

# OFFICIAL SAMPLE BALLOT

GENERAL ELECTION ★ INDIAN RIVER COUNTY, FLORIDA ★ NOVEMBER 5, 2002

**OFFICIAL GENERAL ELECTION BALLOT**  
INDIAN RIVER COUNTY, FLORIDA  
NOVEMBER 5, 2002

**CONGRESSIONAL**

**REPRESENTATIVE IN CONGRESS**  
DISTRICT 15  
(Vote for One)

Dave WELDON (REP)

Jim TSO (DEM)

WRITE-IN

You are eligible to vote in the State Representative District 29 race if you live in one of the following precincts: 102, 108, 109, 110, 111, 306, 307, 308, 309, 310, 401, 403, 404.

**LEGISLATIVE**

**STATE REPRESENTATIVE**  
DISTRICT 29  
(Vote for One)

L. Ralph POPPELL (REP)

Chris STAGMAN (DEM)

Craig R. CHAMBERLIN (LIB)

**NONPARTISAN**

**DISTRICT COURT OF APPEAL**  
Shall Judge Mark E. POLEN of the Fourth District Court of Appeal be retained in office?

YES

NO

**DISTRICT COURT OF APPEAL**  
Shall Judge George A. SHAHOOD of the Fourth District Court of Appeal be retained in office?

YES

NO

**DISTRICT COURT OF APPEAL**  
Shall Judge W. Matthew STEVENSON of the Fourth District Court of Appeal be retained in office?

YES

NO

**DISTRICT COURT OF APPEAL**  
Shall Judge Martha C. WARNER of the Fourth District Court of Appeal be retained in office?

YES

NO

**HOSPITAL BOARD**

**HOSPITAL BOARD SEAT 2**  
(Vote For One)

Roland G. (Gil) GUILBAULT

Hilda V. STRINGER

**STATE**

**GOVERNOR AND LIEUTENANT GOVERNOR**  
(Vote for One)

Jeb BUSH (REP)

Frank T. BROGAN (REP)

Bill MCBRIDE (DEM)

Tom ROSSIN (DEM)

Robert (Bob) KUNST (NPA)

Linda MIKLOWITZ (NPA)

WRITE-IN

You are eligible to vote in the State Representative District 80 race if you live in one of the following precincts: 101, 103, 104, 105, 106, 107, 112, 113, 201, 202, 203, 204, 205, 206, 207, 208, 209, 301, 302, 303, 304, 305, 311, 402, 405, 406, 407, 408, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512.

**LEGISLATIVE**

**STATE REPRESENTATIVE**  
DISTRICT 80  
(Vote For One)

Stan MAYFIELD (REP)

Ronald B. CADBY (LIB)

**COUNTY**

**COUNTY COMMISSIONER**  
DISTRICT 4  
(Vote for One)

Thomas S. LOWTHER (REP)

Shawn E. SMITH (DEM)

**NONPARTISAN**

**SUPREME COURT**  
Shall Justice Harry Lee ANSTEAD of the Supreme Court be retained in office?

YES

NO

**SUPREME COURT**  
Shall Justice Charles T. WELLS of the Supreme Court be retained in office?

YES

NO

**ATTORNEY GENERAL**  
(Vote for One)

Charlie CRIST (REP)

Buddy DYER (DEM)

**COMMISSIONER OF AGRICULTURE**  
(Vote for One)

Charles H. BRONSON (REP)

David NELSON (DEM)

WRITE-IN

**PROPOSED CONSTITUTIONAL AMENDMENTS**

**NO. 1**  
**CONSTITUTIONAL AMENDMENT**  
ARTICLE I, SECTION 17  
Amending Article I, Section 17 of the State Constitution

