

Bill No. CS for CS for SB 3004

Amendment No. ____ Barcode 195530

CHAMBER ACTION

Senate

House

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Senator Clary moved the following amendment:

Senate Amendment (with title amendment)

On page 77, between lines 24 and 25,

insert:

Section 53. Subsection (1) of section 191.005, Florida Statutes, is amended to read:

191.005 District boards of commissioners; membership, officers, meetings.--

(1)(a) With the exception of districts whose governing boards are appointed collectively by the Governor, the county commission, and any cooperating city within the county, the business affairs of each district shall be conducted and administered by a five-member board. All three-member boards existing on the effective date of this act shall be converted to five-member boards, except those permitted to continue as a three-member board by special act adopted in 1997 or thereafter. The board shall be elected in nonpartisan elections by the electors of the district. Except as provided in this act, such elections shall be held at the time and in

Bill No. CS for CS for SB 3004

Amendment No. ____ Barcode 195530

1 the manner prescribed by law for holding general elections in
2 accordance with s. 189.405(2)(a) and (3), and each member
3 shall be elected for a term of 4 years and serve until the
4 member's successor assumes office. Candidates for the board of
5 a district shall qualify with the county supervisor of
6 elections in whose jurisdiction the district is located. If
7 the district is a multicounty district, candidates shall
8 qualify with the Department of State. All candidates may
9 qualify by paying a filing fee of \$25 or by obtaining the
10 signatures of at least 25 registered electors of the district
11 on petition forms provided by the supervisor of elections
12 which petitions shall be submitted and checked in the same
13 manner as petitions filed by nonpartisan judicial candidates
14 pursuant to s. 105.035.

15 (b) Each candidate who collects or expends campaign
16 contributions shall conduct his or her campaign for
17 commissioner of an independent special fire control district
18 in accordance with the provisions of chapter 106. However,
19 candidates who receive no contributions and make no other
20 expenditures except for petition verification or the \$25
21 filing fee may be exempt from the provisions of chapter 106
22 requiring the establishment of bank accounts and the
23 appointment of campaign treasurers, as long as they have no
24 opposition. If opposition is confirmed by the qualifying
25 officer at the close of the qualifying period, opposed
26 candidates shall open a campaign account, designate a campaign
27 treasurer within 5 days after the end of qualifying, and be
28 responsible for all other requirements of chapter 106.

29 (c)(b)1. At the next general election following the
30 effective date of this act, or on or after the effective date
31 of a special act or general act of local application creating

Bill No. CS for CS for SB 3004

Amendment No. ____ Barcode 195530

1 a new district, the members of the board shall be elected by
2 the electors of the district in the manner provided in this
3 section. The office of each member of the board is designated
4 as being a seat on the board, distinguished from each of the
5 other seats by a numeral: 1, 2, 3, 4, or 5. The numerical
6 seat designation does not designate a geographical subdistrict
7 unless such subdistrict exists on the effective date of this
8 act, in which case the candidates must reside in the
9 subdistrict, and only electors of the subdistrict may vote in
10 the election for the member from that subdistrict. Each
11 candidate for a seat on the board shall designate, at the time
12 the candidate qualifies, the seat on the board for which the
13 candidate is qualifying. The name of each candidate who
14 qualifies for election to a seat on the board shall be
15 included on the ballot in a way that clearly indicates the
16 seat for which the candidate is a candidate. The candidate
17 for each seat who receives the most votes cast for a candidate
18 for the seat shall be elected to the board.

19 2. If, on the effective date of this act, a district
20 presently in existence elects members of its board, the next
21 election shall be conducted in accordance with this section,
22 but this section does not require the early expiration of any
23 member's term of office by more than 60 days.

24 3. If, on the effective date of this act, a district
25 does not elect the members of its board, the entire board
26 shall be elected in accordance with this section. However, in
27 the first election following the effective date of this act,
28 seats 1, 3, and 5 shall be designated for 4-year terms and
29 seats 2 and 4 shall be designated for 2-year terms.

30 4. If, on the effective date of this act, the district
31 has an elected three-member board, one of the two seats added

Bill No. CS for CS for SB 3004

Amendment No. ____ Barcode 195530

1 by this act shall, for the first election following the
2 effective date of this act, be designated for a 4-year term
3 and the other for a 2-year term, unless the terms of the three
4 existing seats all expire within 6 months of the first
5 election following the effective date of this act, in which
6 case seats 1, 3, and 5 shall be designated for 4-year terms
7 and seats 2 and 4 shall be designated for 2-year terms.

8 5. If the district has an elected three-member board
9 designated to remain three members by special act adopted in
10 1997 or thereafter, the terms of the board members shall be
11 staggered. In the first election following the effective date
12 of this act, seats 1 and 3 shall be designated for 4-year
13 terms, and seat 2 for a 2-year term.

14 ~~(d)(c)~~ The board of any district may request the local
15 legislative delegation that represents the area within the
16 district to create by special law geographical subdistricts
17 for board seats. Any board of five members or larger elected
18 on a subdistrict basis as of the effective date of this act
19 shall continue to elect board members from such previously
20 designated subdistricts, and this act shall not require the
21 elimination of board seats from such boards.

22
23 (Redesignate subsequent sections.)

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

27 And the title is amended as follows:

28 On page 6, line 17, after the semicolon,

29
30 insert:

31 amending s. 191.005, F.S.; requiring that

Bill No. CS for CS for SB 3004

Amendment No. ____ Barcode 195530

1 candidates for commissioner of an independent
2 special fire control district comply with ch.
3 106, F.S., under certain circumstances;
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