

By the Committee on Judiciary and Representative Byrd

1                                   A bill to be entitled  
2           An act relating to referenda ballots; amending  
3           s. 101.161, F.S.; exempting amendments and  
4           ballot language proposed by joint resolution  
5           from length restrictions that apply to the  
6           ballot statement; revising ballot language used  
7           to change the method of selecting circuit and  
8           county court judges; providing an effective  
9           date.

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

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13           Section 1. Section 101.161, Florida Statutes, is  
14 amended to read:

15           101.161 Referenda; ballots.--

16           (1) Whenever a constitutional amendment or other  
17 public measure is submitted to the vote of the people, the  
18 substance of such amendment or other public measure shall be  
19 printed in clear and unambiguous language on the ballot after  
20 the list of candidates, followed by the word "yes" and also by  
21 the word "no," and shall be styled in such a manner that a  
22 "yes" vote will indicate approval of the proposal and a "no"  
23 vote will indicate rejection. The wording of the substance of  
24 the amendment or other public measure and the ballot title to  
25 appear on the ballot shall be embodied in the joint  
26 resolution, constitutional revision commission proposal,  
27 constitutional convention proposal, taxation and budget reform  
28 commission proposal, or enabling resolution or ordinance.  
29 Except for amendments and ballot language proposed by joint  
30 resolution, the substance of the amendment or other public  
31 measure shall be an explanatory statement, not exceeding 75

1 words in length, of the chief purpose of the measure. The  
2 ballot title shall consist of a caption, not exceeding 15  
3 words in length, by which the measure is commonly referred to  
4 or spoken of.

5 (2) The substance and ballot title of a constitutional  
6 amendment proposed by initiative shall be prepared by the  
7 sponsor and approved by the Secretary of State in accordance  
8 with rules adopted pursuant to s. 120.54. The Department of  
9 State shall give each proposed constitutional amendment a  
10 designating number for convenient reference. This number  
11 designation shall appear on the ballot. Designating numbers  
12 shall be assigned in the order of filing or certification of  
13 the amendments. The Department of State shall furnish the  
14 designating number, the ballot title, and the substance of  
15 each amendment to the supervisor of elections of each county  
16 in which such amendment is to be voted on.

17 (3)(a) The ballot for the general election in the year  
18 2000 must contain a statement allowing voters to determine  
19 whether circuit or county court judges will be selected by  
20 merit selection and retention as provided in s. 10, Art. V of  
21 the State Constitution. The ballot in each circuit must  
22 contain the statement in paragraph (c). The ballot in each  
23 county must contain the statement in paragraph (e).

24 (b) For any general election in which the Secretary of  
25 State, for any circuit, or the supervisor of elections, for  
26 any county, has certified the ballot position for an  
27 initiative to change the method of selection of judges, the  
28 ballot for any circuit must contain the statement in paragraph  
29 (c) or paragraph (d) and the ballot for any county must  
30 contain the statement in paragraph (e) or paragraph (f).

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1           (c) In any circuit where the initiative is to change  
2 the selection of circuit court judges to selection by merit  
3 selection and retention, the ballot shall state: "Shall the  
4 method of selecting circuit court judges in the ...(number of  
5 the circuit)... judicial circuit be changed from election by a  
6 vote of the people to selection by the judicial nominating  
7 commission and appointment by the Governor with subsequent  
8 terms determined by a retention vote of the people ~~selected~~  
9 ~~through merit selection and retention?"~~ This statement must be  
10 followed by the word "yes" and also by the word "no."

11           (d) In any circuit where the initiative is to change  
12 the selection of circuit court judges to election by the  
13 voters, the ballot shall state: "Shall the method of selecting  
14 circuit court judges in the ...(number of the circuit)...  
15 judicial circuit be changed from selection by the judicial  
16 nominating commission and appointment by the Governor with  
17 subsequent terms determined by a retention vote of the people  
18 to election by a vote of the people ~~selected by vote of the~~  
19 ~~electorate of the circuit?"~~ This statement must be followed by  
20 the word "yes" and also by the word "no."

21           (e) In any county where the initiative is to change  
22 the selection of county court judges to merit selection and  
23 retention, the ballot shall state: "Shall the method of  
24 selecting county court judges in ...(name of county)... be  
25 changed from election by a vote of the people to selection by  
26 the judicial nominating commission and appointment by the  
27 Governor with subsequent terms determined by a retention vote  
28 of the people ~~selected through merit selection and retention?"~~  
29 This statement must be followed by the word "yes" and also by  
30 the word "no."  
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