



Elections Advisory Group AGENDA

**December 14, 2012
SPCC 111 NW 1st Street – 18 Floor
9am-12pm**

Welcome

Honorable Carlos Gimenez
Mayor

**Process and Recommendations for the
County's State Legislative Package**

Oren Rosenthal
County Attorney

Penelope Townsley
Supervisor of Elections

Discussion of Additional Recommendations

Advisory Group

**Status of After Action Report
(To be discussed at Dec 19 meeting)**

Penelope Townsley
Supervisor of Elections

- Early Voting
- Absentee Voting
- Election Day

Closing Remarks and Next Steps

Honorable Carlos Gimenez
Mayor

Attachments:

Commissioner Monestime's Resolution regarding early voting
2013 County's Legislative Package - Elections

MEMORANDUM

Agenda Item No. 11(A)(11)

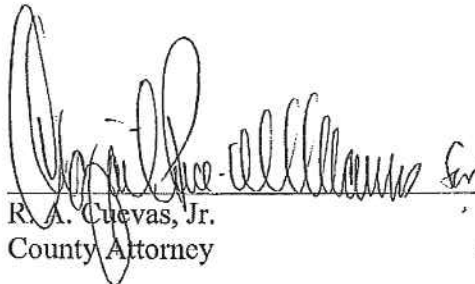
TO: Honorable Vice Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: December 18, 2012

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution urging the Florida Legislature to pass legislation during the 2013 session to restore early voting to the full 14 days that was in place before the passage of HB 1355 including the Sunday before election day; further urging the legislature to provide counties greater flexibility related to the sites used for early voting and the hours for early voting; identifying this issue as a critical County priority for the 2013 Session

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Jean Monestime.



R. A. Cuevas, Jr.
County Attorney

RAC/lmp

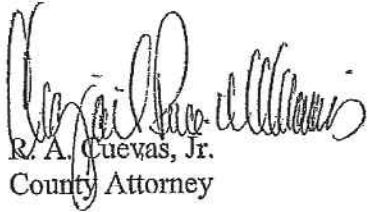


MEMORANDUM

(Revised)

TO: Honorable Vice Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: December 18, 2012

FROM: 
R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 11(A)(11)

Please note any items checked.

- ☐ "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
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☒ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(11)
12-18-12

RESOLUTION NO. _____

RESOLUTION URGING THE FLORIDA LEGISLATURE TO PASS LEGISLATION DURING THE 2013 SESSION TO RESTORE EARLY VOTING TO THE FULL 14 DAYS THAT WAS IN PLACE BEFORE THE PASSAGE OF HB 1355 INCLUDING THE SUNDAY BEFORE ELECTION DAY; FURTHER URGING THE LEGISLATURE TO PROVIDE COUNTIES GREATER FLEXIBILITY RELATED TO THE SITES USED FOR EARLY VOTING AND THE HOURS FOR EARLY VOTING; IDENTIFYING THIS ISSUE AS A CRITICAL COUNTY PRIORITY FOR THE 2013 SESSION

WHEREAS, in-person early voting (hereinafter early voting) is intended to make it easier for people to carry out their constitutional right to vote; and

WHEREAS, during the 2011 regular session, the Florida Legislature reduced the number of days for early voting when it enacted HB 1355, Chapter 2011-40, Laws of Florida (hereinafter HB 1355); and

WHEREAS, HB 1355 was an omnibus elections bill that made approximately 80 changes to Florida's election procedures; and

WHEREAS, one of the changes made in HB 1355 was to revise early voting and the days, hours and times that Florida counties could offer early voting; and

WHEREAS, prior to the passage of HB 1355, Florida law provided early voting for up to a 14-day period, beginning on the 15th day before an election and ending on the second before the election, and required each county to offer early voting for eight (8) hours per day on weekdays and eight (8) hours in the aggregate each weekend, yielding a total of 96 hours of early voting; and

WHEREAS, HB 1355 amended the days, hours and weekend times that early voting may be offered in Florida in a number of ways:

- The early voting period now begins on the 10th day before an election and ends on the 3rd day before the election, for a total of only eight (8) days instead of 14 days, and eliminating early voting on the Sunday before election day;
- The requirement that early voting take place for eight (8) hours each day between 7 a.m. and 7 p.m. also was removed, and instead, local Supervisors of Elections could offer as few as six (6) hours each day and no more than 12 hours each day;
- HB 1355 also mandates some additional weekend hours of early voting, with the new early voting period running from the Saturday two (2) weekends before the election to the Saturday immediately before Election Day, meaning that the early voting period under HB 1355 now requires three (3) weekend days of early voting: two Saturdays and one Sunday, but significantly, HB 1355 prohibited early voting on the Sunday before election day; and

WHEREAS, the Miami-Dade Board of County Commissioners passed R-741-12 on September 18th, 2012, which urged Governor Scott to restore early voting to the full 14-days as it was before the adoption of HB 1355; and

WHEREAS, various elected officials, including United States Senator Bill Nelson, sent letters to Governor Rick Scott urging him to use his executive powers to extend early voting, as his predecessors, Governor Jeb Bush and Governor Charlie Crist had done, but Governor Scott declined to extend early voting; and

WHEREAS, it has been reported that, compared with the 2008 election, early voting declined statewide in Florida in 2012, with 2.4 million Floridians voting early in 2012 compared with 2.6 million in 2008, a reduction of approximately nine percent (9%); and

WHEREAS, Florida state law not only strictly limits the days and hours permissible for early voting, but also expressly limits the locations that can be used for early voting; and

WHEREAS, section 101.657, Florida Statutes, provides that Supervisors of Elections may only conduct early voting at the main or branch office of the Supervisor, a city hall or a permanent public library facility; and

WHEREAS, section 101.657 further provides that a branch office of the Supervisor of Elections "shall have been designated and used as such for at least one year prior to the election"; and

WHEREAS, city halls, libraries and Supervisors of Elections offices often are not equipped to handle large numbers of people for early voting in addition to the people that typically use these facilities on a daily basis; and

WHEREAS, there is, for example, often insufficient parking at these authorized early voting sites to accommodate the large number of people who want to vote by way of early voting; and

WHEREAS, there were reports during early voting this year of a number of cases where people had their cars towed from nearby lots while they were trying to exercise their constitutional right to vote; and

WHEREAS, there are other locations that could better accommodate the large number of people that want to vote by way of early voting; and

WHEREAS, the Florida Legislature should not only restore early voting to the days allowed prior to the passage of HB 1355, but also expand the flexibility associated with the sites that can be used for early voting,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Urges the Florida Legislature to pass legislation during the 2013 session to restore early voting to the full 14 days in place before the passage of HB 1355 including the Sunday before Election Day.

Section 2. Further urges the Florida Legislature to provide counties greater flexibility related to the sites used for early voting and the hours for early voting.

Section 3. Identifies this issue as a critical priority of Miami-Dade County for the 2013 session of the Florida Legislature.

