1984

Session Law 84-224

Florida Senate & House of Representatives

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### LEGISLATIVE SUPPLEMENT "B" - SESSION LAW ABSTRACT

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<td>84-224</td>
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<td>HB 1269</td>
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Notes/Comments

*
House Bill 453

Sponsor: Representative Alzo Reddick

Relating to: Single-member County Commission Districts

Companion: S 570

Date Final Passage: May 31, 1984

Vote: House: 81-30 Senate: 26-1

Governor Signed: June 18, 1984

Chapter Number: 84-224

Effective Date: January 7, 1985, if HJR 452 is approved by the electors at the general election in November 1984

Bill Synopsis:

Section 1. HB 453 provides for the single-member district election of county commissioners as an alternative to the present at-large elections for non-chartered counties.

Provides for the placing of a proposition for single-member elections on the ballot by a formal resolution by the board or by petition of the electors.

The proposition to be considered by the electors shall provide for election of commissioners in the following manner: five commissioners to be elected from single-member districts; or, an increase in the size of the board from five to seven members with five of the seven members being elected from single-member districts and two of the members being elected at large. Provides for four year staggered terms of office.

Provides for registration as a political committee by petitioners.

Prohibits the calling of a special election for the sole purpose of placing the proposition on the ballot.
Section 2. Effective date.
An act relating to the board of county commissioners; creating s. 124.011, F.S., providing alternate procedures whereby the boards of county commissioners may adopt and submit to the electors for approval, or electors may petition to have placed on the ballot, a proposition calling for single-member representation within a five member county commission district, or an increase from a five to seven member commission with five single-member and two at-large commissioners; prohibiting the calling of a special election; providing for a return to the existing system at the county's option; providing for the effect of the act upon existing county commissioners; providing an effective date.

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

Section 1. Section 124.011, Florida Statutes, is created to read:

124.011 Alternate procedures for the election of county commissioners to provide for single-member representation.--

(1) County commissioners shall be nominated and elected to office in accordance with the provisions of s. 124.01, or as otherwise provided by law, unless a proposition calling for single-member representation within the county commission districts is submitted to and approved by a majority of the qualified electors voting on such proposition in the manner provided in this section. Said proposition shall provide that:

(a) Five commissioners shall reside one each in five county commission districts, together covering the entire county and as nearly equal in population as practicable, and each shall be nominated and elected only by the qualified electors who reside in the same county commission district; or

(b) The board of county commissioners shall be increased from five to seven members with five of the seven members residing one each in five county commission districts, together covering the entire county and as nearly equal in population as practicable, each of whom shall be nominated and elected only by the qualified electors who reside in the same county commission district and two of the seven commissioners being nominated and elected at-large.

(2) All commissioners shall be elected for 4-year terms which shall be staggered so that, alternately, one more or one less than half of the commissioners elected from residence areas, and if applicable, one of the commissioners elected at large from the entire county, are elected every 2 years, provided that any commissioner may be elected to an initial term of less than 4 years if necessary to achieve or maintain such system of staggered terms.

(3) A proposition calling for single-member representation within the county commission districts of the county shall be submitted to the electors of the county at any primary, general, or otherwise called special election, in either of the following manners:

(a) The board of county commissioners may adopt a formal resolution directing an election to be held to place the proposition on the ballot; or

(b) The electors of the county may petition to have the proposition placed on the ballot by presenting to the board of county commissioners petitions signed by not less than 10 percent of the duly qualified voters in the county.

CODING: Words in strikethrough type are deletions from existing law; words in underscored type are additions.
electors of the county. The number of signatures required shall be determined by the supervisor of elections according to the number of registered electors in the county as of the date the petitioning electors register as a political committee pursuant to subsection (3).

(4) The electors petitioning to have the proposition placed on the ballot shall register as a political committee pursuant to s. 106.03 and a specific person shall be designated therein as chairman of the committee to act for the committee.

(5) Each petition form circulated for single-member county commissioner representation within the county shall include space for the printed name, signature and address of the elector and shall include the wording:

(a) "As a registered elector of __________ County, Florida, I am petitioning for a referendum election to determine whether the five county commissioners of said county shall be elected from single-member districts by electors residing in each of those districts only,"; or

(b) "As a registered elector of __________ County, Florida, I am petitioning for a referendum election to determine whether the board of county commissioners shall be increased from five to seven members with five of the county commissioners of said county being elected from single-member districts by electors residing in each of those districts only, and the remaining two being elected at-large."

(6) Upon the filing of the petitions with the board of county commissioners by the chairman of the committee, the board of county commissioners shall submit the petitions to the supervisor of elections for signature verification. Within a period of not more than 60 days, the supervisor of elections shall determine whether the petitions contain the required number of valid signatures. The supervisor of elections shall pay by the committee seeking verification the sum of 10 cents for each name checked.

(7) If it is determined that the petitions have the required signatures, the supervisor of elections shall certify the petitions to the board of county commissioners, which shall adopt a resolution requesting that an election date be set to conform to the earliest primary, general, or otherwise called special election that occurs not less than 30 days after certification of the petitions. If it is determined that the petitions do not contain the required signatures, the supervisor of elections shall so notify the board of county commissioners, which shall file the petitions without taking further action and the matter shall be at an end. No additional names shall be added to the petitions and the petitions shall not be used in any other proceeding.

(8) No special election shall be called for the sole purpose of presenting the proposition to the vote of the electors.

(9)(a) In a county where the board of county commissioners is composed of five members, each to be elected from single-member districts, the wording of the proposition on the ballot shall be as follows:

"Shall the five members of the board of county commissioners of __________ County, Florida, be elected to office from single-member districts by electors residing in each of those districts only?"

Yes
No

CODING: Words in struck-through type are deletions from existing law; words in underscored type are additions.
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<td>03/29/84</td>
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<td>04/03/84</td>
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<td>04/16/84</td>
<td>Extension of time granted Committee Personnel, R &amp; C B.</td>
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<td>04/27/84</td>
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<td>05/14/84</td>
<td>Now in Appropriations - SJ 00253</td>
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**S 0569 GENERAL BILL/CS by Transportation and Others (Compare CS/H 529, Eng/S 0352) Rights of Way Acquisition** specifies powers of counties & D O. L. to acquire property by eminent domain, provides that when land & property falls within designated transportation corridor, dept. may acquire it prior to preparation or completion of specific plans, etc. Amends 127.01, 337.27 Effective Date 06/24/84

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<td>06/01/84</td>
<td>Ordered engrossed, then enrolled - SJ 00975</td>
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<td>06/18/84</td>
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**HISTORY OF SENATE BILLS PAGE 197**

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**S 0570 JOINT RESOLUTION by Stuart and others (Similar Eng/H 0452, Compare Eng/H 0453, S 0825) County Commissioners, constitutional amendment to provide that county continued on next page**

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**S 0571 GENERAL BILL by Thurman (Identical CS/H 0570) Aquatic Plants: prohibits certain activities involving aquatic plants without a permit or exemption by DNR; provides dept. with powers to regulate aquatic plants, including, in part, rulemaking power & power to seize & destroy certain aquatic plants without compensation, etc. Amends 365.25. Effective Date 10/01/84

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**S 0572 GENERAL BILL by Castor (Similar H 0563) Acid Rain: provides legislative intent with respect to control of acid rain; defines "acid rain"; requires D.E.R. to develop policy with respect to acid rain abatement Amends 403.021, 403.061. Appropriation $475,000. Effective Date: 10/01/84.**

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**HISTORY OF SENATE BILLS PAGE 198**
HJR 452

Relating to: Single member county commission districts

Sponsor: Rep. Reddick

Companion/Similar: None

Other Committees of Reference: None

I. SUMMARY:

A. Present Situation -- Article VIII, Section 1(e) of the Florida Constitution and Section 124.01, Florida Statutes, provide that except when otherwise provided by county charter, the board of county commissioners of each county shall be composed of five members, with one commissioner residing in each district. The five members of the board of county commissioners are to be elected by the electors of the entire county.

B. Probable Effect of Proposed Bill -- HJR 452 provides for a constitutional amendment to be placed on the November 1984 ballot to remove the constitutional requirement that county commissioners be elected at-large. If approved by the electors, the amendment would change the constitution to provide that county commissioners be elected as provided by law.

II. Fiscal Impact: There will be a minimal cost for advertising the constitutional amendment. Costs for advertising all constitutional amendments are estimated and anticipated in the Department of State's budget in election years. There will be no fiscal impact for the amendment itself if approved by the voters.

III. Previous Legislation: None

IV. Comments: Under the present constitution and laws, counties are without authority to provide for a single-member district system or other alternative to the current at-large system.

Recently several lawsuits have been filed against Florida counties concerning at-large elections for county commissioners and school board members. These cases allege that vote dilution results from at-large elections.
Escambia County is currently the only non-charter county which elects its county commissioners by single-member districts. This action is a result of a federal court case filed in 1977 which determined that Florida's requirement which mandates at-large county commission elections is unconstitutional.

The 1982 extension of the Voting Rights Act removes the requirement that a complainant prove an intent to discriminate. The amendment allows judges to consider the totality of the circumstances surrounding a discrimination suit which will make it easier for a complainant to prove a case for single-member districts.

V. Amendments: Allows the board of county commissioners to be composed of either five or seven members.

VI. Staff Director's review: Jim Cordero

VII. Analysis prepared by: Sarah Jane Bradshaw

April 13, 1984
HB 453

Relating to: Single-member county commission districts

Sponsor: Rep. Reddick

Companion/Similar: None

Other Committees of Reference: None

I. SUMMARY:

A. Present Situation -- Article VIII, Section 1(e) of the Florida Constitution and Section 124.01, Florida Statutes, provide that except when otherwise provided by county charter, the board of county commissioners of each county shall be composed of five members, with one commissioner residing in each district. The five members of the board of county commissioners are to be elected by the electors of the entire county.

