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1 A bill to be entitled
2 An act relating to St. Johns County; creating and
3 establishing a charter form of government for St. Johns
4 County pursuant to the Florida Constitution; providing a
5 charter; providing powers; providing for separation of
6 legislative and executive powers; providing for a board of
7 commissioners; providing for districts; providing for
8 elections and terms of office; providing for compensation;
9 providing for campaign finance regulation; providing for
10 ordinances and resolutions; providing for conflict with
11 municipal ordinances; providing for a county
12 administrator; providing for duties, qualifications,
13 appointment, and compensation; requiring a bond; providing
14 for a county attorney; providing for duties,
15 qualifications, appointment, and compensation; providing
16 for election of offices of sheriff, property appraiser,
17 tax collector, clerk of circuit court, and supervisor of
18 elections; requiring the commissioners to adopt an
19 administrative code; providing for charter amendments;
20 providing for a code of ethics, political activity,
21 vacancies, public meetings, and recall; providing for
22 officers of former government; providing severability;
23 providing for a referendum; providing an effective date.

24
25 Be It Enacted by the Legislature of the State of Florida:

26
27 Section 1. Creation.--

28 (1) CHARTERED COUNTY.--St. Johns County shall be a charter
 29 county under Art. VIII, s. 1(g) of the Florida Constitution. Its
 30 boundaries are as provided in section 7.58, Florida Statutes.

31 (2) EXTENT.--This charter creates a charter county
 32 government for St. Johns County but shall not affect the
 33 constitutional status, powers, and authority of constitutional
 34 officers as defined in Art. VIII, s. 1(d) of the Florida
 35 Constitution.

36 Section 2. Powers.--The county government shall have all
 37 powers of local self-government as prescribed by Art. VIII, s.
 38 1(g) of the Florida Constitution as limited by this charter. The
 39 St. Johns County charter government shall operate as described
 40 by section 125.84(2), Florida Statutes, under an elected charter
 41 county commission and an appointed county manager form of
 42 government with separation of legislative and executive
 43 functions in accordance with the provisions of this home rule
 44 charter. The county manager appointed under section 5(2) shall
 45 be designated "county administrator."

46 Section 3. Separation of legislative and executive
 47 powers.--The power of the county government shall be divided
 48 between legislative and executive branches. No person belonging
 49 to one branch shall exercise any powers appertaining to the
 50 other branch unless expressly provided herein.

51 Section 4. Legislative power.--The legislative power of
 52 the county, not inconsistent with this charter, shall be vested
 53 in the charter board of county commissioners. The term "board"
 54 means the charter board of county commissioners.

55 (1) CHARTER BOARD OF COUNTY COMMISSIONERS.--

56 (a) In the place of the constitutional board of county
57 commissioners in a noncharter county as prescribed by Art. VIII,
58 s. 1(e) of the Florida Constitution, the charter board of county
59 commissioners shall consist of five charter commissioners
60 serving staggered terms of 4 years each. Each charter
61 commissioner shall be elected countywide by qualified electors
62 residing in St. Johns County. Charter commissioners shall be
63 entitled to engage in other employment, professions, and
64 businesses that do not interfere with the charter commissioner's
65 full discharge of duties on the board in accordance with chapter
66 112, Florida Statutes. Prior to voting on any matter, any
67 charter commissioner having a conflict of interest shall declare
68 that conflict to the board in accordance with chapter 112,
69 Florida Statutes. Charter commissioners are not constitutional
70 officers.

71 (b) In the first meeting of the charter board of county
72 commissioners after each general election, the board shall elect
73 a presiding officer who shall serve until the first meeting
74 after the next succeeding general election. The presiding
75 officer shall serve at the will of the board. The board may
76 remove a presiding officer and elect a successor from the
77 charter commissioners in any public meeting. The board may not
78 remove a charter commissioner from the office of charter
79 commissioner.

80 (2) DISTRICTS.--The charter board of county commissioners
81 shall by ordinance divide the territory of the county into five
82 separate geographic districts, designated as districts 1 through
83 5, respectively, as nearly equal in population as practicable.

