

RESOLUTION 90-135

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, ORDERING AND PROVIDING FOR THE HOLDING OF A REFERENDUM IN MANATEE COUNTY, FLORIDA ON THE QUESTION RELATED TO THE PROHIBITION OF THE USE OF GILL NETS IN THE SALTWATERS OF MANATEE COUNTY WITHOUT A LICENSE, AND ESTABLISHING AN ANNUAL FEE FOR SUCH LICENSE; PROVIDING FOR NOTICE OF THE REFERENDUM TO BE PUBLISHED; PROVIDING THE FORM OF THE QUESTION TO BE PLACED ON THE BALLOT; PROVIDING THE INTENT OF THE BOARD WITH RESPECT TO PROCEEDINGS SUBSEQUENT TO THE REFERENDUM; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 125.01(1)(y), Fla. Stat., provides that counties may place questions or propositions on the ballot at any primary election, general election, or otherwise called special election, when agreed to by a majority vote of the total membership of the County Commission, so as to obtain an expression of elector sentiment with respect to matters of substantial concern within the county; and

WHEREAS, during the 1990 Legislative Session the Legislature enacted Senate Bill 3202, which would prohibit the use of a gill net in saltwaters of Manatee County without a license; and

WHEREAS, Senate Bill 3202 establishes an annual license fee for gill netting operations in the saltwaters of Manatee County; and

WHEREAS, this Special Act will not go into effect until approved by a majority vote of qualified electors of the County voting in a referendum at the next regular primary or general election;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA:

Section 1. That a referendum be hereby ordered to be held in Manatee County, Florida, during the primary election on September 4, 1990, with respect to those matters more fully set forth herein.

Section 2. The purpose of this referendum is to obtain voter approval which will constitute a final and binding disposition of the matters set forth in the referendum.

Section 3. The ballot question to be used in the referendum shall be substantially in the following form:

REFERENDUM
MANATEE COUNTY, FLORIDA

"Shall the use of gill nets in the saltwaters of Manatee County, Florida, without a license bearing an annual fee of \$300 per boat be prohibited, all in accordance with the provisions of Chapter 90-420, Laws of Florida."

INSTRUCTIONS TO VOTERS: Indicate by punching out space by "YES" if you favor the proposition. Indicate by punching out space by "NO" if you do not favor the proposition.

Section 4. The returns of the referendum shall be canvassed in the manner provided by law, and said returns shall be certified to the Board, which shall declare the results thereof.

Section 5. The referendum shall in all respects be held and conducted in the manner provided in and by the laws of the State of Florida.

Section 6. The Clerk of the Circuit Court, ex officio clerk, Board of County Commissioners, Manatee County, Florida (the "Clerk"), shall prepare and give notice of the referendum above required by causing a copy of this Resolution, with an appropriate caption, to be published at least twice, once in the fifth week and once in the third week prior to the date of the referendum in a paper of general circulation in Manatee County, the first publication to be not less than thirty (30) days prior to the date of the referendum. The Clerk shall secure from the publisher of the newspaper an appropriate affidavit of proof that the Resolution has been duly published as herein set forth, and the affidavit shall be made a part of the record of the Board.

Section 7. Copies of this Resolution shall be reproduced and made available to the public without charge by the County Administrator.

Section 8. Copies of this Resolution shall be promptly delivered to the Supervisor of Elections for Manatee County.

Section 9. This Resolution shall take effect in the manner provided by law.

ADOPTED by a majority of the Board of County Commissioners of Manatee County, Florida this the 19th day of July, 1990.

BOARD OF COUNTY COMMISSIONERS
MANATEE COUNTY, FLORIDA

By: Patricia M. Glass
Patricia M. Glass, Chairman

ATTEST:

R.B. Shore
R.B. SHORE, CLERK OF THE CIRCUIT COURT

APPROVED, RATIFIED AND CONFIRMED 7/19/90
BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY