

**OFFICIAL GENERAL ELECTION BALLOT
BREVARD COUNTY, FLORIDA
NOVEMBER 2, 2004**

- **TO VOTE, COMPLETELY FILL IN THE OVAL ● NEXT TO YOUR CHOICE.**
- Use a black or blue pen (not red) or a black pencil to mark your ballot.
- If you make a mistake, don't hesitate to ask for a new ballot. If you erase or make other marks, your vote may not count.
- To vote for a candidate whose name is not printed on the ballot, fill in the oval, and write in the candidate's name on the blank line provided for a write-in candidate.

PRESIDENT AND VICE PRESIDENT	NONPARTISAN	PROPOSED CONSTITUTIONAL AMENDMENTS OR OTHER PUBLIC MEASURES
(Vote for One)	Shall Justice Raoul G. Cantero, III of the Supreme Court be retained in office?	<p align="center">NO. 1 CONSTITUTIONAL AMENDMENT ARTICLE X, SECTION 22</p> <p align="center">Article X Miscellaneous</p> <p>Section 22. Parental notice of termination of a minor's pregnancy. The legislature shall not limit or deny the privacy right guaranteed to a minor under the United States Constitution as interpreted by the United States Supreme Court. Notwithstanding a minor's right of privacy provided in Section 23 of Article I, the Legislature is authorized to require by general law for notification to a parent or guardian of a minor before the termination of the minor's pregnancy. The Legislature shall provide exceptions to such requirement for notification and shall create a process for judicial waiver of the notification.</p> <p align="center"><input type="radio"/> YES <input type="radio"/> NO</p> <p align="center">NO. 2 CONSTITUTIONAL AMENDMENT ARTICLE IV, SECTION 10 ARTICLE XI, SECTION 5</p> <p align="center">Constitutional Amendments Proposed by Initiative</p> <p>Proposing amendments to the State Constitution to require the sponsor of a constitutional amendment proposed by citizen initiative to file the initiative petition with the Secretary of State by February 1 of the year of a general election in order to have the measure submitted to the electors for approval or rejection at the following November's general election, and to require the Florida Supreme Court to render an advisory opinion addressing the validity of an initiative petition by April 1 of the year in which the amendment is to be submitted to the electors.</p> <p align="center"><input type="radio"/> YES <input type="radio"/> NO</p> <p align="center">NO. 3 CONSTITUTIONAL AMENDMENT ARTICLE I, SECTION 26</p> <p align="center">The Medical Liability Claimant's Compensation Amendment</p> <p>Proposes to amend the State Constitution to provide that an injured claimant who enters into a contingency fee agreement with an attorney in a claim for medical liability is entitled to no less than 70% of the first \$250,000.00 in all damages received by the claimant, and 90% of damages in excess of \$250,000.00, exclusive of reasonable and customary costs and regardless of the number of defendants. This amendment is intended to be self-executing.</p> <p>The direct financial impact this amendment will have on state and local government revenues and expenditures cannot be determined.</p> <p align="center"><input type="radio"/> YES <input type="radio"/> NO</p>
