

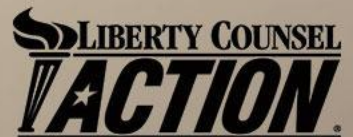


John Stemberger

President,
Liberty Counsel Action

20 years as President,
Florida Family Policy Council

Member,
Florida Constitution Revision
Commission, 2017-2018





LIBERTY COUNSEL
ACTION

The logo features a red torch with a flame on the left, positioned above the words "LIBERTY COUNSEL" in a red, serif font. Below this, the word "ACTION" is written in a large, bold, blue, italicized sans-serif font. A white five-pointed star is located in the upper left portion of the letter "A". A thin gold horizontal line runs beneath "LIBERTY COUNSEL" and "ACTION". In the bottom right corner of the "ACTION" text, there is a small registered trademark symbol (®). The background is a faded image of a classical building with a large globe in the lower-left foreground.

VOTE

NO

ON

4

Language of Amendment 4

Ballot Title: Amendment to Limit Government Interference with Abortion

Ballot Summary: No law shall prohibit, penalize, delay or restrict abortion before viability or when necessary to protect the patient's health, as determined by the patient's healthcare provider. The amendment does not change the legislature's constitutional authority to require notification to a parent or guardian before a minor has an abortion.

DEFINITIONS:

Most constitutional amendments on the ballot in Florida have several definitions of keywords to guide the court in interpreting the scope of the amendment...

Pregnant Pig Amendment: 6 Definitions.

a. For purposes of this section:

1. "enclosure" means any cage, crate or other enclosure in which a pig is kept for all or the majority of any day, including what is commonly described as the "gestation crate."
2. "farm" means the land, buildings, support facilities, and other appurtenances used in the production of animals for food or fiber.
3. "person" means any natural person, corporation and/or business entity.
4. "pig" means any animal of the porcine species.
5. "turning around freely" means turning around without having to touch any side of the pig's enclosure.
6. "prebirthing period" means the seven day period prior to a pig's expected date of giving birth.

Fish Net Ban Amendment

5 Definitions:

(1) "gill net" means one or more walls of netting which captures saltwater finfish by ensnaring or entangling them in the meshes of the net by the gills, and "entangling net" means a drift net, trammell net, stab net, or any other net which captures saltwater finfish, shellfish, or other marine animals by causing all or part of heads, fins, legs, or other body parts to become entangled or ensnared in the meshes of the net, but a hand thrown cast net is not a gill net or an entangling net;

(2) "mesh area" of a net means the total area of netting with the meshes open to comprise the maximum square footage. The square footage shall be calculated using standard mathematical formulas for geometric shapes. Seines and other rectangular nets shall be calculated using the maximum length and maximum width of the netting. Trawls and other bag type nets shall be calculated as a cone using the maximum circumference of the net mouth to derive the radius, and the maximum length from the net mouth to the tail end of the net to derive the slant height. Calculations

for any other nets or combination type nets shall be based on the shapes of the individual components;

(3) "coastline" means the territorial sea base line for the State of Florida established pursuant to the laws of the United States of America;

(4) "Florida waters" means the waters of the Atlantic Ocean, the Gulf of Mexico, the Straits of Florida, and any other bodies of water under the jurisdiction of the State of Florida, whether coastal, intracoastal or inland, and any part thereof; and

(5) "nearshore and inshore Florida waters" means all Florida waters inside a line three miles seaward

Indoor Smoking Ban Amendment: 8 Definitions

(c) Definitions. For purposes of this section, the following words and terms shall have the stated meanings:

"Smoking" means inhaling, exhaling, burning, carrying, or possessing any lighted tobacco product, including cigarettes, cigars, pipe tobacco, and any other lighted tobacco product.

"Second-hand smoke," also known as environmental tobacco smoke (ETS), means smoke emitted from lighted, smoldering, or burning tobacco when the smoker is not inhaling; smoke emitted at the mouthpiece during puff drawing; and smoke exhaled by the smoker.

"Work" means any person's providing any employment or employment-type service for or at the request of another individual or individuals or any public or private entity, whether for compensation or not, whether full or part-time, whether legally or not. "Work" includes, without limitation, any such service performed by an employee, independent contractor, agent, partner, proprietor, manager, officer, director, apprentice, trainee, associate, servant, volunteer, and the like.

