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FLORIDA SESSION LAW HISTORY/DOCUMENTATION ABSTRACT

FIA RESEARCH PROJECT NO.	L88-033
SESSION LAW/SECTION NO(S).	69-45, Section 4
AFFECTED STATUTE(S)	125.84
PRIME BILL NO.	HB 499
PRIME BILL SPONSOR	Lewis Whitworth
IDENTICAL/SIMILAR BILL NOS.	HB 545, SB 299

NARRATIVE/COMMENTS:

HB 499, Section 4 contained current sub-sections (1)-(3) of Florida Statutes, Section 125.84. Sub-section (4) was added by a House Floor Amendment of April 24, 1969 by Representative Charles King. HB 499 was considered by the House Local Government and Senate Governmental Organization Committees. However, the 1969 records of these committees are incomplete and no documentation relative to either HB 499 or SB 299 were located.

RECOMMENDATIONS FOR FURTHER RESEARCH:

None: Legislative Committee records prior to 1975 are generally incomplete, where they exist at all. There are also no extant tape recordings of House or Senate Floor Debate for the 1969 Regular Session.

Florida Information Associates
Session Law Abstract, LOF 69-45

DOCUMENTATION CHECKLIST:

NOTE: All documentation obtained from the Florida State Archives is cited by the series and box number, i.e., "FSA S.19/200." "na" indicates that either that particular documentation does not apply or is non-existent.

* Laws of Florida: Chapter 69-45, Section 4

* Florida Statutes: 125.84

* History of Legislation: 1969, HB 499, HB 545, SB 299

* Prime Bill Version(s): HB 499

* Identical/Similar Bills: na

* House Journal: 4/24/69, pp.245-246.

* Senate Journal: na

* Committee Staff Analyses and Reports: na

* Committee Meeting Tapes: None available

* Floor Debate Tapes: None available

* Other Documentation: na

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REGULAR SESSION 1969

**GENERAL
ACTS AND RESOLUTIONS**

ADOPTED BY THE

**FIRST LEGISLATURE OF FLORIDA
UNDER THE CONSTITUTION
AS REVISED IN 1968**

At its First Regular Session

April 8th to June 6th, 1969

Published by Authority of Law

Under the Direction of

TOM ADAMS, SECRETARY OF STATE

Volume I, Part One

1969

revenue fund of the state, which would accrue to or inure for the benefit of any provision of this act.

Section 3. Specific exemption.—The provision of Sections 520.60 - 520.99 shall not apply to home improvement loans made by building and loan associations, savings and loan associations or banks, nor to home improvement contracts purchased or otherwise acquired or held by any of them.

Approved by the Governor June 4, 1969.

Filed in Office Secretary of State June 4, 1969.

CHAPTER 69-45

House Bill No. 499

AN ACT relating to local government; providing procedures for the adoption of county charters; providing for the appointment and operation of a charter commission; providing for a referendum; providing severability; providing an effective date.

Whereas, in November, 1968, the electors of this state adopted a new constitution, and

Whereas, Article VIII, section 1(c) of the constitution provides for adoption of county charters, and

Whereas, it is in the best interest of efficient county government that legislation be enacted to permit counties to locally initiate and adopt county charters, Now, Therefore,

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

Section 1. Any county in this state not having a chartered form of consolidated government may, pursuant to the provisions of this act, locally initiate and adopt by a majority vote of the qualified electors of the county, a county home rule charter.

Section 2. (1) Following the adoption of a resolution by the board of county commissioners, or upon the submission of a petition to the county commission signed by at least fifteen (15) per cent of the qualified electors of the county requesting that a charter commission be established, a charter commission shall be appointed pursuant to subsection (2) of this section within

thirty (30) days of the adoption of said resolution or of the filing of said petition.

(2) The charter commission shall be composed of an odd number of not less than eleven (11) nor more than fifteen (15) members. The members of the commission shall be appointed by the legislative delegation having jurisdiction in said county. No member of the legislature or of the board of county commissioners shall be a member of the charter commission. Vacancies shall be filled in the same manner as the original appointment.

Section 3. (1) A charter commission appointed pursuant to section 2, above, shall meet for the purposes of organization within thirty (30) days after the appointments have been made. The charter commission shall elect a chairman and vice-chairman from among its membership. Further meetings of the commission shall be held upon the call of the chairman or a majority of the members of the commission. All meetings shall be open to the public. A majority of the members of the charter commission shall constitute a quorum. The commission may adopt such other rules for its operations and proceedings as it deems desirable. Members of the commission shall receive no compensation but shall be reimbursed for necessary expenses pursuant to law.

(2) The charter commission shall conduct a comprehensive study of the operations of county government and of the ways in which the conduct of county government might be improved or reorganized. Within eighteen (18) months of its initial meeting the charter commission shall present to the board of county commissioners a proposed charter, upon which it shall have held three (3) public hearings at intervals of not less than ten (10) nor more than twenty (20) days. At the final such public hearing the charter commission shall incorporate any amendments it deems desirable, shall vote upon a proposed charter for the county, and shall forward said charter to the board of county commissioners for the setting of a referendum election as provided in section 4, below.

