

# Amendment 1 – Increasing the **homestead property exemption**

## **VOTE NO**

This amendment is an oddity. It would put money in homeowners' pockets by providing another \$25,000 homestead tax exemption for properties assessed at \$100,000 or more. Typical property owners would see their tax bills drop by about \$250 per year, officials estimate. School taxes would be exempt.

But voters shouldn't be fooled. Tax savings, aside, homeowners will pay, one way or another. Local governments warn that Amendment 1 could hurt the funding of crucial services such as police and fire protection. Statewide, the exemption would cost counties and cities about \$750 million the first year, according to the Florida Association of Counties. But proponents counter that property values are expected to rise in the coming years, so local governments should be able to make up shortfalls. But we're not convinced that this economy will continue to hum along indefinitely. And then what? We think that the impact to services would be too great, and it may cost taxpayers far more in the long run if this tax break is approved.

<https://dos.elections.myflorida.com/initiatives/initdetail.asp?account=10&seqnum=95>

## Amendment 2 – adding limitations on property tax assessment increases

### VOTE YES

This amendment would permanently adopt an already-existing cap that limits property-tax assessment increases to 10 percent annually for “non-homestead” property such as commercial or rental properties. The purpose is to prevent the repeal of the cap scheduled to expire in 2019. Small business-owners and renters would be hit especially — and unfairly — hard.

Three South Florida property appraisers have written an op-ed in Sunday’s opinion page supporting the amendment. They say: “A Yes vote will avert a sudden and largely unexpected tax crisis for more than 530,000 residential and business property owners in Miami-Dade, Broward and Palm Beach counties.” They are in the financial trenches; we’ll follow their advice — voters should, too.

### VOTE NO

The taxable value of non-homestead properties currently cannot rise by more than 10 percent a year, a constitutional cap that is set to expire on Jan. 1. This measure would make that cap permanent. Although it’s an easy crowd-pleaser for the Legislature to put on the ballot, the measure would deny local governments the full effect of rising property values, once again, hamstringing them. It is estimated that amendments 1 and 2 together would cost local governments \$1.3 billion a year. If voters think their local taxes are too high, they can turn their local leaders out of office. On Amendment 2, the *Tampa Bay Times* recommends voting **No**.

<https://dos.elections.myflorida.com/initiatives/initdetail.asp?account=10&seqnum=96>

## Amendment 3 – Voter Control of Gambling in FL

### VOTE YES

If approved, this high-interest amendment gives voters the exclusive right to authorize expansions of casino gambling in Florida. That authority currently rests with both the Legislature and voters.

In effect, this would prevent the Legislature from passing laws to expand gambling or put an amendment on the ballot to do so, putting the power of bringing more casino gambling on residents. However, voters in one part of the state could decide who should get casinos for other parts of the state — like Miami-Dade. That's concerning. And this would benefit larger companies that have the resources to gather hundreds of thousands signature needed for a referendum, for or against.

But those who oppose casinos, like this Editorial Board, have come out strong in support of Amendment 3 — verbally and financially. They include the League of Women Voters, No Casinos, the Fontainebleau hotel, plus the Walt Disney Co. and the casino-operating Seminole Tribe, which, of course, have franchises to protect.

### VOTE NO

While it would be good to make it harder to expand gambling in Florida, this amendment is unfair. It would allow casino gambling in Florida only if voters — and only voters — proposed a constitutional amendment, which would then, of course, have to pass. That cuts out the other two means of placing amendments on the ballot, through the Legislature or the Constitution Revision Commission. On Amendment 3, the *Tampa Bay Times* recommends voting No.

<https://dos.elections.myflorida.com/initiatives/initdetail.asp?account=64995&seqnum=1>

## Amendment 4 – restoration of felon voter rights

### VOTE YES

Voting Restoration Amendment: This is the most transformative amendment on the ballot. If approved, 1.6 million Floridians — former prisoners — would have their voting rights restored after they finish their sentences. Ideally, they would not have to wait five years to apply to the state; they would not be subjected to a humiliating, arbitrary — and political — process only to have Florida’s Clemency Board reject their requests because, well, just because.

Florida is one of only three states that does not automatically restore ex-felons’ voting rights. We’ll be blunt: It is a decades-old voter suppression tactic, rooted in Jim Crow laws to keep African Americans disenfranchised. In the 21st century, unfortunately, it remains not a forgotten relic, but a persistent reality.

