*

consolidate, and abolish all municipal corporations, county, or district governments in the county; and 3) provide a method by which any and all of the functions or powers of any municipal corporation or other governmental entity in Miami-Dade County may be transferred to the board of county commissioners.

General authority for consolidation is provided in Article VIII, Section 3 of the State Constitution. Under this section, city/county consolidations may only occur through a consolidation plan passed by

## ***Special Districts***

Special district governments are special purpose government units that exist as separate entities and have substantial fiscal administrative independence from general purpose governments. Special district governments have existed in the United States for over 200 years and are found in every state and the District of Columbia.

In Florida, special districts perform a wide variety of functions, such as providing fire protection services, delivering urban community development services, and managing water resources. Special districts are typically funded through ad valorem taxes, special assessments, user fees, or impact fees. The

special act of the Legislature and subject to approval of the electorate. Voter approval may be obtained via a single countywide referendum or through a separate referendum election held in each affected political jurisdiction. The consolidation plan cannot require new residents to be responsible for old debts, unless they benefit from the facility or service for which the indebtedness was incurred.

### **Florida Statutes Specifically Addressing Consolidated Governments**

Several general laws uniquely affect consolidated governments. These statutes fall into three broad categories: retirement and pension rights, taxation and finance, and export trade. These statutes apply to the consolidated government of Jacksonville/Duval County and, in some cases, Miami-Dade County. However, these provisions could apply to any other governments that consolidate.

### **Florida Consolidation Activity**

No successful consolidation activity in Florida has occurred since the consolidation of Duval County and the City of Jacksonville in 1967. Despite the perceived benefits of streamlining governmental processes, and the Legislature's attempts to simplify the process, Floridians have consistently rejected consolidation proposals at the polls.

Uniform Special District Accountability Act, Chapter 189, *Florida Statutes*, generally governs the creation and operations of special districts; however, other general laws may more specifically govern the operations of certain special districts.

As of October 1, 2013, there were 639 active dependent special districts and 994 active independent special districts in Florida.<sup>20</sup> Community development districts are the most frequently created form of independent special district. Other common special districts in Florida include drainage and water control districts, fire control districts, and community redevelopment districts.<sup>21</sup>

## Special Districts in the United States

Benjamin Franklin established the first special district on December 7, 1736, when he created the Union Fire Company of Philadelphia, a volunteer fire department. Residents in a certain neighborhood paid a fee to receive fire protection. Any resident not paying the fee had no fire protection services. Soon, many volunteer fire departments formed throughout Philadelphia. This prompted Franklin to boast that his city had the best fire service in the world.<sup>22</sup>

Special district governments provide specific services that are not being supplied by existing general-purpose governments. Most of these entities perform a single function, but, in some instances, their enabling legislation allows them to provide several, usually related, types of services. The services provided by these districts range from such basic social needs as hospitals and fire protection to the less conspicuous tasks of mosquito abatement and the upkeep of cemeteries.<sup>23</sup>

In 2012, special district governments<sup>24</sup> decreased in number to a total of 37,203 nationwide,<sup>25</sup> a decrease of 178 special districts, since the 2007 Census of Governments.<sup>26</sup> The number of special district governments reported was more than three times the number of special district governments reported in 1952.<sup>27</sup>

The number of special district governments varies considerably among the states, and has only a weak relationship to population size.

### Brief History of Special Districts in Florida<sup>28</sup>

In Florida, the first special districts were created almost 190 years ago. At that time, Florida was a territory of log settlements scattered between only two cities, Pensacola and St. Augustine. The entire territory consisted of two large counties, Escambia and St. Johns, whose contiguous border was defined by the Suwannee River. Because no roads existed, the territorial legislators had to make the long, difficult sea voyage between the co-capitals, Pensacola and St. Augustine. In 1822, the legislators voted to establish a capital in a more convenient location. A year later, two men met on a pine-covered hill, half-way between Pensacola and St. Augustine, and chose the site of the new capital. Within a year, Florida's

first Capitol, a small log cabin just big enough for all six legislators, was built in what today is Tallahassee.

Early Floridians realized that the transportation needs of a growing territory could be effectively managed by a group of local citizens organized into a district with vested powers. During the same session that the decision was made to move the capital, the Territorial Legislature authorized the creation of the first special districts in Florida by enacting the Road, Highway, and Ferry Act of 1822. Created to establish and maintain public roads, the first road districts had no taxation authority and solved their labor needs by conscription. Men failing to report to work were fined one dollar per day.

In 1845, soon after Florida became a state, the Legislature established the first special district by special act. Five commissioners were empowered to drain the "Alachua Savannah." To finance the project, the first special assessments were levied on landowners based on the number of acres owned and the benefit derived. The popularity of special districts to fund public works continued throughout the end of the 19th century as more settlers came to Florida.

By the 1920s, the population had increased substantially in response to Florida's land boom. Many special districts were created to finance large engineering projects. Some of these special districts are still in existence today, such as the South Florida Conservancy District and the Florida Inland Navigation District. By the 1930s, the surge of new residents created the need for the first mosquito eradication district and other very specialized districts. After World War II, the baby boom and Florida's growing popularity created the need for a variety of new special districts, such as aviation authorities and hyacinth control districts. Soon, the number of beach erosion, hospital, and fire control districts grew rapidly along with the number of road, bridge, and drainage districts.

### Legislative Review of Special Districts

In 1972, approximately 1,200 independent and dependent special districts were identified in Florida; however, the exact number was unknown. The 1972 Commission on Local Government investigated the role of special districts in Florida. Commission staff reported that "special districts have been 'invisible

government,' virtually unidentifiable." One of the Commission's recommendations was that the Legislature, except for specific chapters, should repeal all general law enabling legislation authorizing the creation of special districts.

During the 1970s, other concerns were raised about these "phantom units of government" and the lack of special district accountability. Newspaper articles were published regarding illegal tax levies and the misuse of bond proceeds by special districts. In 1974, the Legislature enacted the "Formation of Local Governments Act"<sup>29</sup> which, with the exception of counties with a home rule charter, was designed to provide the exclusive procedure for creating special districts. Under this act, a charter creating a special district could only be adopted by special act of the Legislature or by ordinance of a county or municipal governing body having jurisdiction over the affected area.

Meanwhile, special districts created for land development activities, capital improvements, and the delivery of urban community development services received legislative attention. In 1975, the Legislature enacted the "New Communities Act of 1975" to address these limited multi-purpose districts.<sup>30</sup>

In 1978, the State Board of Administration urged the Legislature to review laws governing the creation

and powers of special districts. Among other things, the Board's resolution recommended changes that would "assure that a continued proliferation of independent governing bodies does not occur."

In 1980, the Legislature examined special districts once again. The House Committee on Community Affairs published a report on independent special districts and, among other things, recommended:

- restriction on county and city creation of districts to dependent districts only;
- repeal of creation procedures in conflict with Chapter 165, *Florida Statutes*;
- repeal of special district election procedures in conflict with the Florida Election Code; and
- administration of special district bond funds by a court-approved trustee.

In 1987, a detailed three-year study by the Florida Advisory Council on Intergovernmental Relations culminated in published reports. From 1987 through 1989, the House Committee on Community Affairs proposed legislation to bring uniformity and accountability to the creation and operation of special districts.

### **The Uniform Special District Accountability Act**

In 1989, the Legislature enacted Chapter 189, *Florida Statutes*, the "Uniform Special District Accountability Act" (Act). The overall legislative purpose of the Act was to consolidate and unify the provisions of existing law relating to the creation and accountability of special districts.<sup>31</sup> One of the statute's primary goals is to "[c]larify special district definitions and creation methods in order to ensure consistent application of those definitions and creation methods across all levels of government."<sup>32</sup>

The Act continues to provide for the general governance of special districts, although it excludes certain types of special districts from specified provisions of the Act. The Act addresses issues such as the creation of special districts, operations, financial reporting requirements, funding authority, election of board members, and compliance with general law provisions such as public records and meetings requirements, and comprehensive planning within special districts.



Florida State Archives

*Flat boats in an Everglades Drainage District canal, circa 1920. The Everglades Drainage District was established in 1913 for the purpose of draining and reclaiming lands located near the Everglades for agricultural and sanitary purposes. To carry out this mandate, a system of canals, drains, levees, dikes, dams, locks, and reservoirs were constructed.*

The Act defines a “special district” as “a local unit of special purpose, as opposed to general-purpose, government within a limited boundary, created by general law, special act, local ordinance, or by rule of the Governor and Cabinet.”<sup>33</sup> A special district has only those powers expressly provided by, or which can be reasonably implied from, the authority provided in the district’s charter. Special districts provide specific municipal services in addition to, or in place of, those provided by a municipality or county.

### **“Dependent” and “Independent” Special District Classifications**

The Act establishes criteria for determining whether a special district is a “dependent special district” or an “independent special district.” The distinction is crucial for several reasons, including the fact that requirements for the creation of special districts vary depending on whether the special district is dependent or independent.<sup>34</sup>

#### **Dependent Special Districts**

A “dependent special district” is defined as a special district that meets at least one of the following criteria:

- the membership of its governing body is identical to that of the governing body of a single county or a single municipality;
- all members of its governing body are appointed by the governing body of a single county or a single municipality;
- during their unexpired terms, members of the special district’s governing body are subject to removal at will by the governing body of a single county or a single municipality; or
- the district has a budget that requires approval through an affirmative vote or can be vetoed by the governing body of a single county or a single municipality.<sup>35</sup>

As of October 1, 2013, there were 639 active dependent special districts in Florida.<sup>36</sup> As illustrated in Appendix E, dependent special districts perform a variety of functions in Florida.

#### **Independent Special Districts**

An “independent special district” is defined by the Act as a special district that is not a dependent special district as defined in statute.<sup>37</sup> A district that includes more than one county is an independent special district unless the district lies wholly within the boundaries of a single municipality.<sup>38</sup> As of October 1, 2013, there were 994 active independent special districts in Florida.<sup>39</sup>

Independent special districts do not possess home rule power. Therefore, the only powers possessed by independent special districts are those expressly provided by, or which can be reasonably implied from, the special district’s charter or by general law.<sup>40</sup>

#### **Formation of Dependent and Independent Special Districts**

The Act provides that “[i]t is the specific intent of the Legislature that dependent special districts shall be created at the prerogative of the counties and municipalities and that independent special districts shall only be created by legislative authorization as provided herein.”<sup>41</sup> Although new dependent special districts may be created directly by the Legislature regardless of current statutory requirements, the Act requires that a charter for the creation of a dependent special district must be adopted by ordinance of the county or municipal governing body having jurisdiction over the area affected.<sup>42</sup>

A county is authorized to create, by ordinance, a dependent special district within the county, subject to the approval of the governing body of the incorporated area affected. Municipalities also are authorized to create, by ordinance, a dependent special district within the municipality. A county or municipal ordinance creating a dependent special district must include several statements including, but not limited to:

- the purpose, powers, functions, and duties of the district;
- the geographic boundary limitations of the district;
- the authority of the district;

- an explanation of why the district is the best alternative;
- the membership, organization, compensation, and administrative duties of the governing board;
- the applicable financial disclosure, noticing, and reporting requirements;
- the methods for financing the district;
- a declaration that the creation of the district is consistent with the approved local government comprehensive plans.

County charters also may contain provisions that limit the creation of special districts or their activities.

Prior to the enactment of the Act in 1989, the Legislature passed special acts creating dependent special districts. However, in 1989, the responsibility for creating dependent districts was transferred to county or municipal governing bodies. Dependent districts may be created by local governments by adopting a charter for the district by local ordinance. If a dependent district created by special act of the Legislature has not been converted to local ordinance, the district's charter may not be amended without legislative approval in the form of a local bill amending the dependent district's enabling legislation.

In addition, the Act requires submission of a statement to the Legislature documenting the purpose of the proposed district, the authority of the proposed district, and an explanation of why the district is the best alternative.<sup>43</sup> The Act also requires submission of a resolution or official statement issued by the appropriate local governing body in which the proposed district is located affirming that the creation of the proposed district is consistent with approved local government plans of the local governing body and that the local government has no objection to the creation of the proposed district.<sup>44</sup>

The Act requires the charter of any newly created special district to contain a reference to the status of the special district as dependent or independent.<sup>45</sup> The charters of independent districts must address and include certain provisions, including geographical boundaries, taxing authority, bond authority, and board selection procedures.



Florida State Archives

*Commercial building on the west side of Adams St. at the corner of College Ave. in the Tallahassee Downtown Improvement Authority special assessment district, circa 1974. The TDIA authorizing legislation was created by an act of the Florida Legislature in 1971, as a special assessment district. The mission of the TDIA is to promote downtown Tallahassee as a place for business and entertainment.*

In addition to these extensive requirements for local bills creating independent special districts, other criteria mandated by the Florida Constitution must be fulfilled including notice requirements applicable to all local bills.

Section 125.01(5)(a), *Florida Statutes*, authorizes a county to create by ordinance a special district to include both unincorporated and incorporated areas of the county, but only with the approval of any affected municipality. These special districts are authorized to provide municipal services and facilities “from funds derived from service charges, special assessments, or taxes within [the] district only” and may not provide services exclusively in the unincorporated area. The statute authorizes these special districts to levy any millage designated in the ordinance creating the special district and approved by a vote of the electors as required by the Florida Constitution.

### **Non-Legislative Creation of Independent Special Districts**

General law authorizes the creation of certain types of independent special districts without specific action of the Legislature. The Governor and Cabinet, a municipality or county, or a regional combination of cities and counties may initiate the creation of

certain special districts in compliance with statutory requirements.

For example, Chapter 190, *Florida Statutes*, authorizes the Governor and Cabinet, acting as the Florida Land and Water Adjudicatory Commission, to establish a community development district (CDD) of 1,000 acres or more. The exclusive and uniform method for creating a CDD of less than 1,000 acres is by county or municipal ordinance.<sup>46</sup>

The Secretary of the Department of Environmental Protection also may approve an agreement between local governmental units establishing regional water supply authorities (section 373.1962, *Florida Statutes*).

General law authorizes counties to create, by local ordinance, several types of independent special districts including:

- juvenile welfare boards/funding for children’s services (section 125.901, *Florida Statutes*);
- county health or mental health care special districts/funding for indigent health care services (section 154.331, *Florida Statutes*);
- public hospital districts (Chapter 155, *Florida Statutes*); and
- neighborhood improvement districts (Chapter 163, Part IV, *Florida Statutes*).

