

By Senator Kirkpatrick

5-1090-98

See HB

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31

A bill to be entitled  
An act relating to local government planning;  
creating s. 163.3182, F.S.; requiring each  
district school board to meet annually with the  
board of county commissioners and with  
municipal governing bodies to plan for  
educational facilities; providing for notice;  
requiring a report; providing for arbitration;  
providing a penalty; providing an effective  
date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 163.3182, Florida Statutes, is  
created to read:

163.3182 Annual meetings regarding educational  
facilities.--

(1) In each county, the district school board and the  
board of county commissioners shall meet annually in a public  
meeting, and the district school board and the governing  
bodies of all municipalities within the county shall meet  
annually in a public meeting. These meetings shall be  
scheduled on dates which will allow coordination with the  
local government's schedule for amendment and for evaluation  
and appraisal of its adopted comprehensive plan. The meetings  
shall be held after 5 p.m., if scheduled on a day other than  
Saturday, and no meeting shall be held on a Sunday. Notice of  
each meeting shall be published at least 7 days, but not more  
than 15 days, prior to the meeting. The notice shall be no  
less than one-quarter page in a standard size or a tabloid  
size newspaper, and the headline in the notice shall be in a

1 type no smaller than 18 point. The notice shall not be placed  
2 in that portion of the newspaper where legal notices and  
3 classified advertisements appear. The notice shall be  
4 published in a newspaper of general paid circulation in the  
5 county or municipality, as applicable, and of general interest  
6 and readership in the community pursuant to chapter 50, not  
7 one of limited subject matter. The notice shall appear in a  
8 newspaper that is published at least 5 days a week unless the  
9 only newspaper in the community is published less than 5 days  
10 a week.

11 (2) The purpose of these meetings shall be to  
12 facilitate the coordination of planning between the school  
13 boards and the local governing bodies to ensure that plans for  
14 the construction and opening of public educational facilities  
15 are facilitated and coordinated in time and place with plans  
16 for residential development, concurrently with other necessary  
17 services, in accordance with the standards and requirements of  
18 this part and chapter 235. At the conclusion of these  
19 meetings, the participating bodies shall make specific  
20 findings regarding the status of such coordination and shall  
21 describe actions that they intend to take during the following  
22 year to establish and support a financially feasible system of  
23 public school facilities adequate for the population to be  
24 served. If the participating bodies are not able to agree on  
25 these specific findings and actions, they shall initiate  
26 binding arbitration proceedings immediately in order to  
27 resolve the issues that are in dispute, under the direction of  
28 the Florida Conflict Resolution Consortium. A full report of  
29 each meeting and the resulting findings and action statements  
30 shall be submitted to the Department of Community Affairs no  
31 later than 60 days after the date of the meeting, or 60 days

1 after the conclusion of arbitration proceedings, if such  
2 proceedings are necessary.

3 (3) The initial meetings shall be held no later than  
4 October 1, 1998. At the initial meetings a schedule shall be  
5 established for subsequent annual meetings, and the schedule  
6 shall be submitted to the Department of Community Affairs. If  
7 a meeting required by this section is not held, or if the  
8 report required by this section is not made to the department,  
9 each member of the district school board, and each member of  
10 the board of county commissioners or municipal governing  
11 boards, as applicable, shall be subject to a fine of \$100 per  
12 day until the meeting is held or the report is submitted. If  
13 an initial meeting is not held, the fine shall be calculated  
14 beginning October 2, 1998. If a subsequent annual meeting is  
15 not held, the fine shall be calculated beginning the day after  
16 the meeting was scheduled, or if no meeting was scheduled,  
17 beginning October 2 of the applicable year. If a meeting is  
18 held and the required report is not made, the fine shall be  
19 calculated beginning the day after the report was due. Neither  
20 public funds of the board which the member represents nor  
21 funds received as a campaign contribution by the member in  
22 connection with his or her election to that board shall be  
23 used to pay a fine imposed under this section.

24 Section 2. This act shall take effect upon becoming a  
25 law.

26  
27  
28  
29  
30  
31

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31

\*\*\*\*\*

HOUSE SUMMARY

Requires each district school board to meet annually with the board of county commissioners and with municipal governing boards to plan for educational facilities. Provides for notice and requires a report of each meeting to the Department of Community Affairs. Provides for arbitration if the participants cannot agree. Imposes a fine of \$100 a day on individual board members if the meetings are not held or the reports not made.