

**IN THE SUPREME COURT OF FLORIDA**  
**Case No. SC18-1287**

DEPARTMENT OF STATE, an agency of the  
State of Florida, and KEN DETZNER, in his  
official capacity as Secretary of State of Florida,

Appellants,

vs.

LT Case No(s): 1D18-3260;  
372018CA001114

FLORIDA GREYHOUND ASSOCIATION, INC.,  
a Florida Corporation, and  
JAMES BLANCHARD, individually,

Appellees.

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**JOINT BRIEF OF THE ANIMAL LAW SECTION OF THE FLORIDA BAR**  
**AND ANIMAL LEGAL DEFENSE FUND AS AMICI CURIAE**  
**IN SUPPORT OF APPELLANTS**

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RECEIVED, 08/20/2018 02:43:25 PM, Clerk, Supreme Court

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## **STATEMENT OF AMICI CURIAE INTEREST**

The Animal Law Section of The Florida Bar ("Animal Law Section") and the Animal Legal Defense Fund ("ALDF") submit this *amicus curiae* brief in support of Appellant, and in favor of amending Florida's Constitution to add a new section to Articles X and XII through "Amendment 13." The Constitution Revision Commission ("CRC") received numerous requests from advocacy groups and citizens expressing concern about—and a desire to change—Florida's commercial dog racing and wagering scheme. After giving extensive consideration to these requests and debating the proposal that arose out to these requests, the CRC voted 27-10<sup>1</sup> in favor of placing Amendment 13 on the ballot for Florida's citizens to consider in the General Election on November 6, 2018. Amendment 13 seeks to amend the Florida Constitution to prohibit the commercial racing of and wagering on greyhounds or other dogs in the State of Florida.

The Animal Law Section has an interest in this case because it is composed of over 500 members including lawyers, judges, law clerks, law professors, law students, and animal welfare professionals whose sole focus is to promote the study and understanding of laws, regulations, and court decisions involving animals, and to provide support as needed to address animal related issues across

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<sup>1</sup> *Florida Constitutional Revision Commission, Proposals, Commissioner Proposals*, <http://www.flcrc.gov/Proposals/Commissioner/2017/6012>.

the state of Florida. The Animal Law Section maintains a database of lawyers and other professionals who participate in judicial and non-judicial animal welfare programs, including animal rescue activities. This includes many individuals involved in the rescue of greyhounds from breeders, tracks, and animal shelters in Florida. The Animal Law Section participated in and lobbied successfully during the CRC process<sup>2</sup> to have Amendment 13 placed on the November 2018 ballot.

The ALDF has an interest in this case because it is a national non-profit animal protection organization founded in 1979 that uses education, public outreach, legislation, and litigation to protect the lives and advance the interests of animals. ALDF's work is supported by more than 14,000 members and supporters in Florida and 200,000 members nationwide. ALDF's representatives and members participated in and lobbied for the placement of Amendment 13 on the November 2018 ballot during the CRC process. ALDF continues to invest resources in efforts for the successful passage of Amendment 13 including, building awareness of the amendment, participating in educational initiatives in support of the amendment,

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<sup>2</sup> "Changes to the Florida Constitution can be proposed by a joint resolution of the Florida Legislature, citizens' initiative process, the constitutional revision commission, or the taxation and budget reform commission. Proposed amendments require 60% approval from voters to pass [see Florida Constitution, Article XI, Section 5(e)]." *Florida Department of State Division of Elections, Laws & Rules, Constitutional Amendments*, <http://dos.myflorida.com/elections/laws-rules/constitutional-amendments/>.

and encouraging members and supporters to participate in grassroots efforts in support of Amendment 13.

The Animal Law Section and ALDF strongly disagree with the trial judge's erroneous ruling which implies that the CRC engaged in "trickery" or somehow tried to "hide the ball" and "fly under false colors." There is simply no evidence to support such a conclusion. Moreover, when the language or the ballot title and summary are properly considered, it is clear that they do not violate the clarity requirements of section 101.161(1), Florida Statutes.

