

Bill No. SB 2104

Amendment No. \_\_\_\_

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Casas moved the following amendment:

**Senate Amendment (with title amendment)**

On page 1, lines 9 through 31, delete those lines,

and insert:

Section 1. Subsections (1) and (3) of section 101.161, Florida Statutes, are amended to read:

101.161 Referenda; ballots.--

(1) Whenever a constitutional amendment or other public measure is submitted to the vote of the people, the substance of such amendment or other public measure shall be printed in clear and unambiguous language on the ballot after the list of candidates, followed by the word "yes" and also by the word "no," and shall be styled in such a manner that a "yes" vote will indicate approval of the proposal and a "no" vote will indicate rejection. The substance of the ballot language proposed by joint resolution shall be deemed to be clear and unambiguous for the purposes of this section.The wording of the substance of the amendment or other public measure and the ballot title to appear on the ballot shall be

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1 embodied in the joint resolution, constitutional revision  
2 commission proposal, constitutional convention proposal,  
3 taxation and budget reform commission proposal, or enabling  
4 resolution or ordinance. Except for amendments and ballot  
5 language proposed by joint resolution, the substance of the  
6 amendment or other public measure shall be an explanatory  
7 statement, not exceeding 75 words in length, of the chief  
8 purpose of the measure. The ballot title shall consist of a  
9 caption, not exceeding 15 words in length, by which the  
10 measure is commonly referred to or spoken of.

11 (3)(a) The ballot for the general election in the year  
12 2000 must contain a statement allowing voters to determine  
13 whether circuit or county court judges will be selected by  
14 merit selection and retention as provided in s. 10, Art. V of  
15 the State Constitution. The ballot in each circuit must  
16 contain the statement in paragraph (c). The ballot in each  
17 county must contain the statement in paragraph (e).

18 (b) For any general election in which the Secretary of  
19 State, for any circuit, or the supervisor of elections, for  
20 any county, has certified the ballot position for an  
21 initiative to change the method of selection of judges, the  
22 ballot for any circuit must contain the statement in paragraph  
23 (c) or paragraph (d) and the ballot for any county must  
24 contain the statement in paragraph (e) or paragraph (f).

25 (c) In any circuit where the initiative is to change  
26 the selection of circuit court judges to selection by merit  
27 selection and retention, the ballot shall state: "Shall the  
28 method of selecting circuit court judges in the ...(number of  
29 the circuit)... judicial circuit be changed from election by a  
30 vote of the people to selection by the judicial nominating  
31 commission and appointment by the Governor with subsequent

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1 terms determined by a retention vote of the people selected  
2 ~~through merit selection and retention?"~~ This statement must be  
3 followed by the word "yes" and also by the word "no."

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

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

24 (f) In any county where the initiative is to change  
25 the selection of county court judges to election by the  
26 voters, the ballot shall state: "Shall the method of selecting  
27 county court judges in ...(name of the county)... be changed  
28 from selection by the judicial nominating commission and  
29 appointment by the Governor with subsequent terms determined  
30 by a retention vote of the people to election by a vote of the  
31 people selected by vote of the electorate of the county?" This

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1 statement must be followed by the word "yes" and also by the  
2 word "no."

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5 ===== T I T L E A M E N D M E N T =====

6 And the title is amended as follows:

7 On page 1, lines 2 through 5, delete those lines,

8

9 and insert:

10 An act relating to referenda ballots; amending  
11 s. 101.161, F.S.; providing an exception to  
12 ballot statement and title length requirements;  
13 revising ballot language used to change the  
14 method of selecting circuit and county court  
15 judges; providing an effective date.

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