Section 4. Directs the Clerk of this Board to send a certified copy of this resolution to the Governor, Senate President, House Speaker, the Chair and Members of the Miami-Dade State Legislative Delegation and the Florida Secretary of State.

Section 5. Directs the County's state lobbyists to advocate for the passage of the legislation and action set forth in sections 1 and 2 above, and authorizes and directs the Office of Intergovernmental Affairs to include this item in the 2013 State Legislative Package as a critical County priority when it is presented to the Board.

The Prime Sponsor of the foregoing resolution is Commissioner Jean Monestime. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Audrey M. Edmonson, Vice Chairwoman

Bruno A. Barreiro

Esteban L. Bovo, Jr.

Sally A. Heyman

Jean Monestime

Rebeca Sosa

Xavier L. Suarez

Lynda Bell

Jose "Pepe" Diaz

Barbara J. Jordan

Dennis C. Moss

Sen. Javier D. Souto

Juan C. Zapata

The Chairperson thereupon declared the resolution duly passed and adopted this 18th day of December, 2012. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Jess M. McCarty



MIAMI-DADE COUNTY 2013 STATE LEGISLATIVE REQUEST FORM

1. NAME OF DEPARTMENT

Miami-Dade Elections Department

**2. DEPARTMENT CONTACT PERSON(S), ADDRESS, TELEPHONE,
AND FAX NUMBERS, & E-MAIL ADDRESS**

Christina White
Deputy Supervisor of Elections
Elections Coordination, Campaigns, and Compliance Division
2700 NW 87th Avenue
Miami, Florida 33172
305-499-8403 (office)
305-499-8501 (fax)
bacogc@miamidade.gov

3. NAME OF LEGISLATIVE ISSUE REQUEST

Expansion of allowable facilities eligible for use as early voting sites

**4. DEPARTMENTAL RECOMMENDATION OF ACTION NEEDED
(Include whether change is legislative or administrative in nature.)**

This request is legislative in nature, and would allow the Supervisors of Elections to use any site convenient and accessible as an early voting location.

**5. STATEMENT OF CURRENT PROBLEM THAT THE LEGISLATIVE
CHANGE IS INTENDED TO ADDRESS (Please include information
that will help us advocate on the County's behalf.)**

The facilities that are currently approved for use as early voting sites are limited to city halls and public libraries and have proven to be extremely restrictive in our efforts to adequately serve the needs of Miami-Dade County. Since early voting has been steadily gaining popularity, with approximately 1,414,000 Miami-Dade voters taking advantage of early voting since it was first offered, it has become very challenging to locate sites that provide all voters in the county equal access and convenience to take advantage of this service. In addition, many of the current sites do not have an adequate amount of space and/or configuration to accommodate the preferred number of voting equipment and supplies. This remains a challenge for the Department, and was highlighted during the 2012 General Election.

6. IMPACT OF CHANGES TO MIAMI-DADE COUNTY (What does the proposed legislation do and how does it address the current problem? Are there other alternatives to addressing the problem? What are the pros and cons of the legislation?)

This legislative amendment would allow Supervisors of Elections to designate larger facilities that would more adequately serve the needs of their voters, such as community and convention centers. This amendment would increase accessibility and the capacity to manage large voter turnout; thereby, reducing Early Voting lines and ultimately reducing long lines on Election Day.

This would also allow Supervisors of Elections to use facilities that have a more suitable layout for the current voting equipment, ultimately making the process more efficient and convenient for our voters.

Presently, there is no alternative to address this problem.

7. INTERDEPARTMENTAL IMPACTS (Describe potential impacts to other departments.)

At the present time, the most widely used facilities that meet State criteria are Miami-Dade County Libraries, which are utilized for over two weeks during each countywide election, including set up and removal. This significantly impedes the ability for libraries to conduct “business as usual” and often times require cancellation of activities and programs that are important to local residents.

Since it is challenging to serve voters in communities where the library is too small to accommodate both early voting activities and serve daily patrons, expanding the permissible facilities would allow Supervisors of Elections to rely less on public libraries, allowing them to continue the same level of services to the community, and would provide more convenient service to our voters.

8. BACKGROUND

Early voting is provided as a convenience to voters, giving voters 8 days to cast their ballot. However, with limited options on location, the service is not always equally convenient to all voters in regards to geography and ease of use (i.e. limited parking, small facility, unable to provide additional equipment). The expansion of allowable sites is critical to ensure voting is convenient and accessible to all voters in Miami-Dade County.

This request has been submitted since 2006.

9. PROPOSED LANGUAGE (Attach or insert a draft of the proposed changes to Florida Statutes.)

Florida Statute 101.657(1)(a): As a convenience to the voter, the supervisor of elections shall allow an elector to vote early in the main or branch office of

the supervisor, any city hall, permanent public library facility, or any other site convenient, accessible and includes the required security protocols for early voting sites. If a supervisor of elections provides early voting at sites other than the main or branch office of the supervisor, such early voting sites must be geographically located so as to provide all voters in the county an equal opportunity to cast a ballot. The supervisor shall mark, code, indicate on, or otherwise track the voter's precinct for each early voted ballot. ~~In order for a branch office to be used for early voting, it shall be a permanent facility of the supervisor and shall have been designated and used as such for at least 1 year prior to the election. The supervisor may also designate any city hall or permanent public library facility as early voting sites; however, if so designated, the sites must be geographically located so as to provide all voters in the county an equal opportunity to cast a ballot, insofar as is practicable.~~ The results or tabulation of votes cast during early voting may not be made before the close of the polls on election day. Results shall be reported by precinct.

10. LIST ANY KNOWN ORGANIZATION OR GOVERNMENT ENTITY THAT WOULD SUPPORT THIS PROPOSED CHANGE

Public Library Systems throughout the State

11. LIST ANY KNOWN ORGANIZATION OR GOVERNMENT ENTITY THAT WOULD OPPOSE THIS PROPOSED CHANGE

None known

12. ARE GRANT, FORMULA, OR OTHER FUNDS NEEDED TO ACCOMPLISH THIS CHANGE? (If so, what are the sources of these funds?)

None known.

13. PRIORITIZE YOUR REQUEST NUMERICALLY (If you submit more than one state legislative request, rank them in numerical order.)

This is the Elections Department's first priority.



**MIAMI-DADE COUNTY
2013 STATE LEGISLATIVE REQUEST FORM**

1. NAME OF DEPARTMENT

Miami-Dade Elections Department

2. DEPARTMENT CONTACT PERSON(S), ADDRESS, TELEPHONE, AND FAX NUMBERS, & E-MAIL ADDRESS

Christina White
Deputy Supervisor of Elections
Elections Coordination, Campaigns, and Compliance Division
2700 NW 87th Avenue
Miami, Florida 33172
305-499-8403 (office)
305-499-8501 (fax)
bacogc@miamidade.gov

3. NAME OF LEGISLATIVE ISSUE REQUEST

Reinstating the availability of early voting to 14 days.

