

By Senator Brown-Waite

10-675-98

1 A bill to be entitled
2 An act relating to the Hernando County Law
3 Library; amending ch. 65-1627, Laws of Florida,
4 as amended; providing membership of the law
5 library board; revising powers and duties of
6 the board; providing for fees to fund the
7 library; providing for determination of fee
8 amounts; revising powers and duties of the
9 board of county commissioners with respect to
10 the library; providing an effective date.

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12 Be It Enacted by the Legislature of the State of Florida:

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14 Section 1. Sections 1-11 of chapter 65-1627, Laws of
15 Florida, as amended by section 1 of chapter 70-704, Laws of
16 Florida, are amended to read:

17 Section 1. It is ~~hereby~~ declared that the proper
18 administration of justice and of the courts makes ~~make~~ it
19 desirable and necessary that there be available to the county
20 officials and the judges and officers of the several courts of
21 Hernando County a central and adequate law library, and the
22 establishment and maintenance of such central law library is a
23 public need and for a general county purpose.

24 Section 2. There is ~~hereby~~ created and established in
25 Hernando County a central law library under the direction of
26 the law library board created by this act, to be located in
27 the courthouse of the ~~said~~ county for the use of county
28 officials and the judges and officers of the several courts of
29 the county. The library shall ~~to~~ be operated under such rules
30 ~~and regulations~~ as the law library board ~~shall~~ from time to
31 time adopts ~~prescribe~~. All legitimate claims against the

1 county for the conduct and operation of the central law
2 library shall be paid in the same manner as for the conduct
3 and operation of the courts within the county from the fund
4 hereinafter provided in this act.

5 Section 3. The law library board shall consist of
6 ~~three~~(3) practicing members of the Hernando County
7 ~~Brooksville~~ Bar Association who shall be appointed by the
8 Board of County Commissioners of Hernando County for an
9 initial term of ~~two~~ 2 years, a ~~the~~ judge of the Fifth~~(5th)~~
10 Judicial Circuit ~~court~~, elected from ~~either Citrus, Hernando~~
11 ~~or Sumter~~ County, and a ~~the~~ county judge of Hernando County
12 and their successors in office. Thereafter, upon the
13 expiration of the terms of the members so appointed, successor
14 members shall be appointed for 4-year ~~four (4) year~~ terms. ~~The~~
15 ~~law library board shall have full power to purchase books and~~
16 ~~library equipment on time payments or for cash and to enter~~
17 ~~into binding contracts for purchase thereof.~~ ~~Three~~(3) members
18 of the board shall constitute a quorum. Vacancies occurring on
19 ~~in~~ the board shall be filled by appointment by the board of
20 county commissioners for the unexpired portion of the term.

21 Section 4. The members of the library board shall meet
22 and organize within ~~thirty~~ 30 days after their appointment and
23 semiannually ~~semiannually~~ thereafter and shall elect one~~(1)~~
24 member chairman, another secretary, and another treasurer. The
25 duties of the officers shall be those usually pertaining to
26 such respective offices.

27 Section 5. The law library board shall use fees
28 established by ordinance, and it has full power to purchase
29 books and library equipment on time payments or for cash and
30 to enter into binding contracts for such purchases. ~~annual~~
31 ~~expenditures of the public law library hereby created shall~~

1 ~~not exceed the revenues produced by this act in the preceeding~~
2 ~~year; provided that during the first (1st) year of its~~
3 ~~operation the expenditures may be up to fifteen hundred~~
4 ~~dollars (\$1500.00).~~

5 Section 6. The law library board may ~~is authorized to~~
6 ~~promulgate and adopt rules and regulations for the governing~~
7 ~~of the library.~~

8 Section 7. There is ~~hereby~~ levied a fee ~~of five~~
9 ~~dollars (\$5) for each civil and probate case, or suit, or~~
10 ~~proceeding proceedings~~ filed in the circuit and county courts
11 ~~court of Hernando this County and for each ordinary probate~~
12 ~~case filed in the probate court of this county to be paid at~~
13 ~~the institution of such case, action, or proceeding. The~~
14 amount of the fee shall be established by ordinance.

15 Expenditures made by the library board ~~hereby created out of~~
16 ~~the library fund~~ shall be paid from the library fund in
17 accordance with established policies in Hernando County out
18 ~~upon the signature of its chairman, or in his absence the~~
19 ~~vice-chairman, and countersigned by the secretary or~~
20 ~~treasurer. The officers of the library board authorized to~~
21 ~~sign and countersign checks shall be placed under approved~~
22 ~~bond in the amount required by the board of county~~
23 ~~commissioners.~~

24 Section 8. The Board of County Commissioners of
25 Hernando County may either acquire and provide for the
26 maintenance and operation of the public law library hereby
27 created from existing established facilities or establish new
28 and independent facilities; ~~provided that nothing herein shall~~
29 ~~be construed as obligating the board of county commissioners~~
30 ~~to expend any funds for such facilities except those received~~
31 ~~by the provisions of this act.~~

1 Section 9. The library hereby created, when
2 established and organized in conformity with ~~the provisions of~~
3 this act, shall belong to and be the property of the Board of
4 County Commissioners of Hernando County.

5 Section 10. The chairman of the law library board
6 shall make annual reports to the Board of County Commissioners
7 of Hernando County, giving such statistics and other
8 information as may be requested by the board of county
9 commissioners.

10 Section 11. No profit from the operation of the
11 library or the facilities ~~herein~~ described in this act shall
12 inure to ~~the County of~~ Hernando County or any person, firm,
13 association, ~~or~~ corporation, ~~or~~ other organization.

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

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