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84 The initial districts shall be those established in the
85 superseded noncharter county government pursuant to the 2000
86 decennial census as specified by section 11(2) and shall remain
87 until supplanted as specified by subsection (4).

88 (3) REDISTRICTING.--Within 120 days after the
89 certification of each succeeding federal decennial census, and
90 at any other time when required by this charter or by general
91 law, the charter board of county commissioners shall by
92 ordinance reapportion and redesignate the boundaries of
93 districts 1 through 5. The charter board of commissioners shall
94 divide the county into five districts of contiguous territory as
95 nearly equal in population as practicable in accordance with
96 Art. VIII, s. 1(e) of the Florida Constitution. The charter
97 board of county commission district boundaries shall be changed
98 only after notice and a public hearing as provided by general
99 law.

100 (4) RESIDENCY REQUIREMENT AND LIMIT ON TERMS.--Each
101 candidate for a seat on the charter board of county
102 commissioners shall be a registered voter of the district for
103 which the candidate qualifies and must reside within that
104 district at the time of qualifying to run for the office of
105 charter county commissioner. Each charter commissioner shall
106 reside within the district elected for charter commissioner,
107 provided that any charter commissioner who is removed from a
108 district due to redistricting may continue to serve during the
109 balance of the term in office. No person who has served for two
110 consecutive 4-year terms of office as a member of the board of
111 charter commissioners shall be eligible for election as a member

112 of the board of charter commissioners for the next succeeding
 113 term, including any member elected to the board of charter
 114 commissioners not completing a term in office due to resignation
 115 or removal from office. A noncharter county commissioner serving
 116 as an incumbent at the time this charter becomes effective shall
 117 be eligible for election to two consecutive terms as a charter
 118 commissioner at the end of the incumbent term.

119 (5) ELECTION AND TERMS OF OFFICE.--

120 (a) Except as provided herein, elections for the charter
 121 board of county commissioners shall be as provided for county
 122 commissioners in noncharter counties. Each charter commissioner
 123 shall be elected by qualified electors residing in St. Johns
 124 County.

125 (b) Each charter commissioner shall be elected for a term
 126 of 4 years. Terms of office shall commence on the second Tuesday
 127 following the general election at which the charter commissioner
 128 was elected.

129 (c) The terms of office of charter commissioners
 130 representing even-numbered districts shall coincide with the
 131 term of office for the current even-numbered district
 132 commissioners.

133 (d) The terms of office of charter commissioners
 134 representing an odd-numbered districts shall coincide with the
 135 terms of office for the current odd-numbered district
 136 commissioners.

137 (6) COMPENSATION.--Charter commissioners of the charter
 138 board of county commissioners shall be compensated as provided
 139 by ordinance at a rate not more than the salary that would have

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140 been authorized by general law had this charter not been
141 adopted.

142 (7) ENACTMENT OF ORDINANCES AND RESOLUTIONS.--The charter
143 board of county commissioners may take official action only by
144 the adoption of ordinances, resolutions, or motions. Unless
145 otherwise provided herein or by applicable law, all ordinances
146 and resolutions shall be adopted by a vote of not fewer than
147 three charter commissioners, and all motions shall be adopted by
148 majority vote of the charter commissioners present. Unless a
149 larger number is otherwise prescribed herein or by applicable
150 law, a quorum shall consist of not fewer than three charter
151 commissioners.

152 (8) CONFLICT WITH MUNICIPAL ORDINANCES.--Nothing in this
153 charter will serve to preempt any municipal ordinance. A St.
154 Johns County ordinance in conflict with a municipal ordinance
155 shall not be effective within the municipality to the extent of
156 such conflict, unless adopted by the municipality. To the extent
157 that a county ordinance is specifically applicable to the
158 incorporated area and a municipal ordinance shall cover the same
159 subject without conflict, then both the municipal ordinance and
160 the county ordinance shall be effective, each being deemed
161 supplemental to the other.