B. Probable Effect of Proposed Bill -- HB 453 provides for the single-member district election of county commissioners as an alternative to the present at-large elections. Five commissioners, one residing in each of five districts would be elected by only the electors residing in the same district.

In order to provide for single-member elections, a proposition would be placed on the ballot and approved by the electors. The proposition could be placed on the ballot by the board of county commissioners by adoption of a formal resolution or by petition of 10% of the electors of the county.

HB 453 would take effect in January 1985 if HJR 452 is approved by the electors in November 1984.

II. Fiscal Impact: There will be a cost for placing the proposition on the ballot; however this cost would be minimal since a special election could not be called for the sole purpose of placing this proposition on the ballot.

III. Previous Legislation: None

IV. Comments: At the present time counties in Florida have no alternative to the at-large election of county commissioners.
Recently several lawsuits have been filed against Florida counties concerning at-large elections of both county commissioners and school board members. These cases allege that vote dilution results from at-large elections.

This bill, upon approval of HJR 452 would allow those counties wishing to do so, to provide for single-member election of county commissioners.

V. Amendment: Provides that in addition to single-member representation for five member county commission districts, the counties, at their option may, with the approval of the electors, provide for a commission with three single member and two at-large members or increase the board of county commissioners to seven members with five single member and two at-large. The amendment does not have an immediate fiscal impact. An additional cost will occur only if the electors in a county vote to increase the board of county commissioners to seven members.

VI. Staff Director's review: Jim Cordero

VII. Analysis prepared by: Sarah Jane Bradshaw

April 13, 1984
House Joint Resolution No. 452

A joint resolution proposing an amendment to Section 1 of Article VIII of the State Constitution relating to counties.

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

That the amendment to Section 1 of Article VIII of the State Constitution set forth below is agreed to and shall be submitted to the electors of Florida for approval or rejection at the general election to be held in November 1984:

SECTION 1. Counties.--

(a) POLITICAL SUBDIVISIONS. The state shall be divided by law into political subdivisions called counties. Counties may be created, abolished or changed by law, with provision for payment or apportionment of the public debt.

(b) COUNTY FUNDS. The care, custody and method of disbursing county funds shall be provided by general law.

(c) GOVERNMENT. Pursuant to general or special law, a county government may be established by charter which shall be adopted, amended or repealed only upon vote of the electors of the county in a special election called for that purpose.

(d) COUNTY OFFICERS. There shall be elected by the electors of each county, for terms of four years, a sheriff, a tax collector, a property appraiser, a supervisor of elections, and a clerk of the circuit court; except, when provided by county charter or special law approved by vote of the electors of the county, any county officer may be chosen in another manner therein specified, or any county office may be abolished when all the duties of the office prescribed by general law are transferred to another office. When not
otherwise provided by county charter or special law approved by vote of the electors, the clerk of the circuit court shall be ex officio clerk of the board of county commissioners, auditor, recorder and custodian of all county funds.

(e) COMMISSIONERS. Except when otherwise provided by county charter, the governing body of each county shall be a board of county commissioners composed of five or seven members serving staggered terms of four years. After each decennial census the board of county commissioners shall divide the county into districts of contiguous territory as nearly equal in population as practicable. One commissioner residing in each district shall be elected as provided by law by the electors of the county.

(f) NON-CHARTER GOVERNMENT. Counties not operating under county charters shall have such power of self-government as is provided by general or special law. The board of county commissioners of a county not operating under a charter may enact, in a manner prescribed by general law, county ordinances not inconsistent with general or special law, but an ordinance in conflict with a municipal ordinance shall not be effective within the municipality to the extent of such conflict.

(g) CHARTER GOVERNMENT. Counties operating under county charters shall have all powers of local self-government not inconsistent with general law, or with special law approved by vote of the electors. The governing body of a county operating under a charter may enact county ordinances not inconsistent with general law. The charter shall provide which shall prevail in the event of conflict between county and municipal ordinances.
(h) TAXES; LIMITATION. Property situate within municipalities shall not be subject to taxation for services rendered by the county exclusively for the benefit of the property or residents in unincorporated areas.

(i) COUNTY ORDINANCES. Each county ordinance shall be filed with the secretary of state and shall become effective at such time thereafter as is provided by general law.

(j) VIOLATION OF ORDINANCES. Persons violating county ordinances shall be prosecuted and punished as provided by law.

(k) COUNTY SEAT. In every county there shall be a county seat at which shall be located the principal offices and permanent records of all county officers. The county seat may not be moved except as provided by general law. Branch offices for the conduct of county business may be established elsewhere in the county by resolution of the governing body of the county in the manner prescribed by law. No instrument shall be deemed recorded in the county until filed at the county seat according to law.

BE IT FURTHER RESOLVED that in accordance with the requirements of section 101.161, Florida Statutes, the title and substance of the amendment proposed herein shall appear on the ballot as follows:

ELECTION OF COUNTY COMMISSIONERS

Provides that county commissioners shall be elected as provided by law, thereby removing the constitutional restriction that county commissioners must be elected at large by the electors of the county, and allows the board of county commissioners to be composed of either five or seven members.
Senate Joint Resolution No.

A joint resolution proposing an amendment to
Section 1 of Article VIII of the State
Constitution relating to counties.

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

That the amendment to Section 1 of Article VIII of the State Constitution set forth below is agreed to and shall be submitted to the electors of Florida for approval or rejection at the general election to be held in November 1984:

SECTION 1. Counties.--

(a) POLITICAL SUBDIVISIONS. The state shall be divided by law into political subdivisions called counties. Counties may be created, abolished or changed by law, with provision for payment or apportionment of the public debt.

(b) COUNTY FUNDS. The care, custody and method of disbursing county funds shall be provided by general law.

(c) GOVERNMENT. Pursuant to general or special law, a county government may be established by charter which shall be adopted, amended or repealed only upon vote of the electors of the county in a special election called for that purpose.

(d) COUNTY OFFICERS. There shall be elected by the electors of each county, for terms of four years, a sheriff, a tax collector, a property appraiser, a supervisor of elections, and a clerk of the circuit court; except, when provided by county charter or special law approved by vote of the electors of the county, any county officer may be chosen in another manner therein specified, or any county office may be abolished when all the duties of the office prescribed by general law are transferred to another office. When not

CODING: Words in struck through type are deletions from existing law, words underlined are additions.
otherwise provided by county charter or special law approved
by vote of the electors, the clerk of the circuit court shall
be ex officio clerk of the board of county commissioners,
auditor, recorder and custodian of all county funds.

(e) COMMISSIONERS. Except when otherwise provided by
county charter, the governing body of each county shall be a
board of county commissioners composed of five members serving
staggered terms of four years. After each decennial census
the board of county commissioners shall divide the county into
districts of contiguous territory as nearly equal in
population as practicable. One commissioner residing in each
district shall be elected as provided by law by the electors
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(f) NON-CHARTER GOVERNMENT. Counties not operating
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as is provided by general or special law. The board of county
commissioners of a county not operating under a charter may
enact, in a manner prescribed by general law, county
ordinances not inconsistent with general or special law, but
an ordinance in conflict with a municipal ordinance shall not
be effective within the municipality to the extent of such
conflict.

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approved by vote of the electors. The governing body of a
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which shall prevail in the event of conflict between county
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CODING: Words in struck through type are deletions from existing law; words underlined are additions.
(h) TAXES; LIMITATION. Property situate within municipalities shall not be subject to taxation for services rendered by the county exclusively for the benefit of the property or residents in unincorporated areas.

(i) COUNTY ORDINANCES. Each county ordinance shall be filed with the secretary of state and shall become effective at such time thereafter as is provided by general law.

(j) VIOLATION OF ORDINANCES. Persons violating county ordinances shall be prosecuted and punished as provided by law.

(k) COUNTY SEAT. In every county there shall be a county seat at which shall be located the principal offices and permanent records of all county officers. The county seat may not be moved except as provided by general law. Branch offices for the conduct of county business may be established elsewhere in the county by resolution of the governing body of the county in the manner prescribed by law. No instrument shall be deemed recorded in the county until filed at the county seat according to law.

BE IT FURTHER RESOLVED that in accordance with the requirements of section 101.161, Florida Statutes, the title and substance of the amendment proposed herein shall appear on the ballot as follows:

ELECTION OF COUNTY COMMISSIONERS

Provides that county commissioners shall be elected as provided by law, thereby removing the constitutional restriction that county commissioners must be elected at large by the electors of the county.
I. SUMMARY:

A. Present Situation:

Article VIII, Section 1 of Florida's constitution provides that, except when otherwise provided by county charter, the governing body of each county shall be a board of county commissioners composed of five members serving staggered terms of four years. Also, it requires that after each decennial census, the board of county commissioners shall divide the county into districts of contiguous territory as nearly equal in population as practicable and that one commissioner residing in each district shall be elected by the electors of the county.

Section 124.01, Florida Statutes, requires that there be five county commissioners' districts in each county and tracks the constitutional language that there be one county commissioner for each district, who is elected by the qualified electors of the county, which currently results in at-large elections.

B. Effect of Proposed Changes:

The bill adds a new section to Chapter 24 providing for alternative procedures for the election of county commissioners to provide for single member representation. County commissioners shall be nominated and elected to office as provided in s. 124.01 unless a proposition calling for single-member representation within the county commission districts is approved by a majority of the electors voting on the proposition. The proposition shall provide that five commissioners, one residing in each of five county commission districts, shall be elected only by the electors who reside in the same district. The commissioners shall be elected to staggered four-year terms.

In order to provide for single-member representation a proposition calling for such change shall be submitted to the electors of the county at any scheduled election. The proposition could be placed on the ballot by adoption of a formal resolution (by the board of county commissioners) directing an election to be held to place the proposition on the ballot or by petition of the electors of the county to have the proposition placed on the ballot by presenting to the board of county commissioners petitions signed by at least ten percent of the electors of the county.

The bill also provides a form to be used for the petition and procedures to be followed by the electors petitioning to have the proposition placed on the ballot.
II. ECONOMIC IMPACT AND FISCAL NOTE:

A. Public:
None.

B. Government:
The cost would be limited to expenses incurred by the Department of State to advertise the related constitutional amendment.

