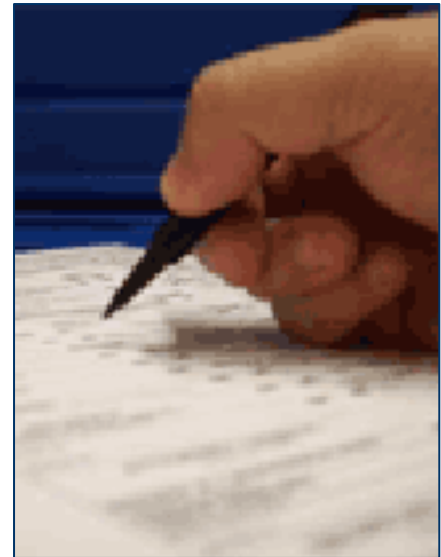


August 23, 2006

November 7 is Election Day

Voters to Consider Six Proposed Amendments to the Florida Constitution in November

Floridians will be voting for a new Governor and three other Cabinet officers; legislators; a range of local elected officials; and six more proposed amendments to the Florida Constitution.



This fall more than 6.5 million voters are expected to head to the polls to cast their vote on six proposed constitutional amendments. They will have the important opportunity to decide if these amendments should or should not have a permanent place in Florida's Constitution.

Information about each of the amendments is found in this issue of *Carlton Fields Capitol Report*.

** Please note: Proposed amendments 2 and 5 were deemed unconstitutional and removed from the 2006 ballot by the Florida Supreme Court.*

#	Proposed Amendment*	Sponsor
1	State Planning & Budget Process	Legislature
3	Broader Support for Constitutional Amendments or Revisions	Legislature
4	Protection from addiction, disease, and other health hazards of using tobacco	Floridians for Youth Tobacco Education
6	Increased Homestead Exemption	Legislature
7	Permanently Disabled Veterans' Discount on Homestead Ad Valorem Tax	Legislature
8	Eminent Domain	Legislature

This report was compiled in substantial part using information, with permission, provided by Vote Smart Florida, a non-partisan organization with a mission to provide information to voters on proposed constitutional amendments. See www.VoteSmartFlorida.org for more information.

AMENDMENT #1: BALLOT SUMMARY**State Planning and Budget Process**

Proposing amendments to the State Constitution to limit the amount of nonrecurring general revenue which may be appropriated for recurring purposes in any fiscal year to 3 percent of the total general revenue funds estimated to be available, unless otherwise approved by a three-fifths vote of the Legislature; to establish a Joint Legislative Budget Commission, which shall issue long-range financial outlooks; to provide for limited adjustments in the state budget without the concurrence of the full Legislature, as provided by general law; to reduce the number of times trust funds are automatically terminated; to require the preparation and biennial revision of a long-range state planning document; and to establish a Government Efficiency Task Force and specify its duties.

✓ YES VOTE:

If approved by voters, Amendment #1 would establish a long-range budget-planning process, putting both budget and revenue estimates together in one document. It would create a Government Efficiency Task Force (appointed every four years by the Governor, Senate President and Speaker of the House) to seek input from the public, executive and judicial branches and create a long-range financial plan.

✗ NO VOTE:

If Amendment #1 is not approved by voters, the current laws as set by Section 19 of Article III of the State Constitution will remain in place as originally proposed by the Taxation and Budget Reform Commission and approved by the voters in 1992.

FISCAL IMPACT:

There is not a direct financial impact on taxpayers, state or local government.

AMENDMENT #3: BALLOT SUMMARY**Requiring Broader Public Support for Constitutional Amendments or Revisions**

Proposes an amendment to Section 5 of Article XI of the State Constitution to require that any proposed amendment to or revision of the State Constitution, whether proposed by the Legislature, by initiative, or by any other method, must be approved by at least 60 percent of the voters of the state voting on the measure, rather than by a simple majority. This proposed amendment would not change the current requirement that a proposed constitutional amendment imposing a new state tax or fee be approved by at least 2/3 of the voters of the state voting in the election in which such an amendment is considered.

✓ YES VOTE:

If approved by voters, Amendment #3 would increase the number of votes needed to approve ballot initiatives from 50% +1 to 60% +1 of those voting on the measure.

✗ NO VOTE:

If Amendment #3 is not approved by voters, the current requirement of 50% +1 approval would remain in place.

FISCAL IMPACT:

There is not a direct financial impact on state or local government. Amendment #3 does not have a direct economic impact on the private sector; future individual proposals may or may not have an economic impact.

i Download a "2006 Voter Guide to Proposed Constitutional Amendments" by visiting www.VoteSmartFlorida.org, a non-profit, non-partisan organization with a mission to provide information to voters on proposed constitutional amendments.

AMENDMENT #4: BALLOT SUMMARY**Protect People, Especially Youth, from Addiction, Disease, and other Health Hazards of Using Tobacco**

To protect people, especially youth, from addiction, disease, and other health hazards of using tobacco, the Legislature shall use some Tobacco Settlement money annually for a comprehensive statewide tobacco education and prevention program using Centers for Disease Control best practices. Specifies some program components, emphasizing youth, requiring one-third of total annual funding for advertising. Annual funding is 15% of 2005 Tobacco Settlement payments to Florida, adjusted annually for inflation. Provides definitions. Effective immediately.

✓ YES VOTE:

If approved by voters, Amendment #4 would require that 15% (\$57 million) of the 2005 tobacco settlement payments to Florida would fund a statewide tobacco education and prevention program.

✗ NO VOTE:

If Amendment #4 is not approved by voters, Florida would continue to receive allocations as set by the Legislature and approved by the Governor. Current allocations are set at 1% of the tobacco settlement money.

