

Bill No. CS for CS for SB 3004

Amendment No. \_\_\_\_ Barcode 912330

CHAMBER ACTION

Senate

House

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Senator Clary moved the following ~~amendment to amendment~~  
(652510):

**Senate Amendment (with title amendment)**

On page 12, between lines 13 and 14,

insert:

Section 55. 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

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Amendment No. \_\_\_\_ Barcode 912330

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

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

30 (c)(b)1. At the next general election following the  
31 effective date of this act, or on or after the effective date

Bill No. CS for CS for SB 3004

Amendment No. \_\_\_\_ Barcode 912330

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

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

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

31         4. If, on the effective date of this act, the district

Bill No. CS for CS for SB 3004

Amendment No. \_\_\_\_ Barcode 912330

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

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

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

23  
 24 (Redesignate subsequent sections.)

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

28 And the title is amended as follows:

29           On page 13, line 27, after the semicolon,

30  
 31 insert:

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Amendment No. \_\_\_\_ Barcode 912330

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amending s. 191.005, F.S.; requiring that  
candidates for commissioner of an independent  
special fire control district comply with ch.  
106, F.S., under certain circumstances;