

Florida Amendment 9, Ban Offshore Oil and Gas Drilling and Ban Vaping in Enclosed Indoor Workplaces Amendment (2018)

Florida Amendment 9, Ban Offshore Oil and Gas Drilling and Ban Vaping in Enclosed Indoor Workplaces Amendment



Election date

November 6, 2018

Topic

Environment and Business regulation

Status

On the ballot

Type

Commission-referral

Origin

Legislative commission

Florida Amendment 9, the **Ban Offshore Oil and Gas Drilling and Ban Vaping in Enclosed Indoor Workplaces Amendment**, is on the [ballot](#) in [Florida](#) as a [commission referral](#) on [November 6, 2018](#).^[1]

A **"yes"** vote supports this amendment to:

- ban offshore drilling for oil and natural gas on lands beneath all state waters and
- ban the use of vapor-generating electronic devices, such as electronic cigarettes, in enclosed indoor workplaces.

A **"no"** vote opposes this amendment to:

- ban offshore drilling for oil and natural gas on lands beneath all state waters and
- ban the use of vapor-generating electronic devices, such as electronic cigarettes, in enclosed indoor

workplaces.

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 33-3 to place Amendment 9, which is composed of two 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 9 is a package of two constitutional amendments, voters cannot approve one and reject the other. Voting “yes” on the ballot measure is a vote to pass the two constitutional amendments. Voting “no” on the ballot measure is a vote to reject the two constitutional amendments.

Measure design

The [Florida Constitution Revision Commission \(CRC\)](#) bundled two proposed constitutional amendments as one ballot measure.

Ban Offshore Oil and Gas Drilling Amendment

Amendment 9 would prohibit drilling, either for exploration or extraction, of oil or natural gas in state waters. This prohibition would include the ocean from shoreline to the outermost boundaries of the state’s territorial seas. The measure would not affect the transportation of oil and natural gas products that were produced outside the state’s waters.^[1]

Ban Vaping in Enclosed Indoor Workplaces Amendment

Amendment 9 would prohibit the use of vapor-generating electronic devices in enclosed indoor workplaces. The measure would make exceptions for the use of vapor-generating electronic devices in (1) private residences that are not being used for commercial childcare,

adult care, or healthcare; (2) in retail tobacco and vapor-generating electronic device shops; (3) designed smoking guest rooms in hotels; and (4) stand-alone bars.^[1]

Amendment 9 would define vapor-generating electronic devices as “any product that employs an electronic, a chemical, or a mechanical means capable of producing vapor or aerosol from a nicotine product or any other substance.” The definition would include electronic cigarettes, electronic cigars, electronic cigarillos, electronic pipes, and other similar devices or products, replacement cartridge for such devices, and other containers of a solution or other substance intended to be used with or within the devices.^[1]

Text of the measure

Ballot title

The ballot title is as follows:^[1]

“ PROHIBITS OFFSHORE OIL AND GAS DRILLING; PROHIBITS VAPING IN ENCLOSED INDOOR WORKPLACES.^[2] ”

Ballot summary

The ballot summary is as follows:^[1]

“ Prohibits drilling for the exploration or extraction of oil and natural gas beneath all state-owned waters between the mean high water line and the state’s outermost territorial boundaries. Adds use of vapor-generating electronic devices to current prohibition of tobacco smoking in enclosed indoor workplaces with exceptions; permits more restrictive local ordinances.^[2] ”

Constitutional changes

See also: [Florida Constitution](#)

Amendment 9 would amend [Section 7 of Article II](#) and [Section 20 of Article X](#) of the [Florida 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 9					
Poll	Support	Oppose	Undecided	Margin of error	Sample size
Florida Chamber of Commerce Poll 5/25/18 - 6/2/18	55%	31%	14%	+/-4.0	605
<i>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.</i>					