III. COMMENTS:
The bill, upon approval of the related constitutional amendment (SJR 570) would allow counties wishing to do so, to provide for single-member election of county commissioners. Presently, noncharter counties are without authority to provide for a single-member district system or other alternative to the existing at-large system.

The bill would take effect January 7, 1985 if the related constitutional amendment (SJR 570) is approved by the electors in November 1984.

A similar bill, HB 453, passed out of the House Ethics and Elections Committee and has been placed on the House Calendar.

IV. AMENDMENTS:

#1 by Judiciary-Civil:
Provides that the petition form circulated for single-member county commissioner representation within the county shall include space for the printed name, signature, and street address of one elector and shall include certain specified wording.

#2 by Judiciary-Civil:
The supervisor of elections shall certify the petitions to the county commissioners and the commissioners shall adopt a resolution requesting that an election date be set to conform to the earliest election that occurs not less than 60 days after certification of the petitions.

#3 by Judiciary-Civil:
Technical amendment changing the word "district" to "county."
SENATE COMMITTEE AMENDMENT

SB 625
No. 1
HB __

(reported favorably)

The Committee on...Judiciary-Civil....recommended the following amendment which was moved by Senator.............and adopted:

Amendment

On page 3..........., lines 8 and 9, strike all of said lines

If amendment is text from another bill insert:

Bill No. _______ Draft No. _______ With Changes? Yes

and insert:

include space for the printed name, signature, and street address of one elector and shall include the wording:

CODING: Words stricken are deletions; words underlined are additions.

* Amendment No. 1, taken up by committee: 5-18-84 Adopted X *
* Offered by Senator Jenne Failed _

(Amendment No. ____ Adopted ___ Failed ___ Date __/__/__)
SENATE COMMITTEE AMENDMENT

SB 625

No. 2

HB ___

(reported favorably)

The Committee on...Judiciary-Civil...recommended the following amendment which was moved by Senator.........and adopted:

Amendment

On page 3........, line 29........., strike the number "30"

If amendment is text from another bill insert:

Bill No. ______ Draft No. ______ With Changes? Yes __

and insert:

60

CODING: Words stricken are deletions; words underlined are additions.

* Amendment No. _2_, taken up by committee: 5-18-84 Adopted X *
* Offered by Senator Jenne Failed X *

(Amendment No. ____ Adopted ____ Failed ____ Date __/__/__)
The Committee on Judiciary-Civil recommended the following amendment which was moved by Senator and adopted:

Amendment

On page 4, line 19, strike the word "district"

If amendment is text from another bill insert:

Bill No. Draft No. With Changes? Yes

and insert:

county

CODING: Words stricken are deletions; words underlined are additions.

* Amendment No. 3, taken up by committee: 5-18-84 Adopted Y Failed X
* Offered by Senator Jenne

(Amendment No. ___ Adopted ___ Failed ___ Date __/__/___)
I. SUMMARY:

A. Present Situation:

Article VIII, Section 1 of Florida's constitution provides that, except when otherwise provided by county charter, the governing body of each county shall be a board of county commissioners composed of five members serving staggered terms of four years. Also, it requires that after each decennial census, the board of county commissioners shall divide the county into districts of contiguous territory as nearly equal in population as practicable and that one commissioner residing in each district shall be elected by the electors of the county.

Section 124.01, Florida Statutes, requires that there be five county commissioners' districts in each county and tracks the constitutional language that there be one county commissioner for each district, who is elected by the qualified electors of the county, which currently results in at-large elections.

B. Effect of Proposed Changes:

This resolution provides for a constitutional amendment to be submitted to the electors of Florida for approval or rejection at the general election to be held in November 1984. The amendment will remove the constitutional requirement that the commissioners be elected by the electors of the county. The proposed amendment, if approved, would amend the constitution to provide that county commissioners be elected as provided by law.

II. ECONOMIC IMPACT AND FISCAL NOTE:

A. Public:

None.

B. Government:

The cost would be limited to expenses incurred by the Department of State to advertise the constitutional amendment.

III. COMMENTS:

Noncharter counties are without authority to provide for a single-member district system or other alternative to the existing at-large system.

A similar resolution, HJR 452 passed out of the House Ethics and Elections Committee and has been placed on the House Calendar.
IV. AMENDMENTS:

None.
A bill to be entitled
An act relating to the board of county
commissioners; creating s. 124.011, F.S.,
providing alternate procedures whereby in
counties having five commission districts, the
boards of county commissioners may adopt and
submit to the electors for approval, or
electors may petition to have placed on the
ballot, a proposition calling for single-member
representation within the county commission
districts; prohibiting the calling of a special
election; providing for a return to the
existing system at the county's option;
providing for the effect of the act upon
existing county commissioners; providing an
effective date.

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

Section 1. Section 124.011, Florida Statutes, is
created to read:

124.011 Alternate procedures for the election of
county commissioners to provide for single-member
representation.--

(1) County commissioners shall be nominated and
elected to office in accordance with the provisions of s.
124.01, or as otherwise provided by law, unless a proposition
calling for single-member representation within the county
commission districts is submitted to and approved by a
majority of the qualified electors voting on such proposition

CODING: Words in small through type are deletions from existing law; words underlined are additions.
in the manner provided in this section. Said proposition shall provide that:

(a) Five commissioners shall reside one each in five county commission districts, together covering the entire county and as nearly equal in population as practicable, and each shall be nominated and elected only by the qualified electors who reside in the same county commission district.

(b) All commissioners shall be elected for 4-year terms which shall be staggered so that, alternately, one more or one less than half of the commissioners elected from residence areas are elected every 2 years, provided that any commissioner may be elected to an initial term of less than 4 years if necessary to achieve or maintain such system of staggered terms.

(2) A proposition calling for single-member representation within the county commission districts of the county shall be submitted to the electors of the county at any primary, general, or otherwise called special election, in either of the following manners:

(a) The board of county commissioners may adopt a formal resolution directing an election to be held to place the proposition on the ballot; or

(b) The electors of the county may petition to have the proposition placed on the ballot by presenting to the board of county commissioners petitions signed by not less than 10 percent of the duly qualified electors of the county. The number of signatures required shall be determined by the supervisor of elections according to the number of registered electors in the county as of the date the petitioning electors register as a political committee pursuant to subsection (3).
(3) The electors petitioning to have the proposition placed on the ballot shall register as a political committee pursuant to s. 106.03 and a specific person shall be designated therein as chairman of the committee to act for the committee.

(4) Each petition form circulated for single-member county commissioner representation within the county shall include space for the signature and address of the elector and shall include the wording:

"As a registered elector of ____________ County, Florida, I am petitioning for a referendum election to determine whether the five county commissioners of said county shall be elected from single-member districts by electors residing in each of those districts only."

(5) Upon the filing of the petitions with the board of county commissioners by the chairman of the committee, the board of county commissioners shall submit the petitions to the supervisor of elections for signature verification. Within a period of not more than 30 days, the supervisor of elections shall determine whether the petitions contain the required number of valid signatures. The supervisor of elections shall be paid by the committee seeking verification the sum of 10 cents for each name checked.

(6) If it is determined that the petitions have the required signatures, the supervisor of elections shall certify the petitions to the board of county commissioners, which shall adopt a resolution requesting that an election date be set to conform to the earliest primary, general, or otherwise called special election that occurs not less than 30 days after certification of the petitions. If it is determined that the petitions do not contain the required signatures, the
supervisor of elections shall so notify the board of county
commissioners, which shall file the petitions without taking
further action and the matter shall be at an end. No
additional names shall be added to the petitions and the
petitions shall not be used in any other proceeding.

(7) No special election shall be called for the sole
purpose of presenting the proposition to the vote of the
electors.

(8) In a county where the board of county
commissioners is composed of five members, each to be elected
from single-member districts, the wording of the proposition
on the ballot shall be as follows:

"Shall the five members of the board of county
commissioners of ________ County, Florida, be elected to
office from single-member districts by electors residing in
each of those districts only?"

____ Yes
____ No

(9) Any district adopting the proposition set forth
herein may thereafter return to the procedures otherwise
provided by law by following the same procedures outlined in
subsection (2).

(10) No county commissioner elected prior to or at the
election which approves any revision as permitted herein shall
be affected in his or her term of office. The resolution
adopted by the board of county commissioners under paragraph
(2)(a) or subsection (6) which presents the proposed revision
to the electorate for approval shall specify an orderly method
and procedure for implementing the revision contemplated
therein.

CODING: Words in struck through type are deletions from existing law; words underlined are additions.
Section 2. This act shall take effect January 7, 1985, if Joint Resolution No. is approved by the electors at the general election to be held in November 1984.
HOUSE SUMMARY

Provides alternate procedures whereby, in counties having five commission districts, pursuant to resolution or petition, a proposition may be placed before the electors of a county calling for single-member representation within the county commission districts. Such proposition would provide that each of the commissioners would reside in, and be nominated and elected only by the qualified electors who reside in, one of the five commission districts. Provides for staggering of 4-year terms. Specifies petition procedure and form. Provides for reversion to representation at large.

Prohibits the calling of a special election for the sole purpose of presenting such a proposition before the electors.

Provides that no county commissioner elected prior to or at the election which approves such a proposition shall be affected in his or her term of office.
fraudulent creation of admission tickets and tokens; providing a penalty; amending s. 817.58 (2), Florida Statutes, and adding subsection (7) thereto, redefining the term “credit card” and defining the term “counterfeit credit card” for the purposes of the State Credit Card Crime Act; amending s. 817.60 (6) (a) and (b), Florida Statutes, prohibiting persons from falsely altering a purported credit card, providing that possession of one or more items defined as “counterfeit credit cards” is prima facie evidence of intent to fraudulently use or counterfeit a credit card; providing a penalty; providing an exception; amending ss. 817.60 (1), (2), (3), (4), and (7), 817.61, 817.62 (2), 817.64, and 817.645, Florida Statutes, increasing to a third degree felony the penalty for certain crimes relating to credit cards; creating s. 817.646, Florida Statutes, providing that it is unlawful for certain persons to make credit card account lists or portions thereof available to third parties; providing exceptions; providing a penalty;

Rep. Shelley moved the adoption of the amendment, which was adopted without objection. Under Rule 8.19, the bill was referred to the Engrossing Clerk.