Proposing an amendment to the State Constitution identical to a proposed amendment to Section 17 of Article I of the State Constitution which was approved by a statewide vote in 1998. The Supreme Court of Florida struck the 1998 amendment in a ruling in which four of the seven justices found that the ballot summary was inaccurate. The proposed amendment expressly authorizes the death penalty for capital crimes and expressly authorizes retroactive changes in the method of execution. The amendment changes the prohibition against "cruel or unusual punishment," currently provided in Section 17 of Article I of the State Constitution, to a prohibition against "cruel and unusual punishment" to conform with the wording of the Eighth Amendment to the United States Constitution. The amendment prohibits reduction of a death sentence based on invalidity of an execution method and provides for continued force of the sentence. The amendment permits any execution method unless prohibited by the United States Constitution. The amendment requires construction of the prohibition against cruel or unusual punishment and the proposed prohibition against cruel and unusual punishment to conform to United States Supreme Court interpretation of the Eighth Amendment to the United States Constitution. The amendment would prevent state courts, including the Florida Supreme Court, from treating the state constitutional prohibition against cruel or unusual punishment as being more expansive than the federal constitutional prohibition against cruel and unusual punishment or United States Supreme Court interpretations thereof. The amendment effectively nullifies rights currently allowed under the state prohibition against cruel or unusual punishment which may afford greater protections for those subject to punishment for crimes than will be provided by the amendment. Under the amendment, the protections afforded those subject to punishment for crimes under the "cruel or unusual punishment" clause, as that clause currently appears in Section 17 of Article I of the State Constitution, will be the same as the minimum protections provided under the "cruel and unusual" punishments clause of the Eighth Amendment to the United States Constitution. The amendment provides for retroactive applicability. Specifically, the proposal amends Section 17 of Article I of the State Constitution, to read as set forth below. The word ~~stricken~~ is a deletion; words underlined are additions:

SECTION 17. Excessive punishments. - Excessive fines, cruel and or unusual punishment, attainder, forfeiture of estate, indefinite imprisonment, and unreasonable detention of witnesses are forbidden. The death penalty is an authorized punishment for capital crimes designated by the legislature. The prohibition against cruel or unusual punishment, and the prohibition against cruel and unusual punishment, shall be construed in conformity with decisions of the United States Supreme Court which interpret the prohibition against cruel and unusual punishment provided in the Eighth Amendment to the United States Constitution. Any method of execution shall be allowed, unless prohibited by the United States Constitution. Methods of execution may be designated by the legislature, and a change in any method of execution may be applied retroactively. A sentence of death shall not be reduced on the basis that a method of execution is invalid. In any case in which an execution method is declared invalid, the death sentence shall remain in force until the sentence can be lawfully executed by any valid method. This section shall apply retroactively.

YES

NO

**PROPOSED CONSTITUTIONAL AMENDMENTS**

**NO. 2**  
**CONSTITUTIONAL AMENDMENT**  
ARTICLE XI, SECTION 5  
Economic Impact Statements for Proposed Constitutional Amendments or Revisions

Requires the Legislature to provide by general law for the provision of an economic impact statement to the public prior to the public voting on an amendment of the Florida Constitution proposed by initiative.

YES

NO

**PROPOSED CONSTITUTIONAL AMENDMENTS**

**NO. 3**  
**CONSTITUTIONAL AMENDMENT**  
ARTICLE VIII, SECTION 6  
Authorizing Amendments to Miami-Dade County Home Rule Charter by Special Law Approved by Referendum

Proposing an amendment to Section 6 of Article VIII of the State Constitution to authorize amendments or revisions to the Miami-Dade County Home Rule Charter by special law approved by a vote of the electors of Miami-Dade County and to conform references to the county's current name.

YES

NO

**PROPOSED CONSTITUTIONAL AMENDMENTS**

**NO. 4**  
**CONSTITUTIONAL AMENDMENT**  
ARTICLE I, SECTION 24  
Laws Providing Public Records or Meetings Exemptions; Two-Thirds Vote Required

Requires that laws providing exemptions from public records or public meetings requirements must, after the effective date of this amendment, be passed by a two-thirds vote of each house of the Legislature.

YES

NO

**PROPOSED CONSTITUTIONAL AMENDMENTS**

**NO. 6**  
**CONSTITUTIONAL AMENDMENT**  
ARTICLE X, SECTION 20  
Protect People from the Health Hazards of Second-Hand Tobacco Smoke by Prohibiting Workplace Smoking

To protect people from the health hazards of second-hand tobacco smoke, this amendment prohibits tobacco smoking in enclosed indoor workplaces. Allows exceptions for private residences except when they are being used to provide commercial child care, adult care or health care. Also allows exceptions for retail tobacco shops, designated smoking guest rooms at hotels and other public lodging establishments, and stand-alone bars. Provides definitions, and requires the legislature to promptly implement this amendment.

YES

NO

**PROPOSED CONSTITUTIONAL AMENDMENTS**

**NO. 9**  
**CONSTITUTIONAL AMENDMENT**  
ARTICLE IX, SECTION 1  
Voluntary Universal Pre-Kindergarten Education

Every four-year-old child in Florida shall be offered a high quality pre-kindergarten learning opportunity by the state no later than the 2005 school year. This voluntary early childhood development and education program shall be established according to high quality standards and shall be free for all Florida four-year-olds without taking away funds used for existing education, health and development programs.

