

PROPOSED

RESOLUTION NO. 2018-

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, EXPRESSING THE BOARD'S OPPOSITION TO PROPOSED FLORIDA CONSTITUTION AMENDMENT 3 ON THE NOVEMBER 2018 ELECTION BALLOT; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, as part of the November 6, 2018, elections, Florida's voters will have a chance to consider multiple proposed amendments to the Florida Constitution, including Amendment 3, which is titled "Voter Control of Gambling in Florida";

WHEREAS, Amendment 3 purports to grant to the voters the exclusive right to decide whether to "authorize casino gambling" in the state;

WHEREAS, given the title of Amendment 3, Broward's residents might support Amendment 3 thinking it would give them control over authorizing casino gambling within Broward County, rather than control of the issue remaining with the state government which might not share Broward County's interests. In fact, examples currently exist of organizations and individuals advocating passage of Amendment 3 based on the belief that it provides for such local control;

WHEREAS, if approved, Amendment 3 would not grant Broward County voters the power to control gambling establishments within the County but, rather, would require a statewide vote to authorize casino gambling within the County;

WHEREAS, nowhere in the seventy-five (75) word ballot summary is it revealed that such statewide vote would be required to authorize casino gambling within the County;

1 WHEREAS, the exact scope of Amendment 3 is unclear and might be far broader
2 than voters understand, potentially impacting, among other things, currently permitted
3 card games and lotteries;

4 WHEREAS, the ballot language of Amendment 3 is also unclear as to whether the
5 Amendment would apply prospectively only to future gambling establishments or also
6 apply retroactively to existing establishments, including those within Broward County, and
7 the Florida Supreme Court has declined to opine as to the potential retroactive application
8 of the Amendment;

9 WHEREAS, gambling and tourism related thereto provide important revenue to
10 Broward County, which revenue is used to further and protect the health, safety, and
11 welfare of the County's residents; and

12 WHEREAS, the Board of County Commissioners of Broward County, Florida (the
13 "Board"), opposes Amendment 3, NOW, THEREFORE,

14
15 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF
16 BROWARD COUNTY, FLORIDA:

17
18 Section 1. The recitals set forth in the preamble to this Resolution are
19 incorporated by reference herein.

20 Section 2. The Board hereby opposes Amendment 3.

21 Section 3. Severability.

22 If any portion of this Resolution is determined by any court to be invalid, the invalid
23 portion will be stricken, and such striking will not affect the validity of the remainder of this
24 Resolution. If any court determines that this Resolution, in whole or in part, cannot be