HB 1223—A bill to be entitled An act relating to the judiciary; amending ss. 26.031 and 34.022, F.S., to provide for additional judges in specified circuit and county courts, and providing for their election to office; providing an effective date.

—was read the second time by title and, under Rule 8.19, referred to the Engrossing Clerk.

Consideration of SB 755 was temporarily deferred.

HJR 452—A joint resolution proposing an amendment to Section 1 of Article VIII of the State Constitution relating to counties.

—was read the second time.

The Committee on Ethics & Elections offered the following amendment:

Amendment 1—On page 2, line 7, after five insert: or seven

Rep. Reddick moved the adoption of the amendment, which was adopted.

The Committee on Ethics & Elections offered the following amendment:

Amendment 2—On page 3, line 28, after “county” insert: and allows the board of county commissioners to be composed of either five or seven members

Rep. Reddick moved the adoption of the amendment, which was adopted. Under Rule 8.19, the joint resolution was referred to the Engrossing Clerk.

HB 453—A bill to be entitled An act relating to the board of county commissioners; creating s. 124.011, F.S., providing alternate procedures whereby, in counties having five commission districts, the boards of county commissioners may adopt and submit to the electors for approval, or electors may petition to have placed on the ballot, a proposition calling for single-member representation within the county commission districts; prohibiting the calling of a special election; providing for a return to the existing system at the county’s option; providing for the effect of the act upon existing county commissioners; providing an effective date.

—was read the second time by title.

The Committee on Ethics & Elections offered the following amendment:

Amendment 1—On page 1, line 20, strike everything after the enacting clause and insert: Section 1. Section 124.011, Florida Statutes, is created to read:

124.011 Alternate procedures for the election of county commissioners to provide for single-member representation—

(1) County commissioners shall be nominated and elected to office in accordance with the provisions of s. 124.01, or as otherwise provided by law, unless a proposition calling for single-member representation within the county commission districts is submitted to and approved by a majority of the qualified electors voting on such proposition in the manner provided in this section. Said proposition shall provide that:

(a) Five commissioners shall reside one each in five county commission districts, together covering the entire county and as nearly equal in population as practicable, and each shall be nominated and elected only by the qualified electors who reside in the same county commission district; or

(b) Three of the five commissioners shall reside one each in three county commission districts, together covering the entire county and as nearly equal in population as practicable, each of whom shall be nominated and elected only by the qualified electors who reside in the same county commission district and two of the five commissioners shall be nominated and elected at-large; or

(c) The board of county commissioners shall be increased from five to seven members with five of the seven members residing one each in five county commission districts, together covering the entire county and as nearly equal in population as practicable, each of whom shall be nominated and elected only by the qualified electors who reside in the same county commission district and two of the seven commissioners being nominated and elected at-large.

(2) All commissioners shall be elected for 4-year terms which shall be staggered so that, alternately, one more or one less than half of the commissioners elected from residence areas, and if applicable, one of the commissioners elected at large from the entire county, are elected every 2 years, provided that any commissioner may be elected to an initial term of less than 4 years if necessary to achieve or maintain such system of staggered terms.

(3) A proposition calling for single-member representation within the county commission districts of the county shall be submitted to the electors of the county at any primary, general, or otherwise called special election, in either of the following manners:

(a) The board of county commissioners may adopt a formal resolution directing an election to be held to place the proposition on the ballot; or

(b) The electors of the county may petition to have the proposition placed on the ballot by presenting to the board of county commissioners petitions signed by not less than 10 percent of the duly qualified electors of the county. The number of signatures required shall be determined by the supervisor of elections according to the number of registered electors in the county as of the date the petitioning electors register as a political committee pursuant to subsection (3).

(4) The electors petitioning to have the proposition placed on the ballot shall register as a political committee pursuant to s. 106.03 and a specific person shall be designated therein as chairman of the committee to act for the committee.

(5) Each petition form circulated for single-member county commission representation within the county shall include space for the signature and address of the elector and shall include the wording:

(a) “As a registered elector of __________ County, Florida, I am petitioning for a referendum election to determine whether the five county commissioners of said county shall be elected from single-member districts by electors residing in each of those districts only.”; or

(b) “As a registered elector of __________ County, Florida, I am petitioning for a referendum election to determine whether three of the five county commissioners of said county shall be elected from single-member districts by electors residing in each of those districts only, with the two remaining commissioners being elected at-large.”; or
(c) As a registered elector of ____________ County, Florida, I am petitioning for a referendum election to determine whether the board of county commissioners shall be increased from five to seven members with five of the county commissioners of said county being elected from single-member districts by electors residing in each of those districts only, and the remaining two being elected at-large.

(6) Upon the filing of the petitions with the board of county commissioners by the chairman of the committee, the board of county commissioners shall submit the petitions to the supervisor of elections for signature verification. Within a period of not more than 30 days, the supervisor of elections shall determine whether the petitions contain the required number of valid signatures. The supervisor of elections shall be paid by the committee seeking verification the sum of 10 cents for each name checked.

(7) If it is determined that the petitions have the required signatures, the supervisor of elections shall certify the petitions to the board of county commissioners, which shall adopt a resolution requesting that an election date be set to conform to the earliest primary, general, or otherwise called special election that occurs not less than 30 days after certification of the petitions. If it is determined that the petitions do not contain the required signatures, the supervisor of elections shall notify the board of county commissioners, which shall file the petitions without taking further action and the matter shall be at an end. No additional names shall be added to the petitions and the petitions shall not be used in any other proceeding.

(8) No special election shall be called for the sole purpose of presenting the proposition to the vote of the electors.

(9)(a) In a county where the board of county commissioners is composed of five members, each to be elected from single-member districts, the wording of the proposition on the ballot shall be as follows:

"Shall the five members of the board of county commissioners of ____________ County, Florida, be elected to office from single-member districts by electors residing in each of those districts only?"

   ___ Yes
   ___ No

(b) In a county where the board of county commissioners is composed of five members, two of whom are to be elected at-large, the wording of the proposition on the ballot shall be as follows:

"Shall three of the five members of the board of county commissioners of ____________ County, Florida, be elected to office from single-member districts by electors residing in each of those districts only, with the two remaining members being elected by all electors within the county at-large?"

   ___ Yes
   ___ No

(c) In a county where the board of county commissioners is to be increased from five to seven members, with two of the seven members to be elected at large, the wording on the ballot shall be as follows:

"Shall the board of county commissioners of ____________ County, Florida, be increased from five to seven members, with five of the seven members to be elected from single-member districts by electors residing in each of those districts only, with the two remaining members being elected by all electors within the county at-large."

   ___ Yes
   ___ No

(10) Any district adopting one of the propositions set forth herein may thereafter return to the procedures otherwise provided by law by following the same procedures outlined in subsection (3).

(11) No county commissioner elected prior to or at the election which approves any revision as permitted herein shall be affected in his or her term of office. The resolution adopted by the board of county commissioners under paragraph (3) (a) or subsection (7) which presents the proposed revision to the electorate for approval shall specify an orderly method and procedure for implementing the revision contemplated therein.

Section 2. This act shall take effect January 7, 1985, if House Joint Resolution No. 452 is approved by the electors at the general election to be held in November 1984.

Rep. Silver moved the adoption of the amendment. Pending consideration thereof, further consideration of HB 453 was temporarily deferred. Subsequently, Representatives McEwan, Selph, and Locke offered the following substitute amendment:

Substitute Amendment 1—Strike everything after the enacting clause and insert: Section 1. Section 124.011, Florida Statutes, is created to read:

124.011 Alternate procedures for the election of county commissioners to provide for single-member representation.—

(1) County commissioners shall be nominated and elected to office in accordance with the provisions of s. 124.01, or as otherwise provided by law, unless a proposition calling for single-member representation within the county commission districts is submitted to and approved by a majority of the qualified electors voting on such proposition in the manner provided in this section. Said proposition shall provide that:

(a) The board of county commissioners shall be increased from five to seven members with five of the seven members residing one each in three county commission districts, together covering the entire county and as nearly equal in population as practicable, each of whom shall be nominated and elected only by the qualified electors who reside in the same county commission district and two of the five commissioners shall be nominated and elected at-large; or

(b) The board of county commissioners shall be increased from five to seven members with five of the seven members residing one each in five county commission districts, together covering the entire county and as nearly equal in population as practicable, each of whom shall be nominated and elected only by the qualified electors who reside in the same county commission district and two of the seven commissioners being nominated and elected at-large.

(2) All commissioners shall be elected for 4-year terms which shall be staggered so that, alternately, one more or one less than half of the commissioners elected from residence areas, and if applicable, one of the commissioners elected at-large from the entire county, are elected every 2 years, provided that any commissioner may be elected to an initial term of less than 4 years if necessary to achieve or maintain such system of staggered terms.

(3) A proposition calling for single-member/at-large representation within the county commission districts of the county shall be submitted to the electors of the county at any primary, general, or otherwise called special election, in either of the following manners:

(a) The board of county commissioners may adopt a formal resolution directing an election to be held to place the proposition on the ballot; or

(b) The board of county commissioners may adopt a formal resolution directing an election to be held to place the proposition on the ballot by presenting to the board of county commissioners a duly signed petition.