YES

NO

**PROPOSED CONSTITUTIONAL AMENDMENTS**

**NO. 10**  
**CONSTITUTIONAL AMENDMENT**  
ARTICLE X, SECTION 19  
Animal Cruelty Amendment: Limiting Cruel and Inhumane Confinement of Pigs During Pregnancy

Inhumane treatment of animals is a concern of Florida citizens; to prevent cruelty to animals and as recommended by The Humane Society of the United States, no person shall confine a pig during pregnancy in a cage, crate or other enclosure, or tether a pregnant pig, on a farm so that the pig is prevented from turning around freely, except for veterinary purposes and during the prebirthing period; provides definitions, penalties, and an effective date.

YES

NO

**PROPOSED CONSTITUTIONAL AMENDMENTS**

**NO. 7**  
**CONSTITUTIONAL AMENDMENT**  
ARTICLE VII, SECTION 4  
Exemption for Construction of Living Quarters for Parents or Grandparents

Proposes an amendment to the State Constitution to allow counties to exempt from taxation an increase in the assessed value of homestead property resulting from constructing living quarters for a parent or grandparent of the property owner or the property owner's spouse who is 62 years old or older. Limits the amount of such exemption to the increase in assessed value resulting from such construction or 20 percent of the total assessed value of the property as improved, whichever is less.

YES

NO

**PROPOSED CONSTITUTIONAL AMENDMENTS**

**NO. 8**  
**CONSTITUTIONAL AMENDMENT**  
ARTICLE IX, SECTION 1  
Florida's Amendment to Reduce Class Size

Proposes an amendment to the State Constitution to require that the Legislature provide funding for sufficient classrooms so that there be a maximum number of students in public school classes for various grade levels; requires compliance by the beginning of the 2010 school year; requires the Legislature, and not local school districts, to pay for the costs associated with reduced class size; prescribes a schedule for phased-in funding to achieve the required maximum class size.

YES

NO

**PROPOSED CONSTITUTIONAL AMENDMENTS**

**NO. 11**  
**CONSTITUTIONAL AMENDMENT**  
ARTICLE IX, SECTION 7  
Local Trustees and Statewide Governing Board to Manage Florida's University System

A local board of trustees shall administer each state university. Each board shall have thirteen members dedicated to excellence in teaching, research, and service to community. A statewide governing board of seventeen members shall be responsible for the coordinated and accountable operation of the whole university system. Wasteful duplication of facilities or programs is to be avoided. Provides procedures for selection and confirmation of board members, including one student and one faculty representative per board.

YES

NO

**PROPOSED CONSTITUTIONAL AMENDMENTS**

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**CONSTITUTIONAL AMENDMENT**  
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YES

NO

**COUNTY REFERENDUM**

**ONE-CENT SALES TAX EXTENSION**

Shall the duration of the one-cent sales surtax levied in Indian River County be extended an additional fifteen years and seven months from May 31, 2004, its currently scheduled expiration date, to December 31, 2019, to finance, plan, and construct infrastructure including roads, bridges, jail expansion, libraries, fire/paramedic stations, stormwater improvements, recreation facilities, county administration buildings, closure of landfills, and any other county and municipal infrastructure projects allowed by law?

FOR the extension of the one-cent sales tax.

AGAINST the extension of the one-cent sales tax.

**CITY OF VERO BEACH**

**REFERENDUM**

Shall a one-time exception to the building height limitation of 50 feet be allowed for the construction of a church steeple at 2365 Pine Avenue up to one hundred eight (108) feet?

YES For Approval

NO For Rejection

You are eligible to vote on the City of Vero Beach Referendum if you live in one of the following precincts: 302, 303, Part of 304, 504, Part of 505, 506, 507, 508, 509, 510, 511.

**CITY OF VERO BEACH**

**REFERENDUM**

Shall a one-time exception to the building height limitation of 50 feet be allowed for the construction of a church steeple at 2365 Pine Avenue up to one hundred eight (108) feet?

YES For Approval


NO For Rejection

**Your new precinct number and polling place location can be found on your 2002 Voter Registration Card.**

★ ★ ★

It is a **felony** to vote in a precinct in which you do not reside. If your address has changed, please contact the Elections Office **BEFORE November 5th.**

**POLLS WILL BE OPEN 7 AM - 7 PM**

 **KAY CLEM**  
Supervisor of Elections  
Indian River County  
[www.voteindianriver.com](http://www.voteindianriver.com)