

2010 Florida Constitutional Amendments

Amendment 1

Sponsor/Originator: The Florida Legislature

Title on Ballot: Repeal of public campaign financing requirement

Official Summary: Proposing the repeal of the provision in the State Constitution that requires public financing of campaigns of candidates for elective statewide office who agree to campaign spending limits.

What it would do: Amendment 1 would end taxpayer financing of political campaigns.

Arguments for: The state is experiencing tight financial times. It makes no sense to spend taxpayers' money to subsidize campaigns when candidates can raise the money themselves.

Arguments against: The people voted overwhelmingly for the present public financing requirement 13 years ago. Public financing reduces the effect of money on politics and can open the door for candidates to run without big-money backers.

Amendment 2

Sponsor/Originator: The Florida Legislature

Title on Ballot: Homestead ad valorem tax credit for deployed military personnel

Official Summary: Proposing an amendment to the State Constitution to require the Legislature to provide an additional homestead property tax exemption 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. The exempt amount will be based upon the number of days in the previous calendar year that the person was deployed. The amendment is scheduled to take effect Jan. 1, 2011.

What it would do: Instruct the Legislature to enact an additional homestead exemption for Florida homeowners on active military service outside the country. The size of the tax break would be based on the amount of time served overseas in the previous year.

Arguments for: Military personnel based overseas are performing important services for our country at considerable sacrifice. This amendment would help compensate them for that service.

Arguments against: Providing an additional exemption to certain property owners would reduce tax collections by hard-pressed local governments.

Amendment 4

Sponsor/Originator: Florida Hometown Democracy

Title on Ballot: Referenda required for adoption and amendment of local government comprehensive land use plans

Official Summary: Establishes that before a local government may adopt a new comprehensive land use plan, or amend a comprehensive land use plan, the proposed plan or amendment shall be subject to vote of the electors of

the local government by referendum, following preparation by the local planning agency, consideration by the governing body and notice.

What it would do: Amendment 4 would give local voters a veto over any changes in comprehensive plans.

Arguments for: Local governments have proven themselves incapable of placing the public interest before the interests of real estate developers. The people should have the final say.

Arguments against: The amendment would require votes on every change, no matter how minor. Ballots would be long and involved. Voters would be overwhelmed. Growth would grind to a halt, and the state's economy would remain mired in recession.

Amendment 5

Sponsor/Originator: Fair DistrictsFlorida.org

Title on Ballot: Standards for Legislature to follow in legislative redistricting

Official Summary: 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.

What it would do: Amendment 5 would require that legislative districts not be drawn to favor one political party over another or deny minorities equal opportunity to participate in the political process.

Arguments for: Incumbents, both Democrat and Republican, have traditionally drawn district boundaries to give themselves political advantage. Redistricting should not favor any incumbent or party.

Arguments against: The amendment might reduce minority representation. Abiding by the amendment would be difficult, and redistricting under its strictures could lead to a flurry of lawsuits.

Amendment 6

Sponsor/Originator: FairDistrictsFlorida.org

Title on Ballot: Standards for Legislature to follow in congressional redistricting

Official Summary: 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.

What it would do: Amendment 6 would require that congressional districts not be drawn to favor one political party over another or deny minorities equal opportunity to participate in the political process.

Arguments for: Incumbents, both Democrat and Republican, have traditionally drawn district boundaries to give themselves political advantage. Redistricting should not favor any incumbent or party.

Arguments against: The amendment might reduce minority representation. Abiding by the amendment would be difficult, and redistricting under its strictures could lead to a flurry of lawsuits.

Amendment 8

Sponsor/Originator: The Florida Legislature

Title on Ballot: Revision of the class size requirements for public schools

Official Summary: The Florida Constitution currently limits the maximum number of students assigned to each teacher in public school classrooms in the following grade groupings: for prekindergarten through grade 3, 18 students; for grades 4 through 8, 22 students; and for grades 9 through 12, 25 students. Under this amendment, the current limits on the maximum number of students assigned to each teacher in public school classrooms would become limits on the average number of students assigned per class to each teacher, by specified grade grouping, in each public school. This amendment also adopts new limits on the maximum number of students assigned to each teacher in an individual classroom as follows: for prekindergarten through grade 3, 21 students; for grades 4 through 8, 27 students; and for grades 9 through 12, 30 students. This amendment specifies that class size limits do not apply to virtual classes, requires the Legislature to provide sufficient funds to maintain the average number of students required by this amendment, and schedules these revisions to take effect upon approval by the electors of this state and to operate retroactively to the beginning of the 2010-2011 school year.

Arguments for: Proponents of the amendment argue that its cost is simply too high in today's poor economy. They say the state can't afford to build more classrooms and hire more teachers. They say the amendment would provide needed flexibility that does not exist in the Constitution as amended in 2002.

Arguments against: Opponents say the state's voters made it clear in 2002 that they wanted to limit class sizes. Smaller classes make a better learning environment, they argue. The statewide teachers' union, the Florida Education Association, opposes the bill. The union is calling on the state to fulfill the constitutional mandate and implement the limits approved at the ballot box.

Resolution on Federal Deficit

The Florida Legislature has placed on the Nov. 2 ballot a nonbinding resolution that asks whether voters support a constitutional requirement that the federal government balance its budget.

Unlike Florida lawmakers, who must balance state revenues with spending every year, Congress has the ability to spend more than it collects. The federal government's willingness to use money it doesn't have has long been a bone of contention among political theorists. The debate has intensified in recent years as the federal government, despite shrinking revenues brought on by recession and tax cuts, has used deficit spending to pay for military operations in Iraq and Afghanistan, a bank bailout and an economic stimulus program to boost the country out of the worst economic downturn since the Great Depression. The national debt now threatens to exceed the Gross Domestic Product for the first time since World War II. Fiscal conservatives are calling on Congress to close the purse.

The nonbinding resolution reads: "In order to stop the uncontrolled growth of our national debt and prevent excessive borrowing by the federal government, which threatens our economy and national security, should the United States Constitution be amended to require a balanced federal budget without raising taxes?"

Arguments for: Backers in the state Legislature say the question will provide voters with a chance to weigh in on the issue as the national debt stands at more than \$14 trillion. They also say an affirmative vote would put pressure on Congress to tighten its belt and give Florida delegates in Washington political support to make the suggestion.

Arguments against: Opponents chide supporters for promoting what some critics call a push poll, a survey in which questions are written in such a way as to steer votes in a desired direction. Critics also point to ballot fatigue. With so many amendments scheduled to go on the ballot in November, voters may become discouraged and leave the booth without voting on other races or binding constitutional amendments.

Source: Collins Center for Public Policy