FISCAL IMPACT:

Education, prevention and enforcement costs will increase. The state will be required to appropriate approximately \$57 million from Tobacco Settlement funds in 2007, which will be adjusted annually for inflation. Because the Tobacco Settlement funds are currently fully obligated, the requirement to spend these dollars on the specified programs will result in reductions to existing programs or the replacement of those dollars with \$57 million of other state funds.

AMENDMENT #6: BALLOT SUMMARY**Increased Homestead Exemption**

Proposing amendment to the State Constitution to increase the maximum additional homestead exemption for low-income seniors from \$25,000 to \$50,000 and to schedule the amendment to take effect January 1, 2007.

✓ YES VOTE:

If approved by voters, Amendment #6 would increase the maximum additional homestead exemption for low-income seniors* from \$25,000 to \$50,000 effective January 1, 2007. Therefore, a low-income senior could receive an exemption from property taxes as high as \$75,000

✗ NO VOTE:

If Amendment #6 is not approved by voters, homestead exemptions would remain as currently listed in the constitution:

- \$25,000 homestead exemption to all owners of "homestead" properties.
- Allows local governments the option of offering an additional exemption to low-income seniors* of up to \$25,000 (established in 1982).

FISCAL IMPACT:

There is not a direct financial impact on state government. If all counties were to fully implement the increased exemption and millage rates remain the same, it could have an impact of negative \$36 million to local revenues.

AMENDMENT #7: BALLOT SUMMARY**Permanently Disabled Veterans' Discount on Homestead Ad Valorem Tax**

Proposing an amendment to the State Constitution to provide a discount from amount of ad valorem tax on homestead of a partially or totally permanently disabled veteran who is age 65 or older who was a Florida resident at the time of entering military service, whose disability was combat-related, and who was honorably discharged, to specify percentage of the discount as equal to the percentage of veteran's permanent service-connected disability; to specify qualification requirements for the discount; to authorize the Legislature to waive the annual application requirement in subsequent years by general law; and to specify that the provision takes effect December 7, 2006, is self-executing, and does not require implementing legislation.

✓ YES VOTE:

If approved by voters, Amendment #7 would lower taxes for certain disabled veterans by allowing them to take a discount on their homestead property tax equal in proportion to the amount of disability as determined by the U.S. Department of Veteran's Affairs. (Effective December 7, 2006)

✗ NO VOTE:

If Amendment #7 is not approved by voters, the current law which authorizes a \$5,000 exemption for ex-servicemen who are disabled to a degree of 10% or more as a result of service in war would remain in place.

FISCAL IMPACT:

There is not a direct financial impact on state government.

AMENDMENT #8: BALLOT SUMMARY**Eminent Domain**

Proposing an amendment to the State Constitution to prohibit transfer of ownership or control of private real property taken by eminent domain pursuant to petition filed on or after January 2, 2007, to any natural person or private entity, except that ownership or control of such property may be conveyed to specified natural persons or entities in specified circumstances.

✓ YES VOTE:

If approved by voters, Amendment #8 would require that private property taken by eminent domain must be retained for five years before it may be transferred to another private entity. The Legislature may provide exceptions to this limitation if passed by a 3/5 votes of the membership of each house.

✗ NO VOTE:

If Amendment #8 is not approved by voters, additional limits will not be placed and eminent domain. It would remain in its current form as stated in the Florida Constitution, Section 6, Article X, "prohibits takings of private property unless the taking is for a "public purpose" and the property owner is paid "full compensation."

FISCAL IMPACT:

There is not a direct financial impact on tax payers, state or local government.

***i** See more information about 2006 proposed constitutional amendments at www.VoteSmartFlorida.org, a non-profit, non-partisan organization with a mission to provide information to voters on proposed constitutional amendments.*

CARLTON FIELDS

Lobbying & Government Affairs Services

Our focus to client service is long-term, going beyond the matter at hand to emerging trends and opportunities that may affect our clients for many years to come.

Aggressive Client Representation

We diligently lobby positions before the Florida Legislature, the Governor, Cabinet, and relevant state agencies using substantive arguments with a blend of data, political savvy, and effective communication skills.

We will identify, track, monitor, analyze and summarize legislative proposals, political and policy considerations, as directed and can assess their impact on operations.

We testify, draft legislation and amendments to legislation, pass or defeat legislative proposals, and use our extensive political relationships to advocate client positions.

Extensive Contacts and Relationships with Leadership

We work daily to maintain broad relationships across party lines with the state's highest political leaders, from the Governor and Lt. Governor to the Speaker of the House and the President of the Senate. We also maintain excellent relationships with members of the Florida Cabinet, legislative majority and minority leaders and chairmen, state agency secretaries, government staff, and business industry leaders. Our clients have access to this vast network of contacts.

Political Consultation

We are adept at analyzing the political players and the issues involved in a particular situation beforehand. We provide our clients with likely scenarios based on current political winds and help them plan accordingly.



Political Action Counsel

We counsel clients on political contributions through corporate or political action committee giving. We completely understand the specific goals of the incoming Speaker of the House Marco Rubio, and incoming Senate President Ken Pruitt.

As well, we regularly facilitate our clients' major contributions to leadership funds and designated candidates through arranged meetings with our clients and candidates, and at fund-raising events throughout the state.

Public Affairs

For clients who have a press strategy, we also have extensive skills beyond lobbying and can help underpin an overall public affairs goal. We understand there is sometimes a need to integrate lobbying into communicating an overall key message. We are well equipped to represent a political position with legislative leadership and even the news media – drawing on years of spokesperson experience in both the public and private sectors – and helping to develop relationships and a consistent message.

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