4. DEPARTMENTAL RECOMMENDATION OF ACTION NEEDED (Include whether change is legislative or administrative in nature.)

This request is legislative in nature, and would allow the Supervisors of Elections to provide the public with fourteen days of early voting as in the past.

5. STATEMENT OF CURRENT PROBLEM THAT THE LEGISLATIVE CHANGE IS INTENDED TO ADDRESS (Please include information that will help us advocate on the County's behalf.)

With the increased popularity in early voting since its commencement, the amendment to State Statute 101.657 (1)(d) reducing early voting from 14 days to eight days proved to be extremely challenging. The reduction in days resulted in the Department serving approximately 90,000 less voters during the 2012 Early Voting period than in 2008, thereby increasing Election Day turnout and contributing to long lines, parking issues, complaints and general voter discontent.

6. IMPACT OF CHANGES TO MIAMI-DADE COUNTY (What does the proposed legislation do and how does it address the current problem? Are there other alternatives to addressing the problem? What are the pros and cons of the legislation?)

This legislative amendment would allow Supervisors of Elections to serve more voters during the early voting period, provide an added convenience to

our voters, and reduce lines and wait times. By increasing the early voting turnout, it will reduce Election Day turnout, and further mitigate the long lines that were seen on Election Day during the 2012 General Election.

Presently, there is no alternative to address this problem.

7. INTERDEPARTMENTAL IMPACTS (Describe potential impacts to other departments.)

None known.

8. BACKGROUND

Early voting is provided as a convenience to voters, currently providing eight days to cast their ballot. Prior to the passage of HB 1355 in 2011, early voting was available for 14 days. With the reduction from 14 to eight days, Miami-Dade served approximately 90,000 less voters than the 2008 General Election. Those voters who could not vote on Election Days or simply opted to take advantage of Early Voting waited for up to 5 hours. The expansion of available days will return this service as a more convenient and accessible option to our voters as it will provide additional days to participate.

9. PROPOSED LANGUAGE (Attach or insert a draft of the proposed changes to Florida Statutes.)

State Statute 101.657 (1)(d): Early voting shall begin on the ~~15th~~ 10th day before an election that contains state or federal races and end on the ~~3rd~~ 2nd day before an election, and shall be provided ~~for no less than 6 hours and no more than 12 hours per day at each site during the applicable period for 8 hours per weekday and 12 hours in the aggregate each weekend at each site during the applicable periods.~~ For purposes of a special election held pursuant to s. 100.101, early voting shall begin on the 8th day before an election and end on the 2nd day before an election. The supervisor of elections may provide early voting for elections that are not held in conjunction with a state or federal election. However, the supervisor has the discretion to determine the hours of operation of early voting sites in those elections. Early voting sites shall open no sooner than 7 a.m. and close no later than 7 p.m. on each applicable day.

10. LIST ANY KNOWN ORGANIZATION OR GOVERNMENT ENTITY THAT WOULD SUPPORT THIS PROPOSED CHANGE

None known

11. LIST ANY KNOWN ORGANIZATION OR GOVERNMENT ENTITY THAT WOULD OPPOSE THIS PROPOSED CHANGE

None known

12. ARE GRANT, FORMULA, OR OTHER FUNDS NEEDED TO ACCOMPLISH THIS CHANGE? (If so, what are the sources of these funds?)

None known

13. **PRIORITIZE YOUR REQUEST NUMERICALLY (If you submit more than one state legislative request, rank them in numerical order.)**

This is the Elections Department's second priority.



**MIAMI-DADE COUNTY
2013 STATE LEGISLATIVE REQUEST FORM**

1. NAME OF DEPARTMENT

Miami-Dade Elections Department

2. DEPARTMENT CONTACT PERSON(S), ADDRESS, TELEPHONE, AND FAX NUMBERS, & E-MAIL ADDRESS

Christina White
Deputy Supervisor of Elections
Elections Coordination, Campaigns, and Compliance Division
2700 NW 87th Avenue
Miami, Florida 33172
305-499-8403 (office)
305-499-8501 (fax)
bacogc@miamidade.gov

3. NAME OF LEGISLATIVE ISSUE REQUEST

Limit ballot language for constitutional amendments to a maximum of 15 words for title and 75 words for ballot summary.

4. DEPARTMENTAL RECOMMENDATION OF ACTION NEEDED (Include whether change is legislative or administrative in nature.)

This change is legislative in nature, and would reduce the number of ballot pages for General Elections thereby reducing wait times at Early Voting sites and Election Day precincts, limiting voter confusion and fatigue.

5. STATEMENT OF CURRENT PROBLEM THAT THE LEGISLATIVE CHANGE IS INTENDED TO ADDRESS (Please include information that will help us advocate on the County's behalf.)

The Miami-Dade County General Election ballot was an unprecedented 10-12 pages (front and back). This was largely due to the length of several constitutional amendments, particularly in light of the requirement that the ballot be in English, Spanish, and Creole. Two constitutional amendments took an entire side of a ballot page each. The Department attributes the long lines during Early Voting and on Election Day to voters having to read and comprehend such long ballot questions, coupled with the impact of additional voter turnout resulting from the compressed Early Voting days.

6. IMPACT OF CHANGES TO MIAMI-DADE COUNTY (What does the proposed legislation do and how does it address the current problem? Are there other alternatives to addressing the problem? What are the pros and cons of the legislation?)

This legislative amendment would reduce the length of future ballots. This is an important amendment that would help alleviate long lines during voting, thereby making voting more convenient, less confusing, and potentially increase turnout.

7. INTERDEPARTMENTAL IMPACTS (Describe potential impacts to other departments.)

This change would have a positive impact on public libraries and city halls during the Early Voting period, which are utilized as voting sites. The long lines experienced in the 2012 Early Voting period had a substantial impact on their regularly scheduled services, parking, and bathroom facilities.

8. BACKGROUND

During the 2008 General Election, the ballot was 4 pages (front and back). At that time, all ballot language, including constitutional amendments were limited to 75 words. Then House Bill 1355 passed in 2011, and language was added to state "this subsection does not apply to constitutional amendments or revisions proposed by joint resolution." As a result, the 2012 General Election was the first election under this law, and the ballot was an unprecedented 10-12 pages (front and back). We propose the language be reverted back to how it was written prior to HB 1355.