<input type="radio"/> George W. Bush Dick Cheney REP	<input type="radio"/> YES <input type="radio"/> NO	
<input type="radio"/> John F. Kerry John Edwards DEM	DISTRICT COURT OF APPEAL	
<input type="radio"/> Michael A. Peroutka Chuck Baldwin CPF	Shall Judge Jacqueline R. Griffin of the Fifth District Court of Appeal be retained in office?	
<input type="radio"/> Michael Badnarik Richard V. Campagna LIB	<input type="radio"/> YES <input type="radio"/> NO	
<input type="radio"/> David Cobb Patricia LaMarche GRE	Shall Judge David A. Monaco of the Fifth District Court of Appeal be retained in office?	
<input type="radio"/> James Harris Margaret Trowe SWP	<input type="radio"/> YES <input type="radio"/> NO	
<input type="radio"/> Walter F. Brown Mary Alice Herbert SPF	Shall Judge Earle W. Peterson, Jr. of the Fifth District Court of Appeal be retained in office?	
<input type="radio"/> Ralph Nader Peter Miguel Camejo REF	<input type="radio"/> YES <input type="radio"/> NO	
CONGRESSIONAL	Shall Judge Winifred J. Sharp of the Fifth District Court of Appeal be retained in office?	
UNITED STATES SENATOR (Vote for One)	<input type="radio"/> YES <input type="radio"/> NO	
<input type="radio"/> Mel Martinez REP	Shall Judge Vincent G. Torpy, Jr. of the Fifth District Court of Appeal be retained in office?	
<input type="radio"/> Betty Castor DEM		
<input type="radio"/> Dennis F. Bradley VET		
<input type="radio"/> _____ Write-in	<input type="radio"/> YES <input type="radio"/> NO	
REPRESENTATIVE IN CONGRESS 15TH CONGRESSIONAL DISTRICT (Vote for One)	MEMBER SCHOOL BOARD DISTRICT 3 (Vote for One)	
<input type="radio"/> Dave Weldon REP	<input type="radio"/> Amy Kneessy	
<input type="radio"/> Simon Pristoop DEM	<input type="radio"/> Rich Wilson	
LEGISLATIVE	TOWN OF MELBOURNE BEACH	
STATE REPRESENTATIVE 31ST HOUSE DISTRICT (Vote for One)	MAYOR (Vote for One)	
<input type="radio"/> Mitch Needelman REP	<input type="radio"/> Bruce Black	
<input type="radio"/> Gerda Termitus DEM	<input type="radio"/> Lynette Fodor	
COUNTY	<input type="radio"/> William G. Stacey	
SHERIFF (Vote for One)	COMMISSIONER-AT-LARGE (Vote for No More Than Two)	
<input type="radio"/> Jack Parker REP	<input type="radio"/> Frank E. Cariou	
<input type="radio"/> Bob Sarver DEM	<input type="radio"/> Donnie L. Price	
<input type="radio"/> _____ Write-in	<input type="radio"/> Thomas R. Shaw	
PROPERTY APPRAISER (Vote for One)	<input type="radio"/> Sandy Wilson	
<input type="radio"/> Jim Ford REP	SEBASTIAN INLET DISTRICT	
<input type="radio"/> Penny Farrar DEM	COMMISSIONER SEBASTIAN INLET DISTRICT, DISTRICT 1 (Vote for One)	
TAX COLLECTOR (Vote for One)	<input type="radio"/> Jenny Lawton Seal	
<input type="radio"/> Joan Needelman REP	<input type="radio"/> David A. Pasley	
<input type="radio"/> Rod Northcutt DEM	COMMISSIONER SEBASTIAN INLET DISTRICT, DISTRICT 5 (Vote for One)	
MEMBER BOARD OF COUNTY COMMISSIONERS, DISTRICT 3 (Vote for One)	<input type="radio"/> Jim Culberson	
<input type="radio"/> Helen Voltz REP	<input type="radio"/> Bob Hartman	
<input type="radio"/> Jane Anne Havet DEM	<input type="radio"/> Sherri Quarrie	
NONPARTISAN		
SUPREME COURT		
Shall Justice Kenneth B. Bell of the Supreme Court be retained in office?		
<input type="radio"/> YES <input type="radio"/> NO		

