



**League of Women Voters  
of Manatee County**



## **Manatee County Citizen's Guide to Charter Government**

### **"Home Rule" for Manatee County**

Map: Charter counties shown in red or black

#### **What is Charter Government?**

Charter Government, also called "home rule," is a formal written document that describes the powers, duties, or rights in county government. Charters resemble state or federal constitutions. Charters and any amendments to them must be approved by the voters of the county.

Florida cities have had charters for many years; counties traditionally did not. Originally, counties were mostly rural. They were set up by the state, not by voters, and the state decided what powers were to be granted to county officials. In order to make a change, counties had to request a local bill from the legislature. Finding themselves inundated with such requests, the legislators decided to allow home rule.

In 1968 Florida granted local voters throughout Florida the power to adopt county charters. The establishment of charter government was designed to create more flexibility, so that government structure can match up with local needs and preferences, and grant the county electorate a greater say in their government. To date, there are 20 charter counties in Florida, ranging in population size from Wakulla to Miami-Dade. Collectively, these counties are home to more than 75 percent of Florida's residents.

#### **What are some of the differences between charter and non-charter counties?**

In addition to more general powers of self-government, charter counties can structure their government in a charter approved by county residents and tailored to meet county needs, whereas non-charter counties must use a structure specified in state law and those options could only be changed by the Florida Constitution or legislature.

Counties can make a wide variety of changes, as long as they do not conflict with state statutes.

#### **What are some examples of changes made possible by charters?**

Here are some examples of provisions that have been included in charters, or added to them by amendment referenda:

- ◆ Provide the right of citizen referendum, and recall of elected officials for violations.
- ◆ Change the number of commissioners and number of single member or at-large districts.
- ◆ Create stipulations for the makeup of county advisory boards.
- ◆ Create a county ethics ordinance, and an ethics board to review complaints.
- ◆ Set term limits and campaign contribution limits
- ◆ Make some appointed officials elected, or elected officials appointed.
- ◆ Make changes to rules, except for those in county comprehensive plans.
- ◆ Include a Citizen's Bill of Rights.

### **How do Florida counties obtain a charter?**

Under FS Chapter 125.61, by resolution the County Commission may appoint a Charter Commission to draft a proposed charter. The public is involved, and participates in its periodic hearings. County charters can only be adopted upon a majority vote of the county voters. Local citizens and organizations can ask the County Commission to appoint a Charter Commission, but if they refuse to take action, citizens can require the county to prepare a charter by petition, by collecting, then submitting to the county, petitions with the signatures of 15% of the registered voters in Manatee County--which would be about 35,000 signatures. The county will then appoint a Charter Commission, and a charter would be created and placed on the ballot.

### **Has any county repealed their Charter?**

No. Some counties have repealed certain provisions -- such as Sarasota County's short-lived change to an appointed sheriff -- *but none have repealed their entire charter to go back to the prior form of government.* They value highly what they have.

### **Why hasn't Manatee adopted one yet?**

Actually, Manatee County proposed doing so in the late 1990's-early 2000's, and even drafted a charter. However, that effort was set aside after the county-cities issues at the time were resolved another way. But given the incredible pace of growth in recent years, increased complexity and challenges to local governments, and a growing sense of dissatisfaction with the status quo, the time is right for citizens to ask the county to bring Home Rule to Manatee County.

But Charter Government is not just about solving a few current problems. Charter is a better form of government. It provides the flexibility needed by a growing community, and it gives citizens a sense of partnership with their elected officials. The main thing preventing a Manatee charter is *fear of change.*

### **How does a charter impact the cities?**

There is concern in some of our city commissions, due to the language used in the earlier attempt to adopt a county charter in Manatee, that they would lose their governing rights. That failed effort included terms that would have pre-empted some of the authority of the cities. That is why it failed, and would continue to fail if so proposed again. In counties that have adopted charters, the cities still have control over their own jurisdiction. But in addition, there are opportunities for collaboration that we do not have. For example, in Volusia County the beach cities and the county got together and created unified county rules for beach activity. Charter gives cities and counties greater flexibility in dealing with issues that affect everyone.

### **How can I help obtain Charter Government for Manatee County?**

- ◆ You can ask our County Commissioners to establish a Charter Commission themselves, by resolution.
- ◆ You can download the LWV petition at: [www.lwvmanatee.org/charterpetition.pdf](http://www.lwvmanatee.org/charterpetition.pdf). Have friends and family who are registered to vote in Manatee County also sign the form, and mail it to the address on the form.
- ◆ If your group would like to host a LWV program on charter government, call 941-729-9248.

### **Want to help? You can make a difference!**

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