9. PROPOSED LANGUAGE (Attach or insert a draft of the proposed changes to Florida Statutes.)

101.161 Referenda; ballots.—

(1) Whenever a constitutional amendment or other public measure is submitted to the vote of the people ~~a ballot summary~~ the substance of such amendment or other public measure shall be printed in clear and unambiguous language on the ballot after the list of candidates, followed by the word "yes" and also by the word "no," and shall be styled in such a manner that a "yes" vote will indicate approval of the proposal and a "no" vote will indicate rejection. The ~~ballot summary~~ wording of the substance of the amendment or other public measure and the ballot title to appear on the ballot shall be embodied in the joint resolution, constitutional revision commission proposal, constitutional convention proposal, taxation and budget reform commission proposal, or enabling resolution or ordinance. ~~The ballot summary~~ Except for amendments and ballot language proposed by joint resolution, the substance of the amendment or other public measure shall be an explanatory statement, not exceeding 75 words in length, of the chief purpose of the measure. In addition, for every amendment proposed by initiative, the ballot shall include, following the ballot summary, a separate financial impact statement concerning the measure prepared by the Financial Impact Estimating Conference in accordance with s.100.371(5). The ballot title shall consist of a caption, not exceeding 15 words in length, by which the measure is commonly referred to or spoken of. ~~This subsection does not apply to constitutional amendments or revisions proposed by joint resolution.~~

(2) The ~~ballot summary~~ substance and ballot title of a constitutional amendment proposed by initiative shall be prepared by the sponsor and approved by the Secretary of State in accordance with rules adopted pursuant to s. 120.54. The Department of State shall give each proposed constitutional amendment a designating number for convenient reference. This number designation shall appear

on the ballot. Designating numbers shall be assigned in the order of filing or certification and in accordance with rules adopted by the Department of State. The Department of State shall furnish the designating number, the ballot title, and ~~unless otherwise specified in a joint resolution, the ballot summary~~ the substance of each amendment to the supervisor of elections of each county in which such amendment is to be voted on.

~~(3)(a) Each joint resolution that proposes a constitutional amendment or revision shall include one or more ballot statements set forth in order of priority. Each ballot statement shall consist of a ballot title, by which the measure is commonly referred to or spoken of, not exceeding 15 words in length, and either a ballot summary that describes the chief purpose of the amendment or revision in clear and unambiguous language, or the full text of the amendment or revision. The Department of State shall furnish a designating number pursuant to subsection (2) and the appropriate ballot statement to the supervisor of elections of each county. The ballot statement shall be printed on the ballot after the list of candidates, followed by the word "yes" and also by the word "no," and shall be styled in such a manner that a "yes" vote will indicate approval of the amendment or revision and a "no" vote will indicate rejection.~~

~~(b)1. Any action for a judicial determination that one or more ballot statements embodied in a joint resolution are defective must be commenced by filing a complaint or petition with the appropriate court within 30 days after the joint resolution is filed with the Secretary of State. The complaint or petition shall assert all grounds for challenge to each ballot statement. Any ground not asserted within 30 days after the joint resolution is filed with the Secretary of State is waived.~~

~~2. The court, including any appellate court, shall accord an action described in subparagraph 1. priority over other pending cases and render a decision as expeditiously as possible. If the court finds that all ballot statements embodied in a joint resolution are defective and further appeals are declined, abandoned, or exhausted, unless otherwise provided in the joint resolution, the Attorney General shall, within 10~~

~~days, prepare and submit to the Department of State a revised ballot title or ballot summary that corrects the deficiencies identified by the court, and the Department of State shall furnish a designating number and the revised ballot title or ballot summary to the supervisor of elections of each county for placement on the ballot. The court shall retain jurisdiction~~

~~over challenges to a revised ballot title or ballot summary prepared by the Attorney General, and any challenge to a revised ballot title or ballot summary must be filed within 10 days~~

~~after a revised ballot title or ballot summary is submitted to the Department of State.~~

~~3. A ballot statement that consists of the full text of an amendment or revision shall be presumed to be a clear and unambiguous statement of the substance and effect of the amendment or revision, providing fair notice to the electors of the content of the~~

~~amendment or revision and sufficiently advising electors of the issue upon which they are to vote.~~

~~(4)(3)(a)~~ For any general election in which the Secretary of State, for any circuit, or the supervisor of elections, for any county, has certified the ballot position for an initiative to change the method of selection of judges, the ballot for any circuit must contain the statement in paragraph (b) or paragraph (c) and the ballot for any county must contain the statement in paragraph (d) or paragraph (e).

(b) In any circuit where the initiative is to change the selection of circuit court judges to selection by merit selection and retention, the ballot shall state: "Shall the method of selecting circuit court judges in the ...(number of the circuit)... judicial circuit be changed from election by a vote of the people to selection by the judicial nominating commission and appointment by the Governor with subsequent terms determined by a retention vote of the people?" This statement must be followed by the word "yes" and also by the word "no."

(c) In any circuit where the initiative is to change the selection of circuit court judges to election by the voters, the ballot shall state: "Shall the method of selecting circuit court judges in the ...(number of the circuit)... judicial circuit be changed from selection by the judicial nominating commission and appointment by the Governor with subsequent terms determined by a retention vote of the people to election by a vote of the people?" This statement must be followed by the word "yes" and also by the word "no."

(d) In any county where the initiative is to change the selection of county court judges to merit selection and retention, the ballot shall state: "Shall the method of selecting county court judges in ...(name of county)... be changed from election by a vote of the people to selection by the judicial nominating commission and appointment by the Governor with subsequent terms determined by a retention vote of the people?" This statement must be followed by the word "yes" and also by the word "no."

(e) In any county where the initiative is to change the selection of county court judges to election by the voters, the ballot shall state: "Shall the method of selecting county court judges in ...(name of the county)... be changed from selection by the judicial nominating commission and appointment by the Governor with subsequent terms determined by a retention vote of the people to election by a vote of the people?" This statement must be followed by the word "yes" and also by the word "no."

~~The amendment of section 101.161, Florida Statutes, made by this act applies retroactively to all joint resolutions adopted by the Legislature during the 2011 Regular Session, except that any legal action challenging a ballot title or ballot summary embodied in such joint resolution or challenging placement on the ballot of the full text of the proposed amendment or revision to the State Constitution as specified in such joint resolution must be commenced within 30 days after the effective date of this act or within 30 days after the joint resolution to which a challenge relates is filed with the Secretary of State, whichever occurs later.~~

10. LIST ANY KNOWN ORGANIZATION OR GOVERNMENT ENTITY THAT
WOULD SUPPORT THIS PROPOSED CHANGE

Other large counties.

11. LIST ANY KNOWN ORGANIZATION OR GOVERNMENT ENTITY THAT
WOULD OPPOSE THIS PROPOSED CHANGE

None known.

12. ARE GRANT, FORMULA, OR OTHER FUNDS NEEDED TO ACCOMPLISH
THIS CHANGE? (If so, what are the sources of these funds?)

None known.

13. PRIORITIZE YOUR REQUEST NUMERICALLY (If you submit more than one
state legislative request, rank them in numerical order.)

This is the Elections Department's third priority.



MIAMI-DADE COUNTY 2013 STATE LEGISLATIVE REQUEST FORM

1. NAME OF DEPARTMENT

Miami-Dade Elections Department

**2. DEPARTMENT CONTACT PERSON(S), ADDRESS, TELEPHONE,
AND FAX NUMBERS, & E-MAIL ADDRESS**

Christina White
Deputy Supervisor of Elections
Elections Coordination, Campaigns, and Compliance Division
2700 NW 87th Avenue
Miami, Florida 33172
305-499-8403 (office)
305-499-8501 (fax)
bacogc@miamidade.gov

3. NAME OF LEGISLATIVE ISSUE REQUEST

Extend the number of days that Supervisors of Elections are permitted to canvass ballots.