(3) Expenses of the charter commission shall be verified by a majority vote of the commission and shall be forwarded to the board of county commissioners for payment from the general fund of the county. The charter commission may employ a staff, may consult and retain experts and may purchase, lease, or

otherwise provide for such supplies, materials, equipment and facilities as it deems necessary and desirable. The board of county commissioners may accept funds, grants, gifts, and services for the charter commission from the state of Florida, the government of the United States, or other sources, public or private.

Section 4. (1) Upon submission to the board of county commissioners of a charter by the charter commission, the board of county commissioners shall call a special election to be held not more than ninety (90) nor less than forty-five (45) days subsequent to its receipt of the proposed charter, at which special election a referendum of the qualified electors within the county shall be held to determine the question of whether the proposed charter, as submitted, shall be adopted. Notice of the election on the proposed charter shall be published in a newspaper of general circulation in the county not less than thirty (30) nor more than forty-five (45) days before the election.

(2) If a majority of those voting on the question favor the adoption of the new charter, the new charter shall become effective January 1 of the succeeding year or at such other time as the charter shall provide. Such charter, once adopted by the electors, may be amended only by the electors of the county and the charter shall provide a method for submitting future charter revisions and amendments to the electors of the county.

(3) If a majority of the voters disapprove the proposed charter, no new referendum may be held during the next two (2) years following the date of such disapproval.

(4) Upon acceptance or rejection of the proposed charter by the qualified electors the Charter Commission will be dissolved and all property of the Charter Commission will thereupon become the property of the county.

Section 5. If any section, subsection, sentence, clause or provision of this act is held invalid, the remainder of the act shall not be affected.

Section 6. The act shall take effect upon becoming law.

Approved by the Governor June 4, 1969.

Filed in Office Secretary of State June 4, 1969.

CHAPTER 69-46

Committee Substitute for House Bill No. 526

AN ACT relating to submerged lands; amending chapter 253, Florida Statutes, by adding sections 253.67, 253.68, 253.69, 253.70, 253.71, 253.72, 253.73, 253.74, and 253.75; authorizing the Trustees of the Internal Improvement Fund to lease submerged lands and the water above to persons desiring to engage in aquaculture activities; prescribing procedures; prescribing the essential features of lease contracts; providing penalties; authorizing the trustees to adopt rules and regulations; requiring the trustees to request recommendations from the Board of Conservation or Game and Fresh Water Fish Commission prior to granting a lease; authorizing the Board of Conservation and Game and Fresh Water Fish Commission to designate areas of state-owned submerged land for which they recommend reservation for uses that are possibly inconsistent with aquaculture activities; directing the Board of Conservation and Game and Fresh Water Fish Commission to supervise and report on the operations of lessees; providing an effective date.

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

Section 1. Chapter 253, Florida Statutes, is amended by adding sections 253.67, 253.68, 253.69, 253.70, 253.71, 253.72, 253.73, 253.74, and 253.75 to read:

253.67 Definitions.—As used in this act:

(1) "Aquaculture" means the cultivation of animal and plant life in a water environment.

(2) "Water column" means the vertical extent of water, including the surface thereof, above a designated area of submerged bottom land.

(3) "Board" means the State Board of Conservation.

(4) "Trustees" means the Trustees of the Internal Improvement Fund.

253.68 Authority to lease submerged land and water column.—To the extent that it is not contrary to the public interest, and subject to limitations contained in this act, the

