

CHAPTER 13

MISCELLANEOUS COMMISSIONS

PART I INTERSTATE COOPERATION; COMMISSIONERS
ON UNIFORM STATE LAWS (ss. 13.01-13.10)

PART II LAW REVISION (ss. 13.90-13.996)

PART I

INTERSTATE COOPERATION;
COMMISSIONERS ON
UNIFORM STATE LAWS

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13.01 Commission on Interstate Cooperation.—

(1) There is hereby established the Florida Commission on Interstate Cooperation. This commission shall be composed of 20 members, namely:

- (a) The members of the Senate Committee on Interstate Cooperation;
- (b) The members of the House Committee on Interstate Cooperation;
- (c) The members of the Governor's Committee on Interstate Cooperation; and
- (d) The Chief Justice of the Supreme Court or an associate justice designated by the Chief Justice.

(2) The Florida Commissioners for the Promotion of Uniformity of Legislation in the United States appointed pursuant to s. 13.10 shall be ex officio honorary nonvoting members of this commission. The commission shall elect a chair and a vice chair from among its members. The director of the office of planning and budgeting in the Executive Office of the Governor shall serve ex officio as secretary of the Governor's committee, and an employee of the Joint Legislative Management Committee designated by the executive director of the Joint Legislative Management Committee shall serve as secretary of the Joint Legislative Committee on Interstate Cooperation.

(3) The members of the commission and members of all special committees which it establishes shall serve without compensation for such service, but they shall be reimbursed for their travel expenses incurred in carrying out their obligations under this law as provided in s. 112.061.

History.—ss. 1, 8, ch. 28292, 1953; s. 1, ch. 57-203; s. 3, ch. 63-400; s. 1, ch. 67-222; ss. 2, 3, ch. 67-371; ss. 29, 30, ch. 69-52; ss. 31, 35, ch. 69-106; s. 11, ch. 72-178; s. 5, ch. 73-333; s. 2, ch. 83-217; s. 25, ch. 95-147.

Note.—The title of the commissioners was changed to "commissioners to the National Conference of Commissioners on Uniform State Laws" by s. 1, ch. 88-70.

Note.—Former s. 12.01.

13.02 Senate Committee on Interstate Cooperation created.—There is hereby established a standing committee of the Senate of this state, to be officially known as the Senate Committee on Interstate Cooperation, and to consist of the President of the Senate or an alternate designated by him or her and five senators appointed by the president. The members and the chair of this committee shall be designated in the same manner as is provided by the rules of the Senate for the appointment of the members and chairs of other standing committees of the Senate.

History.—s. 2, ch. 28292, 1953; s. 2, ch. 67-222; s. 26, ch. 95-147.

Note.—Former s. 12.02.

13.03 House of Representatives Committee on Interstate Cooperation.—There is hereby established a similar standing committee of the House of Representatives of this state, to be officially known as the House Committee on Interstate Cooperation and to consist of the Speaker of the House of Representatives or an alternate designated by the speaker and five members of the House of Representatives appointed by the speaker. The members and the chair of this committee shall be designated in the same manner as is provided by the rules of the House of Representatives for the appointment of the members and chairs of other standing committees of the House of Representatives.

History.—s. 3, ch. 28292, 1953; s. 3, ch. 67-222; s. 27, ch. 95-147.

Note.—Former s. 12.03.

13.04 House and Senate committees; terms; functions.—The said standing committee of the Senate and the said standing committee of the House of Representatives shall function during the regular sessions of the Legislature and also during the interim period between such sessions; their members shall serve until their successors are designated; and they shall together constitute the Joint Legislative Committee on Interstate Cooperation.

History.—s. 5, ch. 28292, 1953; s. 4, ch. 67-222.

Note.—Former s. 12.04.

13.05 Governor's Committee on Interstate Cooperation.—

(1) There is hereby established a committee of administrative officials of this state to be officially known as the Governor's Committee on Interstate Cooperation, and to consist of seven members. Its members shall be the Governor, Secretary of State, Attorney General,

Comptroller, Treasurer, Commissioner of Education, and Commissioner of Agriculture. Any member of the Governor's committee may designate an alternate to serve in the member's place upon any occasion; such alternate shall be an administrative official or employee of the state.

(2) The Governor shall appoint one of the members of this committee as its chair. The incumbency of each member of this committee shall extend until the member's successor is appointed.

History.—s. 4, ch. 28292, 1953; s. 5, ch. 67-222; s. 1, ch. 69-300; s. 28, ch. 95-147.

Note.—Former s. 12.05.

13.06 Designation.—The committees and the commission established by ss. 13.01–13.09 shall be informally known, respectively, as the Senate Cooperation Committee, the House Cooperation Committee, the Governor's Cooperation Committee and the Florida Commission on Interstate Cooperation.

History.—s. 9, ch. 28292, 1953.