**4. DEPARTMENTAL RECOMMENDATION OF ACTION NEEDED
(Include whether change is legislative or administrative in nature.)**

This request is legislative in nature, and would grant the Supervisors of Elections additional days to open, canvass, and process ballots.

**5. STATEMENT OF CURRENT PROBLEM THAT THE LEGISLATIVE
CHANGE IS INTENDED TO ADDRESS (Please include information
that will help us advocate on the County's behalf.)**

Currently, we are permitted to canvass ballots beginning 15 days prior to Election Day. Absentee voting continues to grow in popularity due to the convenience of this method, with the Department receiving an unprecedented 244,094 absentee ballots for the 2012 General Election. Due to this volume, the department instituted 24-hour shifts in order to open, canvass, and process ballots in line with state law. The Department experienced challenges in securing staff to organize 24-hour operations on short notice, and results were delayed due to the volume of ballots and the lengthy process necessary to process these ballots. Allowing additional time for the process will aid the department in efficiency.

6. IMPACT OF CHANGES TO MIAMI-DADE COUNTY (What does the proposed legislation do and how does it address the current problem? Are there other alternatives to addressing the problem? What are the pros and cons of the legislation?)

Extending the number of days that the Supervisor of Elections is permitted to open, canvass, and process ballots would allow us to begin these lengthy procedures earlier, further allowing us to remain on top of the volume, reducing any backlog leading up to Election Day - allowing the Department to focus its efforts on the large volume received on Election Day. With the anticipation that absentee voting will continue to increase in popularity, we believe that additional time will become necessary to efficiently process ballots and have results completed in a timely manner.

There are no other alternatives at this time.

7. INTERDEPARTMENTAL IMPACTS (Describe potential impacts to other departments.)

No potential impacts to other departments.

8. BACKGROUND

As of 2011, the Department was permitted 15 days to canvass ballots. Absentee Voting is a convenient way to cast a ballot. Therefore, the request and return of ballots continues to increase with each passing election. The unprecedented volume creates challenges in meeting state mandates due to staffing, hours of operation, and the new requirement that all ballots be canvassed prior to the canvassing board being allowed to recess on and after Election Day. Providing additional days will assist us with managing the ever-increasing volume.

9. PROPOSED LANGUAGE (Attach or insert a draft of the proposed changes to Florida Statutes.)

Florida Statute 101.68(2)(a) The county canvassing board may begin the canvassing of absentee ballots at 7 a.m. on the 15th 20th day before the election, but not later than noon on the day following the election. In addition, for any county using electronic tabulating equipment, the processing of absentee ballots through such tabulating equipment may begin at 7 a.m on the 15th 20th day before the election.

10. LIST ANY KNOWN ORGANIZATION OR GOVERNMENT ENTITY THAT WOULD SUPPORT THIS PROPOSED CHANGE

Other large counties.

11. LIST ANY KNOWN ORGANIZATION OR GOVERNMENT ENTITY THAT WOULD OPPOSE THIS PROPOSED CHANGE

None known

- 12. ARE GRANT, FORMULA, OR OTHER FUNDS NEEDED TO ACCOMPLISH THIS CHANGE? (If so, what are the sources of these funds?)**

None known.

- 13. PRIORITIZE YOUR REQUEST NUMERICALLY (If you submit more than one state legislative request, rank them in numerical order.)**

This is the Elections Department's fourth priority.



MIAMI-DADE COUNTY 2013 STATE LEGISLATIVE REQUEST FORM

1. NAME OF DEPARTMENT

Miami-Dade Elections Department

**2. DEPARTMENT CONTACT PERSON(S), ADDRESS, TELEPHONE,
AND FAX NUMBERS, AND E-MAIL ADDRESS**

Christina White
Deputy Supervisor of Elections
Election Coordination, Campaigns, and Compliance Division
2700 NW 87th Avenue
Miami, Florida 33172
305-499-8403 (office)
305-499-8501 (fax)
bacogc@miamidade.gov

3. NAME OF LEGISLATIVE ISSUE REQUEST

Removal of the Executive Committeeman and Committeewoman races from the Primary Election ballot during a presidential year.

**4. DEPARTMENTAL RECOMMENDATION OF ACTION NEEDED
(Include whether change is legislative or administrative in nature.)**

This request is legislative in nature, and would require that Republican and Democratic Committeemen and Committeewomen be elected in an election conducted by and for the applicable political party independent of county-conducted elections.

**5. STATEMENT OF CURRENT PROBLEM THAT THE LEGISLATIVE
CHANGE IS INTENDED TO ADDRESS (Please include information
that will help us advocate on the County's behalf.)**

Holding Committeemen and Committeewomen elections in conjunction with primary elections each year a presidential election is held creates additional ballot styles (variations). This increases the complexity of coding an election, requires additional preparation time and can significantly increase printing costs due to the current paper-based system.

In addition, the Department spends significant amount of time qualifying these individuals during the same time period as other candidates. The

distinction is that these individuals are not considered candidates by definition, and do not pay a qualifying fee, yet require considerable staff resources. The Department processed documentation and posted information on the website for 514 people running for these offices; as well as responded to numerous inquiries and public records requests.

6. IMPACT OF CHANGES TO MIAMI-DADE COUNTY (What does the proposed legislation do and how does it address the current problem? Are there other alternatives to addressing the problem? What are the pros and cons of the legislation?)

This legislative amendment would allow Committeemen/Committeewomen to be elected in an election conducted by and for the political party independent of the county. Currently, the county absorbs the cost of this election. In the proposed scenario, the party will be responsible for all applicable costs and election logistics.

Removing the race(s) from the primary election ballot will reduce the complexity of coding the ballot, drastically reduce the number of ballot styles, and thus reduce the time and cost of preparing for an election. The removal of these contests would also free up additional space on the ballot.

Lastly, it would allow the Department to focus its customer service on candidates for Offices that are covered under the Election Laws of the State Florida during a period where guidance and assistance are at a height.

7. INTERDEPARTMENTAL IMPACTS (Describe potential impacts to other departments.)

This would positively impact the Miami-Dade County Internal Services Department (ISD), who prints all ballots for the department. Reducing the number of ballot styles (variations) will allow ISD to finalize the ballot order in a timelier manner and at a reduced cost.

This has become even more imperative due to the requirement that overseas absentee ballots be mailed 45 days prior to the election and domestic absentee ballots be mailed between 35-28 days prior to the election (a full week less than past elections).

8. BACKGROUND

Per Florida Statute 103.091(1): Each political party of the state shall be represented by a state executive committee. County executive committees and other committees may be established in accordance with the rules of the state executive committee.