162 (9) LIMITATIONS ON POWERS.--The charter county shall have
163 the power of eminent domain as specified in Art. X, s. 6 of the
164 Florida Constitution, subject to limitations set forth in
165 section 73.013, Florida Statutes, and subject to provisions of
166 general law.

167 Section 5. County administrator.--Except as vested in
 168 constitutional officers prescribed by Art. VIII, s. 1(d) of the
 169 Florida Constitution or otherwise prescribed herein, the
 170 executive authority of the charter government shall be vested in
 171 a county administrator. The county administrator may appoint
 172 assistant county administrators who shall serve at the pleasure
 173 of the county administrator. Subject to the budget approved by
 174 the charter board of county commissioners, the county
 175 administrator shall employ all employees necessary to perform
 176 the work of the charter county government and may remove them in
 177 accordance with lawful procedures.

178 (1) ADMINISTRATIVE ORGANIZATION.--Except as vested in
 179 constitutional officers prescribed by Art. VIII, s. 1(d) of the
 180 Florida Constitution or otherwise prescribed herein, all
 181 functions of the executive branch shall be allotted among
 182 departments or offices. The county administrator shall appoint
 183 department and office heads who shall report to and serve at the
 184 pleasure of the county administrator. Each department or office
 185 shall be administered in accordance with the administrative code
 186 prescribed herein.

187 (2) COUNTY ADMINISTRATOR: QUALIFICATIONS, APPOINTMENT,
 188 COMPENSATION.--

189 (a) The county administrator shall be a full-time officer
 190 and employee of the charter government.

191 (b) The county administrator shall have a minimum of 5
 192 years of executive or management experience in public
 193 administration in a local government of similar size to St.
 194 Johns County. The county administrator shall hold a bachelor's

195 degree in political science, public administration or
196 management, or a related field, with a master's degree in public
197 administration preferred. The county administrator need not be a
198 resident of the county at the time of appointment, but shall,
199 within 6 months from the date of taking office, become and
200 remain a resident of the county. The county administrator shall
201 not engage in any other business, profession, or occupation.
202 Nothing in this paragraph shall prohibit service in the National
203 Guard or military reserve.

204 (c) The county administrator shall be appointed by a vote
205 of not fewer than three charter commissioners and may be removed
206 at any time by a vote of not fewer than three charter
207 commissioners.

208 (d) The charter board of county commissioners shall fix by
209 resolution the compensation of the county administrator at a
210 level commensurate with the requirements of the position. The
211 employment contract for the county administrator may include a
212 provision for severance pay.

213 (e) The office of county administrator shall be deemed
214 vacant if the incumbent takes up residence outside the county,
215 dies, becomes unable to perform the functions of the office for
216 any reason, resigns, or is removed by the board. The board shall
217 fill a vacancy in the office of county administrator in the same
218 manner as the original appointment. The board may appoint an
219 interim administrator in the case of a temporary vacancy in the
220 office for any reason. An interim administrator shall serve
221 until a successor has taken office, the county administrator has
222 returned, or as otherwise directed by the board.

223 (3) POLITICAL ACTIVITY BY ADMINISTRATOR.--The county
224 administrator shall not hold any political office or take part
225 in any political activity other than voting.

226 (4) PERFORMANCE BOND.--The county administrator shall be
227 required to post a performance bond in accordance with general
228 law.

229 Section 6. Legal affairs.--Except as otherwise provided
230 herein and by law, the legal affairs of the charter county shall
231 be vested in the office of the county attorney. The charter
232 board of county commissioners shall appoint the county attorney
233 by vote of not fewer than three charter commissioners and may
234 remove the county attorney at any time by a vote of not fewer
235 than three charter commissioners. Subject to the budget and
236 approved by the charter board of county commissioners, the
237 county attorney may appoint assistant county attorneys, hire
238 administrative staff, and, with the approval of the charter
239 board of county commissioners, hire outside counsel when needed.
240 Assistant attorneys shall serve at the pleasure of the county
241 attorney.