Gov. Rick Scott and the Cabinet make up the Clemency Board, and for eight years they have been staunchly opposed to automatic restoration.

In February, Judge Mark Walker, appalled at the arbitrary and discriminatory nature of the clemency process, ruled it unconstitutional. In April, the 11th U.S. Circuit Court of Appeals bafflingly stayed the ruling. Walker used one telling anecdote to bolster his reasoning:

In 2013, a white man convicted of voting illegally three years earlier appeared before Florida’s Clemency Board. When Scott asked him about his crime, the man responded: “Actually, I voted for you,” apparently to the Board’s delight. His voting rights were restored forthwith.

However, in five similar cases in which former felons had cast illegal ballots, Scott and the Cabinet denied the restoration of voting rights. Four of the five ex-felons, the ruling said, were African American.

This lifetime ban keeps people on the margins, unable to participate in the fullness of American life and long after they have paid their debt to society. It’s unfair, it’s racist and, as Judge Walker ruled, unconstitutional. Get rid of it.

<https://dos.elections.myflorida.com/initiatives/initdetail.asp?account=64388&seqnum=1>

## Amendment 5 - **supermajority** vote (2/3rds) of **FL Legislature** required to raise state fees or taxes

### **VOTE NO**

Currently, the state Legislature can raise most taxes through a simple majority. If Amendment 5 passes, it would require a two-thirds vote in the House and in the Senate to impose new taxes or fees or to increase existing ones.

The Republican-controlled Legislature and Gov. Scott argue it should be more difficult to raise taxes than it is to cut them. But according to the nonpartisan League of Women Voters, “The amendment does not include a provision that would allow for tax increases in times of emergencies (hurricane, floods, recession, etc.) and is an abrogation of the Legislature’s fiduciary responsibility to consider all options and pass a well-reasoned budget.

<https://dos.elections.myflorida.com/initiatives/initdetail.asp?account=10&seqnum=97>

## Amendment 6 – CRC Rights of Crime Victims; Judges

- A. . victims bill of rights (marcy's law from CA)
- B. state judge retirement age from 70 to 75.
- C. judges can NOT rely on administrative agency decisions.

challenged by approved by FL supreme Court

### **VOTE NO**

This amendment is one of the few that has been featured on television ads. Crime victims ask: "What about my rights?" It's a heartstring-tugger. If passed, the amendment would give a handful of rights, including the expectation of being "reasonably protected from the accused," the right to have their safety considered when judges set bail and the right to be heard at public trial proceedings.

But this issue is bundled with another that would raise the required retirement age for judges from 70 to 75, and require judges to not consider a state agency's interpretation of a law when interpreting the law themselves.

Most Florida sheriffs support the amendment because it beefs up victims' rights. However, it's duplicative: Victims rights are already protected in the Constitution, and the amendment would eliminate an existing provision that ensures victims' rights do not interfere with the constitutional rights of the accused.

<https://dos.elections.myflorida.com/initiatives/initdetail.asp?account=11&seqnum=20>

## Amendment 7 – CRC First Responder/Military Benefits; Public Colleges and Universities

- A. **provides college tuition** for surviving children of **first responders and military killed** on duty
- B. **supermajority** vote (2/3rds) of **university trustees** to raise fees (not tuition)
- C. establishes the state college system (**junior / community colleges**) in the Florida Constitution

challenged and waiting appeal

### VOTE NO

This is one of the three amendments being challenged in the state Supreme Court, likely for its confusing nature.

It would do several things: Surviving spouses of military members and first responders killed in the line of duty would receive a payment of death benefits from the state and would have some educational costs at public institutions waived. Most taxpayers have no problem with the negligible tax increase.

Then the amendment turns to public colleges and universities requiring that to raise any fee — tuition not included — a university board of trustees would need nine votes out of its 13 members. For a fee to be raised systemwide, the State University System’s Board of Governors would need 12 out of 17 members to approve. This also means the costs of college could be kept down by requiring a higher threshold to increase fees. Good. But it also means trustees can prevent any fee increases, potentially handicapping a university’s ability to pay for services. Possibly problematic. There’s too much here. Each should be vetted on the merits individually.

### VOTE YES

Amendment 7 is another grab bag of questions. But taken individually, they make sense. One part would require a supermajority for boards of trustees of universities to raise student fees or create new ones. In this case, the supermajority requirement is less burdensome than the one found in Amendment 5 because boards of trustees often are on the same page and have fewer political motivations than legislators.

