

OFFICIAL GENERAL ELECTION BALLOT
BREVARD COUNTY, FLORIDA
NOVEMBER 6, 2012

- **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 (Vote for One)		CLERK OF THE CIRCUIT COURT (Vote for One)	
☐ Mitt Romney Paul Ryan	REP	☐ Scott Ellis	REP
☐ Barack Obama Joe Biden	DEM	☐	
☐ Thomas Robert Stevens Alden Link	OBJ	Write-in	
☐ Gary Johnson James P. Gray	LBT	SHERIFF (Vote for One)	
☐ Virgil H. Goode, Jr. James N. Clymer	CPF	☐ Wayne Ivey	REP
☐ Jill Stein Cheri Honkala	GRE	☐ Adrian Moss-Beasley	DEM
☐ Andre Barnett Kenneth Cross	REF	PROPERTY APPRAISER (Vote for One)	
☐ Stewart Alexander Alex Mendoza	SOC	☐ Dana Blickley	REP
☐ Peta Lindsay Yari Osorio	PSL	☐ Charlie Sitton	DEM
☐ Roseanne Barr Cindy Sheehan	PFP	BOARD OF COUNTY COMMISSIONERS DISTRICT 3 (Vote for One)	
☐ Tom Hoefling Jonathan D. Ellis	AIP	☐ Trudie J. Infantini	REP
☐ Ross C. "Rocky" Anderson Luis J. Rodriguez	JPF	☐ Joe "Pish" Pishgar	DEM
☐		JUSTICE OF THE SUPREME COURT	
Write-in		Shall Justice R. Fred Lewis of the Supreme Court be retained in office?	
		☐ YES	
		☐ NO	
		JUSTICE OF THE SUPREME COURT	
		Shall Justice Barbara J. Pariente of the Supreme Court be retained in office?	
		☐ YES	
		☐ NO	
UNITED STATES SENATOR (Vote for One)		JUSTICE OF THE SUPREME COURT	
☐ Connie Mack	REP	Shall Justice Peggy A. Quince of the Supreme Court be retained in office?	
☐ Bill Nelson	DEM	☐ YES	
☐ Bill Gaylor	NPA	☐ NO	
☐ Chris Borgia	NPA	COUNTY JUDGE GROUP 5 (Vote for One)	
☐		☐ Curt Jacobus	
Write-in		☐ Steve Koons	
REPRESENTATIVE IN CONGRESS DISTRICT 8 (Vote for One)		CITY OF PALM BAY MAYOR (Vote for One)	
☐ Bill Posey	REP	☐ William Capote	
☐ Shannon Roberts	DEM	☐ Will Conyers	
☐ Richard H. Gillmor	NPA	☐ John Joseph Mazziotti	
STATE ATTORNEY 18th JUDICIAL CIRCUIT (Vote for One)		PALM BAY CITY COUNCIL SEAT 2 (Vote for One)	
☐ Phil Archer	REP	☐ Bill Rettinger	
☐ Ryan James Vescio	DEM	☐ Harry Santiago Jr.	
STATE SENATOR DISTRICT 16 (Vote for One)		PALM BAY CITY COUNCIL SEAT 3 (Vote for One)	
☐ Thad Altman	REP	☐ Brian Jacob Anderson	
☐ Dominic A Fallo II	DEM	☐ Michele Paccione	
STATE REPRESENTATIVE DISTRICT 53 (Vote for One)		☐ Missy Wilson	
☐ John Tobia	REP	☐ Pat Woodard	
☐ John Paul Alvarez	DEM	SEBASTIAN INLET TAX DISTRICT SEAT 3 (Vote for One)	
		☐ Michael Rowland	
		☐ Jeannette Westlake	