Any combination of two or more counties, municipalities or other political subdivisions may establish a regional transportation authority.<sup>47</sup>

### **Dissolution and Merger of Special Districts**

The Uniform Special District Accountability Act of 1989 governs the dissolution or merger of special districts.<sup>48</sup> The statutory provisions governing the merger or dissolution of dependent and independent special districts were substantially amended by the Legislature during the 2012 Legislative Session pursuant to chapter 2012-16, Laws of Florida.

#### *Dependent Special Districts*

Dependent special districts may be merged or dissolved by an ordinance of the local government entity where the district is located. However, a county may not dissolve a special district that is dependent

to a municipality or vice versa, or a dependent special district created by special act. Dependent special districts created and operating pursuant to special act may be merged or dissolved only by the Legislature unless otherwise provided by general law.<sup>49</sup>

#### *Independent Special Districts*

The governing board of an independent special district may dissolve an independent special district, a “voluntary dissolution,” or the entity creating the independent special district, such as the Legislature or a county or municipality, may initiate the dissolution of an independent special district.

#### *Voluntary Dissolutions*

For an independent special district created and operating pursuant to a special act, the voluntary dissolution of an independent special district must be initiated by the vote of a majority plus one of the governing board and may only occur by an act of the Legislature, unless otherwise provided by general law.

#### *Dissolutions That Are Not Voluntary*

With respect to dissolutions that are not voluntary, in order for the Legislature to dissolve an active independent special district created and operating pursuant to a special act, the special act dissolving the independent special district must be approved by a majority of the district’s resident electors or, for districts in which a majority of the governing board members are elected by landowners, a majority of the district’s landowners voting in the same manner the governing board is elected. If a local general-purpose government passes an ordinance or resolution in support of the dissolution, that government is responsible for the payment of any expenses associated with the required referendum.<sup>50</sup>

If an independent special district was created by a county or municipality by referendum or any other procedure, the county or municipality that created the district may dissolve the district pursuant to a referendum or any other procedure by which the district was created. *If the independent special district has ad valorem taxation powers, the same procedure*



required to grant such powers is required to dissolve the district.<sup>51</sup>

Any independent special districts that meet the criteria for being declared inactive or that have already been declared inactive pursuant to the Act<sup>52</sup> may be dissolved by a special act without a referendum.<sup>53</sup>

### *Voluntary Merger of Independent Special Districts*

Two or more contiguous independent special districts with similar functions and governing bodies that were created by the Legislature may voluntarily merge prior to a special act.<sup>54</sup>

The merger may be initiated by either a joint resolution of the governing bodies of each district, which endorses a proposed joint merger plan, or by qualified elector initiative.<sup>55</sup> A qualified elector-initiated merger plan is prepared and approved by the governing bodies of each district. The Act identifies the components of each plan.<sup>56</sup> A qualified elector-initiated merger plan requires each independent special district to file a petition with the governing bodies of each district proposing to be merged. The petition must contain the signatures of at least 40 percent of the qualified electors of each component independent special district.<sup>57</sup>

The effective date of the proposed voluntary merger is not contingent upon the future act of the Legislature; however, the merged district's powers are limited until the Legislature approves the unified charter by special act. The merged independent district must, at its own expense, submit a unified charter for the merged district to the Legislature for approval.<sup>58</sup>

The voluntary merger provisions do not apply to independent special districts whose governing bodies are elected by district landowners voting based upon acreage owned within the district,<sup>59</sup> such as water control or drainage districts governed by Chapter 298, *Florida Statutes*.

### *Involuntary Merger*

In order for the Legislature to merge an active independent special district or districts created and

operating pursuant to a special act, the special act merging the independent special district or districts must be approved at separate referenda of the impacted local governments by a majority of the resident electors or, for districts in which a majority of governing board members are elected by landowners, a majority of the landowners voting in the same manner by which each independent special district's governing body was elected.

The special act must include a merger plan that addresses transition issues such as the effective date of the merger, governance, administration, powers, pensions, and assumption of all assets and liabilities. If a local general-purpose government passes an ordinance or resolution in support of the merger, the local general-purpose government is responsible for the payment of any expenses associated with the required referendum.

If an independent special district was created by a county or municipality by referendum or any other procedure, the county or municipality that created the district may merge the district pursuant to a referendum or any other procedure by which district was created. If the independent special district has ad valorem taxation powers, then the same procedure required to grant such powers is required to merge the special district.

The political subdivisions proposing the involuntary merger are responsible for the payment of any expenses associated with the required referendum.

### *Inactive Independent Special Districts*

Any independent special district that meets the criteria for being declared inactive or that has already been declared inactive pursuant to the Act<sup>60</sup> may be dissolved by a special act without a referendum.<sup>61</sup> If an inactive independent special district was created by a county or municipality through a referendum, the Act provides specific procedures for merger or dissolution of the district.<sup>62</sup>

These merger and dissolution procedures do not apply to water management districts or community development districts.<sup>63</sup>

## Closing

Florida is a large and diverse state and as time has passed, the traditional roles of the different forms of local governments have begun to overlap as the state has become more urbanized and local governments have become more sophisticated. Counties have in some instances assumed more traditional municipal service functions while ceding a number of the functions back to state government, and some

special districts in newly developed areas often provide services that in the past were offered by municipal governments. Local governments have been able to respond to the needs of citizens in an agile manner and will likely continue to evolve as new methods for the provision of local services continue to be explored.

<sup>1</sup>Steven L. Sparkman, "The History and Status of Local Government Powers in Florida," *University of Florida Law Review*, Vol. 25, 1973, p. 271.

<sup>2</sup>*Ibid.*

<sup>3</sup>Lawrence Arrington and Herbert A. Marlowe, Jr., "County Government in the Nineties: An Overview," (Tallahassee, Florida: Florida Association of Counties, 1994), pp. 4 and 5.

<sup>4</sup>The Florida Constitution of 1968, as amended January 1999, Article VIII, Section 1 (1984).

<sup>5</sup>*Primer on Home Rule and Local Government Revenue Sources*, Nabors, Giblin, & Nickerson, P.A., April 2010.

<sup>6</sup>Section 189.4041, *Florida Statutes*.

<sup>7</sup>Fernald and Purdam, p.99, and data from the Florida House of Representatives, Local & Federal Affairs Committee. See generally Florida Atlas of Historical County Boundaries: Consolidated Chronology of State and County Boundaries, John H. Long and Peggy Tuck Sinko, available at [http://publications.newberry.org/ahcbp/documents/FL\\_Consolidated\\_Chronology.htm](http://publications.newberry.org/ahcbp/documents/FL_Consolidated_Chronology.htm) (last visited Oct. 8, 2013).

<sup>8</sup>Joseph W. Little, "Florida Local Government in the 1990s," in Proceedings of the Governor's Conference on Local Governments in the 1990s, (Gainesville, Florida: The Center for Governmental Responsibility, University of Florida College of Law, January 1989), p. 102.

<sup>9</sup>The Florida Municipal Officials' Manual, p. I-B-1.

<sup>10</sup>The Florida Municipal Officials' Manual, p. I-B-2.

<sup>11</sup>The Florida Municipal Officials' Manual, p. I-B-3.

<sup>12</sup>See section 165.022, *Florida Statutes*.

<sup>13</sup>Research Division, National Association of Counties, 440 First Street, NW, Washington, D.C. 20001.

<sup>14</sup>Florida Constitution of 1885, Article VIII, Section 9 (1934). Referenced in the Florida Constitution of 1968, Article VIII, Section 6 (1968), as amended January 1999.

<sup>15</sup>Jacksonville Ordinance Code, Volume III (containing the Charter and Related Laws of the City of Jacksonville, Florida), (Tallahassee, Florida: Municipal Code Corporation, 1991), C-1.

<sup>16</sup>Florida Constitution of 1885, Article VIII, Section 10 (1936). Referenced in the Florida Constitution of 1968, Article VIII, Section 6 (1968), as amended January 1999.

<sup>17</sup>Florida Constitution of 1885, Article VIII, Section 24 (1966). Referenced in the Florida Constitution of 1968, Article VIII, Section 6 (1968), as amended January 1999.

<sup>18</sup>Home Rule Charter for Hillsborough County Florida, (Tampa, Florida: Hillsborough County Board of County Commissioners, September 1983), Introduction.

<sup>19</sup>Florida Constitution of 1885, Article VIII, Section 11, (1956). Referenced in the Florida Constitution of 1968, Article VIII, Section 6 (1968), as amended January 1999.

<sup>20</sup>Florida Department of Economic Opportunity, Division of Community Development, Special District Information Program, Official List of Special Districts Online, State Totals. <http://dca.deo.myflorida.com/fhcd/sdip/OfficialListdeo/report.cfm> (last visited October 1, 2012).

<sup>21</sup>Florida Department of Economic Opportunity, Division of Community Development, Special District Information Program, Official List of Special Districts Online, Special District Function Totals. <http://www.floridaspecialdistricts.org/OfficialList/functiontotals.cfm> (last visited October 1, 2013).

<sup>22</sup>Florida Department of Economic Opportunity, Division of Community Development, Special District Information Program, Florida Special District Handbook Online: A Brief History of Special Districts at section 4b. (September 2012), available at <http://www.floridajobs.org/fhcd/sdip/Handbook/SDHandbook.pdf> (hereinafter Special District Handbook Online 2013).

<sup>23</sup>Of the 35,052 special district governments reported in the U.S. in 2002, over 90 percent performed a single function. More than 36 percent of all special district governments performed functions related to natural resources, such as drainage and flood control, irrigation, and soil and water conservation. The next most frequent function performed by such units is fire protection, followed by housing and community development and sewerage. The remaining special districts performed a variety of functions. Most of the units recognized as multiple-function in nature involve some combination of water supply with other services, most commonly sewerage services. A total of 5,011 special district governments (14.3 percent) provided water supply either as the sole function or as one of a combination of functions. 2002 Census of Governments [GC02(1)-1]. U.S. Census Bureau, pp. viii (Dec. 2002), available at <http://www.census.gov/prod/2003pubs/gc021x1.pdf>.

<sup>24</sup>In order to be counted as a special district government, rather than be classified as a subordinate agency, an entity must possess three attributes—existence as an organized entity, governmental character, and substantial autonomy. U.S. Census Bureau, 2012 Census of Governments, Lists & Structure of Governments, Population of Interest, Criteria for Classifying Governments, <http://www.census.gov/govs/go/> (last visited Sept. 19, 2012).

<sup>25</sup>U.S. Census Bureau, 2012 Census of Governments, Preliminary Count of Local Governments by Type and State: 2012, available at [http://www2.census.gov/govs/cog/2012/formatted\\_prelim\\_counts\\_23jul2012\\_2.pdf](http://www2.census.gov/govs/cog/2012/formatted_prelim_counts_23jul2012_2.pdf).

<sup>26</sup>U.S. Census Bureau, 2007 Census of Governments, Local Governments and Public Schools Systems by Type and State: 2007, <http://www.census.gov/govs/cog/GovOrg-Tab03ss.html> (last visited Sept. 19, 2012).

<sup>27</sup>U.S. Census Bureau, 2002 Census of Governments, Government Organization, Special-Purpose Local Governments by State: 1952-2002, available at <http://www.census.gov/prod/2003pubs/gc021x1.pdf>.

<sup>28</sup>The "Brief History of Special Districts in Florida" has been reprinted from the *Florida Special District Handbook* Online. Special District Handbook Online 2012, *supra* note 104 at section 4b.

<sup>29</sup>Chapter 165, *Florida Statutes*, currently is the "Formation of Municipalities Act." The provisions of this chapter relating to special districts was modified and transferred to ch. 189, F.S., by ss. 35-42, ch. 89-169, Laws of Florida.

<sup>30</sup>Chapter 163, *Florida Statutes*. This act was subsequently replaced by Chapter 190, *Florida Statutes*, the Uniform Community Development District Act of 1980.

<sup>31</sup>Section 189.402(2)(a)-(d), *Florida Statutes*; *Forsythe v. Longboat Key Beach Erosion Control Dist.*, 604 So.2d 452 (Fla. 1992).

<sup>32</sup>Section 189.402(2)(e), *Florida Statutes*.

<sup>33</sup>Section 189.403(1), *Florida Statutes*.

<sup>34</sup>*Forsythe*, 604 So.2d at 454.

<sup>35</sup>Section 189.403(2), *Florida Statutes*.

<sup>36</sup>Florida Department of Economic Opportunity, Division of Community Development, Special District Information Program, Official List of Special Districts Online, County and State Totals, <http://www.floridaspecialdistricts.org/OfficialList/totals.cfm#Totals> (last visited October 1, 2013).

<sup>37</sup>Section 189.403(3), *Florida Statutes*.

<sup>38</sup>*Ibid.*

<sup>39</sup>Florida Department of Economic Opportunity, Division of Community Development, Special District Information Program, Official List of Special Districts Online, County and State Totals, <http://www.floridaspecialdistricts.org/OfficialList/totals.cfm#Totals> (last visited October 1, 2013).

<sup>40</sup>State ex rel. City of Gainesville v. St. Johns River Water Mgmt. Dist., 408 So.2d 1067 (Fla. 1st DCA 1982).  
<sup>41</sup>Section 189.402(1), Florida Statutes; Forsythe v. Longboat Key Beach Erosion Control Dist., 604 So.2d 452 (Fla. 1992).  
<sup>42</sup>Section 189.4041, Florida Statutes.  
<sup>43</sup>Ibid.  
<sup>44</sup>Ibid.  
<sup>45</sup>Section 189.404(5), Florida Statutes.  
<sup>46</sup>Section 190.005(2), Florida Statutes.  
<sup>47</sup>Section 163.567, Florida Statutes.  
<sup>48</sup>Chapter 189, Florida Statutes.  
<sup>49</sup>Section 189.4042(1), Florida Statutes.  
<sup>50</sup>Section 189.4042(3)(b)1., Florida Statutes.  
<sup>51</sup>Section 189.4042(3)(b)2., Florida Statutes.  
<sup>52</sup>Section 189.4044, Florida Statutes.  
<sup>53</sup>Section 189.4042(3)(c), Florida Statutes.  
<sup>54</sup>Section 189.4042(5), Florida Statutes.  
<sup>55</sup>Section 189.4042(5)(a), F.S.; see section 189.4042(5)(b), Florida Statutes.  
<sup>56</sup>Section 189.4042(5), Florida Statutes.  
<sup>57</sup>Section 189.4042(5)(c), Florida Statutes.  
<sup>58</sup>Section 189.4042(5)(d), Florida Statutes.  
<sup>59</sup>Section 189.4042(5)(n), Florida Statutes.  
<sup>60</sup>Section 189.4044, Florida Statutes.  
<sup>61</sup>Section 189.4042(3)(c), Florida Statutes.  
<sup>62</sup>Ibid and section 189.4044, Florida Statutes.  
<sup>63</sup>Section 189.4042(7), Florida Statutes.