The proposals to expand death benefits to families of all first responders bring more fairness to the system, while enshrining the State College System in the constitution strikes us as a good housekeeping measure.

We’re not crazy about the Constitution Revision Commission’s fondness for packing seemingly unrelated questions into one amendment. On the whole, however, we think Amendment 7 deserves a yes vote.

# Amendment 9 – CRC Prohibits Oil & Gas: Prohibits Vaping

- A. bans oil and gas drilling in state waters
- B. adds “vaping” to the state’s indoor smoking ban.

challenged and waiting appeal

## VOTE YES

Amendment 9 may be the silliest combination of all, combining a ban on nearshore oil drilling with a ban on using e-cigarettes in workplaces. Fortunately, both have merit. The proposal would ban drilling and exploration about nine miles off the western and southern coastlines and at least three miles off the eastern coastline. It includes bays, estuaries and other waterways. Good. Florida’s been fighting this battle for too long. Make it part of the constitution and be done with it. The ban on e-cigarettes inside restaurants and other workplaces just updates an existing ban on smoking that was passed before vaping came along. Both make sense, which is why Amendment 9 deserves a yes vote.

## VOTE NO

This is the oddest combination of issues. It would prohibit vaping (the use of e-cigarettes) at indoor workplaces and ban oil drilling beneath waters controlled by Florida. Offshore drilling should be banned, but this strange juxtaposition of issues has no place in Florida’s Constitution. On Amendment 9, the *Tampa Bay Times* recommends voting **No**.

<https://dos.elections.myflorida.com/initiatives/initdetail.asp?account=11&seqnum=23>

## Amendment 10 – CRC State and Local Govt Structure and Operation

- A. moves the start of FL Legislature’s session from March to January, in even number years.
- B. creates a state-wide counter-terrorism office
- C. makes the FL Veteran Affairs office constitutionally required
- D. requires FIVE county-level offices by elected by voters

challenged by approved by FL supreme Court

### VOTE NO

One element in this bundled amendment is government overreach, especially for Miami-Dade County. It links four proposals: has the state’s legislative session start in January rather than March in even-numbered years (the Legislature currently changes its dates by statute); creates a counter-terrorism office and makes the state veterans affairs department constitutionally required, and requires five county-level offices to be elected: tax collectors, property appraisers, supervisors of elections, clerks of circuit court and sheriffs. That’s a big deal for Miami-Dade, which has a home-rule charter and is the only county that does not elect a sheriff or an elections chief. Whose the state to tell us how to run our government business?

The Editorial Board met with members of the Florida Sheriffs Association and the Florida Association of Tax Collectors, who support the elected positions. These elected positions offer more accountability to taxpayers, said Mike Adkinson, past president of the Sheriffs Association and Larry Hart, tax collector for Lee County.

“Nowadays, people want more of say on who holds those positions,” Adkinson said. But opponents say inexperienced people could be elected, not professionals. Hart said only Miami-Dade, Broward and Volusia do not elect their tax collector.

But Miami-Dade gotten along just fine so far. And no, Miami-Dade doesn’t need hacks or lackluster, term-limited legislators looking for something to do filling these important positions. Been there.

<https://dos.elections.myflorida.com/initiatives/initdetail.asp?account=11&seqnum=24>

## Amendment 11 – Property Rights; Removal of Obsolete Provision; Criminal Statutes

- A. removes wording that prohibits “aliens from ineligible for citizenship”
- B. language approval for a **high-speed rail** system in Florida
- C. removes the ban on **retroactively applying a change to the sentencing requirements in a criminal case, if the state law changes.**
- D. clarifies that any change to criminal statute does affect the prosecution of that crime done previously.

challenged and waiting appeal

### VOTE NO

This is a head-scratcher, an exasperating bundled amendment which a judge ordered off the ballot. That order is being appealed.. At its best, it would delete obsolete wording regarding a high-speed rail amendment that has since been repealed; it would also repeal the state’s ability to prohibit noncitizens or “aliens ineligible for citizenship” from buying, owning and selling property.

If Amendment 11 passes, the Legislature will be allowed to make amended criminal statutes apply retroactively, even if the Legislature changes the law, something the NRA supports.

Yes, making the Constitution’s language less archaic would be welcomed, but this amendment represents too much messing with the state document. Sounds more like mischief, and we don’t know what problem is being solved. Give this the thumbs-down.

