

1 A bill to be entitled
 2 An act relating to the Polk County Historical Commission,
 3 Polk County; amending chapter 96-462, Laws of Florida;
 4 revising the number of commission members; providing for
 5 membership eligibility, terms of membership, meetings,
 6 attendance at meetings, and rules of procedure; providing
 7 for staff; providing powers and duties; providing for a
 8 historical preservation manager; providing for funding and
 9 the creation of dedicated accounts for the Polk County
 10 Historical Museum and the Genealogical Library; deleting
 11 provisions relating to the Polk County Historical
 12 Association; requiring the board of county commissioners
 13 to provide a repository for certain materials; providing
 14 an effective date.

15
 16 Be It Enacted by the Legislature of the State of Florida:

17
 18 Section 1. Chapter 96-462, Laws of Florida, is amended to
 19 read:

20 Section 1. There is created a commission to be known as
 21 the "Polk County Historical Commission." The commission shall
 22 consist of 9 ~~13~~ members, appointed by the Polk County Board of
 23 County Commissioners, who meet the following qualifications:

24 (1) The Chairperson of the Polk County Board of County
 25 Commissioners or his or her designated commissioner.

26 (2) A member who is directly involved with the operation
 27 of historic museums, sites, or organizations in Polk County or

28 who has shown a demonstrated interest in historic preservation
 29 and who resides in Commission District 1.

30 (3) A member who is directly involved with the operation
 31 of historic museums, sites, or organizations in Polk County or
 32 who has shown a demonstrated interest in historic preservation
 33 and who resides in Commission District 2.

34 (4) A member who is directly involved with the operation
 35 of historic museums, sites, or organizations in Polk County or
 36 who has shown a demonstrated interest in historic preservation
 37 and who resides in Commission District 3.

38 (5) A member who is directly involved with the operation
 39 of historic museums, sites, or organizations in Polk County or
 40 who has shown a demonstrated interest in historic preservation
 41 and who resides in Commission District 4.

42 (6) A member who is directly involved with the operation
 43 of historic museums, sites, or organizations in Polk County or
 44 who has shown a demonstrated interest in historic preservation
 45 and who resides in Commission District 5.

46 (7) An at-large member who has shown a demonstrated
 47 interest in historic preservation.

48 (8) An at-large member who has shown a demonstrated
 49 interest in historic preservation.

50 (9) A representative of the Polk County Library
 51 Cooperative.

52
 53 Members 1, 7, 8, and 9 shall be appointed by the chairperson of
 54 the board. Member 2 shall be appointed by the commissioner from
 55 district 1; member 3 shall be appointed by the commissioner from

HB 745

2011

56 district 2; member 4 shall be appointed by the commissioner from
57 district 3; member 5 shall be appointed by the commissioner from
58 district 4; and member 6 shall be appointed by the commissioner
59 from district 5 consisting of: Member number one, a member of
60 the Board of County Commissioners of Polk County; member number
61 two, a county judge of Polk County; member number three, the
62 Clerk of the Circuit Court of Polk County; and members numbered
63 four, five, six, seven, eight, nine, ten, eleven, twelve, and
64 thirteen, who must be registered voters of Polk County, who must
65 be appointed by the Polk County Board of County Commissioners,
66 and whose terms of office are for 4 years and until their
67 successors are appointed and qualified. In selecting registered
68 voters to serve as members of the historical commission, the
69 board of county commissioners shall consider their interest in
70 the history and cultural lore and development of the county and
71 state. A member of the commission may not receive any
72 compensation for service on the commission. Of the 10 members
73 appointed by the board of county commissioners, two must reside
74 in each of the five county commission districts.

75 Section 2. (1) All members of the commission shall be
76 electors of Polk County. Except for the appointed Polk County
77 Commissioner, members 2, 3, and 4 shall initially serve terms of
78 2 years each; members 5, 6, and 7 shall initially serve terms of
79 3 years each; and members 8 and 9 shall initially serve terms of
80 4 years each. Thereafter, members shall serve staggered terms of
81 3 years each. Vacancies shall be filled by the chairperson of
82 the board for the unexpired term in the same manner as the

HB 745

2011

83 original appointment. Members may be reappointed to serve one
84 additional term.

85 (2) Commission members are expected to attend the
86 regularly scheduled meetings of the board. When a commission
87 member is unable to attend, he or she must notify the
88 chairperson in advance of the meeting. Failing to notify the
89 chairperson will result in the absence being classified as
90 unexcused. Any commission member failing to obtain an excused
91 absence for three consecutive meetings may be subject to removal
92 from the commission shall elect the chairman and other officers
93 of the commission.

94 Section 3. A quorum shall consist of five members. The
95 commission may, when necessary, appoint a clerk to be known as
96 "County Historian."

97 Section 4. At its first meeting, the commission shall
98 select from among its membership a chairperson and a vice
99 chairperson and shall adopt bylaws and rules of procedure.

