

# *Legislative* **UPDATE** *By Lori Fayhee*

If you haven't requested a mail-in ballot yet for the General election, you may want to request it now. The 2018 election ballot is eight-sided this year! In addition to the regular election, our ballot will include the Lee County School Board's half-penny sales tax referendum, as well as eight proposed amendments to Florida's Constitution, as recommended by the 2018 Constitution Revision Commission (CRC)

Once every 20 years, Florida's Constitution provides for the creation of a 37-member revision commission for the purpose of reviewing Florida's Con-

stitution provides for the creation of a 37-member revision commission for the purpose of reviewing Florida's Constitution and proposing changes for voter consideration. The 2018 Constitution Revision Commission (CRC) is the third of its kind in state history. The Governor, Florida Senate President, Florida Speaker of the House and Florida Supreme Court Chief Justice named 36 people to the 2018 CRC. The Attorney General is the 37th member. The CRC meets for approximately one year, traveling the State of Florida, identifying issues, performing research and recommending changes to the Constitution. Any amendments proposed by the CRC are placed on the 2018 General Election ballot.

Proposed constitutional revisions on the ballot must secure at least 60 percent voter approval to become law. A formal report is submitted to the Florida Secretary of State and a list of the final revisions approved by the CRC is provided below; the full text of each revision is available on [flcrc.gov](http://flcrc.gov).

This year, the 2018 CRC finished its work three weeks early amidst criticism over its decision to bundle 20-some ideas into eight initiatives for voters to decide. Critics say the logrolling of controversial and popular proposals into a take-it-or-leave-it proposal is unfair. They say the number of initiatives addressing more than one issue can create "ballot fatigue" while voters try to figure out what an initiative accomplishes.

The most controversial proposal was a plan to rewrite the way the state governs charter schools. Under current law, school boards approve and monitor all public schools within their counties, including privately-run charter schools that operate as public schools. Under the proposed constitutional amendment, the legislature could create a state-created entity to also control and approve charter schools, allowing charter schools to leapfrog over potential local opposition. It has been reported that this idea is opposed by school officials across the state.

The charter school proposal was bundled together with two less controversial ideas: a plan to limit school board members to eight-year terms, similar to the eight-year limit for the Legislature and state Cabinet and governor, and a proposal to direct the Legislature file legislation to "promote civic literacy in schools." Voters approve all of them with a single vote for any of them to take effect.

The charter school proposal was sponsored by Erika Donalds, a charter school activist who serves on the Collier County School Board. She argued that the proposal will encourage innovation in Florida schools and was needed to update an "antiquated" constitution. Donalds is a founding board member of Mason Classical Academy, a Hillsdale College public charter school in Collier County that is expanding to other parts of the state.

The final revisions approved by the CRC that will be on your ballot are:

1. Proposal 6001 inserts additional rights of crime victims in the Constitution similar to Marsy's Laws in six other states. It provides for victims the right to be heard in court and to be notified of bail and parole decisions. The measure also mandates how a judge interprets state law in disputes between an agency and private party and increases the retirement age for a judge.
2. Proposal 6002 is a three-pronged initiative that would require a supermajority vote of the Board of Governors and university trustees to raise existing fees or impose a new one, provide a governing system for the State College System and give college scholarships to survivors of certain first responders and members of the military.
3. Proposal 6003 combines term limits for school board members with a mandate to teach civic literacy in public schools and allows the state to approve and supervise charter schools instead of the local school board.
4. Proposal 6004 prohibits drilling for exploration and extraction of oil and natural gas in specified coastal waters and vaping in enclosed workspaces including restaurants.
5. Proposal 6005 moves the start of the Legislature's annual session to the first Monday in January of even-numbered years. The initiative would also establish a Department of Veterans Affairs in the Constitution, create an Office of Counterterrorism and require charter counties to elect their sheriff and tax collectors.
6. Proposal 6006 removes a couple of never enforced provisions in the Florida Constitution. A 1926 ban prohibiting

*Legislative Update continued on next page...*

## *Legislative Update continued...*

immigrants not eligible for citizenship to own or inherit real property, known as an alien land law, was invalidated by the U.S. Supreme Court more than 60-years ago. Other states repealed their versions but Florida's law remains on the book. Proposal 6006 would remove it and another provision regarding the development of a high-speed ground transportation system from the state's governing document.

7. Proposal 6007 is an ethics package that would make state and local officials wait six years before they could begin lobbying the government for which they had worked. It also mandates that government officials are not to use their office to receive a "disproportionate benefit" for themselves or relatives. It would be up to the Florida Commission on Ethics to define a disproportionate benefit.

8. Proposal 6012 would phase out greyhound racing by 2020.

As informed voters, we have a great deal of information to review before the 2018 election! You will find the full text of each of these revisions at <https://flcrc.gov/>.