### VOTE YES

Amendment 11 basically cleans up some outdated parts of the constitution, including a particularly ugly, century-old provision that allows that Legislature to prevent noncitizens from owning property. The constitution is no place for xenophobia, which is reason enough to vote yes on Amendment 11.

<https://dos.elections.myflorida.com/initiatives/initdetail.asp?account=11&seqnum=25>

## Amendment 12 – Lobbying and Abuse of Office by Public Officers

A. **bans public officials from lobbying** during their term and six years after.

### VOTE YES

This amendment would bar public officials from lobbying both during their terms and for six years following. It also would restrict current public officers from using their office for personal gain. It expands ethics rules for public officials — both elected officials and government employees, including judges.

Six years is a long time. The current prohibition is two years. However, we've seen too many lawmakers skirt even that rule by acting as, say, paid consultants before the time is up. Plus, there's the perception, to say nothing of the reality, that some legislators are auditioning for their next job when they should be serving their constituents. Many government-watchdog groups support this amendment. We do, too.

### VOTE NO

This amendment would prevent the governor, Cabinet members, agency heads, state lawmakers and local elected officials from getting paid to lobby their former colleagues for six years after leaving office. Judges would also be banned from lobbying the Legislature or executive branch for six years. Although this amendment would move toward stopping the revolving door from elected office to paid lobbyist, it puts an unfair six-year burden on those who might otherwise consider public office and would be good candidates. It doesn't belong in the Constitution. On Amendment 12, the *Tampa Bay Times* recommends voting **No**.

<https://dos.elections.myflorida.com/initiatives/initdetail.asp?account=11&seqnum=26>

# Amendment 13 – Ends Dog Racing by 2020

challenged by approved by FL supreme Court

## VOTE YES

Amendment 13 would ban greyhound racing by the end of 2020. This amendment represents a financial and ethical clash between the gambling industry and animal-rights advocates. But it also signals a cultural shift: According to animal-rights advocates, millennials have far less interest in gambling; and Floridians care about protecting animals — especially dogs — and their well-being.

According to the state Division of Pari-mutuel Wagering, a dog dies on a Florida track every three days. Animal advocates say that the greyhounds are confined in cages for up to 23 hours a day.

The racing industry has fought legislative measures to protect the dogs. Amendment 13 is a compromise: Florida's 11 dog tracks would be allowed to keep their gambling permits even if they halt racing by 2019, and they would be able to operate as card rooms and, in Broward and Miami-Dade counties, larger-scale venues that offer slot machines. This would be a huge victory for animal-rights activists — and the animals.

Dog racing is a tradition in Florida, which has more dog tracks than the rest of the country combined. On the other hand, greyhound trainers and breeders say this represents an end to an industry — and jobs — since there are 8,000 greyhounds in the state. But dog-racing has become a loss leader, a sideshow to slots and card rooms. Amendment 13 allows them a graceful exit from this anachronistic form of entertainment.

## VOTE NO

The proposal would outlaw betting on greyhound racing by the end of 2020, though it would allow tracks to continue some other pari-mutuel offerings. Whatever your view on dog racing, its disposition doesn't belong in the Constitution. On Amendment 13, the *Tampa Bay Times* recommends voting **No**.

## Amendment 8 – Education items, charter school expansion challenged and rejected by FL supreme Court

### Others of Note:

#### **Manatee County**

Changing School Board elections to single-member representation:

#### **City of Sarasota**

Charter Amendment: Change in date of election of city commissioners:

#### **Sarasota County questions**

Sarasota County general obligation bonds for Legacy Trail extension with enhanced safety and connections:

Process for citizen-initiated petitions for charter amendments to be placed on the general election ballot:

Charter Review Board charter amendment proposals to be placed on the next general election ballot only:

Charter amendment to reacquire and retain Siesta Key Beach Road as public right of way: NO

Charter amendment to preserve county-owned parks, preserves, beach and water access and waterfront vistas:

Sarasota County charter amendment to change County Commission elections to single-member districts:

## References:

**FL Elections Commission** - <https://dos.myflorida.com/elections/>

**Miami Herald Editorial Page** - <https://www.bradenton.com/news/politics-government/state-politics/article213043344.html>

**Orlando Sentinel Editorial Page** - <https://www.orlandosentinel.com/opinion/editorials/os-op-orlando-sentinel-endorsements-20181018-htmlstory.html>

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**Tampa Bay Times Editorial Page** - <https://www.tampabay.com/opinion/editorials/all-the-times-election-recommendations-in-one-place-20181006/>