100 Section 5. The commission shall meet at such times and
101 locations as announced by the chairperson but not less than
102 quarterly during any calendar year. All meetings of the
103 commission are subject to the provisions and protocols of
104 section 286.011, Florida Statutes, and chapter 119, Florida
105 Statutes.

106 Section 6. It is the duty of the commission to collect,
107 arrange, record, and preserve historical material and data,
108 including books, pamphlets, maps, charts, manuscripts, family
109 histories, census records, papers, and other objects and
110 material illustrative of and relating to the history of Polk

HB 745

2011

111 County and of Florida and otherwise; to procure and preserve
112 narratives of the early pioneers ~~and~~, their exploits, perils,
113 privations, and achievements; and to collect material of every
114 description relative to the history of its Indian tribes and
115 wars and relative to its soldiers, schools, and churches. In
116 addition, the commission shall exercise the following powers and
117 duties over the Polk County Historical Museum and the Polk
118 County Genealogical Library:

119 (1) Develop and establish reliable and sustainable sources
120 of public, private, and enterprise funding to ensure the
121 continued operation of the historical museum and the
122 genealogical library and maintenance of its collections.

123 (2) Serve as an advisory commission to the board and the
124 staff of the historical museum and genealogical library and the
125 executive director as requested.

126 (3) Apply for grants of money or property for the benefit
127 of the historical museum and genealogical library, subject to
128 acceptance of such grants by the board.

129
130 The commission is further authorized to promote and solicit
131 bequests, donations, contributions, and gifts of money and
132 property donated for purposes of funding the continued operation
133 of the historical museum and genealogical library and shall act
134 as trustee of such funds for the benefit of the citizens of Polk
135 County.

136 Section 7. The board of county commissioners shall employ
137 a historical preservation manager for the purposes of
138 representing the historical museum and the genealogical library

HB 745

2011

139 and the board in the development of funding mechanisms and long-
140 range planning. The county manager's office shall be responsible
141 for establishing the job description and expectations for this
142 position, hiring the historical preservation manager, and
143 establishing the chain of command for this position. The
144 historical preservation manager shall work with the county
145 manager's staff each year during the county's annual budget
146 process, after receiving advice from the board, to establish a
147 balanced budget for the historical museum and genealogical
148 library, which budget shall include funds received from the
149 board and any other sources.

150 Section 8. All funding, gifts, and grants that are secured
151 on behalf of the historical museum and the genealogical library,
152 from whatever source, shall be used solely in the interest of
153 historical preservation on behalf of the citizens of Polk County
154 for the purpose of collection, display, recording, and
155 preservation of historical material and data; for maintenance of
156 the collections and facilities; and for the operation of the
157 historical museum and the genealogical library.

158 Section 9. All funds received for the historical museum
159 and the genealogical library, whether from gifts, grants,
160 bequests, donations, contributions, the board, or any other
161 source, shall be deposited in a historical museum and
162 genealogical library dedicated account (the "HMGL account"),
163 which account shall be maintained separate and apart from all
164 other accounts of the county. All funds shall be deposited into
165 the HMGL account immediately upon receipt. Moneys deposited into
166 the HMGL account shall be used solely in the interest of

HB 745

2011

167 historical preservation on behalf of the citizens of Polk County
168 for the purpose of collection, display, recording, and
169 preservation of historical material and data; for maintenance of
170 the collections and facilities; and for the operation of the
171 historical museum and genealogical library, including personnel
172 costs. No funds received for those purposes and deposited into
173 the HMGL account may be diverted or appropriated for uses
174 unrelated to the uses specified in this section.

175 Section 10. ~~5.~~ The commission may, upon its own initiative
176 or upon petition of municipalities or historical societies, mark
177 by proper monuments, tablets, or markers the locations of forts
178 or other places in Polk County where historical events have
179 transpired.

180 Section 11. ~~6.~~ The Clerk of the Circuit Court of Polk
181 County shall file and record, without charge, in a book or books
182 which shall be furnished to the clerk by the board of county
183 commissioners, all such historical material and data that the
184 commission directs to be filed and recorded.

185 ~~Section 7. The Polk County Historical Commission shall~~
186 ~~sponsor a Polk County Historical Association, made up of~~
187 ~~interested persons from all areas of the county, membership on~~
188 ~~which may require a membership fee. Membership fees shall be~~
189 ~~deposited into the general fund budget of the association to be~~
190 ~~earmarked for the specific use of the preservation of history.~~

191 Section 12. ~~8.~~ The Board of County Commissioners of Polk
192 County shall pay the expenses of the historical commission out
193 of the general fund of the county. The board of county
194 commissioners shall also provide suitable and adequate space as

HB 745

2011

195 a repository for the findings, collections, and other material
196 of the historical commission, the historical museum, and the
197 genealogical library.

198 Section 13. 9. This act shall not be construed as
199 affecting any action, right, or liability of the Polk County
200 Historical Commission taken before or existing on the effective
201 date of this act. This act does not affect the term of any
202 person serving on the Polk County Historical Commission on the
203 day before the effective date of this act.

204 Section 2. This act shall take effect upon becoming a law.