(4) The electors petitioning to have the proposition placed on the ballot shall register a political committee pursuant to s. 106.03 and a specific person shall be designated therein as chairman of the committee to act for the committee.
(5) Each petition form circulated for single-member county commissioner representation within the county shall include space for the signature and address of the elector and shall include the wording:

(a) "As a registered elector of County, Florida, I am petitioning for a referendum election to determine whether three of the five county commissioners of said county shall be elected from single-member districts by electors residing in each of those districts only, with the two remaining commissioners being elected at-large.''; or

(b) As a registered elector of County, Florida, I am petitioning for a referendum election to determine whether the board of county commissioners shall be increased from five to seven members with five of the county commissioners of said county being elected from single-member districts by electors residing in each of those districts only, and the remaining two being elected at-large.''

(6) Upon the filing of the petitions with the board of county commissioners by the chairman of the committee, the board of county commissioners shall submit the petitions to the supervisor of elections for signature verification. Within a period of not more than 30 days, the supervisor of elections shall determine whether the petitions contain the required number of valid signatures. The supervisor of elections shall be paid by the committee seeking verification the sum of 10 cents for each name checked.

(7) If it is determined that the petitions have the required signatures, the supervisor of elections shall certify the petitions to the board of county commissioners, which shall adopt a resolution requesting that an election date be set to conform to the earliest primary, general, or otherwise called special election that occurs not less than 30 days after certification of the petitions. If it is determined that the petitions do not contain the required signatures, the supervisor of elections shall not certify the board of county commissioners, which shall file the petitions without taking further action and the matter shall be at an end. No additional names shall be added to the petitions and the petitions shall not be used in any other proceeding.

(8) No special election shall be called for the sole purpose of presenting the proposition to the vote of the electors.

(9) (a) In a county where the board of county commissioners is composed of five members, two of whom are to be elected at-large, the wording of the proposition on the ballot shall be as follows:

"Shall three of the five members of the board of county commissioners of County, Florida, be elected to office from single-member districts by electors residing in each of those districts only, with the two remaining members being elected by all electors within the county at-large."

______ Yes
______ No

(b) In a county where the board of county commissioners is to be increased from five to seven members, with two of the seven members to be elected at large, the wording on the ballot shall be as follows:

"Shall the board of county commissioners of County, Florida, be increased from five to seven members, with five of the seven members to be elected to office from single-member districts by electors residing in each of those districts only, with the two remaining members being elected by all electors within the county at-large."

______ Yes
______ No

(10) Any district adopting one of the propositions set forth herein may thereafter return to the procedures otherwise provided by law by following the same procedures outlined in subsection (3).

(11) No county commissioner elected prior to or at the election which approves any revision as permitted herein shall be affected in his or her term of office. The resolution adopted by the board of county commissioners under paragraph (3) or subsection (7) which presents the proposed revision to the electorate for approval shall specify an orderly method and procedure for implementing the revision contemplated therein.

Section 2. This act shall take effect January 7, 1985, if House Joint Resolution No. 452 is approved by the electors at the general election to be held in November 1984.

Rep. McEwan moved the adoption of the substitute amendment.

Representative D. L. Jones offered the following amendment to the substitute amendment:

Amendment 1 to Substitute Amendment 1—On page 2, line 22, strike "of the county" and insert: of each district in the county

Rep. Jones moved the adoption of the amendment to the substitute amendment, which failed of adoption.

The question recurred on the adoption of the substitute amendment, which failed of adoption. The vote was:

Yea—48
Bankhead
Bentley
Brown, T.C.
Brown, C.
Bell
Bailey
Arnold
Combee
Cortina
Craney
Crum
Danson

No—49
Armstrong
Arnold
Bailey
Bass
Brown, C.
Brown, T. C.
Clark
Clements
Cogroves
Dantzler
Davis

Votes after roll call:
Yea—M. E. Hawkins

The question recurred on the adoption of Amendment 1, which was adopted.

The Committee on Ethics & Elections offered the following title amendment:

Amendment 2—On page 1, lines 4-16, strike all of said lines and insert: providing alternate procedures whereby the boards of county commissioners may adopt and submit to the electors for approval, or electors may petition to have placed on the ballot, a proposition calling for single-member representation within a five member county commission district, a five member county commission district with three single-member and two at-large commissioners, or an increase from a five to seven member commission with five single-member and two at-large commissioners; prohibiting the calling of a special election; providing for a return to the existing system at the coun-
ty's option; providing for the effect of the act upon existing county commissioners; providing an effective date.

Rep. Silver moved the adoption of the amendment, which was adopted without objection.

Representative Reddick offered the following amendment:

Amendment 3—On page 3, line 8, strike all of lines 8 and 9 and insert: include space for the printed names, signature, and street address of one elector and shall include the wording;

Rep. Reddick moved the adoption of the amendment. Without objection, further consideration of HB 453 was temporarily deferred.

HB 83—A bill to be entitled An act relating to elections; amending s. 99.012 (2) and (3), Florida Statutes, as amended, and adding a new subsection (4) thereto; providing that the resignation of an individual from public office under the resign-to-run law shall take effect no later than the day of qualifying for office; providing for filling of vacancies; providing that violators shall not be entitled to have their names printed on the ballot; amending s. 106.18 (1), Florida Statutes, providing for omission of a candidate's name from the ballot; adding a new subsection (2) to s. 106.25, Florida Statutes, empowering the Florida Elections Commission to investigate violations of the resign-to-run law; amending s. 106.26 (12), Florida Statutes, providing duties of the commission with respect to enforcement of the resign-to-run law; providing an effective date.

—was read the second time by title.

Representative Sansom offered the following amendment:

Amendment 1—On page 5, line 26, insert: Section 5. Section 100.061, Florida Statutes, is amended to read:

100.061 First primary election.—In each year in which a general election is held, a first primary election for nomination of candidates of political parties shall be held on the Tuesday 9 weeks prior to the general election. Each candidate receiving a majority of the votes cast in each contest in the first primary election shall be declared nominated for such office. A second primary election shall be held as provided by s. 100.091 in every contest in which a candidate does not receive a majority. However, in the event that for either the first or second primary election there are only two candidates for a particular state or local office and no other person has qualified as a candidate for the office, the names of the two candidates shall not be placed on the primary election ballot for nomination but shall instead be placed on the general election ballot for election and every qualified elector shall be eligible to vote in the election for that office. (and renumber subsequent section)

Rep. Sansom moved the adoption of the amendment. On motion by Rep. Hollingsworth, Amendment 1 was laid on the table. Under Rule 8.19, the bill was referred to the Engrossing Clerk.

HB 64—A bill to be entitled An act relating to firearms and ammunition; creating s. 790.33, Florida Statutes; declaring preemption by the Legislature of the field of legislation concerning the purchase, sale, transfer, manufacture, ownership, possession and transportation of firearms and ammunition; providing an effective date.

—was read the second time by title.

The Committee on Community Affairs offered the following amendment:

Amendment 1—On page 1, line 14, strike "The" and insert: Except as expressly provided by general law, the

Rep. Hazouri moved the adoption of the amendment, which was adopted.

The Committee on Community Affairs offered the following amendment:

Amendment 2—On page 1, line 20, after "void." insert: This section shall not repeal existing ordinances which require up to a 72-hour waiting period prior to the delivery of a firearm or prevent the adoption of future ordinances which require up to a 72-hour waiting period prior to the delivery of a firearm.

Rep. Hazouri moved the adoption of the amendment.

Representative Hazouri offered the following amendment to the amendment:

Amendment 1 to Amendment 3—On page 1, lines 4 and 6, strike "firearm" and insert "handgun"

Rep. Hazouri moved the adoption of the amendment to the amendment, which was adopted.

Representatives Press and Spetz offered the following substitute amendment:

Substitute Amendment 3—On page 1, line 20, insert: This section shall not repeal existing ordinances which require up to a 10-day waiting period prior to the delivery of a firearm or prevent the adoption of future ordinances which require up to a 10-day waiting period prior to the delivery of a firearm.

Rep. Press moved the adoption of the substitute amendment. On motion by Rep. Dunbar, the substitute amendment was laid on the table. The question recurred on the adoption of Amendment 3, as amended, which was adopted.

Representative Abrams offered the following amendment:

Amendment 4—Insert: Section 1. Section 960.26, Florida Statutes, is created to read:

960.26 Excise tax on sale of handguns.—

(1) "Handgun" is defined as a pistol, revolver, or any gun designed to be fired using only one hand.

(2) (a) It is hereby declared the legislative intent that every person is exercising a taxable privilege who engages in the business of selling handguns in this state. For the exercise of said privilege, a tax is levied on each taxable transaction and shall be due and payable at a rate of 10 percent of the sales price on each handgun sold at retail in this state. The tax shall be computed on each taxable sale for the purpose of remitting the amount of tax due the state and shall apply to every retail sale.

(b) The tax so levied shall be in addition to all other taxes and the proceeds thereof shall be deposited in the Crime Compensation Trust Fund created in s. 960.21. Every dealer selling handguns shall at the time of making such sale collect from the purchaser the tax imposed by this act.

(c) The Department of Revenue shall promulgate rules for the collection and administration of such tax and shall collect such tax on a monthly basis. (and renumber subsequent sections).

Rep. Friedman moved the adoption of the amendment. On motion by Rep. Shackelford, Amendment 4 was laid on the table.
Representative Woodruff offered the following amendment:

Amendment 2—On page 5, line 10, after the period, insert: Section 5. Any funding provided for the purposes of this act shall be federal funding only and it is the specific intent of the Legislature that no local or state funds shall be used for any of the purposes of this act. (and renumber the subsequent section)

Rep. Woodruff moved the adoption of the amendment. On motion by Rep. Shackelford, the amendment was laid on the table.

Representative Sample offered the following amendment:

Amendment 3—On page 4, lines 17 and 18, strike all of said lines and insert: (b) As a body, a majority of which must be present,

Rep. Sample moved the adoption of the amendment. On motion by Rep. Carpenter, the amendment was laid on the table. Under Rule 8.19, the bill was referred to the Engrossing Clerk.

