

Our Opinion: Six amendments deserve your attention

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While the presidential election is getting by far the most attention this fall, here in Florida we have several significant decisions to make on the Nov. 4 ballot.

Six constitutional amendments are up for consideration. All but one, the gay marriage ban, are less controversial than three proposals that were benched this summer by the Florida Supreme Court because of misleading ballot language. (Those had to do with a so-called "tax-swap" plan and a pair involving school vouchers.)

Each measure will require 60-percent voter approval to pass.

Here are the recommendations of the Tallahassee Democrat's editorial board on each of the six:

Amendment 1

- **Repeal of alien land law.** This eliminates antiquated language that originated in California in the early 1900s and was put in our constitution in 1926, authorizing the Legislature to prohibit "ineligible aliens" from owning property. It was intended to prevent Japanese farmers from leasing or owning property, and about a dozen states used this tactic.

Florida, to its credit, never used this anti-Asian, anti-immigrant authority, and this is the only amendment that lawmakers themselves sent to the ballot. This outdated, discriminatory language should be out of our constitution. Vote Yes on Amendment 1.

Amendment 2

- **Gay marriage ban.** This is the only amendment initiated by a citizens' group, Florida4Marriage.org, and it would ban gay marriage and all civil unions. It also puts at risk health insurance and other benefits extended to domestic partnerships that are publicly recognized as the "substantial equivalent" of marriage regardless of the age, gender or sexual orientation of the parties.

Voters sympathetic to traditional marriages can be reassured that Florida statute already prohibits same-sex marriage and defines marriage as a legal union between "one man and one woman" — language echoed in this amendment. The federal Defense of Marriage Act also protects states from having to recognize gay marriages contracted elsewhere.

This amendment is nevertheless a duplicative, unnecessary means of privately objecting to cultural change and nontraditional families. We urge you to vote No on Amendment 2.

Amendment 3

- Hurricane and energy tax break. Homeowners, including those who own rentals, second homes or vacation homes, would get a small tax break for making storm-hardening improvements (such as hurricane-resistant shutters, shingles, doors and windows) or for renewable energy systems such as solar.

The savings would come because, under this amendment, the improvements couldn't affect the assessed value for purposes of property taxes. The Legislature's financial impact estimates suggest an average savings of about \$15 for the 225,000 Floridians who would likely qualify, so it's not a lot of money, but it's good public policy and homeowners might also save on better insurance premiums and lower utility bills.

Vote Yes on Amendment 3.

Amendment 4

- Conservation land tax break. Environmentalists like this tax break because it does two things to help preserve open lands. It creates a complete property tax exemption for conservation easements when a private landowner agrees to permanently set aside and not develop land, keeping it in its current state.

It also allows lawmakers to create a new tax-break class for land-owner managed "conservation" property that is similar to the "greenbelt" exemption for agricultural land. The amendment should overall help sustain agriculture in Florida by providing an alternative to "selling to development" at the same time preserving wilderness areas that are essential to the well-being of the state's natural resources. Vote Yes on the new conservation tools provided in Amendment 4.

Amendment 6

- Working waterfront tax break. In our Gulf Coast region, Amendment 6 could be a blessing, providing a tax break for struggling marinas, boat yards, commercial fishing facilities and other waterfront fish houses or restaurants.

It would help because it would ensure that property is assessed according to its current use instead of by its "potential" use. In some areas of Florida, tax bills have soared because a waterfront parcel with a fish house was assessed as ideal for a high rise. Mom-and-pop owners of waterfront businesses wouldn't feel pressured to sell to keep up with "highest and best use" tax bills, and some of Florida's old charm, beloved by residents and appealing to tourists, could be retained. Vote Yes on Amendment 6.

Amendment 8

- Amendment 8: A new sales tax for community colleges. This is the only amendment proposed by the Taxation and Budget Reform commission that allows a tax increase rather than, as with Amendments 3, 4 and 6, tax breaks. No. 8 would give a county the option of increasing its sales tax to support community colleges.

There's a five-year expiration date, but this amendment is nonetheless cumbersome: If a college served more than one county, all of the counties would have to agree to the same tax increase, and the state already limits local-option taxes to 1.5 percent total, so counties that are already at that limit couldn't chip in.

Florida statutes now allow local-option sales taxes for seven specific purposes, including infrastructure (like Blueprint 2000); public school capital outlay (like Leon County's half-percent); indigent health care; a public hospital; or public-health and safety projects.

Tallahassee Community College President Bill Law favors of this "opportunity for the voters of Florida to give community colleges an arrow in their quiver for a modest and temporary tax support."

But while it's true that community colleges do serve an important work-force function — extra important during times of economic distress — financing public education is one of the state Legislature's fundamental responsibilities. It ought not take a constitutional amendment, which shoves another burden back to counties, to ensure support of our community colleges. We recommend voting No on Amendment 8.