

ENROLLED
CS/HB 1431

2009 Legislature

1 A bill to be entitled
2 An act relating to the City of Pensacola, Town of Century,
3 and Escambia County; providing definitions; creating the
4 Escambia County Consolidation Study Commission to develop
5 a consolidation plan or unification of services for the
6 City of Pensacola, Town of Century, and Escambia County;
7 providing for the membership of the commission; providing
8 for special advisory committees and membership; providing
9 for meetings; providing for submission of a status report
10 and a proposed consolidation plan; specifying sources of
11 funding; providing for private contributions; providing
12 for clerical, technical, and legal assistance; requiring a
13 referendum for approval of the consolidation plan;
14 providing for dissolution of the commission and reversion
15 of commission property to the county; providing an
16 effective date.

17
18 Be It Enacted by the Legislature of the State of Florida:

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20 Section 1. Definitions.--

21 (1) "Board" means the Board of County Commissioners of
22 Escambia County.

23 (2) "Commission" means the Escambia County Consolidation
24 Study Commission.

25 (3) "Legislative delegation" means those members of the
26 Legislature representing a district that encompasses any portion
27 of Escambia County.

28 Section 2. Creation.--There is hereby created in Escambia

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29 County the Escambia County Consolidation Study Commission to
30 study and develop a proposed consolidation plan for local
31 governments or unification of administrative services in the
32 City of Pensacola, the Town of Century, and Escambia County, in
33 whole or in part, and specify how such a consolidated government
34 or unification of services might operate. If a consolidation
35 plan is proposed by the commission, it shall be submitted to the
36 Escambia County Commission, the City of Pensacola, and the Town
37 of Century before submission to the Escambia County Legislative
38 Delegation by January 15, 2010, for introduction in the next
39 regular session of the Legislature. Any legislatively approved
40 plan shall be submitted to the qualified electors of Escambia
41 County for referendum to approve or reject the consolidation of
42 local governments for the City of Pensacola, the Town of
43 Century, and Escambia County.

44 Section 3. Membership.--

45 (1) The membership of the commission may not exceed 25
46 persons. The members of the commission shall be appointed by
47 July 1, 2009, as follows:

48 (a) The board shall appoint five members. Each
49 commissioner shall appoint one member who shall reside, work, or
50 own property in the appointing commissioner's district.

51 (b) The Mayor and the Town Council of the Town of Century
52 shall appoint one member who shall be a resident of the Town of
53 Century.

54 (c) The Pensacola City Council shall appoint two members
55 who shall be residents of the City of Pensacola.

56 (d) The following organizations may each appoint one

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57 member to the commission:

58 1. The Escambia County branch of the National Association
59 for the Advancement of Colored People.

60 2. The Escambia County Taxpayers' Association.

61 3. The League of Women Voters of the Pensacola Bay Area.

62 4. The Pensacola Young Professionals.

63 5. The Pensacola Ministerial Alliance.

64 6. The Escambia County Farm Bureau.

65 7. The Home Builders Association of West Florida.

66 (e) The President of the University of West Florida shall
67 appoint one member who shall have expertise in local government
68 matters.

69 (f) Each of the following Escambia County constitutional
70 officers shall appoint one member: sheriff, tax collector,
71 property appraiser, clerk of court, and supervisor of elections.

72 (g) The Chief Judge of the First Judicial Circuit shall
73 appoint two members who shall be members of The Florida Bar and
74 have legal expertise in local government matters.

75 (h) The Escambia County School Board may appoint one
76 member by a majority vote of the board.

77 (i) The Emerald Coast Utilities Authority shall appoint
78 one member.

79 (2) There shall be created the Special Advisory Committee
80 on Public Safety to provide advice and counsel to the commission
81 on the integration of public safety services in the
82 consolidation plan. Such committee shall meet no later than 30
83 days after the effective date of this act. The committee shall
84 elect a chairperson and report to the chairperson of the

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85 commission. Each of the following may serve as a member of the
86 committee or appoint a representative:

- 87 (a) The Sheriff of Escambia County.
- 88 (b) The Chief of Police of the City of Pensacola.
- 89 (c) The Escambia County Community Corrections Bureau.
- 90 (d) The Escambia County Public Safety Bureau Chief.
- 91 (e) The Fire Chief of the City of Pensacola.
- 92 (f) The Fire Chief of Escambia County.
- 93 (g) The Escambia County Medical Director.
- 94 (h) The chairperson of the Escambia County Fire Services
95 Advisory Board.

96 (i) The Police Benevolent Association of the City of
97 Pensacola.

98 (j) The Police Benevolent Association of Escambia County.

99 (k) The Chapter of the International Association of
100 Firefighters of the City of Pensacola.

