

Amendment # 3 Title: Voter Control of Gambling in Florida

Ballot Language: This amendment ensures that Florida voters shall have the exclusive right to decide whether to authorize casino gambling by requiring that in order for casino gambling to be authorized under Florida law, it must be approved by Florida voters pursuant to Article XI, Section 3 of the Florida Constitution. Affects articles X and XI. Defines casino gambling and clarifies that this amendment does not conflict with federal law regarding state/tribal compacts.

How the Amendment Reached the Ballot: Citizen Initiative

What your Vote Means: A “Yes” vote on this measure: gives Floridians the exclusive right to authorize casino gambling within the state.¹

A “No” vote on this measure: keeps the right to authorize casino gambling with the legislature.¹

Pro: Amendment 3 gives Florida voters the ability to authorize any expansion of casino gambling. To pass any form of expansion, a 60 percent majority vote must exist. This measure shifts the policy decision from those elected to the voters directly. It also adds language to the Florida Constitution that limits “casino gambling” to: card games, casino games, slot machines, and other similar games. This citizen initiative does not apply to dog racing, horse racing, jai-alai, etc. Supporters claim that Floridians should have the final word on casino gambling in the state. By putting the power in the hands of voters directly, Amendment 3 makes it less likely that special interests would be able to influence policy decisions regarding gambling. Advocates of the measure see this as an opportunity to preserve Florida’s “family friendly” culture. This effort comes at a crucial time after the Supreme Court legalized sports betting earlier this spring.¹

Con: Citizens elect representatives to serve on their behalf. If elected officials do not adequately execute the core functions of the job description, citizens have avenues to replace them. Holding a vote for any expansion of casino gambling leads to unnecessary referendums. The policy and lawmaking function has been delegated to our legislative branch of government. Further, this amendment severely regulates the gaming industry, an industry that could ultimately provide revenue streams to government. Skeptics claim that traditional gambling outlets know expansion would be more difficult via the populace at large. Therefore, it crystallizes the current gambling outlook in Florida for the foreseeable future. Any expansion of gambling would require a 60 percent approval from the voters—a difficult threshold to overcome. Putting the decision in the hands of Florida voters severely limits the potential gambling developments after the recent Supreme Court decision. Gambling already faces a litany of regulations, and this would create another hurdle.¹

What Others Say about this Amendment:

John Sowinski, chairman of Voters In Charge, says in support of #3: “People will agree or disagree about casino gambling. But regardless of your position, given the stakes involved

and the money that the gambling industry puts into campaigns and lobbying, the people of Florida should have the final say on whether or not to legalize casino-style gambling. Our state's history shows that without this bright line, gambling will continue to spread through big money lobbying and clever lawyering. If the courts fail to do so, our amendment will put Florida voters back in charge of making such decisions."

<https://www.businesswire.com/news/home/20151027006290/en/Voters-Charge-Launches-Ballot-Initiative-Give-Florida>

Sen. Bill Galvano (R-21) stated, "It's game over for the Legislature if that (constitutional) amendment gets on the ballot and passes. And at that point, we'll just be spectators in the world of gaming, which will essentially be a monopoly for the Seminole Tribe."

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Izzy Havenick, whose family owns dog racing tracks in Naples and Miami, said, "I think it will have a huge impact on our industry, because as opposed to the Legislature regulating us, we'll need 60 percent of the residents of Florida to regulate us in the future. And, as the most regulated business in the state, that just makes anything we want to do to grow our business in the future more difficult."

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Additional Effects of this Amendment:

1. Holding a vote for any expansion of casino gambling leads to unnecessary referendums.
2. Added cost for holding referendums.
3. Our legislature can't make emergency changes to bad law. Any rules governing gambling requires a vote.
4. "Nothing herein shall be construed to limit the ability of the state or Native American tribes to negotiate gaming". This exempts the Seminole Tribe of Florida from this new amendment.
5. Slows regulatory changes.

Analysis: Here's the problem: we have these multi-billion dollar companies who have been unable to get the legislature to expand their casinos. They have no organized political opposition, so they should easily get 60 percent of the voters to support any casino they want. The problem with expanding gambling is the addictions that need to be treated, the **infrastructure** needed, basically there's a ton of side effects and we taxpayers are left to foot the bill. Currently the legislature seems to be doing a good job. We say if it ain't broke, don't fix it.

Supporters Include:

Dem Prog Caucus of FL (Leftist)

Voters in Charge

Disney Worldwide Services, Inc. and Seminole Tribe of Florida

League of Women Voters of Florida

Florida Chamber of Commerce

Florida Association of Realtors

Christian Family Coalition (CFC) Florida

Opponents Include:

USA Today's Florida Today (Leans left)

Vote No on 2 - Citizens for Equitable Tax Policy is leading the campaign in opposition to Amendment 2²

TPM Vetter's Summary Comments:

I believe that this is a bad amendment and we should vote "NO." This kind of detailed control of some element of life should not become part of our constitution but should be handled by our state legislators. If our legislators can't do the job we hired them to do, replace them with individuals that understand that our legislators work for the people they represent.

This vetter's position is I may agree with some of the ideas in some of the amendments but I do not agree with the amendment process so on principle I vote against all amendments.

TPM's Recommendation:

Vote **NO** on Amendment 3

Sources:

¹The James Madison Institute 2018 Florida Amendment Guide

https://www.jamesmadison.org/wp-content/uploads/2018/08/2018_Amendment_Guide_v08_web.pdf

²Ballotpedia:

https://ballotpedia.org/Florida_2018_ballot_measures