

By Representative Lynn

1 A bill to be entitled
2 An act relating to elections; amending s.
3 101.141, F.S., relating to specifications for
4 the primary election ballot; providing
5 clarification with respect to charter county
6 offices on the ballot; repealing s. 230.08,
7 F.S., relating to nomination of school board
8 members in primary elections; amending s.
9 228.053, F.S.; correcting a cross reference, to
10 conform; providing an effective date.

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12 Be It Enacted by the Legislature of the State of Florida:

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14 Section 1. Subsection (4) of section 101.141, Florida
15 Statutes, is amended to read:

16 101.141 Specifications for primary election
17 ballot.--In counties in which voting machines are not used,
18 and in other counties for use as absentee ballots not designed
19 for tabulation by an electronic or electromechanical voting
20 system, the primary election ballot shall conform to the
21 following specifications:

22 (4) The ballot shall have the headings, under which
23 appear the names of the offices and the candidates for the
24 respective offices alphabetically arranged as to surnames, in
25 the following order: the heading "Congressional" and
26 thereunder the offices of United States Senator and
27 Representative in Congress; the heading "State" and thereunder
28 the offices of Governor and Lieutenant Governor, Secretary of
29 State, Attorney General, Comptroller, Treasurer, Commissioner
30 of Education, Commissioner of Agriculture, state attorney, and
31 public defender; the heading "Legislative" and thereunder the

1 offices of state senator and state representative; the heading
2 "County" and thereunder, except where otherwise provided by
3 county charter or by special act applicable in a charter
4 county, clerk of the circuit court, clerk of the county court
5 (when authorized by law), sheriff, property appraiser, tax
6 collector, district superintendent of schools, and supervisor
7 of elections. Thereafter follows, except where otherwise
8 provided by county charter or by special act applicable in a
9 charter county: members of the board of county commissioners,
10 members of the district school board, and such other county
11 and district offices as are involved in the primary election,
12 in the order fixed by the Department of State, followed, in
13 the years of their election, by "Party offices," and
14 thereunder the offices of state and county party executive
15 committee members. Immediately following the name of each
16 office on the ballot shall be printed, "Vote for One." When
17 more than one candidate is to be nominated for office, the
18 candidates for such office shall qualify and run in a group or
19 district. The group or district number shall be printed
20 beneath the name of the office. The names of candidates in
21 the respective group or district shall be arranged thereunder
22 in alphabetical order as to surnames, and following the group
23 or district number there shall be printed the words, "Vote for
24 One." The name of the office shall be printed over each
25 numbered group or district and each numbered group or district
26 shall be clearly separated from the next numbered group or
27 district, the same as in the case of single offices. When two
28 or more candidates running for the same office have the same
29 or similar surname and one candidate is currently holding that
30 office, the word "Incumbent" shall be printed next to the
31 incumbent's name. If in any primary election all the offices

1 as above set forth are not involved, those offices to be
2 filled shall be arranged on the ballot in the order named.

3 Section 2. Section 230.08, Florida Statutes, is hereby
4 repealed.

5 Section 3. Paragraph (a) of subsection (12) of section
6 228.053, Florida Statutes, is amended to read:

7 228.053 Developmental research schools.--

8 (12) EXCEPTIONS TO LAW.--To encourage innovative
9 practices and facilitate the mission of the developmental
10 research schools, in addition to the exceptions to law
11 specified in s. 229.592(6), the following exceptions shall be
12 permitted for developmental research schools:

13 (a) The methods and requirements of the following
14 statutes shall be held in abeyance: ss. 230.01; 230.02;
15 230.03; 230.04; 230.05; 230.061; ~~230.08~~; 230.10; 230.105;
16 230.11; 230.12; 230.15; 230.16; 230.17; 230.173; 230.18;
17 230.19; 230.201; 230.202; 230.21; 230.22; 230.2215; 230.2318;
18 230.232; 230.24; 230.241; 230.26; 230.28; 230.30; 230.303;
19 230.31; 230.32; 230.321; 230.33; 230.35; 230.39; 230.59;
20 230.63; 230.64; 230.643; 230.655; 234.01; 234.021; 234.0515;
21 234.061; 234.112; 234.302; 236.25; 236.261; 236.29; 236.31;
22 236.32; 236.35; 236.36; 236.37; 236.38; 236.39; 236.40;
23 236.41; 236.42; 236.43; 236.44; 236.45; 236.46; 236.47;
24 236.48; 236.49; 236.50; 236.51; 236.52; 236.55; 236.56;
25 237.051; 237.071; 237.091; 237.201; and 237.40. With the
26 exception of subsection (18) of s. 230.23, s. 230.23 shall be
27 held in abeyance. Reference to school boards in s. 230.23(18)
28 shall mean the president of the university or the president's
29 designee.

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1 Notwithstanding the request provisions of s. 229.592(6),
2 developmental research schools shall request all waivers
3 through the Joint Developmental Research School Planning,
4 Articulation, and Evaluation Committee, as established in s.
5 228.054. The committee shall approve or disapprove said
6 requests pursuant to this subsection and s. 229.592(6);
7 however, the Commissioner of Education shall have standing to
8 challenge any decision of the committee should it adversely
9 affect the health, safety, welfare, or civil rights of the
10 students or public interest. The department shall immediately
11 notify the committee and developmental research school of the
12 decision and provide a rationale therefor.

13 Section 4. This act shall take effect January 1, 1998.

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16 HOUSE SUMMARY

17 Revises a provision relating to specifications for the
18 primary election ballot and repeals a provision requiring
19 school board members to run on a partisan basis, to
20 eliminate potential conflicts with the State Constitution
relating to the right of charter counties to provide for
the nonpartisan election of certain of their officers.

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