VOTE BOTH SIDES OF BALLOT

NO. 1

CONSTITUTIONAL AMENDMENT

ARTICLE I, SECTION 28

Health Care Services

Proposing an amendment to the State Constitution to prohibit laws or rules from compelling any person or employer to purchase, obtain, or otherwise provide for health care coverage; permit a person or an employer to purchase lawful health care services directly from a health care provider; permit a health care provider to accept direct payment from a person or an employer for lawful health care services; exempt persons, employers, and health care providers from penalties and taxes for paying directly or accepting direct payment for lawful health care services; and prohibit laws or rules from abolishing the private market for health care coverage of any lawful health care service. Specifies that the amendment does not affect which health care services a health care provider is required to perform or provide; affect which health care services are permitted by law; prohibit care provided pursuant to general law relating to workers' compensation; affect laws or rules in effect as of March 1, 2010; affect the terms or conditions of any health care system to the extent that those terms and conditions do not have the effect of punishing a person or an employer for paying directly for lawful health care services or a health care provider for accepting direct payment from a person or an employer for lawful health care services; or affect any general law passed by two-thirds vote of the membership of each house of the Legislature, passed after the effective date of the amendment, provided such law states with specificity the public necessity justifying the exceptions from the provisions of the amendment. The amendment expressly provides that it may not be construed to prohibit negotiated provisions in insurance contracts, network agreements, or other provider agreements contractually limiting copayments, coinsurance, deductibles, or other patient charges.

☐ YES

☐ NO

NO. 2

CONSTITUTIONAL AMENDMENT

ARTICLE VII, SECTION 6

ARTICLE XII, SECTION 32

Veterans Disabled Due to Combat Injury; Homestead Property Tax Discount

Proposing an amendment to Section 6 of Article VII and the creation of Section 32 of Article XII of the State Constitution to expand the availability of the property discount on the homesteads of veterans who became disabled as the result of a combat injury to include those who were not Florida residents when they entered the military and schedule the amendment to take effect January 1, 2013.

☐ YES

☐ NO

NO. 3

CONSTITUTIONAL AMENDMENT

ARTICLE VII, SECTIONS 1 AND 19

ARTICLE XII, SECTION 32

State Government Revenue Limitation

This proposed amendment to the State Constitution replaces the existing state revenue limitation based on Florida personal income growth with a new state revenue limitation based on inflation and population changes. Under the amendment, state revenues, as defined in the amendment, collected in excess of the revenue limitation must be deposited into the budget stabilization fund until the fund reaches its maximum balance, and thereafter shall be used for the support and maintenance of public schools by reducing the minimum financial effort required from school districts for participation in a state-funded education finance program, or, if the minimum financial effort is no longer required, returned to the taxpayers. The Legislature may increase the state revenue limitation through a bill approved by a super majority vote of each house of the Legislature. The Legislature may also submit a proposed increase in the state revenue limitation to the voters. The Legislature must implement this proposed amendment by general law. The amendment will take effect upon approval by the electors and will first apply to the 2014-2015 state fiscal year.

☐ YES

☐ NO

NO. 4

CONSTITUTIONAL AMENDMENT

ARTICLE VII, SECTIONS 4, 6

ARTICLE XII, SECTIONS 27, 32, 33

Property Tax Limitations; Property Value Decline; Reduction for Nonhomestead Assessment Increases; Delay of Scheduled Repeal

(1) This would amend Florida Constitution Article VII, Section 4 (Taxation; assessments) and Section 6 (Homestead exemptions). It also would amend Article XII, Section 27, and add Sections 32 and 33, relating to the Schedule for the amendments.

(2) In certain circumstances, the law requires the assessed value of homestead and specified nonhomestead property to increase when the just value of the property decreases. Therefore, this amendment provides that the Legislature may, by general law, provide that the assessment of homestead and specified nonhomestead property may not increase if the just value of that property is less than the just value of the property on the preceding January 1, subject to any adjustment in the assessed value due to changes, additions, reductions, or improvements to such property which are assessed as provided for by general law. This amendment takes effect upon approval by the voters. If approved at a special election held on the date of the 2012 presidential preference primary, it shall operate retroactively to January 1, 2012, or, if approved at the 2012 general election, shall take effect January 1, 2013.

(3) This amendment reduces from 10 percent to 5 percent the limitation on annual changes in assessments of nonhomestead real property. This amendment takes effect upon approval of the voters. If approved at a special election held on the date of the 2012 presidential preference primary, it shall operate retroactively to January 1, 2012, or, if approved at the 2012 general election, takes effect January 1, 2013.

