

A force for progress on the Emerald Coast since 1962!

Jul / Aug 2018

"We lose only when we get quiet."

*Rev. William Barber
American Preacher & Activist*



WSRE Primary Rally

Tune in 20–22 Aug for coverage of the following races:

- US Congressional District 1
- Florida Senate District 2
- Okaloosa County School Board Districts 1, 3 and 5

Unopposed races (State Representative and County Commission) will not be covered.



Separate Fact from Fiction

It's hard to judge the accuracy of many "news" articles in the digital age, so it's your responsibility to **not** always take headlines and viral memes at face value. Use Vote Smart's Voter Self-Defense (<https://tinyurl.com/y82bcp9x>) System to fact check, or call the 1-888-VoteSmart hotline. Don't be misled again!



League's Mission:

The League of Women Voters is a nonpartisan political organization that encourages informed and active participation in government, works to increase understanding of major public policy issues, and influences public policy through education and advocacy.

2018 AMENDMENTS ISSUE, VOL 2

Last issue covered the first 5 proposed constitutional amendments on the 2018 ballot. This issue addresses proposed amendments 6–11. Since CRC-referred amendments need not conform to the "single issue" rule, these each include multiple items, so buckle up!

Before you begin, I hope you noticed the new banner on the Voter and on our website. In late April we received approval from the National League to

change our name to include neighboring Walton County, which previously had no local League of its own. We have covered Walton County races in our on-line E-Voters since the 2012 General Election, and now it's finally official! So please urge all your friends from Walton County to join League today. Watch the Voter and our website for updates on future events across the county line.

The Editor

AMENDMENT 6: FLORIDA MARSY'S LAW CRIME VICTIMS' RIGHTS, JUDICIAL RETIREMENT AGE, AND JUDICIAL INTERPRETATION OF LAWS AND RULES

This measure would change state law regarding the rights of crime victims, the age at which judges are required to retire, and judicial deference.

Marsy's Law, AKA a "bill of rights" for crime victims, would vastly expand the scope of victims' rights—which are already protected in the Constitution—and eliminate an existing provision that victims' rights do not interfere with the constitutional rights of the accused.

The measure would also increase the age at which judges are required to retire from 70 to 75.

Finally, the measure would prohibit state courts from deferring to an administrative agency's interpretation of a state statute or rule in lawsuits, a process known as "judicial deference," thus forcing courts and judges to inter-

pret laws and rules for themselves rather than relying on interpretations by government agencies.

In *Chevron USA v. Natural Resources Defense Council* (1984), SCOTUS ruled that when a law passed by Congress is silent or ambiguous regarding an issue, the courts must defer to the responsible agency's interpretation of the law, unless that interpretation is unreasonable—even if the court finds that other interpretations of the statute are reasonable and even if the court believes that the agency's choice is **not** the most reasonable among various available interpretations.

This proposal reveals CRC's practice of bundling potentially controversial items with benign ones to enhance the likelihood of approval by voters, who must accept or reject the entire package.

AMENDMENT 7, FIRST RESPONDER AND MILITARY MEMBER SURVIVOR BENEFITS, SUPERMAJORITY BOARD VOTES FOR COLLEGE FEES, AND STATE COLLEGE SYSTEM

This measure includes 3 "Education" amendments bundled as one, so voters must approve or disapprove all of them.

First, it would require employers to pay death benefits to surviving spouses of first responders killed in the line of duty; and the state to pay death benefits to surviving spouses of active-duty military members accidentally killed or murdered. Both benefits would be

defined by the legislature. Statutes **already** require death benefits for first responders, and the US government **already** pays death benefits to survivors of military members. This measure also includes waiver of some educational expenses for survivors (hence its inclusion), and would enshrine this in the state Constitution.

Second, it would (continued on page 2)

AMENDMENT 7 (cont'd)

Require a ~70% super majority vote (vice simple majority) of a college's board of trustees and the state's board of governors to increase a college fee.