History of Legislation
1969 Regular Session
Florida Legislature

Compiled by

Computer Services Division
Joint Legislative Management
Committee

Duplicated by

Office of the Clerk
House of Representatives
and
Office of the Secretary
Senate

- HB 497 -CONTINUED-
4/30 HOUSE- RECOMMENDED UNFAVORABLE, LAID ON TABLE UNDER RULE -HJ 0302
- HB 498 GENERAL BILL, BY GILLESPIE
EXCISE TAX/SOLID MINERALS. LEVIES EXCISE TAX ON SEVERANCE OF SOLID MINERALS
OTHER THAN PHOSPHATES AT 5% OF THE SALES OR MARKET VALUE OF MINERALS AT THE
MINES
4/09 HOUSE- INTRODUCED, REFERRED TO CONSERVATION, FINANCE AND TAXATION,
APPROPRIATIONS -HJ 0045
4/30 HOUSE- RECOMMENDED UNFAVORABLE, LAID ON TABLE UNDER RULE -HJ 0302
- HB 499 GENERAL BILL, BY WHITWORTH * AND OTHERS (SIMILAR HB 0545, SB 0299)
COUNTY CHARTERS. PROVIDES PROCEDURE FOR THE ADOPTION OF COUNTY CHARTERS;
PROVIDES FOR APPOINTMENT AND OPERATION OF A CHARTER COMMISSION; PROVIDES FOR A
REFERENDUM.
4/09 HOUSE- INTRODUCED, REFERRED TO LOCAL GOVERNMENT -HJ 0045
4/18 HOUSE- RECOMMENDED FAVORABLE WITH AMENDMENT, PLACED ON CALENDAR -HJ 0189
4/24 HOUSE- AMENDMENTS ADOPTED -HJ 0245
4/25 HOUSE- PASSED AS AMENDED; YEAS 075 NAYS 028 -HJ 0254
4/28 SENATE- RECEIVED, REFERRED TO GOVERNMENTAL ORGANIZATION, JUDICIARY -SJ
0165
4/30 SENATE- RECOMMENDED FAVORABLE, GOVERNMENTAL ORGANIZATION -SJ 0180;
WITHDRAWN FROM COMMITTEE, PLACED ON CALENDAR -SJ 0184
5/20 SENATE- PASSED AS AMENDED; YEAS 039 NAYS 001 -SJ 0444
5/23 HOUSE- CONCURRED -HJ 0721; PASSED AS FURTHER AMENDED; YEAS 076 NAYS 003
-HJ 0721
5/28 HOUSE- SIGNED BY OFFICERS AND PRESENTED TO GOVERNOR -HJ 0884
6/04 APPROVED BY GOVERNOR 06/04 -HJ 1185
6/09 CHAPTER NO. 69-45
- HB 500 GENERAL BILL, BY MOUDRY
STATE UNIVERSITY SYSTEM/CIVIL DISTURBANCES. REQUIRES PERSON SEEKING ADMISSION
TO STATE UNIVERSITY SYSTEM AS STUDENTS OR EMPLOYEES TO FILE AN AFFIDAVIT
LISTING CIVIL DISTURBANCES IN WHICH THEY HAVE BEEN INVOLVED
4/09 HOUSE- INTRODUCED, REFERRED TO HIGHER EDUCATION -HJ 0045
4/15 HOUSE- RECOMMENDED UNFAVORABLE, LAID ON TABLE UNDER RULE -HJ 0154
- HB 501 GENERAL BILL, BY REDMAN AND OTHERS (COMPANION SR 0034)
AMENDS SEC.11.22 AND SEC.947.08, F.S. ADDS NEW SEC.112.021 REMOVING RESIDENCY
REQUIREMENT FOR EMPLOYMENT BY STATE OR COUNTY. REPEALS SECTIONS 112.02,112.03
AND 112.04.
4/09 HOUSE- INTRODUCED, REFERRED TO RETIREMENT AND PERSONNEL -HJ 0045
4/29 HOUSE- WITHDRAWN FROM COMMITTEE, PLACED ON CALENDAR -HJ 0277
5/21 HOUSE- WITHDRAWN FROM FURTHER CONSIDERATION -HJ 0662
- HB 502 GENERAL BILL, BY ROBINSON
EXOTIC ANIMAL SPECIES. AMENDS SEC. 372.265, F.S. (GAME AND FRESH WATER FISH
COMMISSION) MAKING CERTAIN IMPORTATION AND RELEASE OF EXOTIC ANIMAL SPECIES
ILLEGAL WITHOUT A PERMIT
4/09 HOUSE- INTRODUCED, REFERRED TO CONSERVATION, APPROPRIATIONS -HJ 0045
5/07 HOUSE- RECOMMENDED FAVORABLE, CONSERVATION -HJ 0400
5/21 HOUSE- RECOMMENDED FAVORABLE, PLACED ON CALENDAR -HJ 0666
6/06 HOUSE- PREFILED
- HB 503 GENERAL BILL, BY GALLEN AND OTHERS (COMPANION SB 0706)
UNIFORM COMMERCIAL CODE. AMENDS SEC. 680.10-101, (2) BY PROVIDING THAT CERTAIN
INSTRUMENTS BE FILED IN ACCORDANCE WITH PROVISIONS OF CH. 679, (F.S.)
4/09 HOUSE- INTRODUCED, REFERRED TO JUDICIARY -HJ 0045
CONTINUED ON NEXT PAGE