(4) This amendment also authorizes general law to provide, subject to conditions specified in such law, an additional homestead exemption to every person who establishes the right to receive the homestead exemption provided in the Florida Constitution within 1 year after purchasing the homestead property and who has not owned property in the previous 3 calendar years to which the Florida homestead exemption applied. The additional homestead exemption shall apply to all levies except school district levies. The additional exemption is an amount equal to 50 percent of the homestead property's just value on January 1 of the year the homestead is established. The additional homestead exemption may not exceed an amount equal to the median just value of all homestead property within the county where the property at issue is located for the calendar year immediately preceding January 1 of the year the homestead is established. The additional exemption shall apply for the shorter of 5 years or the year of sale of the property. The amount of the additional exemption shall be reduced in each subsequent year by an amount equal to 20 percent of the amount of the additional exemption received in the year the homestead was established or by an amount equal to the difference between the just value of the property and the assessed value of the property determined under Article VII, Section 4(d), whichever is greater. Not more than one such exemption shall be allowed per homestead property at one time. The additional exemption applies to property purchased on or after January 1, 2011, if approved by the voters at a special election held on the date of the 2012 presidential preference primary, or to property purchased on or after January 1, 2012, if approved by the voters at the 2012 general election. The additional exemption is not available in the sixth and subsequent years after it is first received. The amendment shall take effect upon approval by the voters. If approved at a special election held on the date of the 2012 presidential preference primary, it shall operate retroactively to January 1, 2012, or, if approved at the 2012 general election, takes effect January 1, 2013.

(5) This amendment also delays until 2023, the repeal, currently scheduled to take effect in 2019, of constitutional amendments adopted in 2008 which limit annual assessment increases for specified nonhomestead real property. This amendment delays until 2022 the submission of an amendment proposing the abrogation of such repeal to the voters.

☐ YES

☐ NO

VOTE BOTH SIDES OF BALLOT

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NO. 5
CONSTITUTIONAL AMENDMENT
ARTICLE V, SECTIONS 2, 11, AND 12

State Courts

Proposing a revision of Article V of the State Constitution relating to the judiciary.

The State Constitution authorizes the Supreme Court to adopt rules for the practice and procedure in all courts. The constitution further provides that a rule of court may be repealed by a general law enacted by a two-thirds vote of the membership of each house of the Legislature. This proposed constitutional revision eliminates the requirement that a general law repealing a court rule pass by a two-thirds vote of each house, thereby providing that the Legislature may repeal a rule of court by a general law approved by a majority vote of each house of the Legislature that expresses the policy behind the repeal. The court could readopt the rule in conformity with the public policy expressed by the Legislature, but if the Legislature determines that a rule has been readopted and repeals the readopted rule, this proposed revision prohibits the court from further readopting the repealed rule without the Legislature's prior approval. Under current law, rules of the judicial nominating commissions and the Judicial Qualifications Commission may be repealed by general law enacted by a majority vote of the membership of each house of the Legislature. Under this proposed revision, a vote to repeal those rules is changed to repeal by general law enacted by a majority vote of the legislators present.

Under current law, the Governor appoints a justice of the Supreme Court from a list of nominees provided by a judicial nominating commission, and appointments by the Governor are not subject to confirmation. This revision requires Senate confirmation of a justice of the Supreme Court before the appointee can take office. If the Senate votes not to confirm the appointment, the judicial nominating commission must reconvene and may not renominate any person whose prior appointment to fill the same vacancy was not confirmed by the Senate. For the purpose of confirmation, the Senate may meet at any time. If the Senate fails to vote on the appointment of a justice within 90 days, the justice will be deemed confirmed and will take office.

The Judicial Qualifications Commission is an independent commission created by the State Constitution to investigate and prosecute before the Florida Supreme Court alleged misconduct by a justice or judge. Currently under the constitution, commission proceedings are confidential until formal charges are filed by the investigative panel of the commission. Once formal charges are filed, the formal charges and all further proceedings of the commission are public. Currently, the constitution authorizes the House of Representatives to impeach a justice or judge. Further, the Speaker of the House of Representatives may request, and the Judicial Qualifications Commission must make available, all information in the commission's possession for use in deciding whether to impeach a justice or judge. This proposed revision requires the commission to make all of its files available to the Speaker of the House of Representatives but provides that such files would remain confidential during any investigation by the House of Representatives and until such information is used in the pursuit of an impeachment of a justice or judge. This revision also removes the power of the Governor to request files of the Judicial Qualifications Commission to conform to a prior constitutional change.

