

COUNTY AND STATEWIDE AMENDMENTS INFORMATION SHEET

PREPARED BY: CONCERNED FRIENDS OF FERNANDINA

There is one county referendum and eight statewide constitutional amendments on the General Election ballot this year. Concerned Friends of Fernandina (CFOF) has prepared the following information sheet to assist citizens in understanding these issues and what a 'Yes' and 'No' vote mean to the voter.

CFOF believes that Nassau County should be a member of the Florida Inland Navigation District (FIND) and encourages a "YES" vote on this referendum for Nassau County. We believe that the benefits to all of Nassau County are substantial and far outweigh the small increase in property taxes (less than \$5 for the average county homeowner) that its citizens will incur. The City Commission of Fernandina Beach has also passed a resolution in favor of the County's participation in FIND.

CFOF has not taken a position on the statewide constitutional amendments and encourages each voter to do their own research on these issues.

NASSAU COUNTY

Referendum: Nassau County's Participation in the Florida Inland Navigation District (FIND)

FIND was created in 1927 by the Florida Legislature as a special state taxing district and has assumed the primary responsibility for maintaining and promoting the Intracoastal Waterway (ICW) within the State of Florida; as well as the rivers and streams that feed into the ICW. More detailed information can be found at FIND's web site: <http://www.aicw.org/>

Nassau County is one of the two counties in Florida eligible for membership that has not joined FIND – the other county not participating is Baker County that encompasses the Florida Keys. If voters approve Nassau County's participation in FIND, the County will have its own Commissioner on the FIND Board. The tax assessment for FIND is currently set at 0.0385 mills and can never exceed 0.10 mills. Under the current rate, a property owner will pay \$3.85 each year for every \$100,000 in taxable value of their property.

A 'YES' vote means that you want Nassau County to participate in FIND.

A 'NO' vote means that you do not want Nassau County to participate in FIND.

FLORIDA CONSTITUTIONAL AMENDMENTS

AMENDMENT #1 – Parental Notification of a Minor's Termination of Pregnancy

The Florida Legislature sponsored this amendment because the Supreme Court of Florida ruled that a previous parental notification law was unconstitutional because it violated a minor's right to privacy. If passed, this amendment will authorize to Florida Legislature to draft a law that would require the parent or guardian of a minor be notified before their pregnancy was terminated. The new law would not limit or deny the privacy rights granted to the minor under the U. S. Constitution and would provide a process to allow a judicial waiver of the notification requirement.

A 'YES' vote means you favor this amendment which will require notification be given to a minor's parent or guardian before a pregnancy is terminated.

A 'NO' vote means you oppose this amendment so there will be no notification requirement.

AMENDMENT #2 - Constitutional Amendments Proposed by Initiative

The Florida Legislature is proposing this Amendment. Under current law, constitutional amendments created through citizen initiatives can be placed on the ballot if enough valid signatures are obtained at least 91 days in advance of the election. This amendment does not alter the four-year timeframe allowed to collect the required number of signatures. The current law is silent as to any timeframe for the Florida Supreme Court to provide an advisory opinion as to the legality of the amendment.

This Amendment will establish a deadline of February 1st of the election year for the sponsor of the initiative to file their petition and required signatures with the Florida Secretary of State. Once filed, the amendment then requires the Florida Supreme Court to issue an advisory opinion by April 1st of the election year.

A “**YES**” vote is in favor of the amendment to implement the timeframes.

A “**NO**” vote is against the amendment and will keep the current provisions in place

AMENDMENT #3 – Medical Liability Claimant’s Compensation Amendment

Initiated by a group sponsored by the Florida Medical Association, this amendment would specify the division of monetary judgments awarded in medical liability lawsuits. If the injured person enters into an agreement with an attorney under a contingency fee (the attorney doesn’t get paid unless they win), the injured person must receive at least 70% of the first \$250,000 in all damages received and 90% of all damages awarded in excess of \$250,000 excluding reasonable costs. Currently, the division of awards in contingency cases is negotiated upfront between the injured party and the attorney; but as a general practice, the attorney will receive 30% - 40% of the judgment amount if the injured party wins.

