



2012 BALLOT AMENDMENTS

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STATE BALLOT AMENDMENTS

| Ballot Number | Title | Description |
|---------------|--|---|
| 1 | Health Care Services | <p>This amendment allows Florida to opt out of the Affordable Healthcare Act (ObamaCare). This amendment safeguards the rights of individuals and employers to make their own health care choices, including direct payment for services, and prohibits the mandate to purchase health insurance.</p> <p>A YES vote on this amendment indicates opposition to the individual mandate contained in the Affordable Care Act (aka "Obamacare"). Whether it would have practical effect under the 10th Amendment is open to question, but at the very least it would reflect public opinion on the issue.</p> |
| 2 | Veterans Disabled Due to Combat Injury; Homestead Property Tax Discount | <p>This amendment broadens the class of veterans who are eligible for discounts on property taxes under a statute already in effect. The current statute provides a discount to combat-disabled veterans over 65 years of age who own homestead property in an amount equal to their percentage of disability.</p> <p>A YES vote removes the somewhat arbitrary condition in the existing statute that the subject combat-disabled veteran must have been a Florida resident when they originally ENTERED the military.</p> <p>This amendment would take effect on January 1, 2013.</p> |
| 3 | State Government Revenue Limitation | <p>The current state revenue limitation is based on Florida personal income growth. Also known as "Smart Cap", this amendment replaces this limitation with one based on inflation and population changes. This is similar to the "Taxpayer Bill of Rights" (TABOR) implemented in some other states, but avoids the drawbacks of the Colorado system that worsened the effect of economic downturns. It does this by adjusting the limit based on last year's cap rather than last year's revenue, and allows the Legislature to override the limit by a supermajority vote.</p> <p>A YES vote would implement the limitations, phased in over a period of years starting in 2014. Limiting revenue based on objective measurement of economic activity would prevent growth in the size of government relative to the economy. Because of this, public employee unions and liberal interest groups such as the AARP and League of Women Voters oppose this amendment.</p> |
| 4 | Property Tax Limitations; Property Value Decline; Reduction for Non-Homestead Assessment Increases; Delay of Scheduled Repeal | <p>This amendment would modify the law defining the "save our homes" provision. This provision defines the allowable increase in property valuation in a single year as follows:</p> <ol style="list-style-type: none"> 1) If the value of the property goes down, the assessment cannot increase (possible under current law to "catch up" with previous increases) 2) Limits the increase on non-homestead property to 5% (currently 10%) 3) Institutes an additional exemption of up to 50% of the property value for certain newly qualifying exemptions for up to 5 years 4) Delays until 2023 the planned repeal of the non-homestead exemption now scheduled for 2019. <p>A YES vote would institute all of the provisions ... equalizing the allowable increase in valuation between homestead and non-homestead property, taking away the advantages to homeowners with primary residence in the state. Because of the new home provision that could aid the struggling housing market, the Realtors Associations are in support of this Amendment. Stimulating the housing market could stimulate our local economy, thereby driving up net tax revenues.</p> <p>This amendment also shifts the advantage to businesses, owners of multiple properties, and new homebuyers that could stimulate our economy. However, if this does not happen, a YES vote could result in higher property taxes for most Floridians.</p> |
| 5 | State Courts | <p>If passed, this would amend Article V of the State Constitution relating to the judiciary. It has three parts.</p> <ol style="list-style-type: none"> 1) Under current law, the Legislature can repeal a court rule established by the Supreme Court with a 2/3 majority of both Houses. If this amendment passes, only a simple majority would be required. 2) Under current law, the Governor appoints Supreme Court Justices from a list provided by a Judicial Nominating Committee. If this amendment passes, the appointment would additionally require confirmation by the Senate before the appointee can take office. 3) The amendment would give access to the confidential files of the Judicial Qualifications Commission to the Speaker of the House for determining whether to proceed with impeachments of a justice or judge. <p>A NO vote would keep the current law in place and maintain the current balance of power between the judicial and legislative branches of government. While confirmation of Justices would be similar to the US Constitution and would likely enhance the checks and balances, letting the Legislature overrule the courts with a simple majority would seem to drastically affect the operation of the state court system.</p> |

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| 6 | Prohibition on Public Funding of Abortions; Construction of Abortion Rights | Federal law prohibits the expenditure of federal funds for most abortions and this law provides that the State Constitution may not be interpreted to create broader rights to an abortion than those contained in the US Constitution. A YES vote on this proposed amendment provides that public funds may not be expended for any abortion or for health-benefits coverage that includes coverage of abortion, except in the cases of rape, incest or the life of the mother. A YES vote would prevent all state funding for abortion, including health insurance plans that provide coverage, unless it would conflict with federal law. |
| 8 | Religious Freedom | If passed, this amendment would prevent denial of governmental benefits or funding on the basis of religious identity or belief, except as required by the First Amendment. This would remove an existing prohibition (the 1875 “Blaine Amendment”) against use of public funds to aid churches or other religious institutions, and would likely allow funding for private religious schools. A YES vote would remove impediments to providing public education funding to private schools based on whether they are religious or secular. Since this amendment would pave the way for voucher systems usable in religious schools, the education establishment (Florida Education Association, members of the Florida School Board Association and Florida Association of School Administrators) brought suit to remove it from the ballot and won, but existing law allows the Attorney General to rewrite the language within 10 days and she did. These groups can be expected to oppose it in November. Historical note: Former US House Speaker James Blaine, in 1875, proposed a US Constitutional Amendment prohibiting the use of public funds for religious education. After it failed, 36 states, including Florida, passed a similar amendment. At the time, it was a reaction to the rise of Catholic schools at a time of increasing Catholic immigration, and it was supported by the Ku Klux Klan. The actual text of the Florida Constitution (which Amendment 8 would repeal) is: <i>“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.”</i> |
| 9 | Homestead Property Tax Exemption for Surviving Spouse of Military Veteran or First Responder | This amendment would authorize the Legislature to grant full or partial ad valorem property tax relief to the surviving spouse of a military veteran or first responder who is killed in the line of duty. A YES vote would allow the Legislature to implement these additional exemptions to Ad Valorem taxes for another “special class” of citizen. Since the surviving spouses of military and first responders killed in action are already compensated in various ways, through insurance and pension payments, adding complexity to the rules for tax exemption in this way would seem unusual. |
| 10 | Tangible Personal Property Tax Exemption | If passed, this amendment would 1) extend the tangible personal property tax (paid by businesses) exemption to \$50,000, and 2) authorize counties or municipalities to grant additional tangible tax exemptions by ordinance. A YES vote will increase the exemption. |
| 11 | Additional Homestead Exemption; Low-Income Seniors Who Maintain Long-Term Residency on Property; Equal to Assessed Value | A YES vote on this amendment grants full homestead property tax relief to low-income seniors, 65 years of age or older, who have lived in their homes for at least 25 years if their property has a value less than \$250,000. |
| 12 | Appointment of Student Body President to Board of Governors of the State University System | This amendment would require the Board of Governors of the State University System to create a council of student body presidents, whose chairman would then become the student member of the Board of Governors. Under current law, that seat is held by the president of the Florida Student Association. |

COUNTY BALLOT AMENDMENTS

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| PBC 1 | Allow Slot Machines to be Placed at Licensed Pari-Mutuel Facilities | If passed, this would allow slot machines at licensed pari-mutuel facilities in the county (currently only the Palm Beach Kennel Club), subject to approval by the state and expiration of the exclusive agreement between the state and the Seminole tribe that expires in July 2015. Currently, Attorney General Pam Bondi has issued an opinion that slots can only be approved in Miami-Dade and Broward counties. Economic benefit to the county is estimated at \$1.8M but does not include the added police and welfare infrastructure costs always associated with increased gambling in a community. If passed, this amendment enables the county delegation to pursue legislative approval to proceed. There would be no slots in the county before 2015 at the earliest. |
| PBC 2 | Continue to Provide Tax Exemptions for New or Expanding Businesses in the County | If passed, this would extend the current authority of the county to provide property tax exemptions to new or expanding businesses beyond the August 2014 expiration. A YES vote will extend the current county authority beyond 2014. |

NOTE: You may legally take this Voter Guide into the voting booth with you.