242 (1) COUNTY ATTORNEY DUTIES.--The county attorney shall
243 report to the charter board of county commissioners and shall
244 represent the board and the executive branch of government. The
245 board may authorize the county attorney to represent the
246 constitutional officers prescribed by Art. VIII, s. 1(d) of the
247 Florida Constitution and other governmental entities when no
248 conflict exists. Nothing in this charter shall require the
249 county attorney to render legal services in any particular
250 circumstance that in the professional discretion and judgment of

251 the county attorney would violate The Florida Bar Code of
 252 Professional Responsibility or create a direct conflict of
 253 interest between the board of county commissioners or other
 254 charter county clients and the county attorney.

255 (2) COUNTY ATTORNEY; QUALIFICATIONS, APPOINTMENT,
 256 COMPENSATION.--

257 (a) The county attorney shall be a member of The Florida
 258 Bar, shall have had at least 5 years' experience in local
 259 government law, and shall meet other qualifications prescribed
 260 by resolution of the charter board of county commissioners. The
 261 county attorney need not be a resident of the county at the time
 262 of appointment but shall within 6 months of taking office become
 263 and remain a resident of the county.

264 (b) The county attorney shall be a full-time employee of
 265 the county and shall not otherwise engage in the practice of law
 266 or other occupation, profession, or business except as
 267 authorized by the board by resolution. Nothing in this paragraph
 268 shall prohibit service in the National Guard or military
 269 reserve.

270 (c) The charter board of county commissioners shall fix
 271 compensation of the county attorney by resolution at a level
 272 commensurate with the position. The employment contract of the
 273 county attorney may include a provision for severance pay.

274 (d) The office of the county attorney shall be deemed
 275 vacant if the incumbent takes up residence outside the county,
 276 dies, becomes unable to perform the functions of the office for
 277 any reason, resigns, or is removed by the board. In the event of
 278 a temporary vacancy in the office of county attorney, the

279 charter board of county commissioners may appoint the chief
 280 assistant county attorney, if one has been appointed, other
 281 assistant county attorney, or any other lawyer possessing the
 282 credentials prescribed herein to serve as county attorney until
 283 the vacancy terminates.

284 (3) POLITICAL ACTIVITY BY COUNTY ATTORNEY.--The county
 285 attorney shall not hold any political office or take part in any
 286 political activity other than voting.

287 Section 7. Elected county constitutional offices.--The
 288 offices of sheriff, property appraiser, tax collector, clerk of
 289 the circuit court, and supervisor of elections shall remain as
 290 elected constitutional offices and the powers, duties, and
 291 functions shall not be altered by this home rule charter. The
 292 constitutional officers shall perform their executive and
 293 administrative functions as specified by law.

294 Section 8. Administrative code.--

295 (1) (a) The charter board of county commissioners shall
 296 adopt an administrative code by ordinance to organize the
 297 executive branch charter county government into departments and
 298 offices, to prescribe the duties, responsibilities, and
 299 authority of the county administrator, to organize and prescribe
 300 the functions of the departments and offices of the charter
 301 county government, and to codify other ordinances, rules,
 302 regulations, practices, and procedures as directed by the board.

303 (b) The county administrator shall compile, publish, and
 304 disseminate the administrative code, and from time to time and
 305 as directed by the board, propose revisions thereto.

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306 (c) Nothing herein shall impair the authority of
307 constitutional county officers under Art. VIII, s. 1(d) of the
308 Florida Constitution.

309 (2) The county administrator shall submit a proposed
310 administrative code to the charter board of county commissioners
311 within 120 days after the date of the first organizational
312 meeting of the board under this charter. Unless the board adopts
313 an administrative code within 90 days after the date the county
314 administrator submits a proposal, the county administrator's
315 proposed administrative code shall become the administrative
316 code by operation of law and shall remain in effect until
317 superseded by an administrative code adopted by the board.

