

**COPY**

MEMORANDUM OF AGREEMENT

This agreement, effective as of 23<sup>rd</sup> day of August, 2001, is by and between, the State of Florida, Department of State, Division of Elections ("Department"), the address of which is 400 S. Monroe, Room 1801, Tallahassee, Florida 32399 and Nassau County Board of County Commissioners ("County") the address of which is Post Office Box 1010, Fernandina Beach, Florida 32035-1010.

WHEREAS, section 76, of Chapter 2001-40, Laws of Florida, provides for the disbursement of funds to be used for voting systems assistance.

**I. Governing Law**

Funds appropriated to the Division of Elections of the Department of State in the 2001-2002 General Appropriations Act for Voting Systems Assistance shall be distributed to the counties in the following manner:

1. Counties having a population of 75,000 or fewer based on the 2000 census shall receive a total of \$7,500 per precinct based on the number of precincts as certified by the Department of State for the 2000 General Election, to be distributed in two equal installments.

2. All other counties shall receive a total of \$3,750 per precinct based on the number of precincts as certified by the Department of State for the 2000 General Election, to be distributed in two equal installments.

**II. Disbursement**

Each county shall receive a sum certain as provided above and outlined in Appendix A. The first installment shall be paid as soon as possible after the execution of this agreement. Subject to availability of funds as appropriated by the Florida Legislature, a separate agreement shall be executed for the disbursement of the second installment.

**III. Audits**

The administration of funds awarded by the Department of State to the County may be subject to audits and monitoring by the Department of State, as described in this section.

1. In the event that the County expends a total amount of State awards (i.e., State financial assistance provided to the County to carry out a State project) equal to or in excess of \$300,000 in any fiscal year in accordance with Section 215.97, Florida Statutes, applicable rules of the Executive Office of the Governor and the Comptroller, and Chapter 10.600, Rules of the Auditor General. Appendix A to this agreement

indicates State funds awarded through the Department of State by this agreement. In determining the State awards expended in this fiscal year, the County shall consider all sources of State awards, including State funds received from the Department of State, except that State awards received by a non-state entity for Federal program matching requirements shall be excluded from consideration.

2. In connection with the audit requirements addressed above, the County shall ensure that the audit complies with the requirements of Section 215.97(7), Florida Statutes. This includes submission of a reporting package as defined by Section 215.97(2)(d), Florida Statutes, and Chapter 10.600, Rules of the Auditor General.

3. If the county expends less than \$300,000 in State awards in its fiscal year, an audit conducted in accordance with the provisions of Section 215.97, Florida Statutes, is not required. In the event that the County expends less than \$300,000 in State awards in its fiscal year and elects to have audit conducted in accordance with the provisions of Section 215.97, Florida Statutes, the cost of the audit must be paid from non-State funds (i.e., the cost of such an audit must be paid from County funds obtained from other than State entities).

4. The Internet web addresses listed below will assist the County in locating documents referenced in the text of this agreement and the interpretation of compliance issues.

State of Florida Department of Banking and Finance (Comptroller)  
<http://www.dbf.state.fl.us>

State of Florida Office of the Auditor General Rules Index  
<http://www.state.fl.us/audgen/pages/rulepage.htm>

State of Florida Legislature (Statutes, Legislation relating to the Florida Single Audit Act) <http://www.leg.state.fl.us>

#### **IV. Report Submissions**

Copies of reporting packages required by PART III of this agreement shall be submitted by or on behalf of the County directly to each of the following:

1. The Department of State at the following address:

Department of State  
Division of Elections  
The Capitol, Room 1801  
Tallahassee, Florida 32399-0250

2. The Auditor General's Office at the following address:

State of Florida Auditor General  
Room 574, Claude Pepper Building  
111 West Madison Street  
Tallahassee, Florida 32302-1450

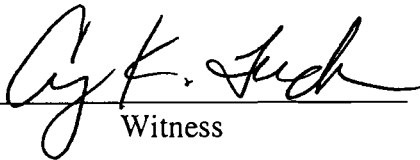
**V. Record Retention**

The County shall retain sufficient records demonstrating its compliance with the terms of the agreement for a period of five (5) years from the date the audit report is issued, and shall allow the Department of State, or its designee, access to such records upon request. The County shall ensure that audit working papers are made available to the Department of state, or its designee, upon request for a period of five (5) years from the date the audit report is issued, unless extended in writing by the Department of State.