"Enclosed indoor workplace" means any place where one or more persons engages in work, and which place is predominantly or totally bounded on all sides and above by physical barriers, regardless of whether such barriers consist of or include uncovered openings, screened or otherwise partially covered openings; or open or closed windows, jalousies, doors, or the like. This section applies to all such enclosed indoor workplaces without regard to whether work is occurring at any given time.

Medical Marijuana Amendment

4 Pages of Definitions:

- (2) "Department" means the Department of Health or its successor agency.
- (3) "Identification card" means a document issued by the Department that identifies a qualifying patient or a caregiver.
- (4) "Marijuana" has the meaning given cannabis in Section 893.02(3), Florida Statutes (2014), and, in addition, "Low-THC cannabis" as defined in Section 381.986(1)(b), Florida Statutes (2014), shall also be included in the meaning of the term "marijuana."
- (5) "Medical Marijuana Treatment Center" (MMTC) means an entity that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their caregivers and is registered by the Department.
- (6) "Medical use" means the acquisition, possession, use, delivery, transfer, or administration of an amount of marijuana not in conflict with Department rules, or of related supplies by a qualifying patient or caregiver for use by the caregiver's designated qualifying patient for the treatment of a debilitating medical condition.
- (7) "Caregiver" means a person who is at least twenty-one (21) years old who has agreed to assist with a qualifying patient's medical use of marijuana and has qualified for and obtained a caregiver identification card issued by the Department. The Department may limit the number of qualifying patients a caregiver may assist at one time and the number of caregivers that a qualifying patient may have at one time. Caregivers are prohibited from consuming marijuana obtained for medical use by the qualifying patient.
- (8) "Physician" means a person who is licensed to practice medicine in Florida.
- (9) "Physician certification" means a written document signed by a physician, stating that in the physician's professional opinion, the patient suffers from a debilitating medical condition, that the medical use of marijuana would likely outweigh the potential health risks for the patient, and for how long the physician recommends the medical use of marijuana for the patient. A physician certification may only be provided after the physician has

Amendment 4 has
“0” definitions...

Actual Language to Appear on Ballot:

Ballot Title: Amendment to Limit **Government Interference** with Abortion

Ballot Summary: No law shall prohibit, penalize, delay or restrict abortion before viability or when necessary to protect the patient's health, as determined by the patient's healthcare provider. The amendment does not change the legislature's constitutional authority to require notification to a parent or guardian before a minor has an abortion.

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Doe defined health to include “all factors—physical, emotional, psychological, familial, and the woman's age—”
Doe v. Bolton, 410 U.S. 179, (1973), abrogated by Dobbs v. Jackson Women's Health Org., 597 U.S. 215 (2022).

This is very similar to the WHO's definition of health which defines the term to include “a state of complete physical, mental and social well-being.” Constitution of the World Health Organization (who.int)

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Every pregnancy necessarily effects
the health of the mother in many ways

Nausea

Headaches

Fatigue

Constipation

Back Pain

Cramping

Depression

Bloating

Actual Language to Appear on Ballot:

Ballot Title: Amendment to Limit Government Interference with Abortion

Ballot Summary: No law shall prohibit, penalize, delay or restrict abortion before viability or when necessary to protect the patient's health, as determined by the patient's **healthcare provider**. The amendment does not change the legislature's constitutional authority to require notification to a parent or guardian before a minor has an abortion.

Four different places in Florida Law that define health care provider:

- 1) Florida Insurance Code, Fla. Stat. Section 62
- 2) Florida Healthcare Bill of Rights. See Fla. Stat. Section 381.026
- 3) Torts section of the Florida Code, Fla. Stat. Section 766.1115
- 4) Prepaid Health Clinics section of Health Care Services Program, Fla. Stat. Section 641.402(6).

