

MEMORANDUM

Agenda Item No. 6(C)

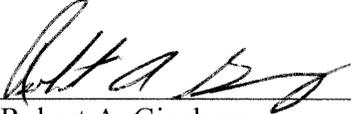
TO: Honorable Chairperson and Member
Board of County Commissioners

DATE: (Second Reading 5-11-04)
March 16, 2004

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Ordinance Relating to
Election Campaign
Financing Trust Fund

The accompanying ordinance was prepared and placed on the agenda at the request of Commissioner Dennis C. Moss.


Robert A. Ginsburg
County Attorney

RAG/bw



MEMORANDUM

TO: Honorable Chairperson Barbara Carey-Shuler, Ed.D. and Members, Board of County Commissioners **DATE:** May 11, 2004

FROM: George M. Burgess
County Manager

A handwritten signature in black ink, appearing to read "G. Burgess", written over the printed name of George M. Burgess.

SUBJECT: Ordinance relating to
Election Campaign
Financing Trust Fund

This ordinance relating to the Election Campaign Financing Trust Fund will have no fiscal impact on Miami-Dade County.



MEMORANDUM

(Revised)

TO: Hon. Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners

DATE: May 11, 2004

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 6(C)

Please note any items checked.

- "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 6(C)
5-11-04

ORDINANCE NO. _____

ORDINANCE RELATING TO ELECTION CAMPAIGN FINANCING TRUST FUND; AMENDING SECTION 12-22 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, TO PROVIDE THAT ONLY CANDIDATES RECEIVING TRUST FUNDS ARE REQUIRED TO FILE TRIGGER REPORTS; REQUIRING CANDIDATES WHO DO NOT INTEND TO REQUEST TRUST FUNDS TO FILE SPECIFIED NOTICE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Section 12-22 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:¹

Sec. 12-22. >>Election Campaign Financing Trust Fund<<

* * *

(i) Trigger Reporting >>and Notice of Intention Not to Participate<<.

>>(1) Trigger Reporting<< Whenever a candidate for Mayor or the Board of County Commissioners who has elected to participate [~~or not to participate~~] in election campaign financing under the provisions of this section receives contributions or makes expenditures that exceed 75 percent of the applicable expenditure ceiling provided in subsection (e), the candidate shall, within 24 hours of reaching that level, file a report with the

¹ Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

Supervisor of Elections, on forms to be provided by the Supervisor of Elections, stating that fact and any additional information required by the Supervisor of Elections. Thereafter, the candidate shall file a supplemental report with the Supervisor of Elections within 24 hours of receiving contributions or making expenditures that exceed 100 percent of the applicable expenditure ceiling. All reports required by subsection (i) shall be filed on diskettes or CD-ROMs simultaneously with and in addition to an original signed report as required by section 12.17 of the Code. The Supervisor of Elections shall electronically post the reports required by subsection (i) as provided in section 12.18 of the Code.

>>(2) Notice of Intention Not to Participate. Whenever a candidate for Mayor or the Board of County Commissioners elects not to participate in election campaign financing under the provisions of this section, the candidate shall file a Notice of Intention Not to Participate in Campaign Financing (“Notice of Intention”) by the filing deadline with the Supervisor of Elections on forms to be provided by the Supervisor of Elections. As used in this subsection (i), “filing deadline” shall mean the last day upon which a candidate may qualify for the elective office sought.<<

* * *

Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 3. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 4. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:

RAG

Prepared by:

GKS

Gerald K. Sanchez

Sponsored by Commissioner Dennis C. Moss