Note.—Former s. 12.06.

13.07 Functions of commission.—It shall be the function of this commission:

(1) To carry forward the participation of this state as a member of the Council of State Governments.

(2) To encourage and assist the legislative, executive, administrative and judicial officials and employees of this state to develop and maintain friendly contact by correspondence, by conference, and otherwise, with officials and employees of the other states, of the federal government, and of local units of government.

(3) To endeavor to advance cooperation between this state and other units of government whenever it seems advisable to do so by formulating proposals for, and by facilitating:

- (a) The adoption of compacts;
- (b) The enactment of uniform or reciprocal statutes;
- (c) The adoption of uniform or reciprocal administrative rules and regulations;
- (d) The informal cooperation of governmental offices with one another;
- (e) The personal cooperation of governmental officials and employees with one another, individually;
- (f) The interchange and clearance of research and information; and
- (g) Any other suitable process.

(4) In short, to do all such acts as will, in the opinion of this commission, enable Florida to do its part in forming a more perfect union among the various governments in the United States and in developing the Council of State Governments for that purpose.

History.—s. 6, ch. 28292, 1953.

Note.—Former s. 12.07.

13.08 Powers and duties of commission.—

(1) The Commission on Interstate Cooperation shall establish such committees as it deems advisable, in order that they may confer and formulate proposals concerning effective means to secure intergovernmental harmony, and may perform other functions for the commission in obedience to its decisions.

(2) Subject to the approval of the commission, the member or members of any special committee shall be

appointed by the chair of the commission. State officials or employees who are not members of the commission may be appointed as members of any such special committee, but private citizens holding no governmental position in this state are not eligible.

(3) The commission may provide such other rules as it considers appropriate concerning the membership and the functioning of any such special committee.

(4) The commission may provide for advisory boards for itself and for its various committees, and it may authorize private citizens to serve on such boards.

(5) The commission, by contributions from the state to the Council of State Governments, may participate with other states in maintaining the council's district and central secretariats and its other governmental services.

(6) The commission may appoint a secretary who shall serve without compensation except that the secretary shall be reimbursed for travel expenses as provided in s. 112.061. The secretary shall keep records of commission activities and assist in preparing the periodic reports.

History.—ss. 7, 8, ch. 28292, 1953; s. 1, ch. 57-307; s. 19, ch. 63-400; s. 1, ch. 73-305; s. 35, ch. 84-254; s. 29, ch. 95-147.

Note.—Former s. 12.08.

13.09 Council of State Governments as joint governmental agency.—The Council of State Governments is hereby declared to be a joint governmental agency of this state and of the other states which cooperate through it.

History.—s. 10, ch. 28292, 1953.

Note.—Former s. 12.09.

13.10 Commissioners to the National Conference of Commissioners on Uniform State Laws.—

(1) The Governor shall appoint, subject to confirmation by the Senate, three commissioners to the National Conference of Commissioners on Uniform State Laws. Such appointed commissioners, together with any residents of the state who because of long service in the cause of the uniformity of state legislation shall have been elected life members from this state of the National Conference of Commissioners on Uniform State Laws, shall constitute Florida's representatives to the national conference.

(2) The commissioners shall examine the subjects of marriage and dissolution of marriage, insolvency, form of notarial certificates, descent and distribution of property, acknowledgment of deeds, execution and probate of wills, and other subjects; ascertain the best means to effect assimilation and uniformity in the laws of the state, and cooperate and advise with similar commissions appointed for a like purpose in other states of the union; and, if wise and practicable, draft uniform laws to be submitted for the approval and adoption of the several states, and devise and recommend such other course of action as shall best accomplish the purposes of this section.

(3) Said appointed commissioners shall serve for 4 years. All commissioners and the associate member shall serve without compensation, but shall be reimbursed for travel expenses as provided in s. 112.061.

(4) The executive director of the Joint Legislative Management Committee shall designate an appropriate

legislative employee to serve as an associate member and secretary to the Florida commissioners to the National Conference of Commissioners on Uniform State Laws. He or she shall prepare and sign all vouchers authorized by law and keep such records as directed by the commissioners.

History.—s. 1, ch. 4447, 1895; GS 66; RGS 77; CGL 93; s. 1, ch. 61-42; s. 19, ch. 63-400; s. 2, ch. 67-472; ss. 1, 29, 30, ch. 69-52; s. 12, ch. 72-178; s. 1, ch. 73-300; s. 1, ch. 77-85; s. 1, ch. 88-70; s. 30, ch. 95-147.

Note.—Former s. 11.01.

PART II

LAW REVISION

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13.90 Establishment.—The Florida Legislative Law Revision Council is hereby established.

History.—s. 1, ch. 67-472; s. 1, ch. 72-107; s. 1, ch. 77-37.

