

## FLORIDA CONFERENCE OF CATHOLIC BISHOPS

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### Remarks for Constitutional Revision Commission

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Good evening Mr. Chairman and members of the Commission. My name is Michael Sheedy, executive director at the Florida Conference of Catholic Bishops, a non-partisan public policy voice of the Catholic Church in Florida.

As you undertake this important process, our interests are focused primarily on terminations of pregnancy and education.

We are concerned that Florida's constitution has been profoundly misinterpreted with respect to abortion. When Floridians adopted the right to privacy (Article I, Section 23), abortion rights were not part of that discussion. We urge you to clarify the misunderstanding arising from the Florida Supreme Court's *In Re: T.W.* decision that makes it difficult to enact reasonable regulations that have been adopted in other states to protect women and girls.

In education, Florida is a national leader in parental choice. However there are concerns that two sections of the Constitution could impede further innovation.

The first is the "uniformity clause" in Article IX, Section 1. When this was added to the Constitution, there were real concerns about some members of our communities not receiving equitable treatment in our education system. Today, innovation in education is bringing learning gains to children, not a one-size-fits-all approach. Uniformity – important as it was – proved to be a pitfall in the Florida Supreme Court's ruling in *Bush v. Holmes*, undoing the Opportunity Scholarship Program in 2006.

Also, despite collaboration of religious organizations and local, state and federal governments, the First District Court of Appeals' ruling in that same *Bush v. Holmes* case was based in part on Article I, Section 3's "no aid" provision, known as the Blaine Amendment. We urge a remedy that ensures inclusion of religious providers as partners with government in accord with the values Floridians embrace today.

As you continue your process, we look forward to sharing further thoughts on how best to address these concerns. Thank you for your attention and for your service.