*Tampa councilmen on a harbor and ship tour in an amphibious vehicle, circa 1943.*



Florida State Archives



# Elections and Results

John French\*

The legal basis for Florida's system of elections is provided by Article VI of the State Constitution and Chapters 97–106 of the *Florida Statutes*, generally referred to as the Election Code.

It is important to note that the Legislature makes frequent changes in the Election Code from session to session and that judicial decisions in this area are having an increasingly strong impact in shaping Florida's election laws. It is therefore prudent to refer to the latest edition of the *Florida Statutes* and the

most recent Laws of Florida for up-to-date information in this area. Inquiries may also be directed to the Division of Elections of the Department of State in Tallahassee.

The Division of Elections section of the Department of State's website ([www.dos.state.fl.us](http://www.dos.state.fl.us)) provides, among other things, up-to-date information on election dates, qualified candidates, primary, runoff and general election statistics, campaign finance information, voter registration, proposed amendments to the Constitution, and historical information on past elections by district or circuit plus Constitutional Amendments.

The National Voter Registration Act of 1993 or "motor-voter" law allows voters to register through the mail and at motor-vehicle, welfare, and other state offices. More than a million Floridians registered to vote during the first year of implementation.

## Election Dates

*General elections*—General elections are held on the first Tuesday after the first Monday in November in even-numbered years. All federal, state, legislative, and county offices are filled at a general election. Proposed amendments to the State Constitution are submitted to the electorate for acceptance or rejection. All registered voters may participate in a general election regardless of party registration.

*Primary elections*—Primary elections are held



Florida State Archives

*LeRoy Collins campaign headquarters on election night, awaiting the returns via newswires and teletype machines, Tallahassee, 1956.*

*\*Most of this is an excerpt from an article on Florida elections by John French that appeared in prior editions of The Florida Handbook. Mr. French was Staff Director for the Committee on Elections of the House of Representatives and Executive Director for The Florida Democratic Party. Updates have been made by editorial staff.*

to choose the nominees of a political party to run in the general election. Only those voters registered in a given party may vote in that party's primaries.

The primary election is held on the Tuesday ten weeks before the general election in each year that a general election is to be held. Additionally, a Presidential preference primary is scheduled in January of presidential election years. The candidate who receives the highest number of the votes cast in his contest in the primary becomes the nominee of his party at the general election.

*Second primary*—In 2001, the Legislature eliminated the second primary from 2002 until January 1, 2004. In 2003 the Legislature extended the moratorium until January 1, 2006. The second primary was permanently eliminated by the 2005 Legislature.

*Unopposed candidates*—When a candidate is unopposed for his party's nomination, he is considered nominated and his name does not appear on the primary ballot. The name of an unopposed candidate does not appear on the general election ballot unless a write-in candidate has qualified pursuant to law.

*Judicial elections*—Justices of the Florida Supreme Court and judges of the district courts of appeal are appointed by the Governor as the culmination of a formal selection process. However, the electorate is given the opportunity every six years to vote on whether they retain their judicial offices. In such elections, the issue posed is, "Shall Justice (Judge) \_\_\_\_\_ be retained in office?" The justice or judge is retained if a majority votes in favor of his retention; if not, the office is deemed vacant and the selection/appointment processes are commenced to fill the vacancy.

Circuit court judges and county judges are elected in nonpartisan judicial elections which coincide with the first primary and the general elections, respectively. As in partisan elections, the names of unopposed candidates do not appear on the judicial ballot unless write-in candidates have qualified pursuant to law. When there are two or more candidates for a judicial post, their names appear on the ballot for the first nonpartisan election, conducted concurrently with the first primary. If no candidate receives a majority of the votes cast, the names of the two candidates receiving the highest number of votes are listed on the second nonpartisan election which is conducted concurrently with the general election. If

the second nonpartisan election results in a tie, the winner is determined by lot.

Chapter 105, *Florida Statutes*, restricts partisan political activities by or on behalf of candidates for judicial office. Judicial candidates report their contributions and expenses on the same basis as other candidates for public office.

## **Vacancies in Office or in Nomination**

*Vacancies in office*—When an elective office becomes vacant due to the death, resignation or removal of the officeholder, the vacancy is filled either by a special election or by appointment by the Governor, depending on the office in question.

*United States Senate*—When a vacancy occurs in the United States Senate, the Governor may appoint someone to the office until the vacancy has been filled at the next general election.

*State Legislature and United States House of Representatives*—When a vacancy occurs in the Florida Legislature or in the United States House of Representatives (vacancies that may not be filled by appointment), the Governor calls a special election to fill the vacated seat. This in turn requires the calling of party primaries for the selection of party nominees.

*Other state and county offices*—Article IV, Section (1)(f) of the Florida Constitution states that, when not otherwise provided, the Governor shall fill by appointment any vacancy in state or county office for the remainder of the term of an elective office if less than 28 months, otherwise until the first Tuesday after the first Monday following the next general election. Vacancies in statutory office are generally filled by the Governor for the unexpired term. However, there are a few such offices in which vacancies are filled until the next general election, at which time candidates run for election to the unexpired term.

*Special elections to fill vacancies in office or in nomination*—When death, resignation, withdrawal, removal, or any other cause or event creates a vacancy in office or in nomination after the last date for filing for a special or primary election and thus leaves no candidates for nomination or election to a county, district or state office, the Governor, after conferring with the Secretary of State, calls a special primary election to select nominees of recognized political

parties to fill the vacancy in nomination or in office. The Secretary of State fixes the latest practicable filing date and also the dates for candidates to file reports of contributions and expenditures.

In the event the vacancy in nomination or in office occurs later than September 15 of a general election year, special primaries are not called and nominations are made by the appropriate state, congressional district, or county executive committee of the political party losing the candidate or nominee.

### **Presidential Electors**

*Nomination by Governor*—The Governor nominates the presidential electors of all political parties who have elected a president of the United States subsequent to January 1, 1900. He nominates the electors from among persons recommended by the state executive committees of the political parties and may nominate only persons who are qualified electors and who have taken an oath that they will vote for the candidate of the party that they are nominated to represent. The Governor certifies to the Secretary of State on or before September 1 in a presidential election year, the names of a number of persons for each political party equal to the number of senators and representatives that Florida has in Congress. These persons are nominated as the electors from this state for President and Vice President of the United States.

A minority political party may devise its own method of selecting its presidential electors.

*Number of electors*—Each state is entitled to as many electoral votes as the total of its senators and representatives in Congress. Florida has two United States Senators and 27 Representatives and is thus entitled to 29 electoral votes.

*Election of Presidential electors*—The names of a party's candidates for President and Vice President appear on the general election ballot instead of the names of that party's nominees for presidential electors. The nominees for presidential elector of the party whose candidate for President receives the most votes in Florida are elected as Florida's presidential electors.



Photo by Mark T. Foley

Jessie "Granny" Edge poses with the Niceville Civic Center sign, Niceville, 1984.

### **Oldest Woman Elected**

Jessie Alma "Granny" Edge was elected at age 83 in July 1983, as a City Councilman of Niceville. She was then believed to be the oldest elected public officer in Florida and perhaps the United States. She defeated a lawyer and a businessman in polling 52 percent of the vote.

Mrs. Edge once said: "I have sixteen grandchildren and six great-grandchildren. I've spent much of my life working for them. Now, as a Council member, I work for the senior citizens and everyone in Niceville. I don't have time to think about myself. If I did, I might get old."

### **First under 21 to Vote**

The Associated Press reported that Miss Rhonda Spence, a 20-year-old student, stepped into a voting booth at DeFuniak Springs on Tuesday, July 13, 1971, and became the first person under the age of twenty-one to vote in Florida.

The daughter of Mr. and Mrs. C. E. Spence was among sixty-six electors between the ages of eighteen and twenty qualified to participate in the election of three city councilmen.

A 20-year-old sailor, Lennie H. Andrews, turned in an absentee ballot on Friday preceding the election but his ballot was opened after Miss Spence voted.

## **Woman's Suffrage and Florida's First Woman Voter**

From the 1890s, Florida women had unsuccessfully urged their legislators to adopt woman's suffrage. In 1915, however, the town of Fellsmere in St. Lucie County applied for its municipal charter. Because women had played an active role in establishing the community, the men included a provision allowing women to vote. It passed the legislature without notice and Mrs. Zena M. Dreier cast the first Florida woman's ballot on June 19, 1915.

In 1917, the right to vote in city elections was granted to women at Florence Villa, Moore Haven, Palm Beach, and Pass-a-Grille, and in 1918 at DeLand, Aurantia, Daytona, Daytona Beach, and Orange City.

The 19th Amendment was submitted to the states by Congress on June 8, 1919. Ratification by sufficient states was achieved on August 26, 1920.

In an election for mayor and constable in Sneads, on August 27, 1920, Mrs. Fay Bridges was Florida's first woman to vote after ratification.

Florida was slow to move on statewide woman's suffrage. When the Legislature did ratify the 19th Amendment to the United States Constitution, it was a symbolic gesture occurring a half century after 38 other states had done so meaningfully. Florida's action occurred on May 13, 1969, and was taken in recognition of the Florida League of Women Voters, an offshoot of the national American Woman Suffrage Association.

### **First Florida Election with Black Participation**

Jerrell H. Shofner, in *Nor Is It Over Yet*, wrote that the election of Adolphus Mot as Mayor of Fernandina in 1865 "must have been the first Florida election in which Negroes participated."

Chief Justice Salmon P. Chase of the United States, on a political visit to Florida at the time, administered the oath to Mot, a Republican. Shofner wrote that Mot was a "well-educated French immigrant," formerly on the personal staff of Chase when he was Secretary of the Treasury.

## **First Woman Sheriff** Source: *Miami Herald*

When Sheriff Claude Simmons of Okeechobee County was felled by pneumonia in 1938, his widow, Eugenia, was left with three teen-age children to support. The townspeople decided she ought to be named Sheriff until an election could be called and Governor Fred P. Cone agreed. So she became Florida's first woman Sheriff. The Simmons family moved into an apartment at the jail, and Sheriff Simmons fed the prisoners the same fare her family received. She never carried a gun or wore a badge. The workaday duties were performed by her husband's brother, Cossie, who had been his deputy and who succeeded him by election. Eugenia Simmons served for nine months and was not a candidate for election. In 1975, she was Mrs. Eugenia Simmons Bowden, twice-widowed, with 14 children or grandchildren. She told The Miami Herald's Al Burt, "To tell you the truth, I never did really feel like I was the Sheriff."

## **First Woman Police Chief** Source: *Miami Herald*

When Mrs. Sue Wegner was sworn in by Mayor Lucie Black as police chief of Minneola on August 21, 1979, she was regarded as Florida's first. Chief Wegner, married and the mother of two teenagers, headed a force of six in Minneola, a Central Florida community of some 1,000. She was a sergeant and the police department's senior officer when she was appointed by City Manager Richard D. Waters.

### **Political Convention Votes for Floridians**

U.S. Senator George A. Smathers received 30 votes for President at the 1960 Democratic National Convention. Since John F. Kennedy was nominated on the first ballot, Florida's votes for Smathers, as a favorite son holding votes in reserve for Kennedy, meant the state was not in the winner's column. In addition to Florida's 29 votes, Smathers also received a half vote each from Alabama and North Carolina.

Other votes for Floridians were cast in Vice Presidential balloting. Claude Pepper, first U.S. Senator and then Congressman, received three votes each at the 1944 and 1972 Democratic conventions. Governor LeRoy Collins was given 28 and one-half votes at the 1976 Democratic convention. U.S. Senator Duncan U. Fletcher received seven votes at the 1928 Democratic convention. J. Leonard Replogle of Palm Beach, Republican national committeeman, won 23 and three-fourths votes at the 1932 Republican convention. Since Florida had 16 votes at that convention, it is obvious that Replogle received votes elsewhere but *Convention Decisions and Voting Records* does not indicate the source of these.

### First Primary Election

W.T. Cash, in his *History of the Democratic Party in Florida*, said a Monroe County primary in 1876 “probably was the first held in Florida.”

Jeptha V. Harris sought the Democratic nomination for the Florida House of Representatives. “Believing that a convention would not pick him,” wrote Cash, “he raised such a protest in behalf of leaving nominations up to the people that a primary was called in which he was selected by a majority of the voters. He won the election. Harris should probably be given credit for being the father of primary nominations in Florida.”

### First Straw Ballot March 4, 1972

Prohibit forced busing	1,127,631 for; 396,778 against
Equal education	1,095,879 for; 293,775 against
Prayer in school	1,171,711 for; 300,745 against

### 18-Year-Old Elected to City Council

John Rama was an 18-year-old high school senior when first elected on February 8, 1977, to the City Council of Belleair Beach. He is said to be the first 18-year-old elected to public office in Pinellas County and possibly in Florida.

### Record Florida Voter Turnout

Nearly 8.4 million Florida voters cast ballots in the 2012 general election, a record number that pushed voter turnout over 70 percent. Some 8,386,164 voters cast ballots, up from 8,351,358 in 2008, which had previously held the record for numerical turnout. At 70.3 percent, Florida’s 2012 participation failed to eclipse the 2008 race in which 75 percent of Florida’s registered voters cast ballots.

### Political Parties

#### Democratic:

State Headquarters: 214 South Bronough St., Tallahassee 32301. (850) 222-3411, Fax: (850) 222-0916. Website: [www.floridadems.com](http://www.floridadems.com). Chairwoman: Allison Tant; Executive Director: Scott Arceneaux.

#### Republican:

State Headquarters: 420 East Jefferson, P.O. Box 311, Tallahassee 32301. (850) 222-7920, Fax: (850) 681-0184. Website: [www.RPOF.org](http://www.RPOF.org). Chairman: Lenny Curry; Executive Director: Juston Johnson.



