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 1                      A bill to be entitled
 2           An act relating to referenda ballots; amending
 3           s. 101.161, F.S.; providing that ballot
 4           language proposed by joint resolution is
 5           presumed to be clear and unambiguous; exempting
 6           amendments and ballot language proposed by
 7           joint resolution from length restrictions that
 8           apply to the ballot statement; revising ballot
 9           language used to change the method of selecting
10           circuit and county court judges; providing an
11           effective date.
12
13    Be It Enacted by the Legislature of the State of Florida:
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15           Section 1.   Section 101.161, Florida Statutes, is
16    amended to read:
17           101.161  Referenda; ballots.--
18           (1)  Whenever a constitutional amendment or other
19    public measure is submitted to the vote of the people, the
20    substance of such amendment or other public measure shall be
21    printed in clear and unambiguous language on the ballot after
22    the list of candidates, followed by the word "yes" and also by
23    the word "no," and shall be styled in such a manner that a
24    "yes" vote will indicate approval of the proposal and a "no"
25    vote will indicate rejection. The substance of the ballot
26    language proposed by joint resolution shall be deemed to be
27    clear and unambiguous for the purposes of this section.The
28    wording of the substance of the amendment or other public
29    measure and the ballot title to appear on the ballot shall be
30    embodied in the joint resolution, constitutional revision
31    commission proposal, constitutional convention proposal,
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1 taxation and budget reform commission proposal, or enabling

2 resolution or ordinance. <u>Except for ballot language proposed</u>

3 <u>by joint resolution,</u>the substance of the amendment or other

4 public measure shall be an explanatory statement, not

5 exceeding 75 words in length, of the chief purpose of the

6 measure. The ballot title shall consist of a caption, not

7 exceeding 15 words in length, by which the measure is commonly

8 referred to or spoken of.

9   (2) The substance and ballot title of a constitutional

10 amendment proposed by initiative shall be prepared by the

11 sponsor and approved by the Secretary of State in accordance

12 with rules adopted pursuant to s. 120.54. The Department of

13 State shall give each proposed constitutional amendment a

14 designating number for convenient reference. This number

15 designation shall appear on the ballot. Designating numbers

16 shall be assigned in the order of filing or certification of

17 the amendments. The Department of State shall furnish the

18 designating number, the ballot title, and the substance of

19 each amendment to the supervisor of elections of each county

20 in which such amendment is to be voted on.

21   (3)(a) The ballot for the general election in the year

22 2000 must contain a statement allowing voters to determine

23 whether circuit or county court judges will be selected by

24 merit selection and retention as provided in s. 10, Art. V of

25 the State Constitution. The ballot in each circuit must

26 contain the statement in paragraph (c). The ballot in each

27 county must contain the statement in paragraph (e).

28   (b) For any general election in which the Secretary of

29 State, for any circuit, or the supervisor of elections, for

30 any county, has certified the ballot position for an

31 initiative to change the method of selection of judges, the

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 1 ballot for any circuit must contain the statement in paragraph
 2 (c) or paragraph (d) and the ballot for any county must
 3 contain the statement in paragraph (e) or paragraph (f).
 4   (c) In any circuit where the initiative is to change
 5 the selection of circuit court judges to selection by merit
 6 selection and retention, the ballot shall state: "Shall the
 7 method of selecting circuit court judges in the ...(number of
 8 the circuit)... judicial circuit be changed from election by a
 9 vote of the people to selection by the judicial nominating
10 commission and appointment by the Governor with subsequent
11 terms determined by a retention vote of the people ~~selected~~
12 ~~through merit selection and retention~~?" This statement must be
13 followed by the word "yes" and also by the word "no."
14   (d) In any circuit where the initiative is to change
15 the selection of circuit court judges to election by the
16 voters, the ballot shall state: "Shall the method of selecting
17 circuit court judges in the ...(number of the circuit)...
18 judicial circuit be changed from selection by the judicial
19 nominating commission and appointment by the Governor with
20 subsequent terms determined by a retention vote of the people
21 to election by a vote of the people ~~selected by vote of the~~
22 ~~electorate of the circuit~~?" This statement must be followed by
23 the word "yes" and also by the word "no."
24   (e) In any county where the initiative is to change
25 the selection of county court judges to merit selection and
26 retention, the ballot shall state: "Shall the method of
27 selecting county court judges in ...(name of county)... be
28 changed from election by a vote of the people to selection by
29 the judicial nominating commission and appointment by the
30 Governor with subsequent terms determined by a retention vote
31 of the people ~~selected through merit selection and retention~~?"

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CODING: Words ~~stricken~~ are deletions; words <u>underlined</u> are additions.

1 This statement must be followed by the word "yes" and also by
2 the word "no."
3   (f) In any county where the initiative is to change
4 the selection of county court judges to election by the
5 voters, the ballot shall state: "Shall the method of selecting
6 county court judges in ...(name of the county)... be changed
7 from selection by the judicial nominating commission and
8 appointment by the Governor with subsequent terms determined
9 by a retention vote of the people to election by a vote of the
10 people selected by vote of the electorate of the county?" This
11 statement must be followed by the word "yes" and also by the
12 word "no."
13   Section 2. This act shall take effect upon becoming a
14 law.
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