A Committeeman/Committeewoman is elected by the members of his/her major party in their registered precinct or district (depending on the political party) to represent their major party during a four-year term, starting with the

first day of the month following each presidential election. He or she serves as a primary contact between voters, candidates and elected officials. Chapter 103 of Florida Statutes addresses the roles and responsibilities of Committeemen and Committeewomen in greater detail.

In 2008, there were a total of 264 candidates added to the 2008 Primary Election ballot, between the Committeeman and Committeewoman candidates for the Miami-Dade Democratic and Republican Parties. As a result, 283 ballot styles were generated for the 2008 Primary Election. This number would have been substantially smaller if these contests were not included in this election.

In 2012, there were a total of 514 individuals who qualified or attempted to qualify for inclusion on the 2012 Primary Election ballot, for the Miami-Dade Democratic and Republican Parties. As a result, there were 77 additional races added to the ballot, totaling 371 ballot styles. This number would have been substantially smaller if these contests were not included in this election.

9. PROPOSED LANGUAGE (Attach or insert a draft of the proposed changes to Florida Statutes.)

Florida Statute 103.091(4): Any political party other than a minor political party may by rule provide for the membership of its state or county executive committee to be elected for 4-year terms ~~at the primary election~~ >>in August of<< each year a presidential election is held >>in an election conducted by and for the political party independent of county conducted elections<<. The terms shall commence on the first day of the month following ~~each presidential general~~ >>the<< election >>. << ; but the names of candidates for political party offices shall not be placed on the ballot at any other election. The results of such election shall be determined by a plurality of the votes cast. In such event, electors seeking to qualify for such office shall do so with the ~~Department of State or supervisor of elections~~ >>qualifying officer for the party<< not earlier than noon of the 71st day, or later than noon of the 67th day, preceding the ~~primary~~ election. The outgoing chair of each county executive committee shall, within 30 days after the committee members take office, hold an organizational meeting of all newly elected members for the purpose of electing officers. The chair of each state executive committee shall, within 60 days after the committee members take office, hold an organizational meeting of all newly elected members for the purpose of electing officers.

10. LIST ANY KNOWN ORGANIZATION OR GOVERNMENT ENTITY THAT WOULD SUPPORT THIS PROPOSED CHANGE

Secretary of State Ken Detzner has expressed support as well as County Commissioner Lynda Bell.

11. LIST ANY KNOWN ORGANIZATION OR GOVERNMENT ENTITY THAT WOULD OPPOSE THIS PROPOSED CHANGE

Democratic and Republican Parties

- 12. ARE GRANT, FORMULA, OR OTHER FUNDS NEEDED TO ACCOMPLISH THIS CHANGE? (If so, what are the sources of these funds.)**

None known.

- 13. PRIORITIZE YOUR REQUEST NUMERICALLY (If you submit more than one state legislative request, rank them in numerical order.)**

This is the Elections Department's fifth priority.



MIAMI-DADE COUNTY 2013 STATE LEGISLATIVE REQUEST FORM

1. NAME OF DEPARTMENT

Miami-Dade Elections Department

**2. DEPARTMENT CONTACT PERSON(S), ADDRESS, TELEPHONE,
AND FAX NUMBERS, & E-MAIL ADDRESS**

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3. NAME OF LEGISLATIVE ISSUE REQUEST

Discontinuing the term "Absentee Ballot" and replacing it with "Vote by Mail."

**4. DEPARTMENTAL RECOMMENDATION OF ACTION NEEDED
(Include whether change is legislative or administrative in nature.)**

This request is legislative in nature. This would more accurately describe this method of voting since there is no longer a requirement for a voter to provide "a cause" for voting by mail. Any registered elector may opt to do so.

**5. STATEMENT OF CURRENT PROBLEM THAT THE LEGISLATIVE
CHANGE IS INTENDED TO ADDRESS (Please include information
that will help us advocate on the County's behalf.)**

The term is outdated since a cause for voting by mail is no longer required. This request is intended to more accurately depict the method of voting.

**6. IMPACT OF CHANGES TO MIAMI-DADE COUNTY (What does the
proposed legislation do and how does it address the current problem?
Are there other alternatives to addressing the problem? What are the
pros and cons of the legislation?)**

This change in terminology would prevent voter confusion as to whether they are required to be absent from the county in order to vote by mail, which is no longer the case.

The term “Vote by Mail” was specifically selected and intended as one of three methods of voting in any election. This is to differentiate from the term “Mail Ballot.” Mail Ballot elections are conducted solely by mail and have specific limitations per F.S. 101.6102.

7. INTERDEPARTMENTAL IMPACTS (Describe potential impacts to other departments.)

No potential impacts to other departments.

8. BACKGROUND

Prior to 1997, Florida substantially restricted the use of absentee ballots to certain “for cause” reasons set forth in statute. Effective January 1, 1997, pursuant to Chapter 96-57 Laws of Florida, the Florida legislature eliminated the “for cause” absentee ballot requirements and allowed any voter to vote by absentee ballot “who is unable to attend the polls on Election Day”. Pursuant to Chapter 98-129, Laws of Florida, the Legislature enacted the 1998 Voter Fraud Act which readopted the “for cause” reasons for voting absentee. The Florida Election Reform Act of 2001, Chapter 2001-40, Laws of Florida, again eliminated the “for cause” absentee ballot requirements and provided that all registered voters in Florida had the option of casting an absentee ballot without restriction.

Since 2001, any registered elector may opt to vote by absentee ballot. That, in essence, makes the term “absentee” inaccurate. The term ‘Vote By Mail’ is accurate.

9. PROPOSED LANGUAGE (Attach or insert a draft of the proposed changes to Florida Statutes.)

It is proposed that any reference to “absentee ballot” be replaced by “Vote by Mail” throughout the Election Laws of the State of Florida, where applicable.

10. LIST ANY KNOWN ORGANIZATION OR GOVERNMENT ENTITY THAT WOULD SUPPORT THIS PROPOSED CHANGE

None known

11. LIST ANY KNOWN ORGANIZATION OR GOVERNMENT ENTITY THAT WOULD OPPOSE THIS PROPOSED CHANGE

None known

12. ARE GRANT, FORMULA, OR OTHER FUNDS NEEDED TO ACCOMPLISH THIS CHANGE? (If so, what are the sources of these

funds?)

None known

- 13. PRIORITIZE YOUR REQUEST NUMERICALLY (If you submit more than one state legislative request, rank them in numerical order.)**

This is the Elections Department's sixth priority.



MIAMI-DADE COUNTY 2013 STATE LEGISLATIVE REQUEST FORM

1. NAME OF DEPARTMENT

Miami-Dade Elections Department

**2. DEPARTMENT CONTACT PERSON(S), ADDRESS, TELEPHONE,
AND FAX NUMBERS, AND E-MAIL ADDRESS**

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3. NAME OF LEGISLATIVE ISSUE REQUEST

Conduct Community Development District (CDD) Elections via mail ballot.