HB 453—A bill to be entitled An act relating to the board of county commissioners; creating s. 124.011, F.S., providing alternate procedures whereby, in counties having five commission districts, the boards of county commissioners may adopt and submit to the electors for approval, or electors may petition to have placed on the ballot, a proposition calling for single-member representation within the county commission districts; prohibiting the calling of a primary, general, or otherwise called special election that is not less than 30 days after certification of the petitions. The number of signatures required shall be determined by the supervisor of elections according to the number of registered electors in the county as of the date the petitioning electors register as a political committee pursuant to subsection (3).

(4) The electors petitioning to have the proposition placed on the ballot shall register as a political committee pursuant to s. 106.03 and a specific person shall be designated therein as chairman of the committee to act for the committee.

(5) Each petition form circulated for single-member county commissioner representation within the county shall include space for the printed name, signature and address of the elector and shall include the wording:

(a) "I am petitioning for a referendum election to determine whether the five county commissioners of said county shall be elected from single-member districts by electors residing in each of those districts only;" or

(b) "I am petitioning for a referendum election to determine whether the board of county commissioners shall be increased from five to seven members with five of the county commissioners of said county being elected from single-member districts by electors residing in each of those districts only, and the remaining two being elected at-large."

(6) Upon the filing of the petitions with the board of county commissioners by the chairman of the committee, the board of county commissioners shall submit the petitions to the supervisor of elections for signature verification. Within a period of not more than 60 days, the supervisor of elections shall determine whether the petitions contain the required number of valid signatures. The supervisor of elections shall be paid by the committee seeking verification the sum of 10 cents for each name checked.

(7) If it is determined that the petitions have the required signatures, the supervisor of elections shall certify the petitions to the board of county commissioners, which shall adopt a resolution requesting that an election date be set to conform to the earliest primary, general, or otherwise called special election that occurs not less than 30 days after certification of the petitions. If it is determined that the petitions do not contain the required signatures, the supervisor of elections shall notify the board of county commissioners, which shall file the petitions without taking further action and the matter shall be at an end. No additional names shall be added to the petitions and the petitions shall not be used in any other proceeding.
May 24, 1984

Representatives Pajcic, Reddick, and Silver offered the following title amendment:

Amendment 1—On page 1, line 8, strike "a five member county commission district with three single member and two at-large commissioners."

Rep. Pajcic moved the adoption of the amendment, which was adopted without objection. Under Rule 8.19, the bill was referred to the Engrossing Clerk.

SB 618—A bill to be entitled An act relating to unemployment compensation; amending s. 443.036, F.S., modifying the definition of employment as it applies to agricultural service to conform state law to federal law postponing coverage of alien agricultural workers; providing for retroactive application; providing an effective date.

—was read the second time by title.

Representative Patchett offered the following amendment:

Amendment 1—On page 1, line 12, strike everything after the enacting clause and insert:

Section 1. Paragraphs (e) and (n) of subsection (17) of section 443.036, Florida Statutes, are amended to read:

443.036 Definitions.—As used in this chapter, unless the context clearly requires otherwise:

(17) EMPLOYMENT.—"Employment," subject to the other provisions of this chapter, means any service performed by an employee for the person employing him.

(e) Agricultural service.—The term "employment" includes service performed after December 31, 1977, by an individual in agricultural labor, as defined in subsection (1), when:

1. Such service is performed for a person who:
   a. During any calendar quarter in either the current or the preceding calendar year paid remuneration in cash of $20,000 or more to individuals employed in agricultural labor.
   b. For some portion of a day in each of 20 different calendar weeks, whether or not such weeks were consecutive, in either the current or the preceding calendar year, employed in agricultural labor or 10 or more individuals, regardless of whether they were employed at the same moment of time.

2. Such service is performed in agricultural labor if performed after December 31, 1985 and 1986, by an individual who is an alien admitted to the United States to perform service in agricultural labor pursuant to s. 214 (c) and 101 (a)(15) (H) of the Immigration and Nationality Act. Service performed in agricultural labor by an alien individual as described in this subparagraph shall not be considered employment if such service is performed prior to January 1, 1986.

3. Such service is performed by any individual who is a member of a crew furnished by a crew leader to perform service in agricultural labor for any other person.
124.01 Division of counties into districts; county commissioners.—
(1) There shall be five county commissioners' districts in each county, which shall be numbered one to five, inclusive, and shall be as nearly equal in proportion to population as possible.
(2) There shall be one county commissioner for each of such county commissioners' districts, who shall be elected by the qualified electors of the county, as provided by s 1(e), Art VIII of the State Constitution.
(3) The board of county commissioners shall from time to time, fix the boundaries of the above districts so as to keep them as nearly equal in proportion to population as possible, provided, that changes made in the boundaries of county commissioners' districts pursuant to this section shall be made only in odd-numbered years.
(4) County commissioners' districts now existing shall remain as now constituted until changed by the board of county commissioners, as provided by the constitution and in this chapter.
(5) This section shall not apply to Dade County.

124.011 Alternate procedure for the election of county commissioners to provide for single-member representation.—
(1) County commissioners shall be nominated and elected to office in accordance with the provisions of s 124.01, or as otherwise provided by law, unless a proposition calling for single-member representation within the county commission districts is submitted to and approved by a majority of the qualified electors voting on such proposition in the manner provided in this section. Such proposition shall provide that:
(a) Five county commissioners shall reside one in each of five county commission districts, the districts together covering the entire county and as nearly equal in population as practicable, and each commissioner shall be nominated and elected only by the qualified electors who reside in the same county commission district as the commissioner, or
(b) The board of county commissioners shall be increased from five commissioners to seven commissioners, with five of the seven commissioners residing one in each of five county commission districts, the districts together covering the entire county and as nearly equal in population as practicable, and each commissioner being nominated and elected only by the qualified electors who reside in the same county commission district as the commissioner, and with two of the seven commissioners being nominated and elected at large.
(2) All commissioners shall be elected for 4-year terms which shall be staggered so that, alternately, one more or one less than half of the commissioners elected from residence areas and, if applicable, one of the commissioners elected at large from the entire county are elected every 2 years, except that any commissioner may be elected to an initial term of less than 4 years if necessary to achieve or maintain such system of staggered terms.
(3) A proposition calling for single-member representation within the county commission districts of the county shall be submitted to the electors of the county at any primary, general, or otherwise-called special election, in either manner following:
(a) The board of county commissioners may adopt a formal resolution directing an election to be held to place the proposition on the ballot.
(b) The electors of the county may petition to have the proposition placed on the ballot by presenting to the board of county commissioners petitions signed by not less than 10 percent of the duly qualified electors of the county. The number of signatures required shall be determined by the supervisor of elections according to the number of registered electors in the county as of the date the petitioning electors register as a political committee pursuant to subsection (4).
(4) The electors petitioning to have the proposition placed on the ballot shall register as a political committee pursuant to s 106.03, and a specific person shall be designated therein as chairman of the committee to act for the committee.
(5) Each petition form circulated for single-member county commissioner representation within the county shall include space for the printed name, signature and address of the elector and shall include the wording set forth in paragraph (a) or paragraph (b).
(a) "As a registered elector of __ County, Florida, I am petitioning for a referendum election to determine whether the five county commissioners of said county shall be elected from single-member districts by electors residing in each of those districts only."

(b) "As a registered elector of __ County, Florida, I am petitioning for a referendum election to determine whether the board of county commissioners shall be increased from five to seven members, with five of the seven members to be elected at large."

(6) Upon the filing of the petitions with the board of county commissioners by the chairman of the committee, the board of county commissioners shall submit the petitions to the supervisor of elections for verification of the signatures. Within a period of not more than 60 days, the supervisor of elections shall determine whether the petitions contain the required number of valid signatures. The supervisor of elections shall be paid by the committee seeking verification the sum of 10 cents for each name checked.

(7) If it is determined that the petitions have the required signatures, the supervisor of elections shall certify the petitions to the board of county commissioners, which shall adopt a resolution requesting that an election date be set to conform to the earliest primary, general, or otherwise-called special election that occurs not less than 30 days after certification of the petitions. If it is determined that the petitions do not contain the required signatures, the supervisor of elections shall notify the board of county commissioners, which shall file the petitions without taking further action, and the matter shall be at an end. No additional names may be added to the petitions, and the petitions may not be used in any other proceeding.

(8) No special election may be called for the sole purpose of presenting the proposition to the vote of the electors.

(9)(a) In a county in which the board of county commissioners is composed of five members, each to be elected from single-member districts, the wording of the proposition on the ballot shall be as follows:

Shall the five members of the board of county commissioners of __ County, Florida, be elected to office from single-member districts by electors residing in each of those districts only?

Yes
No

(b) In a county in which the board of county commissioners is to be increased from five to seven members, with two of the seven members to be elected at large, the wording on the ballot shall be as follows:

Shall the board of county commissioners of __ County, Florida, be increased from five to seven members, with five of the seven members to be elected to office from single-member districts by electors residing in each of those districts only, and with the two remaining members being elected by all electors within the county at large?

Yes
No

(10) Any county adopting one of the propositions set forth in this section may thereafter return to the procedures otherwise provided by law by following the same procedure outlined in subsection (3).

(11) No county commissioner elected prior to or at the election which approves any revision as permitted in this section shall be affected in his term of office. The resolution adopted by the board of county commissioners under paragraph (3)(a) or subsection (7) which presents the proposed revision to the electorate for approval shall specify an orderly method and procedure for implementing the revision contemplated in the resolution.

History — s 1, ch 84-224, s 16, ch 85-80

124.02 Notice of change of boundaries of district to be given by publication.—

(1) Whenever the boundaries of existing county commissioners' districts are, from time to time, changed by the board of county commissioners, it shall cause an accurate description of the boundaries of such districts, as changed, to be entered upon its minutes and a certified copy thereof to be published once each week for 4 consecutive weeks in a newspaper published in said county.

(2) If there be no newspaper published in such county, then three copies of said minutes shall be posted for 4 consecutive weeks in three different and conspicuous places in such county, one of which shall be at the front door of the courthouse.

(3) Proof of such publication or posting shall be entered on the minutes of the board. The publication or posting of such copy shall be for information only and shall not be jurisdictional.