This revision also makes technical and clarifying additions and deletions relating to the selection of chief judges of a circuit and relating to the Judicial Qualifications Commission, and makes other nonsubstantive conforming and technical changes in the judicial article of the constitution.

☐ YES☐ NO

NO. 6
CONSTITUTIONAL AMENDMENT
ARTICLE I, SECTION 28

Prohibition on Public Funding of Abortions; Construction of Abortion Rights

This proposed amendment provides that public funds may not be expended for any abortion or for health-benefits coverage that includes coverage of abortion. This prohibition does not apply to an expenditure required by federal law, a case in which a woman suffers from a physical disorder, physical injury, or physical illness that would place her in danger of death unless an abortion is performed, or a case of rape or incest.

This proposed amendment provides that the State Constitution may not be interpreted to create broader rights to an abortion than those contained in the United States Constitution. With respect to abortion, this proposed amendment overrules court decisions which conclude that the right of privacy under Article I, Section 23 of the State Constitution is broader in scope than that of the United States Constitution.

☐ YES☐ NO

NO. 8
CONSTITUTIONAL AMENDMENT
ARTICLE I, SECTION 3

Religious Freedom

Proposing an amendment to the State Constitution providing that no individual or entity may be denied, on the basis of religious identity or belief, governmental benefits, funding or other support, except as required by the First Amendment to the United States Constitution, and deleting the prohibition against using revenues from the public treasury directly or indirectly in aid of any church, sect, or religious denomination or in aid of any sectarian institution.

☐ YES☐ NO

NO. 9
CONSTITUTIONAL AMENDMENT
ARTICLE VII, SECTION 6
ARTICLE XII, SECTION 32

Homestead Property Tax Exemption for Surviving Spouse of Military Veteran or First Responder

Proposing an amendment to the State Constitution to authorize the Legislature to provide by general law ad valorem homestead property tax relief to the surviving spouse of a military veteran who died from service-connected causes while on active duty or to the surviving spouse of a first responder who died in the line of duty. The amendment authorizes the Legislature to totally exempt or partially exempt such surviving spouse's homestead property from ad valorem taxation. The amendment defines a first responder as a law enforcement officer, a correctional officer, a firefighter, an emergency medical technician, or a paramedic. This amendment shall take effect January 1, 2013.

☐ YES☐ NO

NO. 10
CONSTITUTIONAL AMENDMENT
ARTICLE VII, SECTION 3
ARTICLE XII, SECTION 32

Tangible Personal Property Tax Exemption

Proposing an amendment to the State Constitution to:

(1) Provide an exemption from ad valorem taxes levied by counties, municipalities, school districts, and other local governments on tangible personal property if the assessed value of an owner's tangible personal property is greater than \$25,000 but less than \$50,000. This new exemption, if approved by the voters, will take effect on January 1, 2013, and apply to the 2013 tax roll and subsequent tax rolls.

(2) Authorize a county or municipality for the purpose of its respective levy, and as provided by general law, to provide tangible personal property tax exemptions by ordinance.

This is in addition to other statewide tangible personal property tax exemptions provided by the Constitution and this amendment.

☐ YES☐ NO

VOTE BOTH SIDES OF BALLOT

NO. 11
CONSTITUTIONAL AMENDMENT
ARTICLE VII, SECTION 6

Additional Homestead Exemption; Low-Income Seniors Who Maintain Long-Term Residency on Property; Equal to Assessed Value

Proposing an amendment to the State Constitution to authorize the Legislature, by general law and subject to conditions set forth in the general law, to allow counties and municipalities to grant an additional homestead tax exemption equal to the assessed value of homestead property if the property has a just value less than \$250,000 to an owner who has maintained permanent residency on the property for not less than 25 years, who has attained age 65, and who has a low household income as defined by general law.