IN WITNESS THEREOF, the parties have caused this Agreement to be executed by their undersigned officials as duly authorized

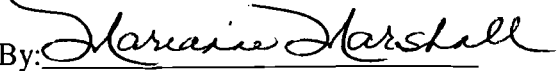
Department of State, Division of Elections:

By:   
Division Director

  
Witness

8/23/01  
Date

County Commission:

By: 

Marianne Marshall, Chairman

Typed name and title

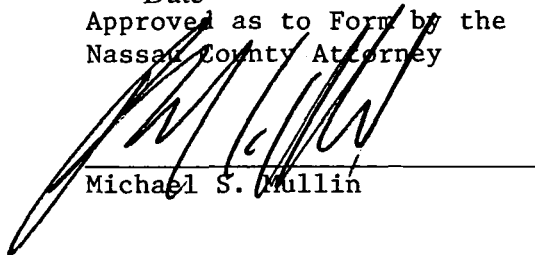
ATTEST:

  
Witness

J. M. "Chip" Oxley, Jr.  
Ex-Officio Clerk

8-14-01  
Date

Approved as to Form by the  
Nassau County Attorney

  
Michael S. Mullin

# CS/SB 1118 FLORIDA ELECTION REFORM ACT OF 2001

## STATE FUNDING ASSISTANCE FOR PURCHASE OF, OR REIMBURSEMENT FOR NEW VOTING MACHINES

### FUNDING ASSUMPTIONS:

- (1) Counties with populations of 75,000 or less receive full state funding assistance.  
Counties with populations over 75,000 receive 50% of full state funding assistance.
- (2) Full state funding assistance is set at \$7,500 per precinct, based on a survey of 16 counties that have purchased optical scan precinct-based voting systems. Actual costs identified from that survey range from \$5,000 to \$10,000 per precinct, generally including the cost of installation and training, and in some cases including other enhancements.
- (3) State funding assistance will be disbursed in two equal installments on July 1, 2001 and July 1, 2002 in order to match cash disbursements with expected vendor payment schedules.

### SMALL COUNTIES - POPULATION OF 75,000 OR LESS

COUNTY	2000 CENSUS POPULATION <sup>1</sup>	NUMBER OF PRECINCTS <sup>2</sup>	STATE FUNDING PER PRECINCT	TOTAL STATE FUNDING FOR COUNTY
BAKER	22,259	8	\$7,500	\$60,000
BRADFORD	26,088	20	\$7,500	\$150,000
CALHOUN	13,017	13	\$7,500	\$97,500
COLUMBIA	56,513	31	\$7,500	\$232,500
DESOTO	32,209	15	\$7,500	\$112,500
DIXIE	13,827	12	\$7,500	\$90,000
FLAGLER	49,832	27	\$7,500	\$202,500
FRANKLIN	11,057	8	\$7,500	\$60,000
GADSDEN	45,087	16	\$7,500	\$120,000
GILCHRIST	14,437	12	\$7,500	\$90,000
GLADES	10,576	13	\$7,500	\$97,500
GULF	13,332	14	\$7,500	\$105,000
HAMILTON	13,327	8	\$7,500	\$60,000
HARDEE	26,938	12	\$7,500	\$90,000
HENDRY	36,210	22	\$7,500	\$165,000
HOLMES	18,564	16	\$7,500	\$120,000
JACKSON	46,755	27	\$7,500	\$202,500
JEFFERSON	12,902	13	\$7,500	\$97,500
LAFAYETTE	7,022	5	\$7,500	\$37,500
LEVY	34,450	21	\$7,500	\$157,500
LIBERTY	7,021	8	\$7,500	\$60,000
MADISON	18,733	11	\$7,500	\$82,500
NASSAU	57,663	21	\$7,500	\$157,500
OKEECHOBEE	35,910	18	\$7,500	\$135,000
PUTNAM	70,423	50	\$7,500	\$375,000
SUMTER	53,345	24	\$7,500	\$180,000
SUWANNEE	34,844	16	\$7,500	\$120,000
TAYLOR	19,256	14	\$7,500	\$105,000
UNION	13,442	11	\$7,500	\$82,500
WAKULLA	22,863	12	\$7,500	\$90,000
WALTON	40,601	32	\$7,500	\$240,000
WASHINGTON	20,973	15	\$7,500	\$112,500
			<b>SUBTOTAL</b>	<b>\$4,087,500</b>