## Popular Vote in Florida for President

Year	Candidate	Total	% Votes
1848	Zachary Taylor (Whig)	4,177	57.2
	Lewis Cass (Democrat)	3,083	42.8
1852	Franklin Pierce (Democrat)	4,318	60.0
	Winfield Scott (Whig)	2,875	40.0
1856	James Buchanan (Democrat)	6,358	56.8
	Millard Fillmore (American)	4,833	43.2
1860	John C. Breckinridge (Democrat)	8,155	62.2
	John Bell (Constitutional Union)	4,731	36.1
	Stephen A. Douglas (Independent Dem.)	221	1.7
1864	No election		
1868	Republican electors chosen by Legislature		
1872	Ulysses S. Grant (Republican)	17,765	53.5
	Horace Greeley (Democrat, Liberal Republican)	15,428	46.5
1876	Rutherford B. Hayes (Republican)	23,849	51.0
	Samuel J. Tilden (Democrat)	22,923	49.0
1880	Winfield S. Hancock (Democrat)	27,925	54.1
	James A. Garfield (Republican)	23,686	45.9
1884	Grover Cleveland (Democrat)	31,769	53.1
	James G. Blaine (Republican)	28,031	46.9
1888	Grover Cleveland (Democrat)	39,561	58.7
	Benjamin Harrison (Republican)	26,659	39.6
	Alson J. Streeter (Labor)	704	1.0
	Clinton B. Fisk (Prohibition)	417	7
1892	Grover Cleveland (Democrat)	30,143	84.8
	James B. Weaver (People's)	4,843	13.6
	John Bidwell (Prohibition)	570	1.6
1896	William J. Bryan (Democrat)	30,683	66.0
	William McKinley (Republican)	11,288	24.3
	William J. Bryan (People's)	2,053	4.4
	John M. Palmer (National Democrat)	1,778	3.8
	Joshua Levering (Prohibition)	654	1.5
1900	William J. Bryan (Democrat)	29,020	71.1
	William McKinley (Republican)	7,779	19
	William J. Bryan (People's)	1,070	2.6
	John G. Woolley (Prohibition)	2,254	5.5
	Eugene V. Debs (Social Democrat)	662	1.6
1904	Alton B. Parker (Democrat)	27,046	68.8
	Theodore Roosevelt (Republican)	8,314	21.2
	Thomas E. Watson (People's)	1,605	4.1
	Eugene V. Debs (Socialist)	2,337	5.9

<b>Year</b>	<b>Candidate</b>	<b>Total</b>	<b>% Votes</b>
1908	William J. Bryan(Democrat)	31,104	63.0
	William H. Taft (Republican)	10,654	21.6
	Eugene V. Debs (Socialist)	3,747	7.6
	Thomas L. Hisgen (Independence)	553	1.2
	Thomas E. Watson (People's)	1,946	3.9
	Eugene W. Chafin (Prohibition)	1,356	2.7
1912	Woodrow Wilson (Democrat)	36,417	70.2
	William H. Taft (Republican)	4,279	8.2
	Eugene V. Debs (Socialist)	4,806	9.3
	Eugene W. Chafin (Prohibition)	1,854	3.6
	Theodore Roosevelt (Progressive)	4,535	8.7
1916	Woodrow Wilson (Democrat)	55,984	69.3
	Charles E. Hughes (Republican)	14,611	18
	J. Frank Hanly (Prohibition)	4,786	5.9
	A. L. Benson (Socialist)	5,353	6.6
1920	James M. Cox (Democrat)	90,515	58.1
	Warren G. Harding (Republican)	44,853	28.8
	Warren G. Harding (Republican)	10,118	6.5
	Eugene V. Debs (Socialist)	5,189	3.3
	Aaron Sherman (Prohibition)	5,124	3.3
1924	John W. Davis (Democrat)	62,083	56.9
	Calvin Coolidge (Republican)	30,633	28.1
	Herman P. Faris (Prohibition)	5,498	5.0
	Robert M. LaFollette (Progressive)	8,625	7.9
	Gilbert O. Nations (American)	2,315	2.1
1928	Herbert C. Hoover (Republican)	144,168	56.8
	Alfred E. Smith (Democrat)	101,768	40.1
	Norman Thomas (Socialist)	4,036	1.6
	William Z. Foster (Communist)	3,704	1.5
1932	Franklin D. Roosevelt (Democrat)	206,307	74.9
	Herbert C. Hoover (Republican)	69,170	25.1
1936	Franklin D. Roosevelt (Democrat)	249,117	76.1
	Alfred M. Landon (Republican)	78,248	23.9
1940	Franklin D. Roosevelt (Democrat)	359,334	74.0
	Wendell L. Willkie (Republican)	126,158	26.0
1944	Franklin D. Roosevelt (Democrat)	339,377	70.3
	Thomas E. Dewey (Republican)	143,215	29.7
1948	Harry S. Truman (Democrat)	281,988	48.8
	Thomas E. Dewey (Republican)	194,280	33.6
	J. Strom Thurmond (States' Rights)	89,755	15.5
	Henry A. Wallace (Progressive)	11,620	2.1

<b>Year</b>	<b>Candidate</b>	<b>Total</b>	<b>% Votes</b>
1952	Dwight D. Eisenhower (Republican)	544,036	55.0
	Adlai E. Stevenson (Democrat)	444,950	45.0
1956	Dwight D. Eisenhower (Republican)	643,849	57.3
	Adlai E. Stevenson (Democrat)	480,371	42.7
1960	Richard M. Nixon (Republican)	795,476	51.5
	John F. Kennedy (Democrat)	748,700	48.5
1964	Lyndon B. Johnson (Democrat)	948,540	51.1
	Barry M. Goldwater (Republican)	905,941	48.9
1968	Richard M. Nixon (Republican)	886,804	40.5
	Hubert H. Humphrey (Democrat)	676,794	30.9
	George C. Wallace (George Wallace)	624,207	28.5
1972	Richard M. Nixon (Republican)	1,857,759	71.9
	George McGovern (Democrat)	718,117	27.8
	Scattering	7,407	0.3
1976	Jimmy Carter (Democrat)	1,636,000	51.9
	Gerald R. Ford (Republican)	1,469,531	46.6
	Tom Anderson (American)	21,325	0.6
	Eugene J. McCarthy (Independent)	23,645	0.7
1980	Ronald Reagan (Republican)	2,046,951	55.5
	Jimmy Carter (Democrat)	1,419,475	38.5
	Ed Clark (Libertarian)	30,524	0.8
	John B. Anderson (Independent)	189,692	5.1
	Write-in	384	0.0
1984	Ronald Reagan (Republican)	2,730,350	65.3
	Walter Mondale (Democrat)	1,448,816	34.7
	Write-in	885	0.0
1988	George H. W. Bush (Republican)	2,618,885	60.9
	Michael Dukakis (Democrat)	1,656,701	38.5
	Other	26,451	0
1992	George H.W. Bush (Republican)	2,173,316	40.9
	William J. Clinton (Democrat)	2,072,709	39.0
	Ross Perot (No Party)	1,053,076	19.8
	Other	15,317	00.3
1996	William J. Clinton (Democrat)	2,546,600	48.0
	Robert Dole (Republican)	2,244,164	42.3
	Ross Perot (Reform)	483,841	9.1
	Other	28,510	0.6
2000	George W. Bush (Republican)	2,912,790	48.8
	Albert Gore (Democrat)	2,912,253	48.8
	Raph Nader (Green)	97,488	1.6
	Other	40,579	0.6

Year	Candidate	Total	% Votes
2004	George W. Bush (Republican)	3,964,522	52.1
	John Kerry (Democrat)	3,583,544	47.1
	Ralph Nader (Reform)	32,971	0.4
	Other	28,773	0.4
2008	Barack Obama (Democrat)	4,282,074	51.0
	John McCain (Republican)	4,045,624	48.2
	Ralph Nader (Ecology)	28,124	0.3
	Other	34,922	0.5
2012	Barack Obama (Democrat)	4,237,756	50.0
	Mitt Romney (Republican)	4,163,447	49.1
	Gary Johnson (Libertarian)	44,726	0.5
	Other	28,250	0.3

NOTE: Returns for early presidential elections were researched and some revised in 2004.

### 2012 Republican Presidential Preference Primary

Candidate	Total	% Votes
Michele Bachmann	3,967	0.2
Herman Cain	3,503	0.2
Newt Gingrich	534,121	31.9
Jon Huntsman	6,204	0.4
Gary Johnson	1,195	0.1
Ron Paul	117,461	7.0
Rick Perry	6,775	0.4
Mitt Romney	776,159	46.4
Rick Santorum	223,249	13.3



Photo by Beatrice Queral

Political supporters holding up posters in front of the Leon County Courthouse during the 2008 election contest.



Photo by Mike Ewen

Republican presidential candidate Mitt Romney speaking with state Senator John Thrasher, Tallahassee, 2011.

**Voter Participation  
Votes in Florida For President of the United States**

<b>Year</b>	<b># Electors Registered</b>	<b># Votes Cast</b>	<b>% Participation</b>	<b>% Republican</b>	<b>% Democrat</b>	<b>% Others</b>
1948	1,003,503	578,358	57.6	33.6	48.8	17.6
1952	1,339,538	988,986	73.8	55.0	45.0	
1956	1,606,750	1,124,220	70.0	57.3	42.7	
1960	2,016,586	1,544,180	76.5	51.5	48.5	
1964	2,501,546	1,854,481	74.1	48.9	51.1	
1968	2,765,316	2,187,805	79.1	40.5	30.9	28.5
1972	3,487,458	2,583,283	74.1	71.9	27.8	0.3
1976	4,094,308	3,150,499	76.9	46.64	51.93	1.43
1980	4,809,721	3,680,534	76.5	55.51	38.52	5.97
1984	5,574,472	4,180,051	75.8	65.28	34.64	0.08
1988	5,614,539	4,299,149	76.5	60.86	38.52	0.62
1992	6,541,825	5,310,981	81.1	40.9	39.0	20.1
1996	8,077,877	5,444,245	67.4	42.3	48.0	0.5
2000	8,752,717	6,138,765	70.1	48.8	48.8	2.2
2004	10,301,290	7,640,319	74.2	52.1	47.1	0.4
2008	11,247,634	8,453,743	75.2	48.2	51.0	0.5

**Vote for President by County**

<b>County</b>	<b>Republican Mitt Romney</b>	<b>Democrat Barack Obama</b>	<b>Libertarian Gary Johnson</b>
Alachua	48,797	69,699	1,306
Baker	8,975	2,311	41
Bay	56,876	22,051	573
Bradford	8,219	3,325	39
Brevard	159,300	122,993	1,974
Broward	244,101	508,312	2,372
Calhoun	4,366	1,664	48
Charlotte	47,996	35,906	411
Citrus	44,662	28,460	424
Clay	70,022	25,759	506
Collier	96,520	51,698	604
Columbia	18,429	8,462	143
Desoto	5,587	4,174	48
Dixie	5,052	1,798	27
Duval	211,615	196,737	2,325
Escambia	88,711	58,185	1,005

<b>County</b>	<b>Republican Mitt Romney</b>	<b>Democrat Barack Obama</b>	<b>Libertarian Gary Johnson</b>
Flagler	26,969	23,207	252
Franklin	3,570	1,845	19
Gadsden	6,630	15,770	54
Gilchrist	5,917	1,885	58
Glades	2,344	1,603	11
Gulf	4,995	2,014	40
Hamilton	3,138	2,228	14
Hardee	4,696	2,463	38
Hendry	5,355	4,751	32
Highlands	25,915	16,148	195
Hillsborough	250,186	286,467	3,448
Holmes	6,919	1,264	34
Indian River	43,450	27,492	329
Jackson	13,418	7,342	79
Jefferson	3,808	3,945	28
Lafayette	2,668	687	19
Lake	87,643	61,799	799
Lee	154,163	110,157	1,177
Leon	55,805	90,881	1,137
Levy	12,054	6,119	90
Liberty	2,301	942	9
Madison	4,474	4,176	33
Manatee	85,627	66,503	786
Marion	93,043	66,831	806
Martin	48,183	30,107	368
Miami-Dade	332,981	541,440	2,276
Monroe	19,234	19,404	260
Nassau	29,929	10,251	230
Okaloosa	70,168	23,421	848
Okeechobee	7,328	4,856	66
Orange	188,589	273,665	2,839
Osceola	40,592	67,239	458
Palm Beach	247,398	349,651	2,293
Pasco	112,427	98,263	1,695
Pinellas	213,258	239,104	3,329
Polk	131,577	114,622	1,446
Putnam	19,326	11,667	144
Santa Rosa	58,186	17,768	605
Sarasota	110,504	95,119	1,092
Seminole	109,943	96,445	1,604

<b>County</b>	<b>Republican Mitt Romney</b>	<b>Democrat Barack Obama</b>	<b>Libertarian Gary Johnson</b>
St. Johns	78,513	35,190	747
St. Lucie	56,202	65,869	521
Sumter	40,646	19,524	162
Suwannee	12,672	4,751	98
Taylor	6,249	2,764	61
Union	3,980	1,339	27
Volusia	117,490	114,748	1,363
Wakulla	9,290	5,175	112
Walton	21,490	6,671	205
Washington	8,038	2,820	56
<b>Total</b>	<b>4,163,447</b>	<b>4,237,756</b>	<b>44,726</b>
<b>% Votes</b>	<b>49.1%</b>	<b>50.0%</b>	<b>0.5%</b>

### Vote for Governor, General Elections

<b>Year</b>	<b>Candidate</b>	<b># Votes</b>	<b>% Total Vote</b>
1845	William D. Moseley (Democrat)	3,292	55.1
	Richard K. Call (Whig)	2,679	44.9
1848	Thomas Brown (Whig)	3,801	53.1
	William Bailey (Democrat)	3,354	46.9
1852	James E. Broome (Democrat)	4,628	51.6
	George T. Ward (Whig)	4,336	48.4
1856	Madison S. Perry (Democrat)	6,214	51.3
	David S. Walker (American)	5,894	48.7
1860	John Milton (Democrat)	6,994	57.1
	Edward Hopkins (Constitutional Union)	5,248	42.9
1865	David S. Walker (Conservative Dem.)	5,873	100
1868	Harrison Reed (Republican)	14,421	59.1
	Samuel Walker (Radical Republican)	2,251	9.2
	George W. Scott (Democrat)	7,731	31.7
1872	Ossian B. Hart (Republican)	17,603	52.4
	William D. Bloxham (Democrat)	16,004	47.6
1876	George F. Drew (Democrat)	24,179	50.2
	Marcellus L. Stearns (Republican)	23,984	49.8
1880	William D. Bloxham (Democrat)	28,378	54.9
	Simon B. Conover (Republican)	23,297	45.1
1884	Edward A. Perry (Democrat)	32,087	53.5
	Frank W. Pope (Republican)	27,845	46.5
1888	Francis P. Fleming (Democrat)	40,255	60.3
	V. J. Shipman (Republican)	26,485	39.7