Health Care Professions – Background Screening

Screened

Non-Screened

Athletic Trainers	Acupuncturists
Allopathic Physicians (Medical Doctor)	Audiologists
Resident Physicians, Interns, Fellows, and House Physicians	Audiology Assistants
Osteopathic Physicians	Clinical Laboratory Personnel
Osteopathic Resident Physicians/Interns/Fellows	Clinical Social Workers, Marriage and Family Therapists, and Mental Health Counselors
Chiropractic Physicians	Clinical Social Work Interns, Marriage and Family Therapy Interns, and Mental Health Counseling Interns
Certified Chiropractic Physician's Assistants	Dentists
Physician Assistants	Dental Hygienists
Anesthesiologist Assistants	Dietitians and Nutritionists
Orthotists, Prosthetists, Pedorthists, Orthotic Fitters, Orthotic Fitter Assistants, O&P Residents	Electrologists
Registered Nurses	Emergency Medical Technicians
Advanced Practice Registered Nurses	Genetic Counselors
License Practical Nurses	Hearing Aid Specialists
Certified Nursing Assistants	Medical Physicists
Massage Therapists	Midwifery
Pharmacy Owners	Nursing Home Administrators
Prescription Department Managers	Occupational Therapists
Podiatric Physicians	Opticians
Certified Podiatric X-Ray Assistants	Optometrists
	Pain Management Clinic
	Paramedics
	Pharmacists
	Registered Pharmacy Interns
	Pharmacy Technicians
	Physical Therapists
	Physical Therapy Assistants
	Psychologists
	Radiological Technicians
	Respiratory Therapists
	School Psychology
	Speech-Language Pathologists
	Speech-Language Pathology Assistants

Health Care Providers Under Florida Law

Athletic Trainers
 Chiropractors
 Nurse Assistants
 Massage Therapists
 Acupuncturists
 Social Work Interns
 Dental Hygienists
 Dieticians
 Genetic Counselors
 Hearing Aid Specialists
 Pharmacy Interns
 School Counselors

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There is a Big Difference Between

Parental Notification

&

Parental Consent

If passed, this would be a permanent part of the state constitution and can not be changed by any branch of government.

It is important to understand that when you enshrine an activity as a *fundamental right* in a constitution, any law that "prohibits, penalizes, delays or restricts" that activity is easily struck down in a legal challenge...

Therefore, the Amendment would likely invalidate ALL existing laws regulating abortion upon being challenged

“No law shall **prohibit, penalize, delay or restrict** abortion...”

- Parental Consent- potentially “Prohibits abortion” for minors
- 24-Hour Waiting Period “Delays abortion”
- Abortion Clinic Health and Safety Regulations “Restrict abortion”
- Chemical Abortion Pills Given By a “Doctor” “Restrict abortion”
- Laws Prohibiting Late-Term Abortions “Prohibits Abortions”
- Laws creating criminal penalties for violating the law “Penalize abortions”

The Financial Impact Estimating Conference's 150-word **Financial Impact Statement** is being reviewed by the Florida Supreme Court.

The statement reads:

"The proposed amendment would result in significantly more abortions and fewer live births per year in Florida. The increase in abortions could be even greater if the amendment invalidates laws requiring parental consent before minors undergo abortions and those ensuring only licensed physicians perform abortions. There is also uncertainty about whether the amendment will require the state to subsidize abortions with public funds. Litigation to resolve those and other uncertainties will result in additional costs to the state government and state courts that will negatively impact the state budget. An increase in abortions may negatively affect the growth of state and local revenues over time. Because the fiscal impact of increased abortions on state and local revenues and costs cannot be estimated with precision, the total impact of the proposed amendment is indeterminate."

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WHAT IS AMENDMENT 4?

- Constitutional Amendment
 - Citizen's Initiative Petition
 - Supreme Court Reviewed
- November Election
- 60% of the vote



WHO WROTE AMENDMENT 4?

- Sponsored by: Floridians Protecting Freedom
 - The ACLU
 - Soros-funded Open Society Fund
 - Planned Parenthood
- Citizens Initiative Petition
 - Spent \$15 Million on petition gatherers from out-of-state

AMENDMENT 4

Ballot Title: Amendment to Limit Government Interference with Abortion

Ballot Summary: No law shall prohibit, penalize, delay, or restrict abortion before viability or when necessary to protect the patient's health, as determined by the patient's healthcare provider. This amendment does not change the Legislature's constitutional authority to require notification to a parent or guardian before a minor has an abortion.

