

My view: Amendment 4 would invite state of economic chaos

BY STANLEY B. PRICE

Special to The Miami Herald

This November, Florida voters will be asked once again to amend the state's Constitution. This time, at issue is Amendment 4, a measure that addresses the methodology used to approve amendments to local government comprehensive plans. If adopted, Amendment 4 will require that Florida voters assimilate upwards of thousands of pages of detailed data, analysis and information on local planning documents prior to voting on countless land use referenda, all of which will be condensed into 75-word ballot summaries.

Ultimately, this process is anti-democratic because it will litter ballots with well over a thousand minor and technical amendments (taking an inordinate amount of time to cast a ballot), leading to greater disillusionment and frustration with an already difficult political process. The most serious flaw in Amendment 4, however, will be its devastating economic impact.

Professor Tony Villamil, founder of The Washington Economics Group (WES), concluded that Amendment 4, if passed, will have potentially devastating consequences for Florida's already fragile economy. The WES study concluded that more than a quarter of a million jobs will be lost in Florida if Amendment 4 is adopted. In these perilous times, Florida can ill afford an amendment that will worsen unemployment and place heavier burdens on working families.

The provisions of Amendment 4 are not new to Florida. A similar proposal was narrowly passed by the voters of St. Pete Beach, a small town on Florida's gulf coast. The experiment was a total failure, resulting in severe economic impacts and costly litigation (in excess of \$600,000 to the town's taxpayers). The former Mayor of St. Pete Beach called the local ordinance a "nightmare" for his community. Numerous testimonials from the residents of St. Pete Beach attest to the unworkable and costly nature of Amendment 4.

One of the prime examples of the residual impacts caused by Amendment 4 is the inability to attract new businesses to a community.

In practice, Amendment 4 leads to extraordinary delays that create higher costs for taxpayers and extra hurdles for small businesses. In addition to the existing one-year time horizon required by state law, a new business moving to Florida would need to conduct a political campaign to achieve any form of amendment to a local comprehensive plan.

This will add tremendous uncertainty and multi-year delays to important projects that would otherwise create jobs. Major biotech and manufacturing industries needing changes to comprehensive plans will probably seek relocation to more "user friendly" areas of the country, thereby resulting in loss of jobs and tax revenues for Florida.

While the existing amendment system within Florida needs to be modified, draconian measures

such as Amendment 4 are clearly reckless and are not sound public policy. Vote NO on Amendment 4!

Stanley B. Price is the chairman of the Land Use and Governmental Law Department at the law firm of Bilzin Sumberg Baena Price & Axelrod. He is a Miami-Dade County co-chairman for Citizens for Lower Taxes and a Stronger Economy.

© 2010 Miami Herald Media Company. All Rights Reserved.
<http://www.miamiherald.com>