

Committee Substitute for House Bill No. 1431

An act relating to the City of Pensacola, Town of Century, and Escambia County; providing definitions; creating the Escambia County Consolidation Study Commission to develop a consolidation plan or unification of services for the City of Pensacola, Town of Century, and Escambia County; providing for the membership of the commission; providing for special advisory committees and membership; providing for meetings; providing for submission of a status report and a proposed consolidation plan; specifying sources of funding; providing for private contributions; providing for clerical, technical, and legal assistance; requiring a referendum for approval of the consolidation plan; providing for dissolution of the commission and reversion of commission property to the county; providing an effective date.

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

Section 1. Definitions.—

(1) “Board” means the Board of County Commissioners of Escambia County.

(2) “Commission” means the Escambia County Consolidation Study Commission.

(3) “Legislative delegation” means those members of the Legislature representing a district that encompasses any portion of Escambia County.

Section 2. Creation.—There is hereby created in Escambia County the Escambia County Consolidation Study Commission to study and develop a proposed consolidation plan for local governments or unification of administrative services in the City of Pensacola, the Town of Century, and Escambia County, in whole or in part, and specify how such a consolidated government or unification of services might operate. If a consolidation plan is proposed by the commission, it shall be submitted to the Escambia County Commission, the City of Pensacola, and the Town of Century before submission to the Escambia County Legislative Delegation by January 15, 2010, for introduction in the next regular session of the Legislature. Any legislatively approved plan shall be submitted to the qualified electors of Escambia County for referendum to approve or reject the consolidation of local governments for the City of Pensacola, the Town of Century, and Escambia County.

Section 3. Membership.—

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

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

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

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

(d) The following organizations may each appoint one member to the commission:

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

2. The Escambia County Taxpayers' Association.

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

4. The Pensacola Young Professionals.

5. The Pensacola Ministerial Alliance.

6. The Escambia County Farm Bureau.

7. The Home Builders Association of West Florida.

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

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

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

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

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

(2) There shall be created the Special Advisory Committee on Public Safety to provide advice and counsel to the commission on the integration of public safety services in the consolidation plan. Such committee shall meet no later than 30 days after the effective date of this act. The committee shall elect a chairperson and report to the chairperson of the commission. Each of the following may serve as a member of the committee or appoint a representative:

(a) The Sheriff of Escambia County.

(b) The Chief of Police of the City of Pensacola.

(c) The Escambia County Community Corrections Bureau.

(d) The Escambia County Public Safety Bureau Chief.

- (e) The Fire Chief of the City of Pensacola.
- (f) The Fire Chief of Escambia County.
- (g) The Escambia County Medical Director.
- (h) The chairperson of the Escambia County Fire Services Advisory Board.
- (i) The Police Benevolent Association of the City of Pensacola.
- (j) The Police Benevolent Association of Escambia County.
- (k) The Chapter of the International Association of Firefighters of the City of Pensacola.
- (l) The Escambia County Professional Firefighters.

(3) There shall be created the Special Advisory Committee on Economic Development to provide advice and counsel to the commission. Such committee shall meet no later than 30 days after the effective date of this act. The committee shall elect a chairperson and report to the chairperson of the commission. Each of the following may appoint a member to the committee:

- (a) Pensacola Junior College.
- (b) The Pensacola Bay Area Chamber of Commerce.
- (c) The Perdido Key Chamber of Commerce.
- (d) The Pensacola Downtown Improvement Board.
- (e) The Gulf Coast African American Chamber of Commerce.
- (f) The local chapter of the Florida Black Chamber of Commerce.
- (g) Florida's Great Northwest.
- (h) The Town of Century Chamber of Commerce.
- (i) The Ruritan Club of Walnut Hill.
- (j) The Pensacola Beach Chamber of Commerce.
- (k) Women for Responsible Legislation.

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

- (a) Baptist Health Care.
- (b) Sacred Heart Health System.

- (c) West Florida Hospital.
- (d) The Escambia County Health Department.
- (e) The Escambia Medical Society.

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

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

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

Section 6. Clerical, technical, and legal assistance.—The City of Pensacola, Town of Century, and Escambia County may provide reasonable technical, legal, and clerical assistance to the commission.

Section 7. Referendum.—

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

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

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

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

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

Approved by the Governor May 5, 2009.

Filed in Office Secretary of State May 5, 2009.