- HB 544 -CONTINUED-
 4/18 HOUSE- RECOMMENDED FAVORABLE WITH AMENDMENTS, LOCAL GOVERNMENT -HJ 0189
 5/21 HOUSE- EXTENSION OF TIME GRANTED COMMITTEE
 5/30 HOUSE- WITHDRAWN FROM COMMITTEE, PLACED ON CALENDAR -HJ 1029
 6/06 HOUSE- PREFILED
- HB 545 GENERAL BILL, BY LEWIS (COMPANION SB 0299) (SIMILAR HB 0499)
 COUNTY CHARTERS. PROVIDES PROCEDURES FOR ADOPTION OF COUNTY CHARTERS; PROVIDES
 FOR APPOINTMENT AND OPERATION OF A CHARTER COMMISSION; PROVIDES REFERENDUM
 4/10 HOUSE- INTRODUCED, REFERRED TO LOCAL GOVERNMENT -HJ 0054
 4/17 HOUSE- RECOMMENDED UNFAVORABLE, LAID ON TABLE UNDER RULE -HJ 0179
- HB 546 GENERAL BILL, BY LEWIS (COMPANION SB 0300)
 UNIFORM POLICY. PROVIDES FOR UNIFORM POLICY FOR JUST TREATMENT OF PERSONS AND
 ENTITIES DISLOCATED BY GOVERNMENTAL LAND ACQUISITION PROGRAMS.
 4/10 HOUSE- INTRODUCED, REFERRED TO STATE GOVERNMENTAL ORGANIZATION &
 EFFICIENCY, APPROPRIATIONS -HJ 0054
 5/21 HOUSE- EXTENSION OF TIME GRANTED COMMITTEE
 6/02 HOUSE- EXTENSION OF TIME GRANTED COMMITTEE
 6/06 HOUSE- DIED IN COMMITTEE
- HB 547 GENERAL BILL, BY LEWIS (COMPANION SB 0204)
 MUNICIPAL SELF GOVERNMENT; IMPLEMENTS SECTION 2(B) OF ARTICLE VIII OF
 CONSTITUTION; GRANTS BROAD GOVERNMENTAL AND PROPRIETARY POWERS TO MUNICIPALITIES.
 4/10 HOUSE- INTRODUCED, REFERRED TO LOCAL GOVERNMENT -HJ 0054
 4/14 HOUSE- ALSO REFERRED TO FINANCE AND TAXATION -HJ 0125
 4/17 HOUSE- RECOMMENDED UNFAVORABLE, LAID ON TABLE UNDER RULE -HJ 0179
- HB 548 GENERAL BILL, BY WOLFSON (SIMILAR HB 1873, HB 1022)
 AIRLINE PASSENGERS/WEAPONS. PROVIDES AUTHORITY FOR SCHEDULED AIRLINES TO
 REQUIRE PERSONS TO SHOW THAT THEY DO NOT HAVE IN THEIR POSSESSION ANY WEAPON,
 DEVICE OR THING THAT COULD BE USED TO THREATEN PERSONS OR ENDANGER AIRCRAFT.
 4/10 HOUSE- INTRODUCED, REFERRED TO COMMERCE -HJ 0054
 5/09 HOUSE- RECOMMENDED UNFAVORABLE, LAID ON TABLE UNDER RULE -HJ 0435
- HB 549 GENERAL BILL, BY REEDY
 MOTOR VEHICLE TIRES. AMENDS CH. 317, F.S. TO PROHIBIT SALE OF TIRES WHICH ARE
 NOT FOUR-PLY OR GREATER; PROVIDES EXCEPTIONS; PROVIDES THAT VIOLATIONS ARE
 MISDEMEANORS.
 4/10 HOUSE- INTRODUCED, REFERRED TO COMMERCE -HJ 0054
 4/22 HOUSE- RECOMMENDED UNFAVORABLE, LAID ON TABLE UNDER RULE -HJ 0218
- HB 550 GENERAL BILL, BY REEDY AND OTHERS (COMPANION SB 0262)
 DRIVERS' LICENSE SUSPENSION. AMENDS SEC. 322.28(2)(D), AND (E), F.S. TO INCREASE
 THE POINT VALUE OF CERTAIN VIOLATIONS.
 4/10 HOUSE- INTRODUCED, REFERRED TO PUBLIC SAFETY -HJ 0054
 4/15 HOUSE- RECOMMENDED FAVORABLE, PLACED ON CALENDAR -HJ 0154
 6/06 HOUSE- PREFILED
- HB 551 GENERAL BILL, BY REEDY
 VEHICLE SAFETY INSPECTION. AMENDS SECS. 325.12, 325.13, 325.16 AND 325.24(1),
 F.S.; TO PROVIDE FOR ANNUAL INSPECTIONS; PROVIDES SCHEDULE FOR REINSPECTIONS.
 4/10 HOUSE- INTRODUCED, REFERRED TO TRANSPORTATION -HJ 0054
 5/05 HOUSE- EXTENSION OF TIME GRANTED COMMITTEE -HJ 0329
 5/19 HOUSE- WITHDRAWN FROM COMMITTEE AND FROM FURTHER CONSIDERATION -HJ 0577
- HB 552 GENERAL BILL, BY TOBIASSEN
 PUBLIC SCHOOL BUILDINGS. ADDS SEC. 235.241, 235.242 AND 235.251, F.S. REQUIRING
 CONTINUED ON NEXT PAGE

