

2010 Constitutional Amendments in Florida

August 30, 2010

Nine Constitutional Amendments have been approved for inclusion in the 2010 general election ballot on November 2, 2010. This paper gives a synopsis of each Amendment and describes the potential impact on Florida Hospital. The Courts have removed Amendments 3, 7 & 9 from the ballot.

Amendment 1 – Repeal of public financing requirement for political campaigns

“Proposing the repeal of the provision in the State Constitution that requires public financing of campaigns of candidates for 20 elective statewide offices who agree to campaign spending limits.”

Background: In 1987, the Florida Legislature established a public (taxpayer) financing system for statewide campaigns. The system was intended to level campaign spending and limit self-funding of political campaigns.

Synopsis: The new amendment would discontinue public financing for political campaigns.

FH Impact: None

Amendment 2 – Tax break for deployed military personnel

"Proposing an amendment to the State Constitution to require 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. The exempt amount will be based upon the number of days in the previous calendar year that the person was deployed on active duty outside the continental United States, Alaska, or Hawaii..." Effective: January 1, 2011.

Synopsis: This amendment would require a homestead property tax reduction to over 25,000 Floridians serving in the military outside the continental United States.

FH Impact: None

Florida's Constitution

The Constitution of the State of Florida is the document that establishes and describes the duties, powers, structure, and functions of the government of state of [Florida](#), and establishes the basic law of the state.

Throughout its history, Florida has been ruled by six different constitutions issued in 1838, 1861 (Order of Secession), 1865, 1868, 1885 and, finally, 1968. Voters have also approved dozens of amendments on topics ranging from staggered terms for state senators to property tax limitations to living conditions for pregnant pigs.

Amendment 4 – Florida Hometown Democracy

“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.”

Background: Currently, county and city elected officials make decisions on new or amended comprehensive land use plans.

Synopsis: Hometown Democracy would require voter approval of all new and amended land use plans. A special referendum would be required for each change. The entity requesting the project or change would be required to pay the costs of the special referendum.

FH Impact: Approval of this amendment could cause significant delays for expansion plans at all Florida Hospital campuses. Voters would have to approve each individual project, and Florida Hospital would absorb the costs of each voter referendum.

Amendment 5 – Florida Legislative redistricting

“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.”

Background: The Florida Legislature is responsible for redrawing the state’s Legislative districts every 10 years.

Synopsis: Supporters of this amendment believe that the current districts are drawn to favor incumbents and political parties. Critics question whether this amendment would assure minority representation.

FH Impact: Possible local representation changes in the Florida Senate and House of Representatives

Amendment 6 –Florida Congressional redistricting

“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.”

Background: The Florida Legislature draws the districts for the U.S. House of Representatives. The Congressional redistricting plans (but not Legislative ones) are subject to approval or veto by the Governor of Florida.

Synopsis: The amendment uses similar language (to that of Amendment 5) for the drawing of Congressional districts.

FH Impact: Possible local representation changes in the U.S. House of Representatives

Amendment 8 –Revision to class size requirement

“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.”

Synopsis: This amendment would ease the state’s existing class size rules approved in a Constitutional amendment in 2002. The new proposal would raise the maximum allowable number of students per class by changing the calculation from per-class maximum to school wide averages. It would allow a school to go over the average in one class if the excess is balanced by another class with fewer students than the allowable average.

FH Impact: None

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