<b>Year</b>	<b>Candidate</b>	<b># Votes</b>	<b>% Total Vote</b>
1892	Henry L. Mitchell (D)	32,064	78.8
	Alonzo P. Baskin (People's)	8,309	20.4
	N. J. Hawley (Prohibition)	297	0.8
1896	William D. Bloxham (D)	27,172	66.7
	Edward R. Gunby (R)	8,290	20.4
	William A. Weeks (People's)	5,270	12.9
1900	William S. Jennings (D)	29,251	81.0
	Matthew B. Macfarlane (R)	6,238	17.3
	A. M. Morton (People's)	631	1.7
1904	Napoleon B. Broward (D)	28,971	79.2
	Matthew B. Macfarlane (R)	6,357	17.4
	W. R. Healey	1,270	3.4
1908	Albert W. Gilchrist (D)	33,036	78.8
	John M. Cheney (R)	6,453	15.4
	A. J. Pettigrew (Socialist)	2,427	5.8
1912	Park Trammell (D)	38,977	80.4
	William R. O'Neal (R)	2,646	5.5
	Thomas W. Cox (Socialist)	3,467	7.2
	J. W. Bingham (Prohibition)	1,061	2.2
	William C. Hodges (Progressive)	2,314	4.7
1916	Sidney J. Catts (Democrat/Prohibition)	39,546	47.7
	William V. Knott (D)	30,343	36.6
	George W. Allen (R)	10,333	12.5
	C. C. Allen (Socialist)	2,470	3.0
	Noel A. Mitchell	193	0.2
1920	Cary A. Hardee (D)	103,407	77.9
	George E. Gay (R)	23,788	17.9
	W. L. VanDuzer (R)	2,654	2.0
	F. C. Whitaker (Socialist)	2,823	2.2
1924	John W. Martin (D)	84,181	82.8
	William R. O'Neal (R)	17,499	17.2
1928	Doyle E. Carlton (D)	148,455	61.0
	W. J. Howey (R)	95,018	39.0
1932	Dave Sholtz (D)	186,270	66.6
	W. J. Howey (R)	93,323	33.4
1936	Fred P. Cone (D)	253,638	80.9
	E. E. Callaway (R)	59,832	19.1
1940	Spessard L. Holland (D)	334,152	100.0
	(No Opponent)		
1944	Millard F. Caldwell (D)	361,007	78.9
	Bert L. Acker (R)	96,321	21.1



<b>Year</b>	<b>Candidate</b>	<b># Votes</b>	<b>% Total Vote</b>
1948	Fuller Warren (D)	381,459	83.4
	Bert L. Acker (R)	76,153	16.6
1952	Daniel McCarty (D)	624,463	74.8
	Harry S. Swan (R)	210,009	25.2
NOTE: The election in 1954 was for the two years remaining the late Governor Dan McCarty's term.			
1954	LeRoy Collins (D)	287,769	80.5
	J. Tom Watson (R)	69,852	19.5
	(Watson died before election.)		
1956	LeRoy Collins (D)	747,753	73.7
	William A. Washburne, Jr. (R)	266,980	26.3
1960	Farris Bryant (D)	849,407	59.8
	George C. Petersen (R)	569,936	40.2
NOTE: The election in 1964 was for a two-year term to shift elections for State offices from presidential election years.			
1964	Haydon Burns (D)	933,554	56.1
	Charles R. Holley (R)	686,297	41.3
	Write-in votes for others	43,630	2.6
1966	Robert King High (D)	668,223	44.9
	Claude R. Kirk (R)	821,190	55.1
1970	Reubin O'D. Askew and Tom Adams (D)	984,305	56.9
	Claude R. Kirk, Jr., and Ray C. Osborne (R)	746,243	43.1
1974	Reubin O'D. Askew and J. H. "Jim" Williams (D)	1,118,954	61.2
	Jerry Thomas and Mike Thompson (R)	709,438	38.8
1978	D. Robert "Bob" Graham and Wayne Mixson (D)	1,406,580	55.6
	Jack Eckerd and Paula Hawkins (R)	1,123,888	44.4
1982	D. Robert "Bob" Graham and Wayne Mixson (D)	1,739,553	64.7
	Louis A. "Skip" Bafalis and Leo Callahan (R)	949,023	35.3
1986	Steve Pajcic and Frank Mann (D)	1,538,620	45.44
	Robert "Bob" Martinez and Bobby Brantley (R)	1,847,525	54.5
1990	Lawton M. Chiles and Kenneth H. "Buddy" MacKay (D)	1,988,341	56.5
	Robert "Bob" Martinez and Allison Defoor (R)	1,526,738	43.4
1994	Lawton M. Chiles and Kenneth H. "Buddy" MacKay (D)	2,135,008	50.8
	John E. Bush and Thomas C. Feeney (R)	2,071,068	49.2
1998	Kenneth H. "Buddy" MacKay and Rick Dantzler (D)	1,773,054	44.7
	John E. Bush and Frank Brogan (R)	2,192,105	55.3
2002	William (Bill) McBride and Tom Rossin (D)	2,201,427	43.2
	John E. Bush and Frank Brogan (R)	2,856,845	56.0
	Robert Kunst and Linda Milowitz (NPA)	42,039	0.8

Year	Candidate	# Votes	% Total Vote
2006	Charles J. Crist, Jr. and Jeffrey D. Kottkamp (R)	2,519,845	52.2
	James O. Davis, III and Daryl L. Jones (D)	2,178,289	45.1
	Max Lin and Tom Macklin (Reform)	92,595	1.9
	John Wayne Smith and James Kearney (NPA)	15,987	0.3
	Richard Dembinsky and Joseph Smith (NPA)	11,921	0.2
	Karl C.C. Behm and Carol Castagnero (NPA)	10,486	0.2
	Write-in votes for others	147	0.0
2010	Rick Scott and Jennifer Carroll (R)	2,618,419	48.87
	Alex Sink and Rod Smith (D)	2,556,453	47.71
	Peter Allen and John E. Zanni (IDP)	123,782	2.31
	Michael E. Arth and Al Krulick (NPA)	18,636	0.35
	Farid Khavari and Darcy G. Richardson (NPA)	7,484	0.14
	C. C. Reed and Larry Waldo, Sr. (NPA)	18,832	0.35
	Daniel Imperato and Karl C. C. Behm (NPA)	13,682	0.26
	Josue Larose and Valencia St. Louis (WRI)	525	0.01

### Vote for Governor, Democratic Primaries

Between 1913 and 1931, Florida used a one-primary system intended to serve the same purpose as the present double primary in selecting party nominees. It also was the hope that the elimination of the second primary would reduce the expense of campaigns. Each voter had the opportunity of marking the ballot for both a first and a second choice when there were more than two candidates. The two candidates receiving the most first choice votes were then additionally awarded the second-choice votes marked for them by first-choice supporters of only the eliminated candidates. The total of these first and second choice votes determined the winner. It was not mandatory for the voter to mark two choices and many did not.

Year	Candidate	1st Choice Votes	2nd Choice Votes
1916	William V. Knott, Tallahassee	24,765	8,674
	Sidney J. Catts, DeFuniak Springs	30,067	3,351
	Ion L. Farris, Jacksonville	13,609	
	F. M. Hudson, Miami	7,418	
	F. A. Wood, St. Petersburg	7,674	
1920	Cary A. Hardee, Live Oak	52,591	1,559
	Lincoln Hulley, DeLand	5,591	
	Van C. Swearingen, Jacksonville	30,240	1,459
1924	John W. Martin, Jacksonville	55,715	17,339
	Sidney J. Catts, DeFuniak Springs	43,230	6,067
	Frank E. Jennings, Jacksonville	37,962	
	Charles H. Spencer, Tampa	1,408	
	Worth W. Trammell, Miami	8,381	

1928	Doyle E. Carlton, Tampa	77,569	28,471
	J. M. Carson, Miami	3,271	
	Sidney J. Catts, DeFuniak Springs	68,984	9,066
	Fons A. Hathaway, Jacksonville	67,849	
	John S. Taylor, Largo	37,304	

<b>Year</b>	<b>Candidate</b>	<b>1st Primary</b>	<b>2nd Primary</b>
1932	David Sholtz, Daytona Beach	55,406	173,540
	Stafford Caldwell, Miami	44,938	
	Charles M. Durrance, Jacksonville	36,291	
	Arthur Gomez, Key West	9,244	
	Cary A. Hardee, Live Oak	50,427	
	Thomas S. Hart, Tampa	9,525	
	John W. Martin, Jacksonville	66,940	102,805
	J. Tom Watson, Tampa	3,949	
1936	Fred P. Cone, Lake City	46,842	184,540
	Grady Burton, Wauchula	24,985	
	Stafford Caldwell, Jasper	19,789	
	Jerry W. Carter, Tallahassee	35,578	
	Dan Chappell, Miami	29,494	
	R. B. Gautier, Miami	1,607	
	William C. Hodges, Tallahassee	46,471	
	Amos Lewis, Marianna	8,068	
	Carl Maples, Wakulla	2,389	
	Mallie Martin, Crestview	4,264	
	B. F. Paty, West Palm Beach	34,153	
	W. Raleigh Petteway, Tampa	51,705	129,150
	Peter Tomasello, Jr., Okeechobee	22,355	
	J. R. Yearwood, Winter Haven	1,049	
1940	Spessard L. Holland, Bartow	118,862	272,718
	James Barbee, Jacksonville	33,699	
	J. H. Clancy, Panama City	2,703	
	Walter B. Fraser, St. Augustine	36,855	
	Carl Maples, Wakulla	2,426	
	B. F. Paty, West Palm Beach	75,608	
	Burton Schoepf, Tampa	8,055	
	Frederick Van Roy, Crystal River	2,716	
	Fuller Warren, Jacksonville	83,316	
	Hans Walker, Ocala	21,666	
	Francis P. Whitehair, DeLand	95,431	206,158

<b>Year</b>	<b>Candidate</b>	<b>1st Primary</b>	<b>2nd Primary</b>
1944	Millard F. Caldwell, Tallahassee	116,111	215,485
	J. Edwin Baker, Umatilla	27,028	
	Ernest R. Graham, Pennsuco	91,174	
	R. A. (Lex) Green, Starke	113,300	174,100
	Raymond Sheldon, Tampa	27,940	
	Frank D. Upchurch, St. Augustine	30,524	
1948	F. D. Akin, Miami	2,792	
	Richard H. Cooper, DeLand	8,152	
	Colin English, Fort Myers	89,158	
	Bernarr Macfadden, Miami Beach	4,540	
	Dan McCarty, Fort Pierce	161,788	276,425
	Basil H. Pollitt, Miami	1,261	
	W. A. Shands, Gainesville	62,358	
	Fuller Warren, Jacksonville	183,326	299,641
	J. Tom Watson, Tampa	51,505	
1952	Alto Adams, Fort Pierce	126,426	
	Bill Hendrix, Oldsmar	11,208	
	Dan McCarty, Fort Pierce	361,427	384,200
	Brailey Odham, Sanford	232,565	336,716
	Dale E. Spencer, Kissimmee	6,871	
NOTE: The primaries in 1954 were for the two years remaining of the late Governor Dan McCarty's term.			
1954	LeRoy Collins, Tallahassee	222,791	380,323
	Charley E. Johns, Starke	255,787	314,198
	Brailey Odham, Sanford	187,782	
1956	Farris Bryant, Jacksonville	110,469	
	LeRoy Collins, Tallahassee	434,274	
	Sumter L. Lowry, Tampa	179,019	
	W. B. (Bill) Price, Jacksonville	3,245	
	Peaslee Streets, Lake Park	5,086	
	Fuller Warren, Miami Beach	107,990	
1960	Harvie J. Belser, Bonifay	30,736	
	Farris Bryant, Ocala	193,507	12,757
	Haydon Burns, Jacksonville	166,352	
	Doyle E. Carlton, Jr., Wauchula	186,228	16,052
	Thomas E. David, Hollywood	80,057	
	Fred O. Dickinson, West Palm Beach	115,520	
	George Downs, Winter Park	6,320	
	Bill Hendrix, Oldsmar	8,517	
	John M. McCarty, Fort Pierce	144,750	
	Jim McCorvey, Hialeah	5,080	

<b>Year</b>	<b>Candidate</b>	<b>1st Primary</b>	<b>2nd Primary</b>
1964	Haydon Burns, Jacksonville	312,453	648,093
	Fred O. Dickinson, West Palm Beach	184,865	
	Robert King High, Miami	207,280	465,547
	Frederick B. Karl, Daytona Beach	85,953	
	Scott Kelly, Lakeland	205,078	
	John E. (Jack) Mathews, Jacksonville	140,210	
1966	Haydon Burns, Jacksonville	372,451	509,271
	Sam Foor, Tallahassee	11,343	
	Robert King High, Miami	338,281	596,471
	Scott Kelly, Lakeland	331,580	
NOTE: Between 1970 and 2002, candidates for Governor and Lieutenant Governor ran in tandem. First named is the candidate for Governor.			
1970	Reubin O'D. Askew, Pensacola, and Tom Adams, Orange Park	206,333	447,025
	Earl Faircloth, Miami, and George G. Tapper, Port St. Joe	227,413	328,038
	Chuck Hall, Miami, and Pat Thomas, Quincy	139,384	
	John E. Mathews, Jacksonville, and Elton J. Gissendanner, North Miami	186,053	
1974	Tom Adams, Tallahassee and Burl McCormick, Hialeah	85,557	
	Reubin O'D. Askew, Pensacola, and J. H. "Jim" Williams, Ocala	579,137	
	Norman Bie, Clearwater, and Florence S. Keen, Palm Beach	39,758	
	Ben Hill Griffin, Jr., and Eleanor F. Griffin, Frostproof	137,008	
1978	LeRoy Eden, Miami Beach, and Maria Kay, Miami Beach	13,864	
	Bob Graham, Miami Lakes, and Wayne Mixson, Marianna	261,972	482,535
	Claude R. Kirk, Jr., Tallahassee, and Mary L. Singleton, Tallahassee	62,534	
	Robert L. Shevin, Tallahassee, and Jim Glisson, Eustis	364,732	418,636
	Bruce A. Smathers, Tallahassee, and Charles W. Boyd, Hollywood	85,298	
	Hans Tanzler, Jr., Jacksonville, and Manuel Arques, Miami	124,706	
	Jim Williams, Ocala, and Betty Castor, Tampa	124,427	
1982	Bob Graham, Tallahassee, and Wayne Mixson, Tallahassee	839,320	
	Fred Kuhn, Homestead, and Jeffrey L. Latham, Davie	93,078	
	Robert P. (Bob) Kunst, Gainesville, and Gary Bryant, Miami	61,136	