## LARGE COUNTIES - POPULATION OVER 75,000

COUNTY	2000 CENSUS POPULATION <sup>1</sup>	NUMBER OF PRECINCTS <sup>2</sup>	STATE FUNDING PER PRECINCT	TOTAL STATE FUNDING FOR COUNTY
ALACHUA	217,955	53	\$3,750	\$198,750
BAY	148,217	47	\$3,750	\$176,250
BREVARD	476,230	177	\$3,750	\$663,750
BROWARD	1,623,018	618	\$3,750	\$2,317,500
CHARLOTTE	141,627	63	\$3,750	\$236,250
CITRUS	118,085	35	\$3,750	\$131,250
CLAY	140,814	51	\$3,750	\$191,250
COLLIER	251,377	96	\$3,750	\$360,000
DUVAL	778,879	268	\$3,750	\$1,005,000
ESCAMBIA	294,410	108	\$3,750	\$405,000
HERNANDO	130,802	51	\$3,750	\$191,250
HIGHLANDS	87,366	24	\$3,750	\$90,000
HILLSBOROUGH	998,948	320	\$3,750	\$1,200,000
INDIAN RIVER	112,947	38	\$3,750	\$142,500
LAKE	210,528	86	\$3,750	\$322,500
LEE	440,888	150	\$3,750	\$562,500
LEON	239,452	95	\$3,750	\$356,250
MANATEE	264,002	135	\$3,750	\$506,250
MARION	258,916	96	\$3,750	\$360,000
MARTIN	126,731	40	\$3,750	\$150,000
MIAMI-DADE	2,253,362	617	\$3,750	\$2,313,750
MONROE	79,589	33	\$3,750	\$123,750
OKALOOSA	170,498	48	\$3,750	\$180,000
ORANGE	896,344	231	\$3,750	\$866,250
OSCEOLA	172,493	66	\$3,750	\$247,500
PALM BEACH	1,131,184	531	\$3,750	\$1,991,250
PASCO	344,765	132	\$3,750	\$495,000
PINELLAS	921,482	345	\$3,750	\$1,293,750
POLK	483,924	163	\$3,750	\$611,250
SANTA ROSA	117,743	36	\$3,750	\$135,000
SARASOTA	325,957	142	\$3,750	\$532,500
SEMINOLE	365,196	133	\$3,750	\$498,750
ST. JOHNS	123,135	57	\$3,750	\$213,750
ST. LUCIE	192,695	78	\$3,750	\$292,500
VOLUSIA	443,343	172	\$3,750	\$645,000
			<b>SUBTOTAL</b>	<b>\$20,006,250</b>

<b>TOTAL STATE FUNDING ALL COUNTIES</b>	<b>\$24,093,750</b>
<b>AMOUNT APPROPRIATED FOR 2001-2002</b>	<b>\$12,046,875</b>
<b>AMOUNT APPROPRIATED FOR 2002-2003</b>	<b>\$12,046,875</b>

<sup>1</sup> Source: The Florida Legislature, Office of Economic and Demographic Research:  
[http://www.state.fl.us/edr/Population/census\\_counts.xls](http://www.state.fl.us/edr/Population/census_counts.xls)

<sup>2</sup> Source: Florida Department of State, Division of Elections:  
<http://election.dos.state.fl.us/pdf/2000voterreg/2000genrace.pdf>

DIVISIONS OF FLORIDA DEPARTMENT OF STATE

Office of the Secretary  
Office of International Relations  
Division of Elections  
Division of Corporations  
Division of Cultural Affairs  
Division of Historical Resources  
Division of Library and Information Services  
Division of Licensing  
Division of Administrative Services



FLORIDA DEPARTMENT OF STATE  
**Katherine Harris**  
Secretary of State  
DIVISION OF ELECTIONS

cc: Boce  
D. Henriess  
MEMBER OF THE FLORIDA CABINET  
file  
State Board of Education  
Trustees of the Internal Improvement Trust Fund  
Administration Commission  
Florida Land and Water Adjudicatory Commission  
Siting Board  
Division of Bond Finance  
Department of Revenue  
Department of Law Enforcement  
Department of Highway Safety and Motor Vehicles  
Department of Veterans' Affairs

August 23, 2001

Chairman Marianne Marshall  
Nassau County Board of Commissioners  
Post Office Box 1010  
Fernandina Beach, Florida 32035-1010

Dear Chairman Marshall:

Enclosed is your copy of the signed Memorandum of Agreement for voting systems assistance. I have also forwarded a copy to your county Supervisor of Elections.

The original agreement has been forwarded to financial management for review and disbursement.

If you have any questions in the meantime, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Amy K. Tuck".

Amy K. Tuck  
Assistant General Counsel

AKT/st

Enclosure