History — s 5, ch 3723, 1887 RS 575 GS 766, RGS 1470, CGL 2148, s 1, ch 24108, 1947

124.03 Description of district boundaries to be furnished Department of State.—Whenever the boundaries of existing county commissioners' districts are, from time to time, changed by the board, it shall cause its clerk to forthwith furnish the Department of State with a certified copy of its minutes, reflecting the description of the boundaries of the district, as changed, which shall record a description of such boundaries in its office in a book kept for that purpose.

History — s 6, ch 3723, 1887 RS 576 GS 787 RGS 1471, CGL 2149, s 1, ch 24108, 1947, s 16, 35, ch 69-106
An act relating to agriculture; providing for mapping and monitoring of agricultural lands; providing duties of the Department of Community Affairs; providing an effective date.

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

Section 1. It is the intent of the Legislature that current and continuously updated information on this state's agricultural land base be available to all governmental bodies in the state, so that it may be established whether there is occurring a net decline in the amount of available agricultural land.

Section 2. The Department of Community Affairs shall develop a program for mapping and monitoring the agricultural lands of the state. The department may contract with other agencies for the providing of necessary mapping and information services, and shall have the power to adopt rules necessary to carry out the purposes of this act.

Section 3. In compiling the information specified in this act, the department shall utilize to the fullest extent practicable the topographical data available through the LANDSAT satellite program of the Department of Transportation, soils data developed through the county soil survey and land evaluation and site assessment (LESA) programs of the Soil Conservation Service, the agricultural land use statistics required to be furnished annually to the Department of Revenue by the various county property appraisers, data compiled through the federal census of agriculture, crop and other data collected and maintained by the Department of Agriculture and Consumer Services and the United States Department of Agriculture, and relevant data developed or maintained by the Institute of Food and Agricultural Sciences and other components of the State University System. Each of these agencies of state government and all other state agencies, as well as local and regional governmental agencies, shall cooperate with the department in establishing the mapping and monitoring program provided for in this act.

Section 4. The department shall encourage all state, regional, and local agencies and units of government to utilize the information compiled pursuant to this act, as well as that of the individual agencies from which the department's compilation will be drawn, in planning and other activities in order to minimize the impact of governmental decisions and actions on the continued use and availability of land for agriculture. The department shall provide technical assistance to any such agency or unit of government in utilizing the information developed pursuant to this act.

Section 5. This act shall take effect upon becoming a law.
(2) All commissioners shall be elected for 4-year terms which shall be staggered so that, alternately, one more or one less than half of the commissioners elected from residence areas, and if applicable, one of the commissioners elected at large from the entire county, are elected every 2 years, provided that any commissioner may be elected to an initial term of less than 4 years if necessary to achieve or maintain such system of staggered terms.

(3) A proposition calling for single-member representation within the county commission districts of the county shall be submitted to the electors of the county at any primary, general, or otherwise called special election, in either of the following manners:

(a) The board of county commissioners may adopt a formal resolution directing an election to be held to place the proposition on the ballot; or

(b) The electors of the county may petition to have the proposition placed on the ballot by presenting to the board of county commissioners petitions signed by not less than 10 percent of the duly qualified electors of the county. The number of signatures required shall be determined by the supervisor of elections according to the number of registered electors in the county as of the date the petitioning electors register as a political committee pursuant to subsection (3).

(4) The electors petitioning to have the proposition placed on the ballot shall register as a political committee pursuant to § 106.03 and a specific person shall be designated therein as chairman of the committee to act for the committee.

(5) Each petition form circulated for single-member county commissioner representation within the county shall include space for the printed name, signature and address of the elector and shall include the wording:

(a) "As a registered elector of County, Florida, I am petitioning for a referendum election to determine whether the five county commissioners of said county shall be elected from single-member districts by electors residing in each of those districts only."; or

(b) "As a registered elector of County, Florida, I am petitioning for a referendum election to determine whether the board of county commissioners shall be increased from five to seven members with five of the seven members to be elected from single-member districts by electors residing in each of those districts only, and the remaining two being elected at-large."

(6) Upon the filing of the petitions with the board of county commissioners by the chairman of the committee, the board of county commissioners shall submit the petitions to the supervisor of elections for signature verification. Within a period of not more than 60 days, the supervisor of elections shall determine whether the petitions contain the required number of valid signatures. The supervisor of elections shall pay by the committee seeking verification the sum of 10 cents for each name checked.

(7) If it is determined that the petitions have the required signatures, the supervisor of elections shall certify the petitions to the board of county commissioners, which shall adopt a resolution requesting that an election date be set to conform to the earliest primary, general, or otherwise called special election that occurs not less than 30 days after certification of the petitions. If it is determined that the petitions do not contain the required signatures, the supervisor of elections shall so notify the board of county commissioners, which shall file the petitions without taking further action and the matter shall be at an end. No additional names shall be added to the petitions and the petitions shall not be used in any other proceeding.

(8) No special election shall be called for the sole purpose of presenting the proposition to the vote of the electors.

(9)(a) In a county where the board of county commissioners is composed of five members, each to be elected from single-member districts, the wording of the proposition on the ballot shall be as follows:

"Shall the five members of the board of county commissioners of County, Florida, be elected to office from single-member districts by electors residing in each of those districts only?"

Yes
No

(b) In a county where the board of county commissioners is to be increased from five to seven members, with two of the seven members to be elected at large, the wording on the ballot shall be as follows:

"Shall the board of county commissioners of County, Florida, be increased from five to seven members, with five of the seven members to be elected to office from single-member districts by electors residing in each of those districts only, with the two remaining members being elected by all electors within the county at large?"

Yes
No

(10) Any county adopting one of the propositions set forth herein may thereafter return to the procedures otherwise provided by law by following the same procedures outlined in subsection (3).

(11) No county commissioner elected prior to or at the election which approves any revision as permitted herein shall be affected in his or her term of office. The resolution adopted by the board of county commissioners under paragraph (3)(a) or subsection (7) which presents the proposed revision to the electorate for approval shall specify an orderly method and procedure for implementing the revision contemplated therein.

Section 2. This act shall take effect January 7, 1985, if House Joint Resolution No. 452 is approved by the electors at the general election to be held in November 1984.
plant; or facility, provided that such plant or facility is manned at all times by personnel qualified to provide such information.

(5) The person responsible for the administration and direction of a fire department in a county, municipality, or political subdivision, including a fire chief or fire administrator or that person's designee, shall maintain for at least 4 years the information provided by the employer as required in subsection (1) and shall provide copies of such information only to the following agencies located within the geographic jurisdiction of such fire department:

(a) Fire suppression and fire inspection divisions;

(b) Emergency medical service providers licensed under chapter 401, Florida Statutes; and

(c) Upon request, law enforcement agencies.

Section 11. Recordkeeping.--An employer subject to the provisions of this act shall be required to maintain as records for a period of 30 years only the MSDS's required by section 6.

Section 12. Reports.--The secretary shall submit an annual evaluation report on the program outlined in this act to the Governor and to the members of the Legislature. The report shall include a statement of the scope, status, and quality of the program, and the costs associated with the program.

Section 13. Penalties.--

(1) Any employer who fails to comply with the provisions of this act shall be liable for a civil penalty not to exceed $1,000 per violation in addition to any other damages for which an employer shall be liable pursuant to any other provision of law. This civil penalty shall be assessed by the secretary in accordance with the provisions of chapter 120 Florida Statutes. The department may bring an action in the circuit court in the county where the employer's workplace is situated against any person or persons alleged to have violated the provisions of this act. In any such action, the circuit court shall have the jurisdiction to restrain violations of this act. An employer or the party responsible for the administration and direction of a fire department or emergency medical service program may be enjoined against engaging in violation of this act. An employer or person so enjoined shall be subject to a civil penalty to be determined by the circuit court. The costs of any action brought to enforce the provisions of this act shall be assessed against the employer or person enjoined.

(2) Any employer who violates this act shall be liable for a civil penalty not to exceed $1,000 per violation in addition to any other damages for which an employer shall be liable pursuant to any other provision of law. This civil penalty shall be assessed by the secretary in accordance with the provisions of chapter 120 Florida Statutes. The department may bring an action in the circuit court in the county where the employer's workplace is situated against any person or persons alleged to have violated the provisions of this act. In any such action, the circuit court shall have the jurisdiction to restrain violations of this act. An employer or the party responsible for the administration and direction of a fire department or emergency medical service program may be enjoined against engaging in violation of this act. An employer or person so enjoined shall be subject to a civil penalty to be determined by the circuit court. The costs of any action brought to enforce the provisions of this act shall be assessed against the employer or person enjoined.

(3) Any employer who fails to comply with the provisions of this act shall be liable for a civil penalty not to exceed $1,000 per violation in addition to any other damages for which an employer shall be liable pursuant to any other provision of law. This civil penalty shall be assessed by the secretary in accordance with the provisions of chapter 120 Florida Statutes. The department may bring an action in the circuit court in the county where the employer's workplace is situated against any person or persons alleged to have violated the provisions of this act. In any such action, the circuit court shall have the jurisdiction to restrain violations of this act. An employer or the party responsible for the administration and direction of a fire department or emergency medical service program may be enjoined against engaging in violation of this act. An employer or person so enjoined shall be subject to a civil penalty to be determined by the circuit court. The costs of any action brought to enforce the provisions of this act shall be assessed against the employer or person enjoined.

(4) Any employer who fails to comply with the provisions of this act shall be liable for a civil penalty not to exceed $1,000 per violation in addition to any other damages for which an employer shall be liable pursuant to any other provision of law. This civil penalty shall be assessed by the secretary in accordance with the provisions of chapter 120 Florida Statutes. The department may bring an action in the circuit court in the county where the employer's workplace is situated against any person or persons alleged to have violated the provisions of this act. In any such action, the circuit court shall have the jurisdiction to restrain violations of this act. An employer or the party responsible for the administration and direction of a fire department or emergency medical service program may be enjoined against engaging in violation of this act. An employer or person so enjoined shall be subject to a civil penalty to be determined by the circuit court. The costs of any action brought to enforce the provisions of this act shall be assessed against the employer or person enjoined.