### **SUMMARY OF ARGUMENT**

The ballot title and summary do not violate the clarity requirements of section 101.161(1), Florida Statutes, because the "fundamental value" language has no independent legal effect since there is no accompanying operative language, and that language is not a material element of the chief purpose of the amendment, so disclosure is unnecessary. Indeed, omission of the "fundamental value" language would not change the purpose or effect of Amendment 13 in any way, proving its prefatory function. Therefore, the ballot title and summary of Amendment 13 provide voters with fair notice of the contents and the purpose of the amendment: to ban the commercial racing of and wagering on greyhounds or other dogs in the State of Florida. Moreover, there is no legitimate argument that

the ballot title and summary are so clearly or conclusively defective as to warrant the opponents' requested relief. The ballot title and summary are not required to explain every detail or ramification of the proposed amendment. The minor points raised by the opponents do not meet the heavy burden that would be required to remove Amendment 13 from the ballot.

### **STANDARD OF REVIEW**

In *Advisory Opinion To Attorney General re Right To Treatment & Rehabilitation*, 818 So. 2d 491 (Fla. 2002), the Florida Supreme Court summarized its standard of review of amendments arising through the citizen initiative process, which is analogous to the CRC process, as one of reluctance to interfere with Florida citizens' right to approve or reject a proposed amendment to their Constitution unless there is an entire failure to comply with a plain and essential requirement of law. A court's duty is to uphold the proposal unless it can be shown to be "clearly and conclusively defective." *Floridians Against Casino Takeover v. Let's Help Fla.*, 363 So. 2d 337, 339 (Fla. 1978). See also *In re Advisory Opinion to Atty. Gen. re Use of Marijuana for Certain Med. Conditions*, 132 So. 3d 786, 794 (Fla. 2014) ("This Court has traditionally applied a deferential standard of review to the validity of a citizen initiative petition and 'has been reluctant to interfere' with 'the right of self-determination for all Florida's citizens' to formulate



'their own organic law.'"); *Florida League of Cities v. Smith*, 607 So. 2d 397, 399 (Fla. 1992) (no relief is possible unless the ballot summary is clearly and conclusively defective); *Askew v. Firestone*, 421 So. 2d 151, 156 (Fla. 1982) (stating that courts "must act with extreme care, caution, and restraint" before removing a constitutional amendment from the vote of the people).

Furthermore, "When determining the validity of an amendment arising via citizen initiative petition, our inquiry is limited to two issues: (1) whether the petition violates the single-subject requirement of article XI, section 3, Florida Constitution; and (2) whether the ballot title and summary violate the clarity requirements of section 101.161(1), Florida Statutes (2000)." *Id.* The Court does not address the merits of the amendment. *Id.*

## **INTRODUCTION AND BACKGROUND**

The CRC only convenes once every twenty years. Art. XI, § 2, Fla. Const. By design, the process is meant to address issues of importance that have proved difficult to address through normal legislative procedures. Greyhound racing is a textbook example of such an issue where overwhelming public opinion supports ending the cruel practice, but attempts to address the problem in the legislature have been unsuccessful for over a decade.

While the inhumane treatment of racing greyhounds is not the focus of this brief and the merits of the underlying proposal are not a portion of what the Court should consider in analyzing the ballot summary and title, they are worth considering in view of the opponent's allegations that the humane treatment of animals is somehow a fundamental value that is not already well recognized in Florida. That is why Amendment 13 has generated wide public support and, if included on the ballot, is likely to pass. Simply put, racing dogs at Florida's tracks are treated inhumanely. They are confined for long periods of time and suffer frequent injuries, neglect, and death. In 2017, the citizens of Seminole County, Florida passed a county ordinance requiring greyhound racing kennels to maintain records of injuries and disposition of racing dogs. *See Seminole County Code of Ordinances*, Sec. 20.16 (entitled "Cruelty to animals" and establishing requirements for maintaining records of the injuries and disposition of greyhounds, among other requirements). In a brief ten-month period, from May, 2017, through March, 2018, a total of fifty-six (56) injuries were reported, which included numerous broken bones and incidents where dogs needed to be euthanized based on the severity of their injuries. Seminole County Animal Services, *Sanford-Orlando Greyhound Track Incident Reports* (Orlando FL- Seminole County Animal Services, May 2017 – March 2018). All of the reported injuries occurred at

the Sanford-Orlando Track, which is only one of eleven active tracks in the State. Up until May 2013, Florida tracks were not required to report the death of a greyhound. Therefore, it is unknown how many dogs died before such reporting became mandatory. As of May 2013, permit holders are required to notify the Department of Business and Professional Regulation's Division of Pari-Mutuel Wagering ("DBPR") "within 18 hours of the death of any racing greyhound that occurred on the grounds of a greyhound track or kennel compound." Fla. Admin. Code R. 61D-2.2023(3)(k). According to a public record request to DBPR, from June 2013 through January 2018, a total of 462 greyhound deaths were reported.

Further, aside from the well-documented negative impact on the animals, the current state of the law in Florida comes at a significant financial cost. The law requires tracks to hold dog races in order to be entitled to offer other types of more popular gambling. This comes at a huge cost to the tracks, which lose money on racing, and the taxpayers. According to an independent study commissioned by the Florida Legislature, the State is losing between \$1 million and \$3.3 million annually because the regulatory costs associated with commercial greyhound racing exceed the amount of revenue it generates. *See Spectrum Gaming Group, Gambling Impact Study* 60 (2013), [http://www.leg.state.fl.us/GamingStudy/docs/FGIS\\_Spectrum\\_28Oct2013.pdf](http://www.leg.state.fl.us/GamingStudy/docs/FGIS_Spectrum_28Oct2013.pdf). That same study indicated that Florida

sustained a combined operating loss of \$35 million in 2012. *Id.* at 84. Only three of the thirteen tracks operating at the time made a profit from wagering on greyhounds. *Id.* The tracks' cardrooms offset the loss with an operating profit of \$39 million. *Id.*

## **ARGUMENT**

“Nothing in the government of this state or nation is more important than amending our state and federal constitutions.” *Askew*, 421 So. 2d at 156 (Boyd, J., concurring specially).

### **I. The Ballot Title and Summary Meet the Clarity Requirements of Section 101.161(1), Florida Statutes**

The trial judge's decision below should be reversed because she erroneously found that the ballot and summary violate the clarity requirements of section 101.161(1), Florida Statutes.<sup>3</sup> She reached this conclusion primarily on her belief that the ballot language did not disclose to voters that Amendment 13 would declare that the humane treatment of animals is a fundamental value.<sup>4</sup> At the

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<sup>3</sup> Notably, Amendment 13, unlike many of the other Amendments proposed by the CRC, is standalone and only contains one proposal. Therefore, it is not susceptible to the single-subject challenges being levied against other Amendments.

<sup>4</sup> The judge also believed that the ballot title and summary did not disclose to Florida voters that Amendment 13 would repeal certain restrictions on slot machines in Broward County and Miami-Dade County contained in Article X,

outset, the Animal Law Section and ALDF take issue with the trial judge's assertions that the language is so flawed that it amounts to an attempt by the CRC to engage in an attempt to "hide the ball," "fly a false flag," or engage in "trickery." There is simply no evidence in the record, or anywhere, to paint the CRC with these improper motives. When the language of the ballot title and summary is examined through a lens that does not attribute these improper motives to the CRC, it is clear that they are accurate, complete, and give the voters all the information needed to properly understand the purpose of the Amendment 13 and make a decision.

Aside from this observation, the trial judge's order should be reversed because the "fundamental value" language does not create a new value at all. The language reflects an old value that inarguably exists throughout the history of Florida's jurisprudence. More importantly, the phrase is merely prefatory language that gives context for the chief purpose of the amendment--it is not a material element to that chief purpose and, therefore, should not be included in the summary. To illustrate its prefatory nature, the language has no independent legal

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Section 23 of the Florida Constitution. The Animal Law Section and ALDF disagree with that assertion as well because Amendment 13 would have no bearing on existing gambling at those facilities, which is adequately disclosed in the ballot summary. However, those arguments are not the focus of this *amicus curiae* brief.

effect since there is no accompanying operative language. Therefore, no disclosure to the voters is necessary for the surplus language. Indeed, requiring such surplus language to be included might have the effect of confusing voters. The ballot title and summary provide voters with fair notice of the contents and the purpose of the amendment--to ban the commercial racing of and wagering on greyhounds or other dogs in the State of Florida

In *In re Advisory Opinion to the Attorney General re Patients' Right To Know About Adverse Medical Incidents*, 880 So. 2d 617 (Fla. 2004), the Florida Supreme Court explained:

Section 101.106(1), Florida Statutes (2003), requires that the ballot caption for a proposed amendment not exceed fifteen words, that the ballot summary not exceed seventy-five words, and that **the two clearly and unambiguously provide an explanation of the “chief purpose” of the measure. This requirement provides the voters with fair notice of the contents of the proposed initiative so that the voter will not be misled as to its purpose and can cast an intelligent and informed ballot.** The title and summary must be accurate and informative. The ballot title and summary, however, are not required to explain every detail or ramification of the proposed amendment.