☐ YES☐ NO

NO. 12
CONSTITUTIONAL AMENDMENT
ARTICLE IX, SECTION 7

Appointment of Student Body President to Board of Governors of the State University System

Proposing an amendment to the State Constitution to replace the president of the Florida Student Association with the chair of the council of state university student body presidents as the student member of the Board of Governors of the State University System and to require that the Board of Governors organize such council of state university student body presidents.

☐ YES

☐ NO

COUNTY REFERENDUM
Operation of Slot Machines at Melbourne Greyhound Park

Shall Melbourne Greyhound Park be allowed to operate slot machines in accordance with the authority granted by Florida law?

☐ YES for approval

☐ NO for rejection

**SCHOOL BOARD REFERENDUM
ONE-HALF CENT SALES SURTAX FOR SCHOOL
FACILITIES AND TECHNOLOGY; AND ELIMINATE ONE-
QUARTER MILL PROPERTY TAX**

As the School Board will stop levying the critical needs 0.25 mills property tax in 2013-14, shall it be allowed to levy a one-half cent school capital outlay surtax on sales in Brevard County, effective 1/1/13 for a period of 10 years unless property tax assessments return to the 2008-09 level. Proceeds will be used for critical improvements to school facilities and educational technology needs as described in a School Board resolution adopted on 7/10/12.

☐ YES FOR THE ONE-HALF CENT TAX☐ NO AGAINST THE ONE-HALF CENT TAX

**PALM BAY
REFERENDUM 1**
**City Charter, Section 3.03 - Compensation for Members of
City Council**

Shall Section 3.03 of the city charter be revised to establish the compensation for the city council by ordinance, not to exceed salaries as portrayed by the Florida League of Municipalities for cities of comparable size and form of government, instead of the current method which allows council to establish its salary by ordinance by no more than 5% annually? No increase in salary shall become effective until after the next regular city election.

☐ YES☐ NO

**PALM BAY
REFERENDUM 2
City Charter, Section 3.06 - Filling Temporary, Permanent,
and Extraordinary Vacancies on City Council;
Absenteeism**

Shall Section 3.06, Vacancies, be revised as follows: Section 3.06 - correct language grammatically and provide for declaration of city council vacancies at special and regular meetings; Subsection 6.062 - establish procedures for filling temporary and permanent vacancies on city council by ordinance; Subsection 3.063 - identify absences that do not create a vacancy on council; and Subsection 3.064 - include provision to replace council membership when vacancies reduce council to less than a quorum?

☐ YES☐ NO

**PALM BAY
REFERENDUM 3**
**City Charter, Section 3.09 - Petitions Amending City
Charter or to Adopt or Repeal Ordinances**

Shall Section 3.09 of the city charter be revised to include placement of a charter amendment, adoption or repeal of an ordinance on the ballot of a special election and follow relative agencies' requirements; revise the time frame in Subsection 3.091 for the commencement of the petitioning process and Subsection 3.095 for submission of the petition issues to the electorate to provide sufficient time for placement on the ballot of a regular or special election?

☐ YES☐ NO

**PALM BAY
REFERENDUM 4
City Charter, Subsections 3.111, 3.113, 3.114 -
Employment of Assistant City Attorney(s)**

Shall Subsections 3.111, 3.113, and 3.114 of the city charter be revised to provide for the hiring of assistant city attorney(s) by the city attorney instead of the city council to be consistent with the other city charter officers -- the city manager and city clerk who hire their own assistants and staff?

☐ YES☐ NO

**PALM BAY
REFERENDUM 5
City Charter, Section 5.02 - Qualifications of Candidates
for the Office of City Council**

Shall Section 5.02 of the city charter be revised to require candidates elected to the office of city council to physically reside within the city and continue to be a resident and an elector of the city during the term of office?

☐ YES☐ NO

**PALM BAY
REFERENDUM 6**
City Charter, Section 5.044 - Certification by City Council
of Municipal Election Results

Shall Subsection 5.044 be amended to have the city's official election results certified after the city clerk receives the results from the supervisor of elections, instead of the current requirement of 3 working days after the election, due to the current language being rendered moot by law that requires absentee federal ballots received up to 10 days after an election to be counted and included in the official results?

☒ YES

☐ NO

VOTE BOTH SIDES OF BALLOT