<b>Year</b>	<b>Candidate</b>	<b>1st Primary</b>	<b>2nd Primary</b>
1986	Mark Kane Goldstein, Gainesville, and Morris H. Wolff, West Palm Beach	54,077	
	Harry A. Johnston, West Palm Beach, and Mark Gibbons, Tampa	258,038	
	Steve Pajcic, Jacksonville, and Frank Mann, Fort Myers	361,359	429,427
	Jim Smith, Tallahassee, and Marshall S. Harris, Coral Gables	310,479	418,614
	Joan L. Wollin, Tavares, and Sy Simons, Hallandale	22,709	
1990	Lawton Chiles, Tallahassee, and Kenneth H. (Buddy) MacKay, Ocala	746,325	
	Bill Nelson, Melbourne, and Tom Gustafson, Fort Lauderdale	327,731	
1994	Lawton Chiles, Tallahassee, and Kenneth H. (Buddy) MacKay, Ocala	597,412	
	Jack Gargan, Cedar Key, and James King, Naples	230,395	
1998	Kenneth H. (Buddy) MacKay, Ocala, and Rick Dantzler, Winter Haven	Unopposed	
2002	William “Bill” McBride, Tampa	602,352	
	Janet Reno, Miami	597,558	
	Daryl L. Jones, Miami	157,107	
2006	James O. Davis, Tampa	405,879	
	Rod Smith, Gainesville	353,161	
	Carol Castagnero, Lakeland	45,161	
	Glenn Burkett, Panama City	32,984	
	John M. Crotty, Maitland	20,629	
2010	Alex Sink, Thonotosassa	669,640	
	Brian P. Moore, Hernando	201,705	

### Vote for Governor, Republican Primaries

<b>Year</b>	<b>Candidate</b>	<b>1st Primary</b>	<b>2nd Primary</b>
1952	Bert Leigh Acker, Miami	9,728	5,995
	Elmore F. Kitzmiller, Dunedin	5,050	
	Harry S. Swan, Miami Shores	11,148	10,217
NOTE: The primaries in 1954 were for the two years remaining of the late Governor Dan McCarty’s term.			
1954	Charles E. Compton, Miami	11,552	
	J. Tom Watson, Tampa	24,429	
1960	George C. Petersen, Fort Lauderdale	65,202	
	Emerson H. Rupert, St. Petersburg	24,484	
1964	Ken Folks, Orlando	26,815	
	H. B. (Bob) Foster, Fort Myers	33,563	
	Charles R. Holley, St. Petersburg	70,573	

<b>Year</b>	<b>Candidate</b>	<b>1st Primary</b>	<b>2nd Primary</b>
1966	Claude R. Kirk, Jr., Jacksonville	100,838	
	Richard B. Muldrew, Melbourne	23,953	
NOTE: Between 1970 and 2002, candidates for Governor and Lieutenant Governor ran in tandem. First named is the candidate for Governor.			
1970	L. A. (Skip) Bafalis, Palm Beach, and Ward Dougherty, Lutz	48,378	
	Jack M. Eckerd, St. Petersburg, and Robert H. Elrod, Windermere	137,731	152,327
	Claude R. Kirk, Jr., Palm Beach, and Ray C. Osborne, St. Petersburg	172,888	199,943
1974	Jerry Thomas, Jupiter, and Mike Thompson, Coral Gables	Unopposed	
1978	Jack M. Eckerd, Clearwater, and Paula Hawkins, Maitland	244,394	
	Lou Frey, Jr., Winter Park, and S. Peter Capua, Miami	138,437	
1982	L. A. "Skip" Bafalis, Fort Myers Beach, and Leo Callahan, Fort Lauderdale	325,108	
	Vernon Davids, Winter Garden, and Wendell Davids, Englewood	51,340	
1986	Chester E. Clem, Vero Beach, and Tom Bush, Fort Lauderdale	44,438	
	Lou Frey, Jr., Winter Park, and Marilyn Evans-Jones, Melbourne	138,017	131,652
	C. Thomas Gallagher, Miami, and Betty Easley, Largo	127,709	
	Robert Martinez, Tampa, and Bobby Brantley, Longwood	244,499	259,333
1990	Robert Martinez, Tampa, and Allison DeFoor, Key West	460,718	
	Marlene Woodson-Howard, Bradenton, and Eric H. Wieler, St. Petersburg	132,565	
	John Davis, Largo, and Walter Murray, Kenneth City	34,720	
	Warren Folks, Jacksonville, and Charles McDonald, Miami	11,587	
	Anthony Martin, Fort Lauderdale, and Barbara Lindsey, Stuart	28,591	
1994	John E. Bush, Miami and Tom Feeney, Orlando	408,968	
	James Smith, Tallahassee and Barbara Todd, Clearwater	165,045	
	C. Thomas Gallagher, Tallahassee and Curt Kiser, Palm Harbor	116,284	
	Ander Crenshaw, Jacksonville and Chester Clem, Vero Beach	107,692	
	Kenneth L. Conner, Tallahassee and Mel Martinez, Orlando	83,504	
	Josephine A. Arnold, Largo and Robert Brown, Boynton Beach	8,277	
	Robert Bell, Miami and George Roller, Miami	5,156	
1998	John E. Bush, Miami and Frank Brogan, Stuart	Unopposed	
2002	John E. Bush, Miami	Unopposed	
2006	Charles J. Crist, Jr., Tallahassee	629,842	
	C. Thomas Gallagher, Tallahassee	329,582	
	Vernon Palmer, Miami	13,528	
	Michael W. St. Jean, Jacksonville	11,429	
2010	Mike McAlister, Plant City	130,991	
	Bill McCollum, Sanford	563,538	
	Rick Scott, Naples	599,909	

## Vote for U.S. Senator, General Elections

NOTE: Prior to the ratification of the seventeenth amendment to the U.S. Constitution in 1913, the Florida Legislature elected the U.S. Senators. With statewide primaries displacing political party conventions in 1902, the Legislature accepted the nominee of the Democratic Party as its choice.

<b>Year</b>	<b>Candidate</b>	<b>Total Vote</b>	<b>% Total Vote</b>
1916	Park Trammell (D)	58,391	82.9
	W. R. O'Neal (R)	8,774	12.5
	R. L. Goodwin (Socialist)	3,304	4.6
1920	Duncan U. Fletcher (D)	98,957	69.5
	John M. Cheney (R)	37,065	26.0
	G. A. Klock (Republican, White)	2,847	2.0
	M. J. Martin (Socialist)	3,525	2.5
1922	Park Trammell (D)	45,707	88.3
	W. C. Lawson (Independent Republican)	6,074	11.7
1926	Duncan U. Fletcher (D)	51,054	77.9
	W. R. O'Neal (R)	6,133	9.4
	John M. Lindsay (Rep. Del. Convention)	8,381	12.7
1928	Park Trammell (D)	153,816	68.5
	Barclay H. Warburton (R)	70,633	31.5
1932	Duncan U. Fletcher (D)	204,651	100
	(Unopposed)		
1934	Park Trammell (D)	131,780	100
	(Unopposed)		
1936	Claude Pepper (D)	246,050	100
	(Unopposed in his district)		
	Charles O. Andrews (D)	241,528	81.0
1938	H. C. Babcock (R)	57,016	19.0
	Claude Pepper (D)	145,757	82.4
	Thos. E. Swanson (R)	31,035	17.6
1940	Charles O. Andrews (D)	323,216	100.0
	Miles H. Draper (R)	Withdrew	
1944	Claude Pepper (D)	335,685	71.3
	Miles H. Draper (R)	135,258	28.7
1946	Spessard L. Holland (D)	156,232	78.7
	J. Harry Schad (R)	42,408	21.3
1950	George A. Smathers (D)	238,987	76.3
	John P. Booth (R)	74,228	23.7
1952	Spessard L. Holland (D)	616,665	100.0
	(Unopposed)		
1956	George A. Smathers (D)	655,418	100.0
	(Unopposed)		



<b>Year</b>	<b>Candidate</b>	<b>Total Vote</b>	<b>% Total Vote</b>
1958	Spessard L. Holland (D)	386,113	71.2
	Leland Hyzer (R)	155,956	28.8
1962	George A. Smathers (D)	657,633	66.6
	Emerson Rupert (R)	329,381	33.4
Note: The two-year election in 1964 was to shift elections for State office from Presidential election years.			
1964	Spessard L. Holland (D)	997,585	64.0
	Claude R. Kirk, Jr. (R)	562,212	36.0
1968	Edward J. Gurney (R)	1,131,499	55.9
	LeRoy Collins (D)	892,637	44.1
1970	Lawton M. Chiles, Jr. (D)	902,438	53.9
	William C. Cramer (R)	772,817	46.1
1974	Richard (Dick) Stone (D)	781,031	43.4
	Jack Eckerd (R)	736,674	40.9
	John Grady (American)	282,659	15.7
1976	Lawton M. Chiles, Jr. (D)	1,810,518	63.1
	John Grady (R)	1,057,886	36.9
1980	Paula Hawkins (R)	1,819,189	51.6
	William D. (Bill) Gunter, Jr. (D)	1,705,086	48.3
	Write-in	159	
1982	Lawton M. Chiles, Jr. (D)	1,636,857	61.7
	Van B. Poole (R)	1,014,551	38.2
	Write-in	421	
1986	D. Robert (Bob) Graham (D)	1,877,231	54.74
	Paula Hawkins (R)	1,551,888	45.26
	Write-in	77	
1988	Connie Mack (R)	2,049,329	50.4
	Kenneth H. (Buddy) MacKay, Jr. (D)	2,015,717	49.6
	Write-in	585	
1992	D. Robert (Bob) Graham, (D)	3,244,299	65.4
	James W. (Bill) Grant (R)	1,715,156	34.6
1994	Connie Mack (R)	2,894,726	70.5
	Hugh Rodham (D)	1,210,412	29.5
	Write-in	1,038	
1998	D. Robert (Bob) Graham (D)	4,048,408	62.7
	Charles J. (Charlie) Crist, Jr. (R)	2,408,376	37.3
2000	C. William (Bill) Nelson (D)	2,989,487	51.0
	Ira William (Bill) McCollum, Jr. (R)	2,705,348	46.2
	Willie Logan (NPA)	80,830	1.4
	Others	81,066	1.4

<b>Year</b>	<b>Candidate</b>	<b>Total Vote</b>	<b>% Total Vote</b>
2004	Mel Martinez (R)	3,672,864	49.4
	Elizabeth (Betty) Castor (D)	3,590,201	48.3
	Dennis F. Bradley (Vet.)	166,642	2.2
	Others	187	
2006	C. William (Bill) Nelson (D)	2,890,548	60.3
	Katherine Harris (R)	1,826,127	38.1
	Belinda Noah (NPA)	24,880	0.5
	Brian Moore (NPA)	19,695	0.4
	Floyd R. Frazier (NPA)	16,628	0.3
	Roy Tanner (NPA)	15,562	0.3
	Write-in votes for others	94	0.0
2010	Marco Rubio (R)	2,644,539	48.9
	Kendrick B. Meek (D)	1,092,059	20.1
	Charlie Crist (NPA)	1,606,726	29.7
	Alexander A. Snitker (LBT)	24,831	0.46
	Sue Askeland (NPA)	15,336	0.28
	Rick Tyler (NPA)	7,394	0.14
	Bernie DeCastro (CPF)	4,787	0.09
	Lewis J. Armstrong (NPA)	4,436	0.08
	Bobbie Bean (NPA)	4,301	0.08
	Bruce R. Riggs (NPA)	3,643	0.07
	Others	86	
2012	Bill Nelson (D)	4,523,451	55.2
	Connie Mack (R)	3,458,267	42.2
	Bill Gaylor (NPA)	126,079	1.5
	Chris Borgia (NPA)	82,089	1.0
	Others	60	

### Vote for U.S. Senator, Democratic Primaries

<b>Year</b>	<b>Candidate</b>	<b>1st Primary</b>	<b>2nd Primary</b>
1904	James P. Taliaferro	22,222	24,066
	John Stockton	12,771	20,695
	William S. Jennings	9,245	
	Wilkinson Call	1,168	
1908	Duncan U. Fletcher	17,308	29,151
	Napoleon Broward	19,078	25,563
	William B. Lamar	12,572	
	John Beard	4,592	

1910	Napoleon Broward	21,146	25,780
	James P. Taliaferro	21,077	23,193
	Claude L'Engle	4,667	

Senator-elect Broward died before taking office. A primary election to succeed Broward was held January 31, 1911.

1911	Nathan P. Bryan	9,749	19,981
	William A. Blount	13,808	19,381
	John Stockton	7,462	

Year	Candidate	1st Choice Votes	2nd Choice Votes
1916	Park Trammell	37,575	6,014
	Nathan P. Bryant	19,536	3,647
	Albert W. Gilchrist	9,863	
	Perry G. Wall	14,404	
1920	Duncan U. Fletcher	62,304	
	Sidney J. Catts	25,007	
1922	Park Trammell	59,232	
	Albert W. Gilchrist	29,527	
1926	Duncan U. Fletcher	63,760	812
	Jerry W. Carter	39,143	932
	John A. VanValzah	4,226	
1928	Park Trammell	138,534	
	John W. Martin	100,454	

Year	Candidate	1st Primary	2nd Primary
1932	Duncan U. Fletcher	Unopposed	
1934	Park Trammell	81,321	103,028
	Charles A. Mitchell	30,455	
	Claude Pepper	79,396	698,978
	James F. Sikes	14,558	
	Hortense K. Wells	8,167	
1936	Claude Pepper	Unopposed	
(Two seats open for election)			
	Charles O. Andrews	67,387	
	Doyle E. Carlton	62,530	
1938	Claude Pepper	242,350	
	T. C. Merchant	4,066	
	Finley Moore	5,417	
	David Sholtz	52,785	
	J. Mark Wilcox	110,675	

<b>Year</b>	<b>Candidate</b>	<b>1st Primary</b>	<b>2nd Primary</b>
1940	Charles O. Andrews	179,195	312,293
	Jerry W. Carter	80,869	137,641
	Charles Francis Coe	33,463	
	Fred P. Cone	68,584	
	O. B. Hazen	4,370	
	Bernarr Macfadden	71,487	
	1944	Claude Pepper	194,445
Alston Cockrell		9,551	
Millard B. Conklin		33,317	
J. Ollie Edmunds		127,158	
Finley Moore		14,445	
1946	Spessard L. Holland	204,352	
	Polly Rose Balfe	14,553	
	Henry M. Burch	8,600	
	R. A. (Lex) Green	109,040	
1950	Claude Pepper	319,754	
	George A. Smathers	387,215	
1952	William A. Gaston	91,011	
	Spessard L. Holland	485,515	
1956	Erle L. Griffis	87,525	
	George A. Smathers	614,663	
1958	Spessard L. Holland	408,084	
	Claude Pepper	321,377	
1962	Roger L. Davis	74,565	
	George A. Smathers	587,562	
	Douglas Randolph Voorhees	35,832	
1964	Spessard L. Holland	676,014	
	Brailey Odham	289,454	
1968	LeRoy Collins	426,096	410,689
	Earl Faircloth	397,642	407,696
	Sam Foor	17,725	
	Richard Lafferty	19,100	
1970	Farris Bryant	240,222	247,211
	Lawton M. Chiles, Jr.	188,300	474,420
	Joel T. Daves, III	33,939	
	Alcee Hastings	91,948	
	Frederick H. Schultz	175,745	