**4. DEPARTMENTAL RECOMMENDATION OF ACTION NEEDED
(Include whether change is legislative or administrative in nature.)**

This request is legislative in nature, and would allow Supervisors of Elections to conduct CDD elections via mail ballot as opposed to inclusion in the General Election.

**5. STATEMENT OF CURRENT PROBLEM THAT THE LEGISLATIVE
CHANGE IS INTENDED TO ADDRESS (Please include information
that will help us advocate on the County's behalf.)**

Holding CDD elections in conjunction with General Elections creates additional ballot styles (variations). This increases the complexity of coding an election, requires additional preparation and can significantly increase printing costs due to the current paper-based system. In addition, beginning with the next General election, constitutional amendments may include the full text of the proposed amendment or revision to the State Constitution. The Department believes these elections should be removed from official countywide ballots and be held separately from the General Election.

It will also alleviate staff time dedicated to services these candidates during the qualifying period when demands from other candidates are at a peak. Thirty-nine candidates ran for the Office of CDD in 2012.

6. IMPACT OF CHANGES TO MIAMI-DADE COUNTY (What does the proposed legislation do and how does it address the current problem? Are there other alternatives to addressing the problem? What are the pros and cons of the legislation?)

This legislative amendment would allow Supervisors of Elections to conduct these elections separately by mail ballot. Removing the races from the general election ballot will reduce the complexity of coding the ballot, and thus reduce the time and cost of preparing for an election. The number of ballot styles will be drastically reduced, thereby reducing the costs associated with printing and quality assurance procedures.

It would also allow for additional space on the ballot.

Voter participation will likely be increased by mail ballot. CDDs will be responsible for all applicable costs and election date must be agreed upon with the Supervisor of Elections, similar to municipalities. Mail ballot elections cannot be held at the same time as precinct elections.

7. INTERDEPARTMENTAL IMPACTS (Describe potential impacts to other departments.)

Not applicable

8. BACKGROUND

Community development districts are those developments with a size of 1,000 acres or more and whose petition was granted for the establishment of a “community development district.” The initial members of the board of supervisors consist of a designation of five persons, who shall serve in that office until their term expires and are replaced by elected members. Chapter 190 of Florida Statutes addresses this community.

In 2008, there was the potential for up to 27 CDD races added to general election ballot. This increases the time it takes to prepare an election and the number of ballot pages resulting in an increased cost.

In 2012, there was the potential for up to 34 CDD races added to general election ballot.

As additional CDD establishments are granted, the potential for even more races presents itself. This would continue to increase the number of candidates to provide services to, add to the complexity of the ballot, and additional ballot styles.

9. PROPOSED LANGUAGE (Attach or insert a draft of the proposed changes to Florida Statutes.)

F.S. § 190.006. Board of supervisors; members and meetings

(1) The board of the district shall exercise the powers granted to the district pursuant to this act. The board shall consist of five members; except as otherwise provided herein, each member shall hold office for a term of 2 years or 4 years, as provided in this section, and until a successor is chosen and qualifies. The members of the board must be residents of the state and citizens of the United States.

(2)(a) Within 90 days following the effective date of the rule or ordinance establishing the district, there shall be held a meeting of the landowners of the district for the purpose of electing five supervisors for the district. Notice of the landowners' meeting shall be published once a week for 2 consecutive weeks in a newspaper which is in general circulation in the area of the district, the last day of such publication to be not fewer than 14 days or more than 28 days before the date of the election. The landowners, when assembled at such meeting, shall organize by electing a chair who shall conduct the meeting. The chair may be any person present at the meeting. If the chair is a landowner or proxy holder of a landowner, he or she may nominate candidates and make and second motions.

(b) At such meeting, each landowner shall be entitled to cast one vote per acre of land owned by him or her and located within the district for each person to be elected. A landowner may vote in person or by proxy in writing. Each proxy must be signed by one of the legal owners of the property for which the vote is cast and must contain the typed or printed name of the individual who signed the proxy; the street address, legal description of the property, or tax parcel identification number; and the number of authorized votes. If the proxy authorizes more than one vote, each property must be listed and the number of acres of each property must be included. The signature on a proxy need not be notarized. A fraction of an acre shall be treated as 1 acre, entitling the landowner to one vote with respect thereto. For purposes of determining voting interests, platted lots shall be counted individually and rounded up to the nearest whole acre. The acreage of platted lots shall not be aggregated for determining the number of voting units held by a landowner or a landowner's proxy. The two candidates receiving the highest number of votes shall be elected for a period of 4 years, and the three candidates receiving the next largest number of votes shall be elected for a period of 2 years, with the term of office for each successful candidate commencing upon election. The members of the first board elected by landowners shall serve their respective 4-year or 2-year terms; however, the next election by landowners shall be held on the first Tuesday in November. Thereafter, there shall be an election of supervisors for the district every 2 years ~~in November on a date established by the board and noticed pursuant to paragraph~~ by mail-in ballot on a date mutually acceptable to the board and the Supervisor of Elections.

(a). The second and subsequent landowners' election shall be announced at a public meeting of the board at least 90 days prior to the date of the landowners' meeting and shall also be noticed pursuant to paragraph (a). Instructions on how all landowners may participate in the election, along with sample proxies, shall be provided during the board meeting that announces the landowners' meeting. The two candidates receiving the highest number of votes shall be elected to serve for a 4-year period, and the remaining candidate elected shall serve for a 2-year period.

(3)(a) 1. If the board proposes to exercise the ad valorem taxing power authorized by s. 190.021, the district board shall call an election at which the members of the board of supervisors will be elected. Subsequently, the landowners shall not call any special election until notice is given to the Supervisor of Elections and a date mutually acceptable to the Supervisor of Elections and the board is obtained. ~~Such election shall be held in conjunction with a primary or general election unless the district bears the cost of a special election~~ shall be held as a special mail-in ballot. The district shall bear the cost. Each member shall be elected by the qualified electors of the district for a term of 4 years, except that, at the first such election, three members shall be elected for a period of 4 years and two members shall be elected for a period of 2 years. All elected board members must be qualified electors of the district.