- SB -CONTINUED-
- 5/06 SENATE- RECOMMENDED COMMITTEE SUBSTITUTE, PLACED ON CALENDAR -SJ 0230
- 5/19 SENATE- COMMITTEE SUBSTITUTE SUBSTITUTED; COMMITTEE SUBSTITUTE PASSED AS AMENDED; YEAS 021 NAYS 017 -SJ 0430
- 5/21 HOUSE- RECEIVED, REFERRED TO CRIME AND LAW ENFORCEMENT -HJ 0648
- 5/28 HOUSE- RECOMMENDED FAVORABLE, PLACED ON CALENDAR -HJ 0883
- 6/06 HOUSE- DIED ON CALENDAR
- SB 296 GENERAL BILL, BY SHEVIN (COMPANION HB 0544)
MINIMUM HOUSING STANDARDS CODE. REQUIRES EACH MUNICIPALITY AND COUNTY TO ADOPT AND ENFORCE A MINIMUM HOUSING STANDARDS CODE.
- 4/08 SENATE- INTRODUCED, REFERRED TO GOVERNMENTAL ORGANIZATION, JUDICIARY -SJ 0025
- 4/11 SENATE- SUBREFERRED TO LOCAL GOVERNMENT
- 4/18 SENATE- WITHDRAWN FROM LOCAL GOVERNMENT -SJ 0109; SUBREFERRED TO STATE GOVERNMENT -SJ 0109
- 5/05 SENATE- EXTENSION OF TIME GRANTED COMMITTEE
- 5/09 SENATE- WITHDRAWN FROM STATE GOVERNMENT -SJ 0289
- 5/16 SENATE- RECOMMENDED FAVORABLE WITH AMENDMENTS, GOVERNMENTAL ORGANIZATION -SJ 0383
- 5/19 SENATE- SUBREFERRED TO JURISPRUDENCE -SJ 0419
- 5/27 SENATE- EXTENSION OF TIME GRANTED COMMITTEE
- 6/06 SENATE- DIED IN COMMITTEE
- SB 297 GENERAL BILL, BY SHEVIN (COMPANION HB 0514)
MUNICIPAL CHARTERS, PROVIDES FOR AMENDMENT OF MUNICIPAL CHARTERS BY ORDINANCE PASSED BY THREE-FIFTHS VOTE OF GOVERNING BODY AND SUBMITTED TO ELECTORS OF SAID MUNICIPALITY.
- 4/08 SENATE- INTRODUCED, REFERRED TO GOVERNMENTAL ORGANIZATION, JUDICIARY -SJ 0025
- 4/11 SENATE- SUBREFERRED TO LOCAL GOVERNMENT
- 4/30 SENATE- RECOMMENDED FAVORABLE WITH AMENDMENT, GOVERNMENTAL ORGANIZATION -SJ 0180; WITHDRAWN FROM COMMITTEE, PLACED ON CALENDAR -SJ 0184
- 5/05 SENATE- PASSED AS AMENDED; YEAS 039 NAYS 002 -SJ 0224
- 5/07 HOUSE- RECEIVED, REFERRED TO LOCAL GOVERNMENT -HJ 0381
- 5/13 HOUSE- RECOMMENDED FAVORABLE WITH AMENDMENT, PLACED ON CALENDAR -HJ 0495
- 5/28 HOUSE- PASSED AS AMENDED; YEAS 102 NAYS 000 -HJ 0858
- 5/29 SENATE- CONCURRED, ORDERED ENGROSSED -SJ 0646
- 6/16 SENATE- SIGNED BY OFFICERS AND PRESENTED TO GOVERNOR
- 7/02 BECAME LAW WITHOUT APPROVAL
- 7/16 CHAPTER NO. 69-242
- SB 298 GENERAL BILL, BY SHEVIN (COMPANION HB 0235)
ORDINANCE MAKING POWERS. PROVIDES PROCEDURES FOR EXERCISE OF ORDINANCES MAKING POWERS BY COUNTIES.
- 4/08 SENATE- INTRODUCED, REFERRED TO GOVERNMENTAL ORGANIZATION, JUDICIARY -SJ 0025
- 4/11 SENATE- SUBREFERRED TO LOCAL GOVERNMENT
- 5/01 SENATE- RECOMMENDED UNFAVORABLE, LAID ON TABLE UNDER RULE -SJ 0192
- SB 299 GENERAL BILL, BY SHEVIN (COMPANION HB 0545) (SIMILAR HB 0499)
COUNTY CHARTERS. PROVIDES PROCEDURES FOR ADOPTION OF COUNTY CHARTERS.
- 4/08 SENATE- INTRODUCED, REFERRED TO GOVERNMENTAL ORGANIZATION, JUDICIARY -SJ 0025
- 4/11 SENATE- SUBREFERRED TO LOCAL GOVERNMENT
- 5/01 SENATE- RECOMMENDED UNFAVORABLE, LAID ON TABLE UNDER RULE -SJ 0192
- SB 300 GENERAL BILL, BY SHEVIN (COMPANION HB 0546)
CONTINUED ON NEXT PAGE

By Representative Whitworth

April 8, 1969

1
2
3 A bill to be entitled
4 AN ACT relating to local government;
5 providing procedures for the adoption
6 of county charters; providing for the
7 appointment and operation of a charter
8 commission; providing for a referendum;
9 providing severability; providing an
10 effective date.

11 Whereas, in November, 1968, the electors of this
12 state adopted a new constitution, and

13 Whereas, Article VIII, section 1(c) of the consti-
14 tution provides for adoption of county charters, and

15 Whereas, it is in the best interest of efficient
16 county government that legislation be enacted to per-
17 mit counties to locally initiate and adopt county
18 charters, Now, Therefore,

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

21 Section 1. Any county in this state may, pur-
22 suant to the provisions of this act, locally initiate
23 and adopt by a majority vote of the qualified electors
24 of the county, a county home rule charter.

25 Section 2. (1) Following the adoption of a
26 resolution by the board of county commissioners, or
27 upon the submission of a petition to the county com-
28 mission signed by at least five (5) per cent of the
29 qualified electors of the county requesting that a
30 charter commission be established, a charter com-
31 mission shall be appointed pursuant to subsection (2)

1 of this section within thirty (30) days of the adop-
2 tion of said resolution or of the filing of said
3 petition.
4 (2) The charter commission shall be composed of
5 an even number of not less than ten (10) members.
6 One-half of the members of the charter commission
7 shall be appointed by the legislative delegation hav-
8 ing jurisdiction in said county and one-half shall
9 be appointed by the board of county commissioners of
10 said county. No member of the legislature or of the
11 board of county commissioners shall be a member of the
12 charter commission.