*Id.* at 621 (emphasis added, internal citations and quotation marks omitted).

**A. The "Fundamental Value" Language in the Text of Amendment 13 is Prefatory and Reflects an Established Value**

The trial judge incorrectly concluded that the text of Amendment 13 would create a new fundamental value in Florida, and therefore the language had to be

disclosed to the voters in the ballot title or summary to satisfy the clarity requirements of section 101.161(1), Florida Statutes. The reason the judge was incorrect in reaching this conclusion is simple: Amendment 13 is not declaring or otherwise creating a new fundamental value, but merely referencing a fundamental value that already exists throughout Florida's legislation and jurisprudence, including at the local government level. The "fundamental value" language is simply prefatory language that gives context for the chief purpose of the amendment. Indeed, if the "fundamental value" language were removed from Amendment 13, it would *in no way* change the chief purpose or effect of the Amendment. It is therefore not a material element of the chief purpose that requires disclosure. In fact, including it in the summary would have the potential to add confusion and make it misleading.

It is well-settled that Florida has a long history of recognizing the importance of the humane treatment of animals. In fact, this fundamental value dates back to some of the Florida Supreme Court's earliest decisions. In 1905, the Florida Supreme Court upheld the City of Jacksonville's authority to enact an animal cruelty ordinance. *Porter v. Vinzant*, 49 Fla. 213, 216 (1905). In a decision over fifty years ago, the Court declared "in a more civilized society, it is now generally recognized that legislation which has for its purpose the protection of

animals from harassment and ill-treatment is a valid exercise of the police power.”

*C.E. America, Inc., v. Antinori*, 210 So. 2d 443, 444 (Fla. 1968). This long-recognized, fundamental value has continued to develop and grow through legislative actions, state and local regulation, and court decisions. *See, e.g.*, Ch. 828, Fla. Stat. (entitled "Animals: Cruelty; Sales; Animal Enterprise Protection" contained under Title XLVI "Crimes" and establishing a wealth of laws containing criminal penalties designed ensure the humane treatment of animals, including topics such as cruelty, confinement, fighting, betting, abandonment, euthanasia, registration, slaughter, sale of dogs and cats, dying chicks, simulating bullfights, and exposure to poisons); Fla. Admin. Code Ch. 68 (entitled "Fish and Wildlife Commission" and establishing regulations for the care of freshwater fish and wildlife, marine fisheries, and manatees); Fla. Admin. Code Ch. 61 (entitled "Department of Business and Professional Regulation" and regulating Veterinarian licensure and discipline); Fla. Std. Jury Instr., 29.13(a)-(c) (establishing jury instructions for various crimes against animals); *Reynolds v. State*, 842 So. 2d 46 (Fla. 2002) (holding that felony cruelty to animals constitutes a general intent crime); *Kervin v. State*, 195 So. 3d 1181 (Fla. 1st DCA 2016) (holding that the use of revised version of standard jury instruction for felony animal cruelty, which, unlike defendant's requested instruction, included the language “failure to act,” was



not abuse of discretion); *State v. Morival*, 75 So. 3d 810 (Fla. 2d DCA 2011) (holding that systematic deprivation of food and water was properly charged as felony animal cruelty rather than misdemeanor); Section 4-37, *Leon County Code of Ordinances* (entitled "Humane Care Required" and requiring, among other things, provision of "sufficient and wholesome food, proper shelter and protection from the weather at all times, veterinary care when needed to prevent suffering, sufficient exercise space, and humane care and treatment, including clean, sanitary, safe, humane conditions" for a person's animals).

As demonstrated, the Legislature already has authority to enact legislation protecting the welfare of animals, including greyhounds and other dogs, and has done so. Moreover, while the phrase “fundamental value” is not expressly used, the commitment to animal welfare already exists in the Florida Constitution in Article X, Section 21, which states in part that “Inhumane treatment of animals is a concern of Florida citizens.” Despite the trial judge’s claim to the contrary, Florida voters are already well aware of the fact that humane treatment of animals is important. There is no need to include a reference to this prefatory, basic, and already established fundamental value in the ballot title or summary, because it has no legal effect and is not the chief purpose of Amendment 13--the chief purpose of Amendment 13 is to ban the racing of and wagering on greyhounds or other dogs

in the State of Florida. This purpose is accurately and completely captured in the existing ballot title and summary.