318 Section 9. Proposals by the charter board of county
319 commissioners.--The charter board of county commissioners by
320 majority vote plus one of all members may propose amendments to
321 this charter by resolution placing the approved amendments on
322 the ballot as stated in subsection (3).

323 (1) PROPOSALS BY THE CHARTER REVIEW COMMITTEE.--

324 (a) Within 3 years after the effective date of this
325 charter and every 7 years thereafter, the charter board of
326 county commissioners shall appoint a charter review committee
327 comprised of fifteen electors of the county. Each charter
328 commissioner shall nominate three members of the committee who
329 are residents of the appointing charter commissioner's district.
330 All appointees shall be subject to approval by a vote of a
331 majority of charter commissioners.

332 (b) Committee members shall serve without pay for 1
333 calendar year from the date of the organizational meeting of the

334 committee unless the committee completes its work and dissolves
335 on an earlier date. No member of the charter review committee
336 may be an elected or appointed official in any government.

337 (c) The committee shall be independent of the charter
338 board of county commissioners and all other officers and
339 employees of St. Johns County and shall have the authority to
340 conduct a comprehensive study of any or all phases of county
341 government.

342 (d) The charter board of county commissioners,
343 constitutional officers prescribed by Art. VIII, s. 1(d) of the
344 Florida Constitution, and any citizen of St. Johns County may
345 propose subjects to be studied by the committee. Prior to
346 beginning its studies, the committee shall hold a public hearing
347 to receive suggestions but has the sole authority to determine
348 the matters it will review.

349 (e) The charter board of county commissioners shall
350 provide the charter review committee with professional,
351 technical, clerical, and other assistance and funding reasonably
352 required to perform its functions under this charter.

353 (f) The committee may propose charter amendments by a vote
354 of not fewer than ten members of the committee. The committee
355 may propose no amendment that has not been considered by the
356 committee in two separate noticed public hearings on the
357 proposal. The charter review committee shall file proposed
358 charter amendments, if any, with the supervisor of elections who
359 shall place them on the ballot as provided herein and by law.
360 Upon the completion of its work, the committee may adjourn sine
361 die without proposing amendments.

362 (g) Upon concluding its work, the charter review committee
 363 shall provide the charter board of county commissioners a
 364 written summary of its work. If the committee should not adjourn
 365 sine die by its own motion within 1 calendar year of the date of
 366 its creation, it shall be dissolved by operation of law and
 367 thereafter have none of the authority prescribed herein.

368 (2) PROPOSALS BY INITIATIVE.--

369 (a) This charter may be amended by initiative and
 370 referendum.

371 (b) Any elector of St. Johns County may file a petition
 372 with the supervisor of elections to call for a referendum of a
 373 proposed charter amendment stated in the petition.

374 (c) The proposed charter amendment shall embrace but one
 375 subject, and the subject shall relate to the organization and
 376 powers of the St. Johns charter government.

377 (d) The supervisor of elections shall approve the petition
 378 for form and enter the date upon the records of the office or
 379 shall reject the petition as not being in appropriate form and
 380 return it to the petitioner with reasons stated.

381 (e) Upon receiving the supervisor of elections' approval
 382 as to form, petitioners may seek signatures of electors of the
 383 county who agree to having the proposed amendment placed upon
 384 the ballot for vote by the electors. The petition shall fail to
 385 invoke a ballot unless the petitioners obtain the number of
 386 verified signatures prescribed herein within 185 days after the
 387 date the supervisor of elections approves the proposed amendment
 388 as to form.

389 (f) To be placed upon the ballot, a petitioner must obtain
390 verified signatures of electors from each and every numbered
391 district from which the charter board of county commissioners
392 are elected in a number that is not fewer than 8 percent of the
393 votes cast in each of such districts in the last preceding
394 election in which a president or presidential electors were
395 chosen. Each signed petition must contain the name, address, and
396 birthdate or voter identification number of the signatory and
397 the date subscribed. In the event sufficient verified signatures
398 are not acquired during the period prescribed herein, the
399 petition shall be ineffective to invoke an election and none of
400 the signed petitions shall be effective to satisfy the
401 requirements of a subsequent petition.