13 Section 3. (1) A charter commission appointed
14 pursuant to section 2, above, shall meet for the pur-
15 poses of organization within thirty (30) days after
16 the appointments have been made. The charter com-
17 mission shall elect a chairman and vice-chairman from
18 among its membership. Further meetings of the com-
19 mission shall be held upon the call of the chairman
20 or a majority of the members of the commission. All
21 meetings shall be open to the public. A majority of
22 the members of the charter commission shall constitute
23 a quorum. The commission may adopt such other rules
24 for its operations and proceedings as it deems desir-
25 able. Members of the commission shall receive no
26 compensation but shall be reimbursed for necessary
27 expenses pursuant to law.

28 (2) The charter commission shall conduct a com-
29 prehensive study of the operations of county govern-
30 ment and of the ways in which the conduct of county
31 government might be improved or reorganized. Within

1 eighteen (18) months of its initial meeting the char-
2 ter commission shall present to the board of county
3 commissioners a proposed charter, upon which it shall
4 have held three (3) public hearings at intervals of
5 not less than ten (10) nor more than twenty (20) days.
6 At the final such public hearing the charter com-
7 mission shall incorporate any amendments it deems
8 desirable, shall vote upon a proposed charter for the
9 county, and shall forward said charter to the board
10 of county commissioners for the setting of a referen-
11 dum election as provided in section 4, below.

12 (3) Expenses of the charter commission shall be
13 verified by a majority vote of the commission and
14 shall be forwarded to the board of county commission-
15 ers for payment from the general fund of the county.
16 The charter commission may employ a staff, may con-
17 sult and retain experts and may purchase, lease, or
18 otherwise provide for such supplies, materials, equip-
19 ment and facilities as it deems necessary and desir-
20 able. The board of county commissioners may accept
21 funds, grants, gifts, and services for the charter
22 commission from the state of Florida, the government
23 of the United States, or other sources, public or
24 private.

25 Section 4. (1) Upon submission to the board of
26 county commissioners of a charter by the charter
27 commission, the board of county commissioners shall
28 call a special election to be held not more than
29 ninety (90) nor less than forty-five (45) days sub-
30 sequent to its receipt of the proposed charter, at
31 which special election a referendum of the qualified

1 electors within the county shall be held to determine
2 the question of whether the proposed charter, as
3 submitted, shall be adopted. Notice of the election
4 on the proposed charter shall be published in a news-
5 paper of general circulation in the county not less
6 than thirty (30) nor more than forty-five (45) days
7 before the election.

8 (2) If a majority of those voting on the question
9 favor the adoption of the new charter, the new char-
10 ter shall become effective January 1 of the succeeding
11 year or at such other time as the charter shall pro-
12 vide. Such charter, once adopted by the electors,
13 may be amended only by the electors of the county and
14 the charter shall provide a method for submitting
15 future charter revisions and amendments to the elec-
16 tors of the county.

17 (3) If a majority of the voters disapprove the
18 proposed charter, no new referendum may be held during
19 the next full year following the date of such dis-
20 approval.

21 Section 5. If any section, subsection, sentence,
22 clause or provision of this act is held invalid, the
23 remainder of the act shall not be affected.

24 Section 6. The act shall take effect upon becom-
25 ing law.

REFERENCE BUREAU SUMMARY

Provides procedures for the establishment of county home rule government. Provides for the appointment of a charter commission, one-half of the members to be appointed by the legislative delegation and one-half by the county commissioners, to study improvement and reorganization of county government. Provides for public hearings by the commission in determining the charter proposed by it. Finances the commission's study from general county funds. Provides for a referendum, and notice thereof, on the proposed charter. Similarly, provides for amendments. Similar to Senate Bill No. 299 and House Bill No. 545.

Journals
of the
House of Representatives

ORGANIZATION SESSION

and

FIRST REGULAR SESSION

of the

FIRST LEGISLATURE

[under the Constitution as Revised in 1968]

NOVEMBER 12, 1968

and

APRIL 8, 1969, through JUNE 6, 1969

[Including a record of transmittal of Acts to the Governor subsequent to sine die adjournment]

Reedy	Sessums	Tillman, R. J.	West
Reeves	Shaw	Tobiassen	Westberry
Register	Singleton	Tucker	Whitson
Roberts	Smith	Turlington	Whitworth
Robinson	Spicola	Tyre	Wilson
Rude	Stafford	Tyrrell	Wolfson
Ryals	Stevens	Walker	Woodward
Sackett	Sweeny	Ward	Yancey
Savage	Tillman, J. K.	Ware	

Nays—None

So the bill passed and was ordered immediately certified to the Senate.