Third, it would add the structure of the state's higher education system to the Constitution. The devil is in the details, which include the governor appointing local college trustees, subject to State Senate approval, and the state board of

education supervising the state college system. In other words: no more local control of local colleges.

As noted previously, CRC bundled two popular measures (Support our troops and first responders—which we already do—and freeze college fees!) with a state takeover of local colleges, all of which will be hard to change once it's in the Constitution.

AMENDMENT 8, SCHOOL BOARD TERM LIMITS, ALLOW STATE TO OPERATE NON-BOARD ESTABLISHED SCHOOLS, AND CIVIC LITERACY

Third verse, same as the first (and second). Again, CRC bundled 3 separate amendments—this time as "K-12 education"—and voters must accept all or none.

This amendment would term limit local school board members to 8 consecutive years; allow the state to operate, supervise and control public schools not established by the local school boards; and require the legislature to promote civic literacy in public schools.

Florida's citizens already have the authority to set term limits now, by voting. They also already pay for their local school district and local public schools, so it's certainly debatable whether or not they need an alternative school system run from Tallahassee. Finally, civics is already a required course in middle school. Do we need more direction from the legislature?

The question here is do you want local control of your school system?

AMENDMENT 9, BAN OFFSHORE OIL AND GAS DRILLING AND BAN VAPING IN ENCLOSED INDOOR WORKPLACES

This measure features 2 amendments merged under the "environment" label. Again, this is an "all or none" choice.

First, this measure would ban offshore drilling for oil and natural gas on lands beneath all state waters.

Second, it would ban the use of vapor-generating e-cigarettes and other

electronic devices in enclosed indoor workplaces.

Ask yourself if your concern for the environment overrides your concern about putting vaping in the Constitution, and decide accordingly. Need help? Check out the resources here: <http://wvowc.org/CoastalDrilling.html>.

AMENDMENT 10, STATE AND LOCAL GOVERNMENT STRUCTURE

This measure includes 4 different proposals that loosely fall under "government administration."

First, it would require the legislature to create a state Department of Veterans Affairs.

Second, it would create a state Office of Domestic Security and Counter-Terrorism.

Third, it would require the legislature to convene regular session on the second Tuesday of January in even-numbered years.

Finally, it would prohibit counties from abolishing certain local offices (Sheriff, tax collector, property appraiser, super-

visor of elections, clerk of courts) and require elections for same.

This proposed amendment is frankly unnecessary. The Constitution already authorizes the legislature to create a Department of Veterans Affairs, and FDLE is already the lead agency in coordinating efforts to prevent terrorism. The legislature already has the power to set session dates during even numbered years. It would also limit the voters in local communities from deciding on the election of county officers (the offices themselves are already mandated), which charters may authorize. This amendment is clearly an effort to restrict the powers of local government.

AMENDMENT 11, REPEAL PROHIBITION ON ALIENS' PROPERTY OWNERSHIP, DELETE OBSOLETE PROVISION ON HIGH-SPEED RAIL, AND REPEAL OF CRIMINAL STATUTES' EFFECT ON PROSECUTION

Amendment 11 would remove discriminatory language related to real property rights by repealing the state's ability to prohibit non-citizens from buying, owning and selling property; delete obsolete language regarding high speed rail in Florida (which was repealed by voters); and delete a provision that forces the state to prosecute criminal suspects under an obsolete law (the current provision allowing prosecution of a crime committed before the repeal of a criminal statute is retained).

Removing obsolete language is a good thing, but there's still a lot of other obsolete language that's not being addressed.



Amendments 1–5 were all legislatively-referred or citizen initiatives. The next Voter will cover the last 2 CRC-referred ballot measures. Start your own research at Ballotpedia (<https://tinyurl.com/ybad8f73>) and Vote Smart

(<https://tinyurl.com/y96yr5zy>), which both provide nonpartisan election information. Be informed. Be prepared. **BE A VOTER!**

**2018 Okaloosa County Women's Hall of Fame**

Nominate a worthy woman! Get rules and an application at: <http://www.occs.org/>. Nominees must be county residents who have made significant contributions to our community. **Applications must be received by 15 July.**