To emphasize the fact that the humane treatment of animals in Florida is already a fundamental value that exists throughout Florida's legislation and jurisprudence--and has existed for generations--the "fundamental value" language in Amendment 13 has no legal effect because there is no operative language establishing or otherwise enacting a new fundamental value. *See Orlando Lake Forest Joint Venture v. Lake Forest Master Cmty.*, 105 So. 3d 646, 647 (Fla. 5th DCA 2013) (holding that "the unambiguous, operative portion of the agreement controls over the prefatory language in the recital."). The Supreme Court has stated that "in our view the question of whether the ballot title and summary are misleading on this point turns on the interpretation of the amendment itself, **we must review the operative portions of the proposed amendment's text.**" *In re Advisory Opinion to Atty. Gen. re Use of Marijuana for Certain Med. Conditions*, 132 So. 3d 786, 799 (Fla. 2014) (emphasis added). "When reviewing constitutional provisions, this Court follows principles parallel to those of statutory interpretation." *Id.* "[I]f a part of a statute appears to have a clear meaning if considered alone but when given that meaning is inconsistent with other parts of the same statute or others *in pari materia*, the Court will examine the entire act and

those *in pari materia* in order to ascertain the overall legislative intent." *Fla. Dep't of Env'tl. Prot. v. ContractPoint Florida Parks, LLC*, 986 So. 2d 1260, 1265–66 (Fla. 2008) (quoting *Fla. State Racing Comm'n v. McLaughlin*, 102 So. 2d 574, 575–76 (Fla. 1958)).

Reviewing the full the text of Amendment 13 in *pari materia*, not in isolation as the opponents endeavor, supports reversing the trial judge's erroneous ruling, as well. The language states that "The humane treatment of animals is a fundamental value of the people of the State of Florida," and then states that "a person authorized to conduct gaming or pari-mutuel operations may not race greyhounds or any member of the *Canis Familiaris* subspecies in connection with any wager for money or any other thing of value in this state." The amendment discusses additional matters such as how the ban affects permit holders and the applicable timeline for the ban. Then, the last sentence states that "By general law, the legislature shall specify civil or criminal penalties for violations of this section and for activities that aid or abet violations of this section." Furthermore, the operative language that is present in Amendment 13 requires the legislature to specify penalties for "violations of this section and for activities that aid or abet violations of this section," which clearly refers to the racing of and wagering on greyhounds or other dogs in the State of Florida--that operative language does not

refer to enforcing a general fundamental value of treating animals humanely. This makes sense because there is already a body of law addressing cruelty to animals, generally. *See* Ch. 828, Fla. Stat. (entitled "Animals: Cruelty; Sales; Animal Enterprise Protection"). Adding the humane treatment of animals as a fundamental value now and requiring general legislation to enforce it would be redundant, and adding it in this context would be the least effect method for doing so.

In conclusion, Amendment 13 is not making a declaration of a new fundamental value, but merely referencing a fundamental value that has existed throughout Florida's legislation and jurisprudence for decades. The Legislature already has authority to enact legislation protecting the welfare of animals, and has done so; thus the "fundamental value" language is not declaring a new fundamental value. The chief purpose of Amendment 13 is to ban the commercial racing of and wagering on greyhounds or other dogs in the State of Florida. The supporting reference in the full text of Amendment 13, that the humane treatment of animals is an existing fundamental value of the citizens of Florida, is prefatory language that simply gives context to the chief purpose of the amendment.

**B. The Ballot Title and Summary Sufficiently Disclose All the Information Required by Law**

As discussed above, the text of Amendment 13 does not declare a new fundamental value, so necessarily there is nothing to disclose in the corresponding

ballot title and summary. The trial judge misconstrued this point, and the purported confusion that voters would have about what they were voting on, to arrive at the decision to strike Amendment 13 from the ballot. When the law is properly applied to the ballot title and summary, the opposite conclusion should be reached. Courts are, and should be, reluctant to remove the opportunity to vote on important issues from the citizens of Florida.

"A ballot summary may be defective if it omits material facts necessary to make the summary not misleading." *Advisory Opinion to Attorney Gen.--Ltd. Political Terms in Certain Elective Offices*, 592 So. 2d 225, 228 (Fla. 1991) (citing *Askew v. Firestone*, 421 So.2d at 158 (Ehrlich, J., concurring)). Necessarily then, immaterial language may be omitted from a summary. That is the situation for the "fundamental value" language in the text of Amendment 13.

