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CS/HB 745

2011 Legislature

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
8 funding and the creation of dedicated accounts for the
9 Polk County Historical Museum and the Genealogical
10 Library; deleting provisions relating to the Polk County
11 Historical Association; requiring the board of county
12 commissioners to provide a repository for certain
13 materials; providing an effective date.

14
15 Be It Enacted by the Legislature of the State of Florida:

16
17 Section 1. Chapter 96-462, Laws of Florida, is amended to
18 read:

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

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

24 (2) A member who is directly involved with the operation
25 of historic museums, sites, or organizations in Polk County or
26 who has shown a demonstrated interest in historic preservation
27 and who resides in Commission District 1.

28 (3) A member who is directly involved with the operation

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29 of historic museums, sites, or organizations in Polk County or
30 who has shown a demonstrated interest in historic preservation
31 and who resides in Commission District 2.

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

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

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

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

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

48 (9) A representative of the Polk County Library
49 Cooperative.

50
51 Members 7, 8, and 9 shall be appointed by the chairperson of the
52 board. Member 2 shall be appointed by the commissioner from
53 district 1; member 3 shall be appointed by the commissioner from
54 district 2; member 4 shall be appointed by the commissioner from
55 district 3; member 5 shall be appointed by the commissioner from
56 district 4; and member 6 shall be appointed by the commissioner

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

73 Section 2. (1) All members of the commission shall be
 74 electors of Polk County. Members 2, 3, and 4 shall initially
 75 serve terms of 2 years each; members 5, 6, and 7 shall initially
 76 serve terms of 3 years each; and members 8 and 9 shall initially
 77 serve terms of 4 years each. Thereafter, members shall serve
 78 staggered terms of 3 years each. Vacancies shall be filled by
 79 the chairperson of the board for the unexpired term in the same
 80 manner as the original appointment. Members may be reappointed
 81 to serve one additional term.

82 (2) Commission members are expected to attend the
 83 regularly scheduled meetings of the board. When a commission
 84 member is unable to attend, he or she must notify the

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85 chairperson in advance of the meeting. Failing to notify the
 86 chairperson will result in the absence being classified as
 87 unexcused. Any commission member failing to obtain an excused
 88 absence for three consecutive meetings will be subject to
 89 automatic removal from the commission ~~shall elect the chairman~~
 90 ~~and other officers of the commission.~~

91 Section 3. A quorum shall consist of five members. ~~The~~
 92 ~~commission may, when necessary, appoint a clerk to be known as~~
 93 ~~"County Historian."~~

94 Section 4. At its first meeting, and annually thereafter,
 95 the commission shall select from among its membership a
 96 chairperson and a vice chairperson and shall adopt bylaws and
 97 rules of procedure.

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

104 Section 6. It is the duty of the commission to collect,
 105 arrange, record, and preserve historical material and data,
 106 including books, pamphlets, maps, charts, manuscripts, family
 107 histories, census records, papers, and other objects and
 108 material illustrative of and relating to the history of Polk
 109 County and of Florida and otherwise; to procure and preserve
 110 narratives of the early pioneers and~~7~~ their exploits, perils,
 111 privations, and achievements; and to collect material of every
 112 description relative to the history of its Indian tribes and

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113 wars and relative to its soldiers, schools, and churches. In
114 addition, the commission shall exercise the following powers and
115 duties over the Polk County Historical Museum and the Polk
116 County Genealogical Library:

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

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

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

127
128 The commission is further authorized to promote and solicit
129 bequests, donations, contributions, and gifts of money and
130 property donated for purposes of funding the continued operation
131 of the historical museum and genealogical library and shall act
132 as trustee of such funds for the benefit of the citizens of Polk
133 County.

134 Section 7. All funding, gifts, and grants that are secured
135 on behalf of the historical museum and the genealogical library,
136 from whatever source, shall be used solely in the interest of
137 historical preservation on behalf of the citizens of Polk County
138 for the purpose of collection, display, recording, and
139 preservation of historical material and data; for maintenance of

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140 the collections and facilities; and for the operation of the
141 historical museum and the genealogical library.

142 Section 8. All funds received for the historical museum
143 and the genealogical library, whether from gifts, grants,
144 bequests, donations, contributions, the board, or any other
145 source, shall be deposited in a historical museum and
146 genealogical library dedicated account (the "HMGL account"),
147 which account shall be maintained separate and apart from all
148 other accounts of the county. All funds shall be deposited into
149 the HMGL account immediately upon receipt. Moneys deposited into
150 the HMGL account shall be used solely in the interest of
151 historical preservation on behalf of the citizens of Polk County
152 for the purpose of collection, display, recording, and
153 preservation of historical material and data; for maintenance of
154 the collections and facilities; and for the operation of the
155 historical museum and genealogical library, including personnel
156 costs. No funds received for those purposes and deposited into
157 the HMGL account may be diverted or appropriated for uses
158 unrelated to the uses specified in this section.

159 Section 9.5. The commission may, upon its own initiative
160 or upon petition of municipalities or historical societies, mark
161 by proper monuments, tablets, or markers the locations of forts
162 or other places in Polk County where historical events have
163 transpired.

164 Section 10.6. The Clerk of the Circuit Court of Polk
165 County shall file and record, without charge, in a book or books
166 which shall be furnished to the clerk by the board of county
167 commissioners, all such historical material and data that the

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168 commission directs to be filed and recorded.

169 ~~Section 7. The Polk County Historical Commission shall~~
170 ~~sponsor a Polk County Historical Association, made up of~~
171 ~~interested persons from all areas of the county, membership on~~
172 ~~which may require a membership fee. Membership fees shall be~~
173 ~~deposited into the general fund budget of the association to be~~
174 ~~earmarked for the specific use of the preservation of history.~~

175 Section 11.8. The Board of County Commissioners of Polk
176 County shall pay the expenses of the historical commission out
177 of the general fund of the county. The board of county
178 commissioners shall also provide suitable and adequate space as
179 a repository for the findings, collections, and other material
180 of the historical commission, the historical museum, and the
181 genealogical library.

182 Section 12.9. This act shall not be construed as affecting
183 any action, right, or liability of the Polk County Historical
184 Commission taken before or existing on the effective date of
185 this act. This act does not affect the term of any person
186 serving on the Polk County Historical Commission on the day
187 before the effective date of this act.

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