402 (g) A petitioner may submit signed petitions to the
403 supervisor of elections who shall within 30 days determine
404 whether the petitions contain the required valid signatures of
405 electors. The 30-day review period applies to petitions
406 submitted on the 185th day, but the supervisor of elections
407 shall not accept signed petitions submitted after the 185th day.

408 (h) The supervisor of elections shall undertake to verify
409 no petition until having received payment for certification in
410 the amount specified by general law.

411 (i) If the supervisor of elections determines that the
412 proposed amendment is not supported by the required number of
413 verified signatures, the supervisor shall notify the petitioner
414 by certified mail, certify the result to the charter board of
415 county commissioners, and not place the proposed amendment on

416 the ballot. The verified signed petitions shall not be used to
 417 invoke an election on any subsequent proposed amendment.

418 (j) If the supervisor of elections determines that the
 419 proposed amendment is supported by the required number of
 420 verified signatures, the supervisor shall notify the petitioner
 421 by certified mail, certify the result to the charter board of
 422 county commissioners, and place the proposed amendment on the
 423 ballot for election as prescribed herein and by law. The
 424 verified signed petitions shall not be used to invoke an
 425 election on any subsequent proposed amendment.

426 (k) To the extent not prescribed herein, the supervisor of
 427 elections shall employ procedures prescribed by general law for
 428 constitutional amendments with the supervisor of elections
 429 performing the duties of the Secretary of State.

430 (3) ELECTIONS AND EFFECTIVE DATE.--

431 (a) Charter amendment elections shall be conducted
 432 pursuant to general law except as otherwise provided in this
 433 charter. Amendments proposed by resolution of the charter board
 434 of county commissioners shall be voted on at a special election
 435 or regular election as directed by the board. Amendments
 436 proposed by a charter review committee and by initiative shall
 437 be voted on at the next regular general election.

438 (b) Amendments shall become effective at midnight on the
 439 date fixed in the proposed amendment, and, if no date is fixed,
 440 at midnight of the last day of the year in which approved by the
 441 electors.

442 (4) AMENDMENTS RELATED TO MUNICIPALITIES.--No amendment
 443 shall be made to the charter that will diminish or otherwise

444 affect the authority, governance, or operation of any municipal
 445 corporation located within St. Johns County, where such
 446 authority, governance, or operation is created or controlled by
 447 any provision of the Florida Constitution or by general law
 448 unless the amendment is approved by a majority of those persons
 449 voting in a separate referendum of the qualified electors of an
 450 affected municipality.

451 (5) AMENDMENTS RELATED TO CONSTITUTIONAL OFFICERS.--No
 452 amendment shall be made to the charter that will diminish or
 453 otherwise affect the authority, governance, or operation of any
 454 constitutional office created by Art. VIII, s. 1(d) of the
 455 Florida Constitution unless such amendment is proposed by a
 456 resolution approved by not fewer than four charter commissioners
 457 placing the amendment on the referendum ballot as stated in
 458 paragraph (3)(a). The approval of the amendment by referendum
 459 shall require a vote in favor of the amendment by 60 percent of
 460 the qualified electors voting on the proposed amendment.

461 Section 10. Construction of the charter.--This charter
 462 shall be liberally construed to achieve the objectives of local
 463 home rule and separation of powers as set forth herein.

464 (1) CODE OF ETHICS.--The code of ethics for public
 465 officers and employees and the penalties for violation thereof
 466 as provided by general law or more restrictive ordinance, if
 467 any, shall be applicable to all employees and officeholders of
 468 this charter county government. Nothing herein shall impair the
 469 authority of constitutional county officers under Art. VIII, s.
 470 1(d) of the Florida Constitution.

471 (2) POLITICAL ACTIVITIES.--Political activities of
472 officers and employees of the county government shall be
473 governed and controlled by general law except as provided
474 herein. Nothing herein shall impair the authority of
475 constitutional county officers under Art. VIII, s. 1(d) of the
476 Florida Constitution.

