

HB 785

2016

1                   A bill to be entitled  
2       An act relating to the St. Lucie County Fire District,  
3       St. Lucie County; amending chapter 2004-407, Laws of  
4       Florida; revising requirements for the district's  
5       board of commissioners to borrow money; revising the  
6       definition of the term "emergency"; providing an  
7       effective date.

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

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11       Section 1. Section 6 of section 3 of chapter 2004-407,  
12       Laws of Florida, is amended to read:

13       Section 6. Gifts; purchases; loans.—

14       (1) The board shall have the power and authority to hold,  
15       control, and acquire, by gift or purchase, for the use of the  
16       district, any real or personal property and to pay the purchase  
17       price in installments or deferred payments and to condemn any  
18       lands needed for the purpose of said district. Said board is  
19       authorized to exercise the right of eminent domain and institute  
20       and maintain condemnation proceedings in the same manner as St.  
21       Lucie County, as other public municipalities under the laws of  
22       the state, or both.

23       (2) The board is hereby authorized and empowered, in order  
24       to carry out the purposes of this act, to borrow money not to  
25       exceed 10 percent of the district's operating budget consistent  
26       with chapters 189 and 191, Florida Statutes, the uses for which

27 must be approved by a supermajority of six affirmative votes of  
28 the board, and the uses may not include normal operational  
29 expenses; and \$1,500,000 in any one year unless the board shall  
30 issue a resolution that declares a district emergency as defined  
31 in this section, in which case the board is authorized and  
32 empowered to borrow money not to exceed the sum of \$4 million.  
33 ~~In no event, however, shall the total of all amounts borrowed~~  
34 ~~and unpaid exceed the sum of \$5 million. The board is further~~  
35 ~~authorized and empowered to issue its promissory notes therefor~~  
36 ~~upon such terms and at such rates of interest as said board may~~  
37 ~~deem advisable, and said notes shall be a charge upon all~~  
38 ~~revenues derived from taxes in that year. If the district votes~~  
39 ~~to refinance any debt based on borrowed money authorized under~~  
40 ~~this subsection, its refinanced term cannot extend beyond its~~  
41 ~~original term.~~

42 (3) An emergency for the purposes of the St. Lucie County  
43 Fire District is defined as:

44 (a) A natural or manmade fire or medical disaster  
45 involving significant injury, death, or destruction of  
46 structures and requiring extensive and unforeseen use of  
47 overtime or additional personnel.

48 (b) A response to a declaration of a local emergency and  
49 request by St. Lucie County that the district provide emergency  
50 services, ~~the cost of which exceeds the annual borrowing limit~~  
51 ~~of the district.~~

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52 (c) A need to replace or repair fire or emergency medical  
53 vehicles and equipment based on unanticipated and unforeseen  
54 circumstances, ~~rather than on ordinary wear and tear, for losses~~  
55 ~~not covered by insurance.~~

56 (d) Any other circumstances declared to be an emergency by  
57 a supermajority of six affirmative votes of the board.

58 (4) The board ~~of commissioners of the district~~ shall have  
59 the power and authority to acquire by gift or purchase and to  
60 pay the purchase price for such firefighting and other equipment  
61 as deemed reasonably necessary for the protection of property,  
62 safety of lives, or reduction of fire hazards to the same, in  
63 the district; to hire firefighting, emergency medical, civilian,  
64 and other personnel as needed; and to inspect all property and  
65 investigate for fire hazards and prescribe rules and regulations  
66 pertaining thereto, including the enforcement of the Florida  
67 Fire Prevention Code as revised from time to time.

68 (5) The board ~~of commissioners of the district~~ may  
69 acquire, by gift or purchase, such emergency equipment and  
70 employ such personnel as may be determined reasonably necessary  
71 by the board for the operation and maintenance of emergency  
72 medical service within the district.

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