13.91 Members.—The council shall be composed of 12 members. The President of the Senate shall appoint four members, at least two of whom shall be members of the Senate; the Speaker of the House of Representatives shall appoint four members, at least two of whom shall be members of the House; and four members shall be appointed by the Board of Governors of The Florida Bar. Each appointee shall be a member of The Florida Bar or a member of the faculty of an accredited college of law in the state and shall be a person who has demonstrated an interest in law reform. Appointments shall be made without regard to political affiliation.

History.—s. 1, ch. 67-472; s. 2, ch. 72-107; s. 1, ch. 77-37.

13.92 Term.—Each of the legislative members appointed by the presiding officer of each house of the Legislature shall serve for a term of 2 years commencing July 1 of each odd-numbered year. The offices of legislative members shall become vacant if they cease to be members of the house of the Legislature from which they were appointed. Each of the other members shall serve for a term of 4 years, commencing July 1 in the year of appointment. Vacancies shall be filled for the unexpired terms in the same manner in which the initial members were appointed.

History.—s. 1, ch. 67-472; s. 3, ch. 72-107; s. 1, ch. 77-37.

13.93 Reappointment of members.—All members of the council are eligible for reappointment.

History.—s. 1, ch. 67-472; s. 4, ch. 72-107.

13.94 Chair.—Members of the council shall elect a chair and vice chair who shall serve for terms of 2 years and shall be eligible to succeed themselves.

History.—s. 1, ch. 67-472; s. 5, ch. 72-107; s. 31, ch. 95-147.

13.95 Compensation of members.—The members of the council shall serve without compensation, but they shall be reimbursed for expenses pursuant to s. 112.061.

History.—s. 1, ch. 67-472; s. 6, ch. 72-107.

13.96 Functions.—The council shall:

(1) Examine the common law, constitution and statutes of the state and current judicial decisions for the purpose of discovering defects and anachronisms in the law and recommending needed reforms;

(2) Recommend, from time to time, such changes in the law as it deems proper to modify or eliminate antiquated and inequitable rules of law, and to bring the law of the state into harmony with modern conditions;

(3) Conduct such surveys or research of the law of Florida as the Legislature may request.

History.—s. 1, ch. 67-472; s. 7, ch. 72-107.

13.97 Receipt of suggested reforms.—The council shall receive and consider and may prepare comments and recommendations on proposed changes in the law recommended by any public official, organization, or person.

History.—s. 1, ch. 67-472; s. 8, ch. 72-107.

13.98 Report to Legislature.—The council shall submit a report of its actions to each regular session of the Legislature at the beginning of the session with any legislative drafts which it proposes. The report shall include a description of the projects initiated, pending or completed during the preceding period, and may include recommendations and comments.

History.—s. 1, ch. 67-472; s. 9, ch. 72-107.

13.99 Personnel.—The council shall appoint an executive director who shall serve at the pleasure of the council. The council shall appoint such additional personnel as are necessary for the work of the council or by rule may delegate the executive director to make the appointments. The council shall fix the compensation of the executive director and of all other persons within the amount from time to time appropriated for the council. The council is authorized to pay compensation to personnel who are simultaneously employed by the council and by the state or by any agency or subdivision of the state.

History.—s. 1, ch. 67-472; s. 10, ch. 72-107.

13.992 Powers.—The council may procure temporary and intermittent professional services and render compensation therefor within the amount appropriated for the work of the council. The council may also contract for the services with colleges, universities, schools of law, or other research institutions and may cooperate generally with any learned or professional association or institution.

History.—s. 1, ch. 67-472; s. 11, ch. 72-107.

13.993 Procurement of information from public agencies and officers.—The council may procure infor-

mation and assistance from the state or any subdivision or municipal corporation or public officer or governmental department or agency thereof. All agencies, officers and political subdivisions of the state or municipal corporations shall give the council all relevant information and reasonable assistance on any matters of research within their knowledge or control.

History.—s. 1, ch. 67-472; s. 12, ch. 72-107.

13.994 Rules and regulations.—The council may make rules and regulations for the conduct of its business and to carry out the purposes of this act.

History.—s. 1, ch. 67-472; s. 13, ch. 72-107.

13.995 Appropriations and use of funds.—At each regular session of the Legislature an appropriation shall

be made to carry out the purpose of this act. Funds appropriated for the purposes of this act or transferred to the council by other state agencies for such purposes are available for the exercise of any authority granted by this act.

History.—s. 1, ch. 67-472; s. 14, ch. 72-107.

13.996 Revision of criminal laws.—The first duty of the council shall be to initiate, supervise and complete a revision of the criminal laws of this state, either in bulk or in the stages or parts that the council determines to be feasible. In so doing, it shall consult with persons experienced in the application and enforcement of the criminal laws in this state and persons who have experience in working with similar entities in other states.

History.—s. 1, ch. 67-472; s. 15, ch. 72-107.