Article and Section Being Created or Amended: Creates - Article 1, New Section

Full Text of the Proposed Amendment: New Section, Amendment to Limit Government Interference with Abortion

Limiting government interference with abortion.— Except as provided in Article X, Section 22, no law shall prohibit, penalize, delay, or restrict abortion before viability or when necessary to protect the patient's health, as determined by the patient's healthcare provider.

WHAT CAN YOU DO?

- Educate your church
 - Show our video
 - Bulletin insert
 - Invite a speaker
 - Host an event
- Get Involved!
 - Sign up for emails
 - See our “Campaign Toolkit”
 - Get involved locally with canvassing and phone banking
- Connect with other groups

VOTE
NO
ON **4**

VOTE
NO
ON **4**

LIKE US ON FACEBOOK!



The image features a dark purple gradient background. Two large, semi-transparent teal circles overlap in the center. The text 'Polling Data:' is centered over the intersection of these circles.

Polling Data:

OHIO AMENDMENT:

An exit poll conducted by The Washington Post found that 24 percent of "White evangelical or born-again Christians" voted in favor of the Issue 1 amendment. The poll notes that this group only represents 30 percent of voters in the state

- 19% of Republicans voted for the Ohio initiative.
- 65% of Independents voted for the Ohio initiative.
- 69% of self-identifying moderates
- 13% of self-identifying conservatives
- 20% of people who voted for Donald Trump

Citation: <https://www.washingtonpost.com/politics/2023/11/07/ohio-issue-1-exit-poll-results/>

Recent Florida Polling:

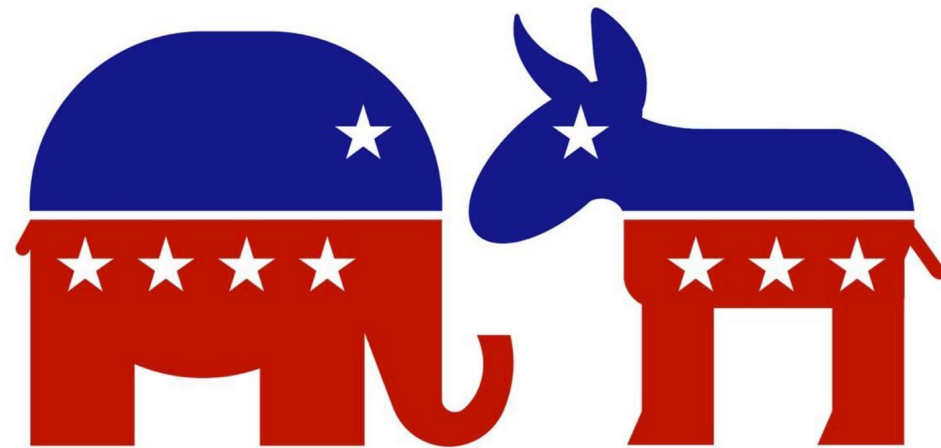
Conducted by Emerson College surveying 1,000 Florida Voters – Margin of Error 3 %

DEMOCRATS:

- 56% would vote YES
- 16% would vote NO
- 28% are undecided

REPUBLICANS

- 30% would vote YES
- 36% would vote NO
- 34% are undecided



Florida Polling:

Conducted by Emerson College surveying 1,000 Florida Voters – Margin of Error 3 %

42% of Florida Voters would vote YES on 4

25% of Florida Voters would vote NO

34% of Florida Voters are UNDECIDED

Our Messaging:

- 1) No Doctors
- 2) No Definitions
- 3) No Parental Consent
- 4) Will Lead to Taxpayer-Funded Abortion
- 5) Will allow abortions after a child feels pain and throughout all 9 months of pregnancy