2. a. Regardless of whether a district has proposed to levy ad valorem taxes, commencing 6 years after the initial appointment of members or, for a district exceeding 5,000 acres in area or for a compact, urban, mixed-use district, 10 years after the initial appointment of members, the position of each member whose term has expired shall be filled by a qualified elector of the district, elected by the qualified electors of the district. However, for those districts established after June 21, 1991, and for those existing districts established after December 31, 1983, which have less than 50 qualified electors on June 21, 1991, sub-subparagraphs b. and d. shall apply. If, in the 6th year after the initial appointment of members, or 10 years after such initial appointment for districts exceeding 5,000 acres in area or for a compact, urban, mixed-use district, there are not at least 250 qualified electors in the district, or for a district exceeding 5,000 acres or for a compact, urban, mixed-use district, there are not at least 500 qualified electors, members of the board shall continue to be elected by landowners.

b. After the 6th or 10th year, once a district reaches 250 or 500 qualified electors, respectively, then the positions of two board members whose terms are expiring shall be filled by qualified electors of the district, elected by the qualified electors of the district for 4-year terms. The remaining board member whose term is expiring shall be elected for a 4-year term by the landowners and is not required to be a qualified elector. Thereafter, as terms expire, board members shall be qualified electors elected by qualified electors of the district for a term of 4 years.

c. Once a district qualifies to have any of its board members elected by the qualified electors of the district, the initial and all subsequent elections by the qualified electors of the district shall be held at the general election in November. The board shall adopt a resolution if necessary to implement this requirement when the board determines the number of qualified electors as required by sub-subparagraph d., to extend or reduce the terms of current board members.

d. On or before June 1 of each year, the board shall determine the number of qualified electors in the district as of the immediately preceding April 15. The board shall use and rely upon the official records maintained by the supervisor of elections and property appraiser or tax collector in each county in making this determination. Such determination shall be made at a properly noticed meeting of the board and shall become a part of the official minutes of the district.

(b) Elections of board members by qualified electors held pursuant to this subsection shall be nonpartisan and shall be conducted in the manner prescribed by law for holding general elections. The district shall publish a notice of the qualifying period set by the supervisor of elections for each election at least 2 weeks prior to the start of the qualifying period. Board members shall assume the office on the second Tuesday following their election. If no elector qualifies for a seat to be filled in an election, a vacancy in that seat shall be declared by the board effective on the second Tuesday following the election. Within 90 days thereafter, the board shall appoint a qualified elector to fill the vacancy. Until such appointment, the incumbent board member in that seat shall remain in office.

(c) Candidates seeking election to office by qualified electors under this subsection shall conduct their campaigns in accordance with the provisions of chapter 106 and shall file qualifying papers and qualify for individual seats in accordance with s. 99.061.

(d) The supervisor of elections shall appoint the inspectors and clerks of elections, prepare and furnish the ballots, designate polling places, and canvass the returns of the election of board members by qualified electors. The county canvassing board shall declare and certify the results of the election.

(4) Members of the board shall be known as supervisors and, upon entering into office, shall take and subscribe to the oath of office as prescribed by s. 876.05. They shall hold office for the terms for which they were elected or appointed and until their successors are chosen and qualified. If, during the term of office, a vacancy occurs, the remaining members of the board shall fill the vacancy by an appointment for the remainder of the unexpired term.

(5) A majority of the members of the board constitutes a quorum for the purposes of conducting its business and exercising its powers and for all other purposes. Action taken by the district shall be upon a vote of a majority of the members present unless general law or a rule of the district requires a greater number.

(6) As soon as practicable after each election or appointment, the board shall organize by electing one of its members as chair and by electing a secretary, who need not be a member of the board, and such other officers as the board may deem necessary.

(7) The board shall keep a permanent record book entitled "Record of Proceedings of (name of district) Community Development District," in which shall be recorded minutes of all meetings, resolutions, proceedings, certificates, bonds given by all employees, and any and all corporate acts. The record book shall at reasonable times be opened to inspection in the same manner as state, county, and municipal records pursuant to chapter 119. The record book shall be kept at the office or other regular place of business maintained by the board in the county or municipality in which the district is located or within the boundaries of a development of regional impact or Florida Quality Development, or combination of a development of regional impact and Florida Quality Development, which includes the district.

(8) Each supervisor shall be entitled to receive for his or her services an amount not to exceed \$200 per meeting of the board of supervisors, not to exceed \$4,800 per year per supervisor, or an amount established by the electors at referendum. In addition, each supervisor shall receive travel and per diem expenses as set forth in s. 112.061.

(9) All meetings of the board shall be open to the public and governed by the provisions of chapter 286.

99.061 Method of qualifying for nomination or election to federal, state, county, or district office.--

(3) Notwithstanding the provisions of any special act to the contrary, each person seeking to qualify for election to a special district office shall qualify between noon of the 71st day prior to the primary election and noon of the 67th day prior to the date of the primary election. Candidates for single-county special districts shall qualify with the supervisor of elections in the county in which the district is located. If the district is a multicounty district, candidates shall qualify with the Department of State. All special district candidates shall qualify by paying a filing fee of \$25 or qualify by the petition process pursuant to s. [99.095](#). Notwithstanding s. [106.021](#), a candidate who does not collect contributions and whose only expense is the filing fee or signature verification fee is not required to appoint a campaign treasurer or designate a primary campaign depository. Candidates for community development districts shall qualify between noon of the 71st day prior to the election and noon of the 67th day prior to the date of the election.

101.6102 Mail ballot elections; limitations.—

(1)(a) An election may be conducted by mail ballot if:

1. The election is a referendum election at which all or a portion of the qualified electors of one of the following subdivisions of government are the only electors eligible to vote:

- a. Counties;
- b. Cities;
- c. School districts covering no more than one county; or
- d. Special districts;

2. The governing body responsible for calling the election and the supervisor of elections responsible for the conduct of the election authorize the use of mail ballots for the election; and

3. The Secretary of State approves a written plan for the conduct of the election, which shall include a written timetable for the conduct of the election, submitted by the supervisor of elections.

(b) In addition, an annexation referendum which includes only qualified electors of one county may also be voted on by mail ballot election.

(2) The following elections may not be conducted by mail ballot:

(a) An election at which any candidate >>other than a community development district<< is nominated, elected, retained, or recalled; or

(b) An election held on the same date as another election, other than a mail ballot election, in which the qualified electors of that political subdivision are eligible to cast ballots.

(3) The supervisor of elections shall be responsible for the conduct of any election held under ss. 101.6101-101.6107.

(4) The costs of a mail ballot election shall be borne by the jurisdiction initiating the calling of the election, unless otherwise provided by law.

(5) Nothing in this section shall be construed to prohibit the use of a mail ballot election in a municipal annexation referendum requiring separate vote of the registered electors of the annexing municipality and of the area

proposed to be annexed. If a mail ballot election is authorized for a municipal annexation referendum, the provisions of ss. 101.6101-101.6107 shall control over any conflicting provisions of s. 171.0413.

10. LIST ANY KNOWN ORGANIZATION OR GOVERNMENT ENTITY THAT WOULD SUPPORT THIS PROPOSED CHANGE

None known

11. LIST ANY KNOWN ORGANIZATION OR GOVERNMENT ENTITY THAT WOULD OPPOSE THIS PROPOSED CHANGE

Community Development Districts

12. ARE GRANT, FORMULA, OR OTHER FUNDS NEEDED TO ACCOMPLISH THIS CHANGE? (If so, what are the sources of these funds.)

No

13. PRIORITIZE YOUR REQUEST NUMERICALLY (If you submit more than one state legislative request, rank them in numerical order.)

This is the Elections Department's seventh priority.