CONSIDERATION OF THE SPECIAL ORDER

CS for SB 103—A bill to be entitled An Act for the protection of minors who are not accompanied by their parent from being knowingly exposed, for a monetary consideration, to a motion picture, exhibition, show, representation, or presentation which, in whole or in part, depicts nudity, sexual conduct, sexual excitement or sado-masochistic abuse and which is harmful to minors; providing definitions; providing criminal penalties for violations; providing for injunctive proceedings in the name of the state on the relation of a prosecuting attorney and providing that neither the state nor the relator prosecuting attorney shall be required to post any bond or undertaking in such proceedings and that neither shall be liable for any costs or damages sustained by reason of a temporary restraining order when the final decree is in favor of the person sought to be enjoined; providing that a defendant in such an injunctive proceeding is charged with knowledge of the contents and/or character of the matters involved in such proceedings after he is served with a summons and complaint; preempting the field, to the exclusion of counties and municipalities, as to the subject of this act and matters properly connected therewith; repealing chapter 521, Florida Statutes; providing a severability clause; providing an effective date.

—was taken up. On motions by Mr. Featherstone, the rules were waived and CS for SB 103 was read the second time by title and the third time by title. On passage, the vote was:

Yeas—94

Alvarez	Fortune	Murphy	Smith
Arnold	Gallen	Nease	Stevens
Baker	Gautier	Nergard	Sweeny
Bassett	Gibson	Nichols	Tillman, J. K.
Baumgartner	Glisson	Ogden	Tillman, R. J.
Bevis	Graham	Pettigrew	Tobiassen
Blackburn	Gustafson	Poorbaugh	Tucker
Bothwell	Heath	Powell	Turlington
Brannen	Hector	Pratt	Tyre
Brantley	Hess	Randell	Tyrrell
Clark, David	Hodes	Redman	Walker
Clark, J. R.	Holloway	Reedy	Ward
Conway	James	Reeves	Ware
Craig	Jordan	Register	West
Crider	Kershaw	Renick	Westberry
Culbreath	King	Roberts	Whitson
Danahy	Lancaster	Robinson	Whitworth
Davis	Lindsey	Rude	Wilson
Dixon	MacKay	Ryals	Wolfson
Dubbin	Martinez, E. L.	Sackett	Wood
Earle	Melvin	Savage	Woodward
Elmore	Middlemas	Sessums	Yancey
Featherstone	Miers	Shaw	
Firestone	Moudry	Singleton	

Nays—4

Bird	D'Alemberte	Harris	Spicola
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Representatives Andrews, Fleece, Lewis, J. M. Martinez, and Reed were recorded as voting Yea.

So the bill passed and was ordered certified to the Senate.

HB 499—A bill to be entitled An act relating to local government; providing procedures for the adoption of county charters; providing for the appointment and operation of a charter commission; providing for a referendum; providing severability; providing an effective date.

—was taken up. On motion by Mr. Whitworth, the rules were waived and HB 499 was read the second time by title.

The Committee on Local Government offered the following amendment:

In Section 2(2), on page 2, line 4, strike the entire subsection and insert the following: "(2) The charter commission shall be composed of an odd number of not less than eleven (11) nor more than fifteen (15) members. The members of the commission shall be appointed by the legislative delegation having jurisdiction in said county. No member of the legislature or of the board of county commissioners shall be a member of the charter commission. Vacancies shall be filled in the same manner as the original appointment."

Mr. Whitworth moved the adoption of the amendment.

Pending consideration thereof—

Representative Redman offered the following amendment to the amendment:

Following the word "legislature" strike "or of the board of county commissioners"

Mr. Redman moved the adoption of the amendment to the amendment.

Pending consideration thereof—

Representative Crabtree offered the following substitute amendment:

In Section 2, on page 2, lines 6 through 12, strike all words on these lines and insert the following: The members of the commission shall all be elected at an election called by the Board of County Commissioners following the submission of a petition by the electors referred to above or upon the county commissioners' own motion.

Mr. Crabtree moved the adoption of the substitute amendment which failed of adoption.

The question recurred on the amendment by Mr. Redman to the amendment which failed of adoption.

Representative Pratt offered the following substitute amendment:

In Section 1, on page 1, line 19, strike everything after enacting clause and insert the following: County charters for individual counties shall be established by legislative act approved by a majority of the voters specified in said act.

Mr. Pratt moved the adoption of the substitute amendment.

Representative Whitson offered the following amendment to the substitute amendment:

Insert after "act" the following: which charter shall be

Mr. Whitson moved the adoption of the amendment to the substitute amendment which failed of adoption.

The question recurred on the adoption of the substitute amendment which failed of adoption.

The question recurred on the adoption of the amendment by the Committee on Local Government which was adopted.

THE SPEAKER IN THE CHAIR

Representative Savage offered the following amendment:

In Section 2, on page 1, line 28, strike "five (5) per cent" and insert the following: "fifteen (15) per cent"

Mr. Savage moved the adoption of the amendment which was adopted.

Representative Savage offered the following amendment:

In Section 4, on page 4, line 19, strike "full year" and insert the following: two (2) years

Mr. Savage moved the adoption of the amendment which was adopted.

Representative King offered the following amendment:

In Section 4, on page 4, insert between lines 20 and 21 the following: (4) Upon acceptance or rejection of the proposed charter by the qualified electors the Charter Commission will be dissolved and all property of the Charter Commission will thereupon become the property of the county.

