Why Florida voters rejected amendments this year when they usually don’t

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TALLAHASSEE —

If GOP lawmakers put 11 proposed changes to the state constitution on Tuesday’s ballot to drive voters to the polls, some might say their plan was a success.

But if they wanted voters to support the measures, the plan was a dismal failure.

Florida voters rejected eight of 11 proposed constitutional amendments placed on the ballot by the legislature, a marked shift from previous elections in which voters typically say yes. And, while Florida law requires a 60 percent voter approval for the amendments to pass, none of the eight failing proposals even received a simple majority.

“What a slap in the face to the Republican legislature,” said University of Florida political scientist Daniel Smith, who tracks constitutional amendments and ballot initiatives.

Senate President Don Gaetz, who co-sponsored Amendment 4, which would have restricted rises in property taxes, said voters he spoke with were loath to change the constitution to accommodate fleeting issues. He said he intends to caution senators to use restraint in future proposals.

“If you have a proposed constitutional amendment, it’d better solve a constitutional problem, not an issue du jour,” said Gaetz, R-Niceville. “And there’d better be a plan to explain this constitutional amendment to the public instead of just putting something on the ballot and then leaving it to the vagaries of the lawyers to put the amendment into confusing and often convoluted language.”

Over the past 40 years, voters have signed off on 80 percent of the constitutional changes placed on the ballot by the legislature. This year, the approval rate was just 27 percent.

Critics say the legislature went too far with proposals reflecting a conservative ideology. Amendment 1 would have banned the government from requiring that Floridians purchase health insurance, an attempted broadside to President Barack Obama’s health care revisions. That was
rendered moot by a U.S. Supreme Court decision this summer upholding the “individual mandate” portion of the federal health care law.

Another would have allowed public money to be spent on religious schools. One would have added restrictions on abortions. Yet another would have imposed a new formula for a cap on state revenues. And fifth would have given the legislature say in Florida Supreme Court nominees, an effort by the GOP-majority legislature to unseat judges deemed too liberal.

“This was overreach. There was a lot of pettiness and vindictiveness in those constitutional amendments. The voters of Florida saw through it,” Smith said. “Just because you have control of the legislature, even supermajority control, doesn’t mean the median voter in Florida agrees with you.”

Others say that it was the presentation of the proposals that doomed them. The number of proposals, technical language, length — some took up an entire ballot page — likely left voters baffled and unwilling to approve measures they didn’t understand, some experts said.

Florida Atlantic University professor Kevin Wagner is a political scientist and a lawyer. “If there’s any Florida voter that could possibly understand these amendments, it would be me,” Wagner said.

But Wagner said he had to do extra research to figure out what the measures meant. “And if I had to do that, what do you expect the average person who hasn’t been following this closely does when they step into the ballot box? My explanation for why these went down is because they were long and confusing.”

Some elections supervisors blamed the lengthy ballot measures for long lines that frustrated voters during early voting and on Election Day.

Voters did agree to three property tax-related changes. Those expanded homestead property exemptions for disabled veterans, spouses of first responders killed in the line of duty and low-income seniors.

Advocacy groups spent a total of $12 million on a handful of the amendments, with mixed results.

Abortion rights activists, including Planned Parenthood affiliates throughout the country, pumped millions into television ads urging voters to say no to Amendment 6. It failed.

But Florida Realtors spent more than $4 million in an ad campaign in support of Amendment 4, a complicated measure that would have created new tax breaks for certain property owners, addressing what some call a glitch in the property tax system that allows ad valorem taxes to rise while property values decline.
Just 43 percent of voters said “yes” to Amendment 4. Its title alone — “Property Tax Limitations; Property Value Decline; Reduction for Nonhomestead Assessment Increases; Delay of Scheduled Repeal” — was daunting.

“What does that mean? They look at it. It’s so long and it’s scary. So you vote no,” said Florida Chamber of Commerce political director Marian Johnson.

Florida’s trend reflects voters’ attitudes toward ballot measures around the country, even in states where the ballot language was simpler.

“I saw more negativity on the part of voters nationwide on Tuesday night than I typically do. It wasn’t just Florida,” said Jennie Bowser, elections policy analyst for the National Conference on State Legislatures. Voters in battleground states like Florida may have simply been worn out after weeks and months of campaign mailers and television ads, Bowser said.

But the reaction to ballot measures around the country, coupled with President Barack Obama’s reelection and Democratic gains in state legislatures and in Congress, including in Florida, raised questions about whether American voters are becoming more centrist.

For example, voters in three states approved same-sex marriage measures and rejected one that would have banned gay marriage. Voters in two other states approved marijuana legalization measures.

“A lot of what happened on the ballot on Tuesday night was the extreme polarization in American politics playing out and voters’ frustration with it,” Bowser said. “The rejection of these really ideological issues goes along with that.”