101 (l) The Escambia County Professional Firefighters.

102 (3) There shall be created the Special Advisory Committee
103 on Economic Development to provide advice and counsel to the
104 commission. Such committee shall meet no later than 30 days
105 after the effective date of this act. The committee shall elect
106 a chairperson and report to the chairperson of the commission.

107 Each of the following may appoint a member to the committee:

- 108 (a) Pensacola Junior College.
- 109 (b) The Pensacola Bay Area Chamber of Commerce.
- 110 (c) The Perdido Key Chamber of Commerce.
- 111 (d) The Pensacola Downtown Improvement Board.
- 112 (e) The Gulf Coast African American Chamber of Commerce.

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113 (f) The local chapter of the Florida Black Chamber of
 114 Commerce.

115 (g) Florida's Great Northwest.

116 (h) The Town of Century Chamber of Commerce.

117 (i) The Ruritan Club of Walnut Hill.

118 (j) The Pensacola Beach Chamber of Commerce.

119 (k) Women for Responsible Legislation.

120 (4) There shall be created the Special Advisory Committee
 121 on Health Care to provide advice and counsel to the commission.
 122 Such committee shall meet no later than 30 days after the
 123 effective date of this act. The committee shall elect a
 124 chairperson and report to the chairperson of the commission.
 125 Each of the following may appoint a member to the committee:

126 (a) Baptist Health Care.

127 (b) Sacred Heart Health System.

128 (c) West Florida Hospital.

129 (d) The Escambia County Health Department.

130 (e) The Escambia Medical Society.

131 (5) Members shall serve without compensation. The failure
 132 of any person or organization to appoint a member or the failure
 133 of a member to serve shall not affect the validity of the
 134 recommendations of the commission or any special advisory
 135 committee. The appointing person or entity may replace any
 136 member who resigns or fails to serve. Failure to attend any two
 137 meetings without good cause constitutes failure to serve. A
 138 member may not be an elected state, county, or municipal
 139 official or a constitutional officer. A majority of the duly
 140 appointed members of the commission shall constitute a quorum.

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141 Section 4. Meetings, records, and reports.--All meetings
 142 and records of the commission shall be public, and meetings
 143 shall be held throughout Escambia County. The commission or a
 144 committee may visit local governments outside Escambia County to
 145 observe their operations. The commission shall elect a
 146 chairperson at the first meeting and shall use Robert's Rules of
 147 Order as its rules of procedure. The commission shall meet at
 148 the call of the chairperson or upon the call of any three
 149 members at least once a month from July 1, 2009, through January
 150 15, 2010. The commission shall compile and present by November
 151 30, 2009, a status report on its progress and tentative
 152 findings. Such status report shall be presented to the board,
 153 the City of Pensacola, the Town of Century, and the legislative
 154 delegation. The commission shall submit a proposed consolidation
 155 plan to the legislative delegation no later than January 15,
 156 2010.

157 Section 5. Funding and expenses.--Neither the state nor
 158 any governmental entity of the state has an obligation to fund
 159 the commission. However, the commission may solicit and receive
 160 private contributions limited to \$3,000 from any individual or
 161 for-profit entity and may solicit and receive public
 162 contributions in support of its study. The commission shall
 163 maintain a detailed accounting of all funds received and the
 164 expenditure of such funds. The board or other governmental
 165 entities may furnish the commission with such services, office
 166 space, and supplies as may be requested by the commission and
 167 approved by the board or other governmental entities.

168 Section 6. Clerical, technical, and legal assistance.--The

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169 City of Pensacola, Town of Century, and Escambia County may
170 provide reasonable technical, legal, and clerical assistance to
171 the commission.

172 Section 7. Referendum.--

173 (1) The consolidation of the governments of the City of
174 Pensacola, the Town of Century, and Escambia County shall become
175 effective only by approval of a majority vote of those electors
176 of Escambia County voting in a referendum. The referendum shall
177 be held, after approval of the consolidation plan by the
178 Legislature, at the next general election, in accordance with
179 the provisions of law relating to elections.

180 (2) In any referendum on consolidation, it shall be
181 necessary for a majority of the electors in Escambia County to
182 approve such consolidation, as well as a majority of electors in
183 the City of Pensacola, in order for the governments of those two
184 entities to be consolidated.

185 (3) In any referendum on consolidation, it shall be
186 necessary for a majority of the electors in Escambia County to
187 approve such consolidation, as well as a majority of electors in
188 the Town of Century, in order for the governments of those two
189 entities to be consolidated.

190 Section 8. Disposition of property.--The Escambia County
191 Consolidation Study Commission shall dissolve by July 1, 2010,
192 and all property of the commission shall thereupon become the
193 property of the county.

194 Section 9. This act shall take effect upon becoming a law.