A “**YES**” vote is in favor of the amendment, which will put this awards distribution formula in effect.

A “**NO**” vote opposes the amendment and the division of the award will continue to be negotiated by the injured person and their attorney.

AMENDMENT #4 – Miami-Dade and Broward County Voter Approval for Slot Machines

This amendment was sponsored by the Florida gambling industry. If approved, it would permit citizens in Miami-Dade and Broward counties to hold a referendum whether they to allow the operation of slot machines at existing, licensed pari-mutuel facilities (dog racing, horse racing, harness racing and jai alai) that have been operating for at least two years. The slot machines will be taxed and the taxes must be used to support statewide educational efforts.

If this amendment is approved, each county will hold a referendum to determine if its citizens support such an activity. If the referendum is defeated, it cannot be presented again for two years. If the amendment were passed in either or both counties, slot machines would be licensed and regulated by the State of Florida.

A “**YES**” vote favors the amendment and will allow Miami-Dade and Broward counties to hold these referendums.

A “**NO**” vote opposes the amendment and the referendums will not be held preventing the addition of slot machines in these counties.

AMENDMENT #5 – Florida Minimum Wage Amendment

This amendment is sponsored by the Association of Community Organizations for Reform Now (ACORN) that will establish a Florida minimum wage law that will apply to all employees covered by the federal minimum wage. The wage will start at \$6.15/hour, six months after enactment and then be indexed to inflation. Currently, Florida does not have a minimum wage law; therefore most employers and employees are covered by the Fair Labor Standards Act, which imposes the federal minimum wage rate (currently \$5.15/hour). There are currently 12 states with minimum wage rates higher than the federal level; 29 states with the same rate; 2 states with a lower rate; and 7 states with no state-specified minimum wage rate. More information about each of these states' minimum wage programs can be found at the following web site operated by the US Department of Labor:

www.dol.gov/esa/minwage/america.htm

A “YES” vote is in favor of the amendment to create a statewide minimum wage law.

A “NO” vote opposes the amendment and will leave the current wage situation as it currently exists.

AMENDMENT #6 – Repeal of High Speed Rail Amendment

In the 2000 election, Florida voters approved a constitutional amendment requiring the development and operation of a high-speed rail system by the State of Florida or a private entity. Sponsored by a group known as Derail the Bullet Train (DEBT), this amendment will rescind the earlier amendment and the state will no longer be required to develop this transportation system. More information can be obtained at the following websites opposing and supporting this amendment, respectively:

www.derailthebullettrain.com. Website operated by DEBT

www.floridabullettrain.com Website operated by the Florida Transportation Association

A “YES” vote will repeal the earlier amendment and stop the efforts to develop the bullet train.

A “NO” vote will defeat this amendment and the efforts to develop the high-speed system will continue.

AMENDMENT #7 – Patient’s Right to Know About Adverse Medical Incidents

Under current Florida law, a patient’s ability to obtain information about their physician’s involvement in adverse medical incidents, such as medical malpractice, is restricted. This amendment is sponsored by the Academy of Florida Trial Lawyers to give patients greater rights to research such incidents.

Under the amendment, a patient would be able to request information from their health care provider or facility regarding incidents that have harmed patients. The identity of the individual patient affected will not be disclosed.

A “YES” vote favors the amendment to give a patient the right to view these past adverse medical incidents.

A “NO” vote opposes the amendment and results in maintaining the current environment.

AMENDMENT #8 – Public Protection from Repeated Medical Malpractice

The Academy of Florida Trial Lawyers also sponsors this amendment. Under this amendment, any medical doctor that has committed three or more incidents of medical malpractice will not be licensed in the state of Florida.

A “YES” vote will prohibit doctors that have committed three or more incidents of medical malpractice from practicing medicine in Florida.

A “NO” vote opposes the amendment and resulting in maintaining the current environment.