477 (3) VACANCIES.--Vacancies in the offices of the charter
478 board of county commissioners shall be deemed to exist and shall
479 be filled in accordance with the constitution and law applying
480 to county commissioners in noncharter counties.

481 (4) PUBLIC MEETINGS.--Meetings of the charter board of
482 county commissioners and other boards shall be held and
483 conducted as provided by Art. I, s. 24 of the Florida
484 Constitution, general law, and rules and ordinances of the
485 charter board of county commissioners not inconsistent
486 therewith. Nothing herein shall impair the authority of
487 constitutional county officers under Art. VIII, s. 1(d) of the
488 Florida Constitution.

489 (5) RECALL.--The people shall have the power to recall
490 elected officials by recall election initiated, called, held,
491 and conducted as provided by general law for chartered counties.

492 (6) DISCRIMINATION PROHIBITED.--The charter government
493 shall not deprive any person of any right because of race, sex,
494 age, national origin, religion, physical handicap, or political
495 affiliation and shall provide for equal employment opportunities
496 in the charter government. The charter board of county
497 commissioners shall enact an ordinance to protect these rights.

498 Section 11. Offices and officers of former
499 government.--Unless otherwise provided by this charter, all
500 offices, officials, boards, commissions, and agencies of the
501 former government shall continue to perform their respective
502 duties and functions until the first charter commissioners of
503 the charter board of county commissioners are elected and sworn
504 into office.

505 (1) INITIAL DISTRICTS OF THE CHARTER BOARD OF COUNTY
506 COMMISSIONERS.--The initial districts of the charter board of
507 county commissioners shall be those established in the
508 superseded noncharter county government pursuant to the 2000
509 federal decennial census.

510 (2) EFFECTIVE DATE OF GOVERNMENT.--Charter county
511 government shall be effective when the charter commissioners of
512 the charter board of county commissioners elected in 2008 are
513 sworn into office. At that time, those charter commissioners
514 elected in 2008 and the incumbent county commissioners elected
515 to the superseded board of county commissioners shall become
516 charter county commissioners of the charter board of county
517 commissioners, and all attributes of the superseded offices
518 shall terminate by operation of law.

519 (3) PRESERVATION OF EXISTING GOVERNMENT.--All provisions
520 of the laws or parts thereof rendered ineffective by the
521 adoption of this charter that are not inconsistent with this
522 charter shall become ordinances of the charter government
523 subject to amendment or repeal as are other ordinances; however,
524 those laws that are not expressly reenacted as charter
525 government ordinances by the charter board of county

526 commissioners after this charter becomes effective shall be
 527 repealed by operation of law on November 15, 2010.

528 (4) PRESERVATION OF EXISTING ORDINANCES.--All ordinances,
 529 codes, rules, regulations, and resolutions of St. Johns County
 530 or any of its agencies that are not inconsistent with this
 531 charter shall become ordinances, rules, and regulations of the
 532 county government subject to amendment or repeal by the charter
 533 board of county commissioners as are other ordinances, rules,
 534 and regulations of the charter government.

535 (5) RIGHTS RESERVED.--

536 (a) All lawful rights, of whatever kind or nature,
 537 possessed by St. Johns County against any person or legal entity
 538 on the date this charter becomes effective shall become the
 539 lawful rights of the charter government.

540 (b) All lawful rights possessed by any person or legal
 541 entity, of whatever kind or nature, against St. Johns County on
 542 the date this charter becomes effective shall be binding against
 543 the charter government to the same extent that they would have
 544 been binding against the superseded noncharter government,
 545 except that these rights against the charter government shall be
 546 limited to the geographic area or specific funds that would have
 547 been subject to the rights if this charter had not been adopted.