<b>Year</b>	<b>Candidate</b>	<b>1st Primary</b>	<b>2nd Primary</b>
1974	George Balmer	24,408	
	Robert Brewster	19,913	
	William D. (Bill) Gunter	236,185	311,044
	David B. Higginbottom	17,401	
	Mallory E. Horne	90,684	
	Neal E. Justin	14,961	
	Duaine E. Macon	10,525	
	Richard A. Pettigrew	146,728	
	Richard (Dick) Stone	157,301	321,683
	Glenn W. Turner	51,326	
	Burton Young	23,199	
1976	Lawton M. Chiles, Jr.	Unopposed	
1980	John B. Coffey	17,410	
	William D. (Bill) Gunter	335,859	594,676
	Kenneth H. (Buddy) MacKay	272,538	
	James L. (Jim) Miller	18,118	
	Richard A. (Dick) Pettigrew	108,154	
	Richard (Dick) Stone	355,287	554,268
1982	Lawton M. Chiles	Unopposed	
1986	D. Robert (Bob) Graham	851,586	
	Robert P. (Bob) Kunst	149,797	
1988	Patricia Frank	119,277	
	William D. (Bill) Gunter	383,721	340,918
	Claude Kirk	51,387	
	Kenneth H. (Buddy) MacKay	263,946	369,266
	Dan Mica	179,524	
	Fred Rader	11,820	
1992	D. Robert (Bob) Graham	968,618	
	Jim Mahorner	180,405	
1994	Arturo Perez	148,930	
	Hugh Rodham	253,079	221,424
	Ellis Rubin	159,286	
	Mike Wiley	185,970	159,776
1998	D. Robert (Bob) Graham	Unopposed	
2000	C. William (Bill) Nelson	Unopposed	
2004	Elizabeth Castor	669,346	No 2nd
	Peter Deutsch	321,922	primary
	Bernard E. Klein	45,347	
	Alex Penelas	115,898	
2006	C. William (Bill) Nelson	Unopposed	

<b>Year</b>	<b>Candidate</b>	<b>1st Primary</b>	<b>2nd Primary</b>
2010	Kendrick B. Meek	528,266	
	Jeff Greene	284,948	
	Glenn A. Burkett	59,840	
	Maurice A. Ferre	45,219	
2012	C. William (Bill) Nelson	690,112	
	Glenn A. Burkett	185,629	

### Vote for U.S. Senator, Republican Primaries

<b>Year</b>	<b>Candidate</b>	<b>1st Primary</b>	<b>2nd Primary</b>
1968	Herman W. Goldner	42,347	
	Edward J. Gurney	169,805	
1970	George Balmer	10,947	
	G. Harrold Carswell	121,281	
	William C. Cramer	220,553	
1974	Jack Eckerd	186,897	
	Paula Hawkins	90,049	
1976	Walter Sims	74,684	
	John Grady	164,644	
	Helen S. Hansel	62,718	
1980	Ander Crenshaw	54,767	
	Lewis Dinkins	15,174	
	Lou Frey, Jr.	119,834	182,911
	Paula Hawkins	209,856	293,600
	Ellis Rubin	19,900	
	John T. Ware	16,341	
1982	David H. Blutworth	116,030	95,024
	Van B. Poole	154,158	131,638
	George Snyder	100,607	
1986	Paula Hawkins	491,953	
	Jon Larsen Shudlick,	62,474	
1988	Connie Mack	405,296	
	Robert W. Merkle	250,750	
1992	Hugh Brotherton	126,878	
	James W. "Bill" Grant	413,457	
	Hugh Quartel	195,524	
1994	Connie Mack	Unopposed	
1998	Charles J. Crist, Jr.	365,894	
	Andy Martin	184,739	
2000	Ira William (Bill) McCollum	Unopposed	

Year	Candidate	1st Primary	2nd Primary
2004	Johnnie Byrd	68,982	
	Doug Gallagher	158,360	
	Larry Klayman	13,257	
	William Billy Kogut	3,695	
	Sonya March	17,804	
	Mel Martinez	522,994	
	Ira William (Bill) McCollum	360,474	
	Karen Saull	20,365	
2006	LeRoy Collins, Jr.	146,487	
	Katherine Harris	474,057	
	William Richard (Will) McBride	287,288	
	Peter Monroe	51,253	
2010	Marco Rubio	1,069,936	
	William Kogut	112,080	
	William Escoffery III	82,426	
2012	Connie Mack	661,570	
	Dave Weldon	226,901	
	Mike McCalister	156,158	
	Marielena Stuart	82,390	

### Vote for U.S. Representative, 2010 and 2012 General Elections

NOTE: Elections results dating back to 1978 are available online through the Florida Division of Elections at <http://doe.dos.state.fl.us/elections/resultsarchive/index.asp>

#### 2010

	Candidate	Total Votes
1st District	Jeff Miller (R)	170,821
	Joe Cantrell (NA)	23,250
2nd District	Steve Southerland (R)	36,371
	Allen Boyd (D)	105,211
3rd District	Corrine Brown (D)	94,744
	Michael Yost (R)	50,932
4th District	Ander Crenshaw (R)	178,238
	Troy D. Stanley (NPA)	52,540
5th District	Richard B. Nugent (R)	208,815
	James Piccillo (D)	100,858
6th District	Clifford B. Stearns (R)	179,349
	Steve Schonberg (NPA)	71,632
7th District	John L. Mica (R)	185,470
	Heather Beaver (D)	83,206

8th District	Daniel Webster (R)	123,586
	Alan Grayson (D)	84,167
9th District	Gus Michael Bilirakis (R)	165,433
	Anita de Palma (D)	66,158
10th District	Bill C.W. Young (R)	137,943
	Charlie Justice (D)	71,313
11th District	Kathy Castor (D)	91,328
	Mike Prendergast (R)	61,817
12th District	Dennis A. Ross (R)	102,704
	Lori Edwards (D)	87,769
13th District	Vern Buchanan (R)	183,811
	James T. Golden (D)	83,123
14th District	Connie Mack (R)	188,341
	James Lloyd Roach (D)	74,525
15th District	Bill Posey (R)	157,079
	Shannon Roberts (D)	85,595
16th District	Tom Rooney (R)	162,285
	Jim Horn (D)	80,327
17th District	Frederica S. Wilson (D)	106,361
	Roderick D. Vereen (NPA)	17,009
18th District	Ileana Ros-Lehtinen (R)	102,360
	Rolanda A. Banciella (D)	46,235
19th District	Ted Deutch (D)	132,098
	Joe Budd (R)	78,733
20th District	Debbie Wasserman Schultz (D)	100,787
	Karen Harrington (R)	63,845
21st District	Mario Diaz-Balart (R)	
	(Unopposed)	
22nd District	Allen West (R)	118,890
	Ron Klein (D)	99,804
23rd District	Alcee L. Hastings (D)	100,066
	Bernard Sansaricq (R)	26,414
24th District	Sandra “Sandy” Adams (R)	146,129
	Suzanne Kosmas (D)	98,787
25th District	David Rivera (R)	74,859
	Joe Garcia (D)	61,138

## 2012

	<b>Candidate</b>	<b>Total Votes</b>
1st District	Jeff Miller (R)	238,440
	Jim Bryan (D)	92,961
2nd District	Steve Southerland (R)	175,856
	Al Lawson (D)	157,634



3rd District	Ted Yoho (R)	204,331
	J.R. Gaillot (D)	102,468
4th District	Ander Crenshaw (R)	239,988
	Jim Klauder (NPA)	75,236
5th District	Corrine Brown (D)	190,472
	LeAnne Kolb (R)	70,700
6th District	Ron Desantis (R)	195,962
	Heather Beaven (D)	146,489
7th District	John Mica (R)	185,518
	Jason H. Kendall (D)	130,479
8th District	Bill Posey (R)	205,432
	Shannon Roberts (D)	130,870
9th District	Alan Grayson (D)	164,891
	Todd Long (R)	98,856
10th District	Daniel Webster (R)	164,649
	Val B. Demings (D)	153,574
11th District	Richard B. “Rich” Nugent (R)	218,360
	H. David Werder (D)	120,303
12th District	Gus Michael Bilirakis (R)	209,604
	Jonathan Michael Snow (D)	108,770
13th District	C. W. Bill Young (R)	189,605
	Jessica Ehrlich (D)	139,742
14th District	Kathy Castor (D)	197,121
	Evelio “EJ” Otero (R)	83,480
15th District	Dennis Ross (R)	
	(Unopposed)	
16th District	Vern Buchanan (R)	187,147
	Keith Fitzgerald (D)	161,929
17th District	Tom Rooney (R)	165,488
	William Bronson (D)	116,766
18th District	Allen B. West (R)	164,353
	Patrick Murphy (D)	166,257
19th District	Trey Radel (R)	189,833
	Jim Roach (D)	109,746
20th District	Alcee L. Hastings (D)	214,727
	Randall Terry (NPA)	29,553
21st District	Ted Deutch (D)	221,263
	W. Michael “Mike” Trout (NPA)	37,776
22nd District	Lois Frankel (D)	171,021
	Adam Hasner (R)	142,050
23rd District	Debbie Wasserman Schultz (D)	174,205
	Karen Harrington (R)	98,096

24th District	Frederica Wilson (Unopposed)	
25th District	Mario Diaz-Balart (R)	151,466
	Stanley Blumenthal (NPA)	31,664
26th District	Joe Garcia (D)	135,694
	David Rivera (R)	108,820
27th District	Ileana Ros-Lehtinen (R)	138,488
	Manny Yevancey (D)	85,020

**Vote for Other Elective Offices**  
(Write-in candidates may not be listed)

**Attorney General**

		1st Primary	2nd Primary	General Election
1948	L. Grady Burton (D)	132,946	188,531	
	P. Guy Crews (D)	70,134		
	Richard W. Ervin (D)	143,44	275,259	270,451
	Hugh L. McArthur (D)	51,047		
1952	Richard W. Ervin (D)	Unopposed		577,758
1956	Richard W. Ervin (D)	473,855		529,154
	Prentice P. Pruitt (D)	127,156		
1960	Richard (Dick) Ervin (D)	Unopposed		838,329
	Carl V. Wisner, Jr. (R)	Unopposed		439,208
1964	Earl Faircloth (D)	469,638		826,036
	James W. Kynes (D)	469,039		
1966	Earl Faircloth (D)	Unopposed		717,630
	Ellis S. Rubin (R)	Unopposed		548,504
1970	Elmer Friday (D)	214,192	317,734	
	William A. Meadows, Jr. (D)	157,640		
	Robert L. Shevin (D)	229,389	373,774	943,776
	Thom Rumberger (R)	Unopposed		592,519
1974	Robert L. Shevin (D)	Unopposed		
1978	Alan Becker (D)	232,416	329,455	
	Barry Richard (D)	231,518		
	Jim Smith (D)	407,579	497,255	Unopposed
1982	Fred Goldstein (D)	244,013		
	Jim Smith (D)	692,575		Unopposed
1986	Robert A. Butterworth (D)	301,519	403,413	1,900,890
	Walter T. Dartland (D)	77,863		
	Edgar M. (Ed) Dunn (D)	316,419	402,413	
	Joseph M. (Joe) Gersten (D)	231,306		
	Lavon Ward (R)	126,805		
	Jim Watt (R)	346,585		1,341,090

1990	Robert A. Butterworth (D)	Unopposed	
1994	Robert A. Butterworth (D)	Unopposed	2,312,010
	Henry Ferro (R)	Unopposed	1,709,139
1998	Robert A. Butterworth (D)	475,757	2,301,328
	Ellis Rubin (D)	105,865	
	David H. Bludworth (R)	298,375	1,562,269
	Fred Dudley (R)	255,274	
2002	Charles Crist (R)	484,466	2,636,616
	Tom Warner (R)	257,049	
	Locke Burt (R)	225,360	
	Buddy Dyer (D)	457,704	2,299,149
	Scott Maddox (D)	429,651	
	George Sheldon	272,517	
	Walter Dartland	71,952	
2006	Walter “Skip” Campbell (D)	506,618	2,197,959
	Merrilee Ehrlich (D)	272,724	
	Ira William “Bill” McCollum (R)	Unopposed	2,448,008
2010	Pam Bondi (R)	459,022	2,881,877
	Jeff Kottkamp (R)	397,781	
	Holly Benson (R)	354,573	
	Dan Gelber (D)	491,834	2,180,129
	Dave Aronberg (D)	339,856	
	Jim Lewis (NPA)		199,059

### Chief Financial Officer

		Primary	General Election
2002	C. Thomas Gallagher (R)	Unopposed	Unopposed
2006	Milt Bauguess (R)	56,024	
	Randy Joohnson (R)	325,026	
	Tom Lee (R)	508,815	2,151,232
	Alex Sink (D)	Unopposed	2,479,861
2010	Jeff Atwater (R)		2,965,948
	Loranne Ausley (D)		2,014,463
	Ken Mazzie (NPA)		83,916
	Tom Stearns (NPA)		109,160

### Commissioner of Agriculture

		1st Primary	2nd Primary	General Election
1948	Nathan Mayo (D)	320,712		276,300
	Ammon McClellan (D)	103,621		
1952	Nathan Mayo (D)	Unopposed		586,322

1956	Nathan Mayo (D)	Unopposed	538,142
1960	S. Benson Berger (D)	37,487	
	Loran V. Carlton (D)	93,540	
	Doyle E. Conner (D)	319,944	435,294
	W. R. (Buster) Hancock (D)	251,122	370,644
	Charlie Race (D)	15,145	
	Carey Reams (D)	12,960	
1964	Doyle E. Conner (D)	Unopposed	849,593
1966	Doyle E. Conner (D)	Unopposed	599,795
1970	Doyle E. Conner (D)	Unopposed	
1974	Doyle E. Conner (D)	Unopposed	1,097,452
	Donald W. Webb (American)	Unopposed	302,650
1978	Doyle E. Conner (D)	Unopposed	
1982	Doyle E. Conner (D)	Unopposed	1,568,591
	Barbara Lindsey (R)	Unopposed	1,010,946
1986	Charles H. Bronson, Jr. (R)	309,476	1,419,833
	Doyle E. Conner (D)	Unopposed	1,797,276
	Jim Smith (R)	165,650	
1990	Charles H. Bronson, Jr. (R)	292,027	1,502,324
	Jack Dodd (R)	103,702	
	Ron Howard(R)	207,503	
	Bob Crawford (D)	Unopposed	1,867,204
	Brett Merkey (write-in)		551
1994	Bob Crawford (D)	Unopposed	2,044,995
	Frank Darden (R)	Unopposed	Withdrew
	Jim Smith (R)		1,968,418
1998	Timothy Lee Bearson (R)	179,561	
	Bob Crawford (D)	Unopposed	2,350,269
	Rich Faircloth (R)	325,125	1,453,357
2002	Charles H. Bronson (R)	Unopposed	2,803,890
	David Nelson (D)	544,843	2,084,487
	Mary L. Barley (D)	430,090	
	'Dr. Andy' Michaud	247,548	
2006	Charles H. Bronson, Jr. (R)	Unopposed	2,651,833
	Eric Copeland (D)		2,002,464
2010	Adam H. Putnam (R)		2,907,095
	Scott Maddox (D)		1,982,107
	Ira Chester (TEA)		203,524
	Thad Hamilton (NPA)		103,652

## Supreme Court

Non-partisan selection of Justices of the Supreme Court and Judges of the District Courts of Appeal began in 1972. All electors, regardless of political party affiliation, if any, may vote in judicial elections.