VOTE BOTH SIDES OF BALLOT

PROPOSED CONSTITUTIONAL AMENDMENTS OR OTHER PUBLIC MEASURES	PROPOSED CONSTITUTIONAL AMENDMENTS OR OTHER PUBLIC MEASURES	BREVARD COUNTY
<p align="center">NO. 4 CONSTITUTIONAL AMENDMENT ARTICLE X, SECTION 19</p> <p align="center">Authorizes Miami-Dade and Broward County Voters to Approve Slot Machines in Paramutuel Facilities</p> <p>Authorizes Miami-Dade and Broward Counties to hold referenda on whether to authorize slot machines in existing, licensed paramutuel facilities (thoroughbred and harness racing, greyhound racing, and jai alai) that have conducted live racing or games in that county during each of the last two calendar years before effective date of this amendment. The Legislature may tax slot machine revenues, and any such taxes must supplement public education funding statewide. Requires implementing legislation.</p> <p>This amendment alone has no fiscal impact on government. If slot machines are authorized in Miami-Dade or Broward counties, governmental costs associated with additional gambling will increase by an unknown amount and local sales tax-related revenues will be reduced by \$5 million to \$8 million annually. If the Legislature also chooses to tax slot machine revenues, state tax revenues from Miami-Dade and Broward counties combined would range from \$200 million to \$500 million annually.</p> <p><input type="radio"/> YES <input type="radio"/> NO</p>	<p align="center">NO. 7 CONSTITUTIONAL AMENDMENT ARTICLE X, SECTION 22</p> <p align="center">Patients' Right to Know About Adverse Medical Incidents</p> <p>Current Florida law restricts information available to patients related to investigations of adverse medical incidents, such as medical malpractice. This amendment would give patients the right to review, upon request, records of health care facilities' or providers' adverse medical incidents, including those which could cause injury or death. Provides that patients' identities should not be disclosed.</p> <p>The direct financial impact this amendment will have on state and local government revenues and expenditures cannot be determined, but is expected to be minimal. State agencies will incur some additional costs to comply with public records requirements of the amendment, but these costs will be generally offset by fees charged to the persons requesting the information.</p> <p><input type="radio"/> YES <input type="radio"/> NO</p>	<p align="center">CHARTER AMENDMENT 2 AMENDMENT AND TRANSFER OF PREAMBLE</p> <p>Shall the Preamble be revised and incorporated into Section 1.1 of the Charter of Brevard County so as to give legal effect to the provisions of the Preamble?</p> <p><input type="radio"/> YES <input type="radio"/> NO</p>
<p align="center">NO. 5 CONSTITUTIONAL AMENDMENT ARTICLE X</p> <p align="center">Florida Minimum Wage Amendment</p> <p>This amendment creates a Florida minimum wage covering all employees in the state covered by the federal minimum wage. The state minimum wage will start at \$6.15 per hour six months after enactment, and thereafter be indexed to inflation each year. It provides for enforcement, including double damages for unpaid wages, attorney's fees, and fines by the state. It forbids retaliation against employees for exercising this right.</p> <p>The impact of this amendment on costs and revenues of state and local governments is expected to be minimal.</p> <p><input type="radio"/> YES <input type="radio"/> NO</p>	<p align="center">NO. 8 CONSTITUTIONAL AMENDMENT ARTICLE X, SECTION 20</p> <p align="center">Public Protection from Repeated Medical Malpractice</p> <p>Current law allows medical doctors who have committed repeated malpractice to be licensed to practice medicine in Florida. This amendment prohibits medical doctors who have been found to have committed three or more incidents of medical malpractice from being licensed to practice medicine in Florida.</p> <p>The direct financial impact on state and local governments resulting from the proposed initiative would be minimal. There will likely be additional costs to the state of less than \$1 million per year, but these costs will be offset by licensure fees.</p> <p><input type="radio"/> YES <input type="radio"/> NO</p>	<p align="center">CHARTER AMENDMENT 3 TRUTH IN TAXATION</p> <p>Shall the Brevard County Charter be amended to require publication of notice of disclosure of the percentage of tax increase in any year in which the Board of County Commissioners tentatively adopts a property tax millage rate in excess of the roll-back rate computed pursuant to Florida Statutes?</p> <p><input type="radio"/> YES <input type="radio"/> NO</p>