As noted above, the trial judge's order fails to account for the fact that Florida citizens already recognize the value of the humane treatment of animals through legislation, jurisprudence, agency rules, local ordinances, etc. In other words, the assertion that Florida citizens will unknowingly vote to recognize the humane treatment of animals fails to recognize that they already have recognized that value. The chief purpose of Amendment 13 is to prohibit the commercial racing of and wagering on greyhounds or other dogs in the State of Florida, which

is specific and narrow and not yet voted upon. The ballot title and summary disclose this chief purpose. Again, Amendment 13's text, which makes reference to the humane treatment of animals is merely a recitation of a known value. The trial judge's decision, when taken to its logical conclusion, would mean that the only values of Florida citizens are those contained in the Constitution, but that is not accurate. Values are reflected through Florida's public policy, too.

Finally the trial judge appears to have been influenced by the opponents' scare-tactics which suggested that the consequences of Amendment 13 are so broad that its potential, undisclosed effects will affect business ventures, such as zoos, and educational pursuits, such a research. That is false because there is no operational language in Amendment 13 that would allow for such a result. Amendment 13's only purpose, and the only one that would be legally enforceable, would be to prohibit the racing of and wagering on greyhounds and other dogs. The ballot title and summary adequately, completely, and accurately disclose this purpose.

The opponents also argue that the ballot title and summary fail to disclose the effect of Amendment 13 on other amendments, such as Article X, sections 23, titled "Slot Machines." That is an incorrect assertion for two reasons. First, the plain language of Amendment 13's ballot summary states that "Other gaming

activities are not affected." So the CRC directly addressed the effect of the amendment. The CRC was clearly aware that in 2004 the Florida Constitution was amended to authorize the use of slot machines in Florida, but only in two counties: Miami-Dade and Broward. *See Gretna Racing, LLC v. Dep't of Bus. & Prof'l Regulation*, 178 So. 3d 15, 16 (Fla. 1st DCA 2015), *approved sub nom. Gretna Racing, LLC v. Florida Dep't of Bus. & Prof'l Regulation*, 225 So. 3d 759 (Fla. 2017). The CRC is also clearly aware that in 2005, the Legislature enacted section 551.101, Florida Statutes, entitled "Slot Machines" which provided, in pertinent part, that "Any licensed pari-mutuel facility located in Miami-Dade County or Broward County . . . that has conducted live racing or games during calendar years 2002 and 2003 may possess slot machines and conduct slot machine gaming." The Slot Amendment and subsequent legislation coupling live racing and slot machines in two counties was, at the time, the will of the people. However, as the sentiment for gambling and lotteries has changed over time in Florida, so does the Constitution. Now, the citizens of Florida have expressed strong sentiment to ban the racing of and wagering on greyhounds and other dogs in Florida.

The CRC clearly stated that amending the Constitution to finally ban greyhound racing will not affect other gambling. The opponents invite the Court to make a leap of logic to conclude that slot machines will somehow be banned or

otherwise affected because of the type of live racing that it is coupled with--that is unsound. Second, the Constitution is the appropriate place to ban dog racing because the Legislature could not do so when there is a constitutional provision allowing it. *See* Preamble, Fla. Const. (establishing Florida's constitution and thereafter establishing the legislature in Article 3); *see also* Art. X, § 23, Fla. Const. ("After voter approval of this constitutional amendment, the governing bodies of Miami-Dade and Broward Counties each may hold a county-wide referendum in their respective counties on whether to authorize slot machines within existing, licensed parimutuel facilities (thoroughbred and harness racing, greyhound racing, and jai-alai) that have conducted live racing or games in that county."). The opponents of Amendment 13 are trying to create confusion where there is none. CRC was aware of other amendments and directly addressed the effects and disclosed that information to the voters, as required.

### **CONCLUSION**

In view of the foregoing, the Animal Law Section and ALDF respectfully ask the Court to reverse the trial judge's order and allow Florida's voters to decide whether to amend Florida's Constitution by adopting Amendment 13.



## **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served electronically via E-Service through the Court's E-Portal system, this 20th day of August, 2018, upon the following:

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**CERTIFICATE OF COMPLIANCE**

I certify that this brief was prepared in Times New Roman, 14-point font, in compliance with Rule 9.210(a)(2) of the Florida Rules of Appellate Procedure.

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