In 1976, the Constitution was amended to provide for the Governor to fill each vacancy on the Supreme Court from among three persons deemed eligible by the Judicial Nominating Commission. This appointment would be until the next general election occurring at least one year after the date of appointment. At that election, and thereafter for terms of six years, the Justice's name would be presented to the voters in the language: "Shall Justice \_\_\_\_\_ be retained in office?" If a majority of the voters ballot not to retain the Justice, a vacancy would exist and the Governor makes a new appointment.

The first contested elections for incumbents occurred in 1984 when Justices Raymond Ehrlich and Leander J. Shaw, Jr., were confronted by a campaign organized by disgruntled supporters of a proposed revenue-limiting constitutional amendment ruled off the ballot by the Supreme Court. The results: Ehrlich, for 2,271,158, against 891,942; Shaw, for 2,232,038, against 870,113.

In 1990, Chief Justice Leander Shaw was the target of an organized campaign to oust him because of an opinion he had written upholding the privacy rights of pregnant women. A counter campaign by lawyers and editorial support by media resulted in Shaw prevailing by 1,821,534, or 59.6 percent, to 1,236,853.

Again in 1992, there was a statewide campaign to unseat a Justice, this time the Chief Justice, Rosemary Barkett. She received 2,665,302 votes to be retained, against 1,710,772.

Explanation: Where a candidate for party nomination is unopposed, his name does not appear on the primary ballot. Until 1970, the name of a nominee did appear on the general election ballot whether opposed or not because voters then could have the opportunity of writing in the name of another person. This opportunity was eliminated in 1970.

NOTE: For returns of the formerly elected offices (Secretary of State, Treasurer, Comptroller and Commissioner of Education) 1932-1984 see *The Florida Handbook* 1985-1986. For returns of formerly elected offices 1948-2000 see *The Florida Handbook* 2001-2002.



# Voter Registration

## Voter Registration by Party Affiliation and County As of May 2013

County	Republican	Democrat	Minor	None	Total
Alachua	47,536	80,779	4,095	35,038	167,448
Baker	6,155	6,722	176	1,118	14,171
Bay	54,099	32,981	2,380	18,107	107,567
Bradford	6,349	7,408	249	1,717	15,723
Brevard	156,308	125,628	13,364	72,250	367,550
Broward	255,796	589,540	17,378	273,642	1,136,356
Calhoun	1,657	5,806	67	666	8,196
Charlotte	50,550	36,115	4,876	26,532	118,073
Citrus	42,161	31,787	3,349	20,086	97,383
Clay	73,307	31,841	3,578	25,096	133,822
Collier	91,925	43,301	4,311	38,458	177,995
Columbia	13,520	15,715	855	4,523	34,613
DeSoto	4,684	8,288	291	2,844	16,107
Dixie	2,784	6,045	273	1,074	10,176
Duval	207,103	241,141	16,303	98,330	562,877
Escambia	87,520	73,312	5,358	32,745	198,935
Flagler	24,745	23,204	1,657	17,089	66,695
Franklin	1,735	4,833	123	606	7,297
Gadsden	4,123	23,228	341	2,125	29,817
Gilchrist	5,130	4,136	286	1,280	10,832
Glades	2,009	3,581	192	921	6,703
Gulf	3,387	4,974	116	766	9,243
Hamilton	1,897	5,281	149	717	8,044
Hardee	4,153	5,535	206	1,383	11,277
Hendry	5,744	8,974	352	2,557	17,627
Hernando	49,512	45,726	4,944	25,660	125,842
Highlands	27,034	22,714	2,147	9,433	61,328

<b>County</b>	<b>Republican</b>	<b>Democrat</b>	<b>Minor</b>	<b>None</b>	<b>Total</b>
Hillsborough	243,945	307,478	22,062	176,901	750,386
Holmes	3,975	5,933	138	955	11,001
Indian River	44,314	27,002	3,027	19,905	94,248
Jackson	8,392	17,635	315	2,457	28,799
Jefferson	2,375	6,108	181	666	9,330
Lafayette	1,249	3,039	49	231	4,568
Lake	88,157	66,663	7,665	37,171	199,656
Lee	165,246	111,660	11,980	92,402	381,288
Leon	51,180	100,616	4,459	29,287	185,542
Levy	10,454	10,593	1,548	2,967	25,562
Liberty	468	3,669	27	228	4,392
Madison	2,550	7,832	231	892	11,505
Manatee	91,030	69,498	5,967	47,613	214,108
Marion	95,699	82,494	10,875	35,669	224,737
Martin	51,626	26,971	5,469	18,247	102,313
Miami-Dade	366,052	550,579	17,512	336,594	1,270,737
Monroe	19,373	17,799	1,577	13,672	52,421
Nassau	28,745	14,391	1,971	7,690	52,797
Okaloosa	72,324	25,731	2,126	22,941	123,122
Okeechobee	6,975	8,610	576	2,752	18,913
Orange	201,904	292,478	15,987	175,240	685,609
Osceola	42,550	70,479	4,075	44,800	161,904
Palm Beach	249,946	390,575	32,240	210,552	883,313
Pasco	115,133	101,696	15,554	63,148	295,531
Pinellas	219,473	225,776	23,042	140,926	609,217
Polk	131,770	141,675	11,313	73,447	358,205
Putnam	14,634	22,351	965	6,620	44,570
Santa Rosa	68,294	27,428	3,820	20,298	119,840
Sarasota	121,825	88,726	8,842	61,502	280,895
Seminole	107,915	91,543	7,885	63,711	271,054
St. Johns	83,247	39,767	5,281	29,811	158,106
St. Lucie	55,727	75,516	6,299	38,904	176,446
Sumter	37,261	22,558	3,361	11,293	74,473
Suwannee	9,102	12,486	1,049	2,556	25,193
Taylor	3,362	8,002	241	805	12,410
Union	2,369	4,303	122	531	7,325
Volusia	110,566	122,765	9,949	78,822	322,102
Wakulla	5,944	9,558	545	2,130	18,177
Walton	22,128	10,230	733	6,625	39,716
Washington	6,018	6,942	225	1,460	14,645

NOTE: Registration totals reflect the total number of active registered voters in the State of Florida.

**County Voter Registration by Race**  
As of October 2012

	<b>American Indian or Alaskan Native</b>	<b>Asian or Pacific Islander</b>	<b>Black, Not Hispanic</b>	<b>Hispanic</b>	<b>White, Not Hispanic</b>	<b>Other</b>	<b>Multi- Racial</b>	<b>Unknown</b>	<b>Total</b>
Alachua	670	4,900	27,647	9,341	113,224	6,803	603	1,724	164,912
Baker	56	64	1,287	108	12,242	178	9	62	14,006
Bay	643	1,565	10,122	2,012	95,393	1,218	232	1,730	112,915
Bradford	36	72	2,087	140	12,884	192	10	70	15,491
Brevard	1,530	5,485	31,416	17,396	314,187	5,954	782	3,719	380,469
Broward	3,642	25,823	255,035	192,561	596,526	46,562	3,425	16,880	1,140,454
Calhoun	84	31	769	71	7,204	66	5	48	8,278
Charlotte	448	949	4,726	2,967	102,725	2,466	87	682	115,050
Citrus	308	1,023	2,230	2,196	90,551	2,091	51	189	98,639
Clay	580	3,086	11,812	5,911	107,408	2,334	196	1,258	132,585
Collier	278	1,258	6,398	16,151	152,483	2,396	233	1,363	180,560
Columbia	164	275	5,064	792	28,755	275	30	184	35,539
DeSoto	2,430	14,212	250,071	709,445	267,403	7,306	2,335	60,648	1,313,850
Dixie	52	86	1,782	1,248	12,944	248	13	3	16,376
Duval	41	26	457	88	9,535	81	0	1	10,229
Escambia	2,060	15,429	155,371	21,247	342,358	11,069	1,019	8,729	557,282
Flagler	1,266	4,075	38,958	3,283	144,386	3,312	387	2,608	198,275
Franklin	221	1,073	6,617	3,539	55,015	2,107	106	919	69,597
Gadsden	20	16	535	46	6,537	7	4	9	7,174
Gilchrist	81	88	16,786	533	11,295	530	16	296	29,625
Glades	33	42	252	150	10,506	116	7	15	11,121
Gulf	187	20	445	435	5,509	70	1	1	6,668
Hamilton	41	26	951	58	7,862	57	0	35	9,030
Hardee	14	34	2,369	153	5,349	40	3	1	7,963



	<b>American Indian or Alaskan Native</b>	<b>Asian or Pacific Islander</b>	<b>Black, Not Hispanic</b>	<b>Hispanic</b>	<b>White, Not Hispanic</b>	<b>Other</b>	<b>Multi- Racial</b>	<b>Unknown</b>	<b>Total</b>
Hendry	33	103	819	2,128	8,916	233	15	65	12,312
Hernando	225	95	2,588	3,690	10,215	428	23	0	17,264
Highlands	452	886	4,981	7,986	105,612	1,903	110	1,416	123,346
Hillsborough	239	565	4,945	5,612	49,474	800	59	382	62,076
Holmes	2,441	16,732	116,471	104,880	471,993	7,094	2,423	25,553	747,587
Indian River	87	35	232	82	11,028	58	6	32	11,560
Jackson	287	668	6,123	3,514	80,100	1,494	96	1,287	93,569
Jefferson	145	90	6,610	271	21,302	368	11	206	29,003
Lafayette	20	24	3,037	69	6,283	82	2	0	9,517
Lake	6	4	243	94	4,204	16	1	0	4,568
Lee	555	2,294	16,182	13,797	163,397	3,559	321	1,547	201,652
Leon	1,080	3,484	21,327	30,577	320,885	1,894	579	9,121	388,947
Levy	606	2,864	53,274	6,371	118,756	4,225	749	3,729	190,574
Liberty	56	108	2,077	670	21,611	516	15	0	25,053
Madison	40	10	409	32	3,899	13	0	7	4,410
Manatee	39	28	4,189	112	7,267	238	7	121	12,001
Marion	555	2,429	14,084	9,649	177,831	2,467	293	2,160	209,468
Martin	239	387	1,798	4,572	43,229	109	60	1,130	51,524
Miami-Dade	754	1,882	22,110	13,554	180,385	2,985	310	1,498	223,478
Monroe	250	683	3,753	3,483	92,011	912	104	639	101,835
Nassau	191	300	3,016	651	45,989	982	56	422	51,607
Okaloosa	664	3,050	10,276	3,728	107,569	1,954	351	1,273	128,865
Okeechobee	84	113	953	1,524	15,977	343	17	174	19,185
Orange	2,283	22,406	121,710	142,636	356,486	11,124	3,078	30,922	690,645
Osceola	531	3,035	14,005	65,430	72,754	4,390	535	2,704	163,384
Palm Beach	2,195	13,139	113,606	78,397	623,711	4,745	1,689	32,704	870,186
Pasco	1,171	4,294	11,999	21,068	262,763	5,905	485	2,637	310,322

	<b>American Indian or Alaskan Native</b>	<b>Asian or Pacific Islander</b>	<b>Black, Not Hispanic</b>	<b>Hispanic</b>	<b>White, Not Hispanic</b>	<b>Other</b>	<b>Multi- Racial</b>	<b>Unknown</b>	<b>Total</b>
Pinellas	2,089	12,202	53,828	23,620	515,072	10,784	1,244	7,509	626,348
Polk	1,168	3,789	45,688	34,094	252,336	1,433	581	12,030	351,119
Putnam	220	176	6,262	1,371	34,584	77	45	846	43,581
Santa Rosa	723	1,669	4,720	2,192	104,973	2,137	130	397	116,941
Sarasota	952	2,281	9,871	8,003	247,989	714	306	7,556	277,672
Seminole	939	6,375	27,489	32,790	194,720	8,896	714	5,453	277,376
St. Johns	426	2,230	6,938	4,022	135,987	2,089	206	951	152,849
St. Lucie	590	1,933	28,859	14,787	123,214	3,649	355	2,167	175,554
Sumter	258	371	3,130	1,142	68,098	678	30	239	73,946
Suwannee	95	76	2,491	446	21,425	364	9	137	25,043
Taylor	57	115	1,734	145	10,423	83	5	23	12,585
Union	37	15	801	103	6,325	29	2	1	7,313
Volusia	1,177	2,834	29,545	22,160	264,232	7,698	626	4,284	332,556
Wakulla	87	67	1,749	167	16,278	31	14	108	18,501
Walton	211	274	1,366	472	35,293	528	30	194	38,368
Washington	123	48	1,594	112	12,566	209	13	3	14,668
<b>Total</b>	<b>39,265</b>	<b>193,821</b>	<b>1,620,069</b>	<b>1,660,074</b>	<b>7,939,443</b>	<b>193,714</b>	<b>25,259</b>	<b>262,801</b>	<b>11,934,446</b>

Source: Florida division of Elections statistics. <http://doe.dos.state.fl.us/statistics.shtml>