Mr. King moved the adoption of the amendment which was adopted.

Representative Powell offered the following amendment:

In Section 3(3), on page 3, line 24, after the period insert the following: The commission shall not incur any expenses without prior approval by the board of county commissioners.

Mr. Powell moved the adoption of the amendment which was adopted. The vote was:

Yeas—52

Alvarez	Earle	McNulty	Shaw
Arnold	Fortune	Melvin	Sweeny
Bassett	Gallen	Miers	Tillman, R. J.
Bevis	Gibson	Moudry	Tobiassen
Brannen	Gillespie	Ogden	Tyre
Caldwell	Glisson	Powell	Tyrrell
Chapman	Gustafson	Pratt	Ware
Clark, David	Heath	Prominski	West
Conway	Hess	Reed	Westberry
Crabtree	James	Reedy	Whitson
Craig	Jordan	Reeves	Wilson
Crider	King	Rude	Wood
Davis	Martinez, J. M.	Savage	Yancey

Nays—47

Andrews	Fleece	Martinez, E. L.	Sessums
Baker	Gautier	Matthews	Singleton
Baumgartner	Graham	Nease	Smith
Bothwell	Hartnett	Nichols	Spicola
Brantley	Hector	Pettigrew	Stevens
Culbreath	Hodes	Poorbaugh	Tucker
D'Alemberte	Holloway	Redman	Turlington
Danahy	Kershaw	Register	Ward
Dixon	Lancaster	Renick	Whitworth
Dubbin	Lewis	Roberts	Wolfson
Featherstone	Lindsey	Ryals	Woodward
Firestone	MacKay	Sackett	

Representatives Mixson and J. K. Tillman were recorded as voting Yea.

Representative Bassett offered the following amendment:

In Section 1, on page 1, strike lines 25 and 26

Mr. Bassett moved the adoption of the amendment.

Pending consideration thereof—

Recess

On motion by Mr. Rowell, the House stood in informal recess at 12:50 P.M. for the purpose of a joint session.

JOINT SESSION

Pursuant to the provisions of HCR 1166, the Members of the Senate, escorted by the Sergeant at Arms of the Senate and the Sergeant at Arms of the House, appeared at the door of the House and were seated in the Chamber.

The Joint Session was called to order by the Speaker at 1:00 P.M.

THE PRESIDENT OF THE SENATE IN THE CHAIR

A quorum of the Joint Session was declared present.

Prayer

Prayer by Dr. Herbert M. Baumgard, Rabbi, Temple Beth Am, South Miami:

Creator of all worlds and Lord of all nations, whenever a dear one passes away too soon, we are reminded of the ancient teaching, "The day is short, the workers are few, and the Master of the house is urgent." We pray that we may come to understand that there is not endless time to do Thy work; that it is a sin to let a wrong go unredressed when it is in our power to correct it. O Lord, give us the sensitivity to know that it is a grievous sin to let a hunger go unfulfilled when it is in our power to satisfy it; that it is a sin to let two men or two groups do violence to each other when it is in our power to make peace. O Lord, let us be mindful of the fact that each day is precious in Thy sight and laden with its own special opportunity. Let us never forget the teaching, "The day is short, the workers are few, and the Master of the house is urgent."

In Memoriam

The President asked Members of the Legislature and others present to stand for a moment of silent prayer in memory of the late Mrs. Gunter, wife of Senator Bill Gunter.

Committee to the Governor

On motion by Representative Matthews, the President appointed Senators Plante, Johnson and Lane and the Speaker appointed Representatives Matthews, Reed and Sweeny as a joint committee to notify Governor Kirk that the Legislature had assembled to receive his message.

The committee retired and presently returned escorting His Excellency, Governor Claude R. Kirk, Jr.

Presentation of the Governor

The President then presented Governor Kirk, who addressed the Joint Session as follows:

Governor's Address

Mr. President, Mr. Speaker, distinguished members of the Legislature:

I have requested the privilege of appearing before you today to speak very briefly on a matter that I know is of very real importance to all of us.

I refer to House Bill No. 795 which provides that members of the Florida Legislature are to be paid at the rate of \$12,000 per year and the leadership at \$15,000 per year, in addition to whatever expense allowances may be provided.

What I say to you now is not said just as Governor to Legislators, but as one public servant to other public servants.

Please believe me when I say that I know—better, I am sure, than most—the breadth of the tasks before you; the grave responsibilities that rest upon you; the hard work and real effort that is required of each of you in the performance of your legislative duties. I know, too, that both the work and responsibility continue after the session ends and you leave this capitol.

But, just as I have told you these things, I must tell you also that as Governor I have a clear-cut responsibility. I will not evade it, and I am sure that there is not one of you who would honestly wish that I attempt to do so.

My responsibility is to *everyone* in Florida—and that is more than six million people. I must speak for all of them. I must reflect what they are saying—for, regardless of party or politics—they look to me to represent all of them.

On the issue of the bill to increase legislative salaries, there can be no doubt whatever as to how the people feel. No issue, no event since I have been Governor, has provoked the volume or the kind of response that this bill has brought forth.

From everywhere in Florida—from urban areas and rural areas, from the young and the old, from the rich and the