(5) Any employer who fails to comply with the provisions of this act shall be liable for a civil penalty not to exceed $1,000 per violation in addition to any other damages for which an employer shall be liable pursuant to any other provision of law. This civil penalty shall be assessed by the secretary in accordance with the provisions of chapter 120 Florida Statutes. The department may bring an action in the circuit court in the county where the employer's workplace is situated against any person or persons alleged to have violated the provisions of this act. In any such action, the circuit court shall have the jurisdiction to restrain violations of this act. An employer or the party responsible for the administration and direction of a fire department or emergency medical service program may be enjoined against engaging in violation of this act. An employer or person so enjoined shall be subject to a civil penalty to be determined by the circuit court. The costs of any action brought to enforce the provisions of this act shall be assessed against the employer or person enjoined.

(6) Any employer who fails to comply with the provisions of this act shall be liable for a civil penalty not to exceed $1,000 per violation in addition to any other damages for which an employer shall be liable pursuant to any other provision of law. This civil penalty shall be assessed by the secretary in accordance with the provisions of chapter 120 Florida Statutes. The department may bring an action in the circuit court in the county where the employer's workplace is situated against any person or persons alleged to have violated the provisions of this act. In any such action, the circuit court shall have the jurisdiction to restrain violations of this act. An employer or the party responsible for the administration and direction of a fire department or emergency medical service program may be enjoined against engaging in violation of this act. An employer or person so enjoined shall be subject to a civil penalty to be determined by the circuit court. The costs of any action brought to enforce the provisions of this act shall be assessed against the employer or person enjoined.

(7) Any employer who fails to comply with the provisions of this act shall be liable for a civil penalty not to exceed $1,000 per violation in addition to any other damages for which an employer shall be liable pursuant to any other provision of law. This civil penalty shall be assessed by the secretary in accordance with the provisions of chapter 120 Florida Statutes. The department may bring an action in the circuit court in the county where the employer's workplace is situated against any person or persons alleged to have violated the provisions of this act. In any such action, the circuit court shall have the jurisdiction to restrain violations of this act. An employer or the party responsible for the administration and direction of a fire department or emergency medical service program may be enjoined against engaging in violation of this act. An employer or person so enjoined shall be subject to a civil penalty to be determined by the circuit court. The costs of any action brought to enforce the provisions of this act shall be assessed against the employer or person enjoined.

(8) Any employer who fails to comply with the provisions of this act shall be liable for a civil penalty not to exceed $1,000 per violation in addition to any other damages for which an employer shall be liable pursuant to any other provision of law. This civil penalty shall be assessed by the secretary in accordance with the provisions of chapter 120 Florida Statutes. The department may bring an action in the circuit court in the county where the employer's workplace is situated against any person or persons alleged to have violated the provisions of this act. In any such action, the circuit court shall have the jurisdiction to restrain violations of this act. An employer or the party responsible for the administration and direction of a fire department or emergency medical service program may be enjoined against engaging in violation of this act. An employer or person so enjoined shall be subject to a civil penalty to be determined by the circuit court. The costs of any action brought to enforce the provisions of this act shall be assessed against the employer or person enjoined.
A bill to be entitled An act relating to the board of county commissioners; creating s. 124.011, F.S., providing alternate procedures whereby, in counties having five commission districts, the boards of county commissioners may adopt and submit to the electors for approval, or electors may petition to have placed on the ballot, a proposition calling for single-member representation within the county commission districts; prohibiting the calling of a special election; providing for a return to the existing system at the county's option; providing for the effect of the act upon existing county commissioners; providing an effective date.

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

Section 1. Section 124.011, Florida Statutes, is created to read:

124.011 Alternate procedures for the election of county commissioners to provide for single-member representation.--

(1) County commissioners shall be nominated and elected to office in accordance with the provisions of s. 124.01, or as otherwise provided by law, unless a proposition calling for single-member representation within the county commission districts is submitted to and approved by a majority of the qualified electors voting on such proposition.
A BILL relating to:
board of county commissioners;

By

Note: List last name only unless more than one Member has same last name. List all sponsors and co-sponsors on the fifth copy with prime sponsors on line above and co-sponsors below. On all other copies you need show only the prime sponsor and the words "and others."

HOUSE ACTION

Read 1st Time

Referred to Committees on:


Fav Unfav With Amend. Com Sub

Fav Unfav With Amend. Com Sub

Read 2nd Time

Read 3rd Time

and

Clerk, House of Representatives

☐ Immediately Certified to Senate
☐ Committee Substitute taken up
☐ Companion SB substituted
☐ Laid on Table under Rule
☐ Motion to Reconsider Laid on Table
☐ Motion to Reconsider pending

☐ SENATE AMENDMENTS, ACTION — See reverse side
☐ CONFERENCE COMMITTEE ACTION — See reverse side

SENATE ACTION

Read 1st Time

Referred to Committees on:


Fav Unfav With Amend. Com Sub

Fav Unfav With Amend. Com Sub

Read 2nd Time

Read 3rd Time

and
A bill to be entitled

An act relating to the board of county
commissioners; creating s. 124.011, F.S.,
providing alternate procedures whereby, in
counties having five commission districts, the
boards of county commissioners may adopt and
submit to the electors for approval, or
electors may petition to have placed on the
ballot, a proposition calling for single-member
representation within the county commission
districts; prohibiting the calling of a special
election; providing for a return to the
existing system at the county's option;
providing for the effect of the act upon
existing county commissioners; providing an
effective date.

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

Section 1. Section 124.011, Florida Statutes, is
created to read:

124.011 Alternate procedures for the election of
county commissioners to provide for single-member
representation.--

(1) County commissioners shall be nominated and
elected to office in accordance with the provisions of s.
124.01, or as otherwise provided by law, unless a proposition
calling for single-member representation within the county
commission districts is submitted to and approved by a
majority of the qualified electors voting on such proposition
1. The counties of the State, by the legislature, to be divided into districts for the purpose of electing one representative in each district, the legislature to have the power of amending or altering the boundaries of such districts as it may deem necessary. The first election for representatives shall be held five years after the adoption of the Constitution, and every second year thereafter. The legislature shall provide for the election of a governor and lieutenant-governor, and the manner of selecting them. The legislature shall also provide for the election of judges, and the manner of selecting them. The legislature shall have the power to organize the government, and to provide for the preservation of the State, and for the protection of the people thereof. The legislature shall have the power to make all laws necessary and proper for the good government of the State, and for the promotion of the welfare and prosperity thereof.

2. The legislature shall have the power to appropriate money for the support of the public schools, and for the support of the public institutions and charitable establishments. The legislature shall also have the power to fix the duties of taxes, and to provide for the enforcement of laws. The legislature shall have the power to make all laws necessary for the good government of the State, and for the protection of the people thereof. The legislature shall also have the power to make all laws necessary for the preservation of the State, and for the protection of the people thereof.

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(3) The electors petitioning to have the proposition placed on the ballot shall register as a political committee pursuant to s. 106.03 and a specific person shall be designated therein as chairman of the committee to act for the committee.

(4) Each petition form circulated for single-member county commissioner representation within the county shall include space for the signature and address of the elector and shall include the wording:

"As a registered elector of __________ County, Florida, I am petitioning for a referendum election to determine whether the five county commissioners of said county shall be elected from single-member districts by electors residing in each of those districts only."

(5) Upon the filing of the petitions with the board of county commissioners by the chairman of the committee, the board of county commissioners shall submit the petitions to the supervisor of elections for signature verification. Within a period of not more than 30 days, the supervisor of elections shall determine whether the petitions contain the required number of valid signatures. The supervisor of elections shall be paid by the committee seeking verification the sum of 10 cents for each name checked.

(6) If it is determined that the petitions have the required signatures, the supervisor of elections shall certify the petitions to the board of county commissioners, which shall adopt a resolution requesting that an election date be set to conform to the earliest primary, general, or otherwise called special election that occurs not less than 30 days after certification of the petitions. If it is determined that the petitions do not contain the required signatures, the
supervisor of elections shall so notify the board of county commissioners, which shall file the petitions without taking further action and the matter shall be at an end. No additional names shall be added to the petitions and the petitions shall not be used in any other proceeding.

(7) No special election shall be called for the sole purpose of presenting the proposition to the vote of the electors.

(8) In a county where the board of county commissioners is composed of five members, each to be elected from single-member districts, the wording of the proposition on the ballot shall be as follows:

"Shall the five members of the board of county commissioners of County, Florida, be elected from single-member districts by electors residing in each of those districts only?"

Yes
No

(9) Any district adopting the proposition set forth herein may thereafter return to the procedures otherwise provided by law by following the same procedures outlined in subsection (2).

(10) No county commissioner elected prior to or at the election which approves any revision as permitted herein shall be affected in his or her term of office. The resolution adopted by the board of county commissioners under paragraph (2)(a) or subsection (6) which presents the proposed revision to the electorate for approval shall specify an orderly method and procedure for implementing the revision contemplated therein.

CODING Words in struck through type are deletions from existing law. Words underlined are additions.
Section 2. This act shall take effect January 7, 1985, if House Joint Resolution No. ___ is approved by the electors at the general election to be held in November 1984.

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HOUSE SUMMARY

Provides alternate procedures whereby, in counties having five commission districts, pursuant to resolution or petition, a proposition may be placed before the electors of a county calling for single-member representation within the county commission districts. Such proposition would provide that each of the commissioners would reside in, and be nominated and elected only by the qualified electors who reside in, one of the five commission districts. Provides for staggering of 4-year terms. Specifies petition procedure and form. Provides for reversion to representation at large.

Prohibits the calling of a special election for the sole purpose of presenting such a proposition before the electors.

Provides that no county commissioner elected prior to or at the election which approves such a proposition shall be affected in his or her term of office.

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