NO DEFINITIONS

NO DOCTORS

NO PARENTAL CONSENT

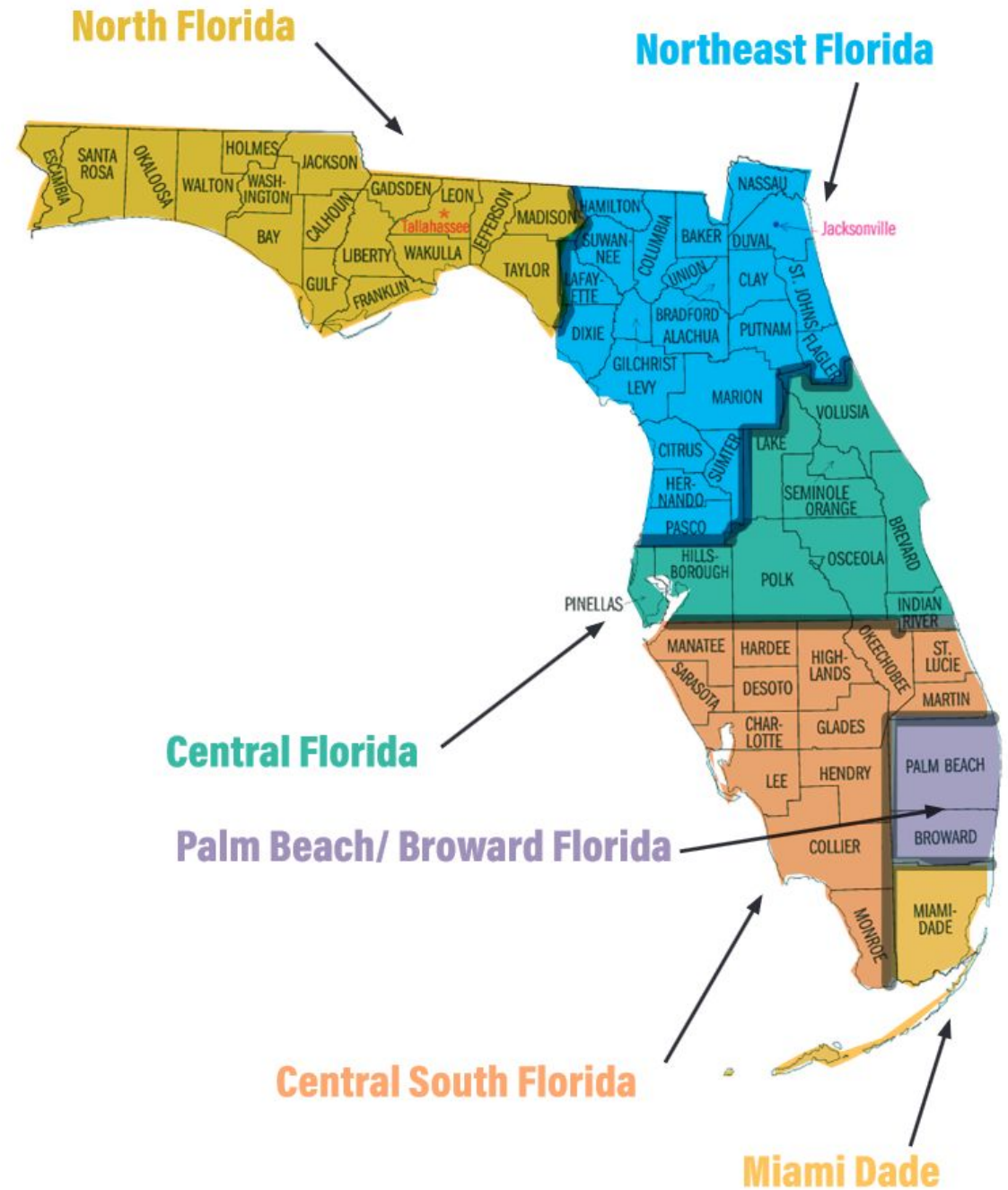
TAXPAYER-FUNDED ELECTIVE ABORTIONS

VOTE
NO
ON 4

Opposition Messaging:

1. A4 Ends Florida's Extreme Abortion Ban
2. No Exceptions for Rape, Incest, or Health
3. Stop the Government from interfering with decisions between a woman and her doctor.
4. Women will die and suffer (miscarriages)

Florida No on 4 Field Directors



VOTE NO ON 4

PASTOR'S TOUR



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VOTE NO ON 4

PASTOR'S TOUR



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VOTE NO ON 4

PASTOR'S TOUR



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VOTE NO ON 4

PASTOR'S TOUR



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A faded, grayscale image of an adult hand holding a child's hand, symbolizing support and guidance. The background is a light, neutral color with a dark red, torn-edge border on the left side.

VOTE NO

ON 4