

# Florida Amendment 7, First Responder and Military Member Survivor Benefits, Supermajority Board Votes for College Fees, and State College System Amendment (2018)

## Florida Amendment 7, First Responder and Military Member Survivor Benefits, Supermajority Board Votes for College Fees, and State College System Amendment



### Election date

November 6, 2018

### Topic

Education and Insurance

### Status

On the ballot

### Type

Commission-referral

### Origin

Legislative commission

Florida Amendment 7, the **First Responder and Military Member Survivor Benefits, Supermajority Board Votes for College Fees, and State College System Amendment**, is on the [ballot](#) in [Florida](#) as a [commission referral](#) on [November 6, 2018](#).<sup>[1]</sup>

A "yes" vote supports this amendment to:

- require employers to provide death benefits, as the [state legislature](#) defines, to the surviving spouses of first responders while engaged in official duties;
- require the state to provide death benefits, as the [state legislature](#) defines, to the surviving spouses of active-duty U.S. Armed Forces members who are accidentally killed or unlawfully and intentionally killed;
- require a nine-member vote of the board of trustees and 12-member vote of the board of governors to

- increase a college fee; and
- place the current structure of the state's system of higher education in the [Florida Constitution](#).

A "no" vote opposes this amendment to:

- require employers to provide death benefits, as the [state legislature](#) defines, to the surviving spouses of first responders while engaged in official duties;
- require the state to provide death benefits, as the [state legislature](#) defines, to the surviving spouses of active-duty U.S. Armed Forces members who are accidentally killed or unlawfully and intentionally killed;
- require a nine-member vote of the board of trustees and 12-member vote of the board of governors to increase a college fee; and
- place the current structure of the state's system of higher education in the [Florida Constitution](#).

**In Florida, a constitutional amendment requires a 60 percent supermajority vote at the ballot for approval.**

## Overview

### How did this measure get on the ballot?

The [Florida Constitution Revision Commission \(CRC\)](#) voted 30-7 to place Amendment 7, which is composed of three constitutional amendments, on the ballot for the election. The 37-member commission, which meets every 20 years to propose changes to the [Florida Constitution](#), is unique amongst the states. Florida is the only state with a commission empowered to refer constitutional amendments to the ballot. Republicans, including legislative leaders and [Gov. Rick Scott](#), appointed 33 of the commissioners. [Attorney General Pam Bondi](#) (R) also served on the commission. [Jorge Labarga](#), chief justice of the [Florida Supreme Court](#), appointed the three remaining members.

As Amendment 7 is a package of three constitutional amendments, voters cannot approve or reject some, but not all, of the amendments. Voting "yes" on the ballot measure is a vote to pass the three constitutional amendments. Voting "no" on the ballot measure is a vote to reject the three constitutional amendments.

### What changes to state law would the measure make?

Amendment 7 would make changes to the state's law regarding death benefits for survivors of first responders and military members, the vote requirements to increase college fees, and the state college system.

#### **Establishing death benefits for survivors of first responders and military members**

Amendment 7 would require employers to provide death benefits, as the state legislature defines, to the surviving spouses of first responders while engaged in official duties. The measure would require the state to provide death benefits, as the state legislature defines, to

the surviving spouses of active-duty U.S. Armed Forces members who are accidentally killed or unlawfully and intentionally killed. The measure would also require the state to waive certain educational expenses, as defined in statute, for the surviving children or spouse of the deceased first responder or military member in order to obtain a career certificate, an undergraduate education, or a postgraduate education.[1]

Amendment 7 would define *first responders* to include (a) firefighters; (b) paramedics; (c) emergency medical technicians (EMTs); (d) law enforcement officers; (e) correctional officers; (f) correctional probation officers; and (g) members of the Florida National Guard.[1]

As of 2018, state statutes provide for death benefits for law enforcement, correctional, and correctional probation officers, firefighters, and members of the Florida National Guard. The statutes require that the employer of the first responder pay the death benefit to survivors. The death benefits range from \$50,000 to \$150,000, depending on the circumstances of death.

### **Requiring a supermajority vote to increase college fees**

Amendment 7 would require a nine-member vote of a university's 13-member board of trustees (69.23 percent) and 12-member vote of the 17-member state board of governors (70.59 percent) to increase a college fee. As of 2018, a simple majority vote of a university's board of trustees and the state board of governors is needed to increase a college fee.[1]

### **Adding structure of state college system to constitution**

Amendment 7 would place the current structure of the state's system of higher education in the [Florida Constitution](#). The measure would also state that the purpose of the state's system of higher education is "to achieve excellence and to provide access to undergraduate education to the students of this state;" "to originate articulated pathways to a baccalaureate degree;" "to ensure superior commitment to teaching and learning;" and "to respond quickly and efficiently to meet the demand of communities by aligning certificate and degree programs with local and regional workforce needs." [1]

The system that would be added to the state constitution requires that:[1]

- there be a single state college system comprised of all public community and state colleges;
- a local board of trustees shall govern each institution;
- members of a board of trustees must be a resident of the college's service delivery area;
- members of a board of trustees are appointed by the [governor](#), subject to confirmation by the [state Senate](#), to four-year terms; and
- the state board of education shall supervise the state college system;

# Text of the measure

## Ballot title

The ballot title is as follows:[1]

“ FIRST RESPONDER AND MILITARY MEMBER SURVIVOR BENEFITS; PUBLIC COLLEGES AND UNIVERSITIES.[2]

## Ballot summary

The ballot summary is as follows:[1]

“ Creates mandatory payment of education and compensation benefits to qualifying survivors of certain first responders and military members who die performing official duties. Requires supermajority votes by university trustees and state university system board of governors to raise or impose all legislatively authorized fees if law requires approval by those bodies. Establishes existing state college system as constitutional entity; provides governance structure.[2]

## Constitutional changes

See also: [Florida Constitution](#)

Amendment 7 would amend [Sections 7 and 8 of Article IX](#) of the [Florida Constitution](#) and add a new section to [Article X](#) of the state constitution.

## Campaign finance

Total campaign contributions:	
Support:	\$0.00
Opposition:	\$0.00

See also: [Campaign finance requirements for Florida ballot measures](#)

As of July 21, 2018, there were no ballot measure committees registered in support of the measure or in opposition to the measure.[3]

## Polls

The following poll was conducted by Cherry Communications and commissioned by the Florida Chamber of Commerce to gauge voter support and opposition toward the amendments on [Florida's 2018 ballot](#). A total of 605 likely voters were polled, including 237 Republicans, 249 Democrats, and 119 others.[4]

[hide]Support and Opposition for Amendment 7

Poll	Support	Oppose	Undecided	Margin of error	Sample size
Florida Chamber of Commerce Poll 5/25/18 - 6/2/18	80%	7%	13%	+/-4.0	605

*Note: A "0%" finding means the candidate was not a part of the poll. The polls above may not reflect all polls that have been conducted in this race. Those displayed are a random sampling chosen by Ballotpedia staff. If you would like to nominate another poll for inclusion in the table, send an email to [editor@ballotpedia.org](mailto:editor@ballotpedia.org).*