<p align="center">NO. 6 CONSTITUTIONAL AMENDMENT ARTICLE X, SECTION 19</p> <p align="center">Repeal of High Speed Rail Amendment</p> <p>This amendment repeals an amendment in the Florida Constitution that requires the Legislature, the Cabinet and the Governor to proceed with the development and operation of a high speed ground transportation system by the state and/or by a private entity.</p> <p>The probable financial impact of passage of this amendment is a state cost savings ranging from \$20 billion to \$25 billion over the next 30 years. This estimate assumes the repeal of associated laws, the use of state bonds to finance construction, and could be reduced by federal or private sector funding.</p> <p><input type="radio"/> YES <input type="radio"/> NO</p>	<p align="center">BREVARD COUNTY</p> <p align="center">REFERENDUM 1 ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTIONS FOR NEW BUSINESSES AND EXPANSIONS OF EXISTING BUSINESSES</p> <p>Shall the Board of County Commissioners of Brevard County continue to be authorized to grant, pursuant to Section 3, Article VII of the State Constitution, property tax exemptions to new businesses and expansions of existing businesses?</p> <p><input type="radio"/> YES - FOR AUTHORITY TO GRANT EXEMPTIONS <input type="radio"/> NO - AGAINST AUTHORITY TO GRANT EXEMPTIONS</p>	<p align="center">TOWN OF MELBOURNE BEACH</p> <p align="center">NO. 1 MELBOURNE BEACH CHARTER AMENDMENT SECTIONS 4.01, 4.02, 4.03, 4.04, 4.05, 4.06, AND 4.07, TOWN CHARTER</p> <p>The Charter currently provides for a municipal court system which is inconsistent with the Florida Constitution. This amendment will repeal provisions setting up the court system, allowing the abolition of the system, providing for a clerk of the court, providing for the issuance of warrants, providing the duties of police officers, providing for arrest without a warrant, and providing for the disposition of monies collected by the municipal court system.</p> <p><input type="radio"/> YES (for approval) <input type="radio"/> NO (for rejection)</p>
	<p align="center">REFERENDUM 2 ENVIRONMENTALLY ENDANGERED LAND AND WATER AREAS BOND REFERENDUM</p> <p>Shall Brevard County issue bonds to finance the acquisition, improvement and maintenance of environmentally endangered land and water areas for the protection of habitat, public open space, and water resources, and for providing passive recreational opportunities, provided the bonds do not exceed Sixty Million Dollars (\$60,000,000) bearing interest not exceeding the maximum legal rate and maturing in twenty (20) years payable from the levy of ad valorem taxes not exceeding .2085 mills?</p> <p><input type="radio"/> FOR THE BONDS <input type="radio"/> AGAINST THE BONDS</p>	<p align="center">NO. 2 MELBOURNE BEACH CHARTER AMENDMENT SECTIONS 2.12 AND 2.17, TOWN CHARTER</p> <p>Shall the Charter be revised by: deleting the provision that Commissioners can be compelled by other Commissioners to attend Commission meetings; and repealing the provision that the Commission may remove a Commissioner from office for failing to attend a majority of the Commission meetings in any calendar quarter without good reason?</p> <p><input type="radio"/> YES (for approval) <input type="radio"/> NO (for rejection)</p>
	<p align="center">CHARTER AMENDMENT 1 ADEQUATE TIME FOR CHARTER REVIEW</p> <p>Shall Section 7.4 of the Brevard County Charter be amended to increase the interval between appointment of regular Charter Review Commissions from six years to eight years, and to increase the time allowed for such review from one year to eighteen months?</p> <p><input type="radio"/> YES FOR APPROVAL <input type="radio"/> NO FOR REJECTION</p>	<p align="center">NO. 3 MELBOURNE BEACH CHARTER AMENDMENT SECTIONS 8.03 AND 8.09, TOWN CHARTER</p> <p>Section 8.03, Town Charter, currently provides when and how many public hearings shall be held prior to budget adoption. Florida law provides a totally different procedure for budget adoption prescribing when and how public hearings will be held. Section 8.03 of the Charter shall be repealed. The Charter also provides that two Commissioners shall sign all Town checks. It is proposed that one Commissioner and another Town officer designated by ordinance shall sign all checks.</p> <p><input type="radio"/> YES (for approval) <input type="radio"/> NO (for rejection)</p> <p align="center">NO. 4 MELBOURNE BEACH CHARTER AMENDMENT SECTIONS 2.08, 2.10, AND 2.11, TOWN CHARTER</p> <p>The Charter shall be revised by: repealing the provision requiring the assignment of Commission responsibilities after an election; clarifying that a Vice-Mayor succeeding to the office of Mayor due to a vacancy in that office does so temporarily and returns to his position as a Commissioner upon election of the new Mayor; and providing that one, as opposed to two, Commissioners may call a special meeting.</p> <p><input type="radio"/> YES (for approval) <input type="radio"/> NO (for rejection)</p>

VOTE BOTH SIDES OF BALLOT

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NOVEMBER 2, 2004**

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TOWN OF MELBOURNE BEACH

**NO. 5
MELBOURNE BEACH CHARTER
AMENDMENT
SECTION 3.11, TOWN CHARTER**

Shall the Town Charter be amended to provide that the Town Commission may censure one of its members if he or she is found to have violated the Code of Ethics for Public Officers and Employees by the Florida Commission on Ethics or the Florida Election Code by the Florida Elections Commission, or implementing rules thereof, as set forth in Florida Statutes?

- YES (for approval)
 NO (for rejection)

**NO. 6
MELBOURNE BEACH CHARTER
AMENDMENT
SECTION 2.03, TOWN CHARTER**

Shall the Town Charter be amended to provide that: The Mayor and all Commissioners shall be limited to serving two complete consecutive terms and the portion of an unexpired term occurring by reason of a vacancy starting with the terms resulting from the general election of November 2, 2004; and Town elected officials who resign within one year before the end of their second consecutive term may not seek re-election in the next regular election.

- YES (for approval)
 NO (for rejection)