548 (6) CLASSIFIED EMPLOYEES AND OFFICERS.--All employees in
 549 the classified service and officers of the county shall be
 550 transferred to the appropriate department, office, or agency
 551 prescribed by or pursuant to this charter. These transfers shall
 552 be without examination of the personnel and with no diminution
 553 of existing compensation, seniority, promotion rights, pension

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554 and retirement rights, privileges, or obligations of transferred
555 officers or employees. The adoption of any subsequent classified
556 service plan shall not adversely affect the tenure, pension,
557 seniority, or promotional rights of any county officer or
558 employee in the classified service in existence when this
559 charter is adopted. This provision shall not impair the charter
560 county's authority to take punitive employment action against
561 employees and officers for wrongful employment actions committed
562 by them prior to and after the effective date of this charter.
563 Nothing herein shall impair the authority of constitutional
564 county officers under Art. VIII, s. 1(d) of the Florida
565 Constitution.

566 Section 12. Severability.--Should any provision of this
567 act be held to be unconstitutional, inoperative, or void, such
568 holding or invalidity shall not affect the remaining portions of
569 this act.

570 Section 13. CAMPAIGN FINANCE REGULATION.--

571 (1) St. Johns County shall have the power to adopt more
572 stringent campaign financing restrictions than those imposed by
573 general law on candidates for charter commissioners of the
574 charter board of county commissioners as specified in this
575 section. These additional restrictions may apply to all aspects
576 of campaign financing, including solicitations, contributions,
577 expenditures, recordkeeping, reporting requirements, and
578 noncriminal penalties for violation.

579 (2) The initial additional restrictions authorized by this
580 section shall be proposed in this home rule charter at the next
581 general or special election and shall be adopted as part of the

582 charter if approved by a majority of the electors of St. Johns
583 County voting on the initial additional restrictions of this
584 section in that election. All additional restrictions shall be
585 proposed by amendment of this home rule charter at a subsequent
586 general election and shall be adopted if approved by a majority
587 of those electors of St. Johns County voting on the amendment in
588 that general election.

589 (3) Charter amendments adopted pursuant to this section
590 shall not be preempted by general law unless the general law
591 expressly supersedes all special acts authorizing county charter
592 home rule power for campaign financing.

593 (4) Candidates for elective charter commissioners of the
594 charter county board of county commission offices shall adhere
595 to the rules set forth in this section for financing campaigns.

596 (a) Candidates shall not accept campaign contributions
597 made by persons as defined in section 106.011, Florida Statutes,
598 political committees, and committees of continuous existence in
599 an amount exceeding \$250 per election. This limitation does not
600 apply to contributions from political parties.

601 (b) Candidates shall accept only those campaign
602 contributions received on or before midnight on the 7th day
603 prior to the date of the election.

604 (c) Candidates shall file their last period candidate
605 treasurer reports with the St. Johns County Supervisor of
606 Elections by no later than 5 p.m. on the 6th day prior to the
607 date of the election. This deadline may not be extended by use
608 of a postmark or other courier receipt.

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609 (d) Candidate treasurer reports shall be filed in
610 electronic format no later than the due date for the paper
611 original reports.

612 (e) When reporting their campaign contributions,
613 candidates shall report the source of the contribution as being
614 from those persons and entities described in chapter 106,
615 Florida Statutes; candidates shall also report the type of
616 contributor and the cumulative total contribution amount from
617 each contributor as of the date of the report.

618 (f) For the purposes of this section, "election" means any
619 primary election, special primary election, general election, or
620 special election held in the county for the purpose of
621 nominating or electing candidates to county elective offices.

622 Section 14. This act and the provisions of section 13 that
623 relate to campaign finance shall take effect only upon approval
624 by a majority vote of those qualified electors of St. Johns
625 County voting in a referendum to be called by the Board of
626 County Commissioners of St. Johns County in conjunction with a
627 general or special election, in accordance with the provisions
628 of law relating to elections currently in force, except that
629 this section shall take effect upon becoming a law. The
630 appropriate local official shall prepare the ballot in such a
631 way that the questions with respect to the taking effect of this
632 act and the provisions relating to campaign finance in section
633 13 shall be voted on separately.