

**STORAGE NAME:** h1551z.jud  
**DATE:** September 15, 2000

**\*\*AS PASSED BY THE LEGISLATURE\*\***  
**CHAPTER #:** 2000-427, Laws of Florida

**HOUSE OF REPRESENTATIVES  
AS REVISED BY THE COMMITTEE ON  
JUDICIARY  
FINAL ANALYSIS - LOCAL LEGISLATION**

**BILL #:** HB 1551  
**RELATING TO:** Pinellas County/Juvenile Welfare Board  
**SPONSOR(S):** Representative Morroni  
**TIED BILL(S):** None

**ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:**

- (1) JUDICIARY YEAS 5 NAYS 0
- (2) COMMUNITY AFFAIRS YEAS 9 NAYS 0
- (3)
- (4)
- (5)

---

**I. SUMMARY:**

HB 1551 amends section 1 of chapter 23483, L.O.F. (1945), as amended, to change the composition of the Pinellas County Juvenile Welfare Board ("Board").

The bill requires that the Board consist of eleven members as follows:

- ▶ One member shall be the county superintendent of schools
- ▶ The second member shall be a judge of the juvenile division of the circuit court
- ▶ The third member shall be the state attorney
- ▶ The fourth member shall be the public defender; and
- ▶ The fifth member shall be an appointed member of the Board of County Commissioners.

These members serve for the duration of the terms of office of their official offices.

The remaining six members, Governor appointees, are subject to Senate confirmation, and serve four year terms.

If a member appointed by the Governor resigns, dies, or is removed from office, the Governor shall appointed another person to serve the remainder of the term.

No fiscal impacts are anticipated either for fiscal year 2000-2001 or 2001-2002 according to the Economic Impact Statement.

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- |                                   |                              |                             |   |
|-----------------------------------|------------------------------|-----------------------------|---|
| 1. <u>Less Government</u>         | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. <u>Lower Taxes</u>             | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. <u>Individual Freedom</u>      | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. <u>Personal Responsibility</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. <u>Family Empowerment</u>      | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

B. PRESENT SITUATION:

Section 1 of chapter 23483, L.O.F. (1945), as amended, creates the Pinellas County Juvenile Welfare Board, which has responsibility for providing a wide range of juvenile services to the children of Pinellas County. In the original chapter law, the Board was tasked with providing detention homes for juveniles charged with or convicted of crimes, providing psychological services to all juveniles, services for mentally ill juveniles and runaways, and allocating and providing funds for other agencies that provide services to juveniles. s. 1, ch. 23483, L.O.F (1945). The Board's activities are funded by local property taxes. s. 3, ch. 23483, L.O.F (1945).

To date, the Pinellas County Juvenile Welfare Board Act has been amended 12 times, through the following chapters: 24826 (1947), 25500 (1949), 26356 (1949), 31171 (1955), 61-2675, 65-2101, 70-459, 70-894, 79-555, 92-228, 93-311, and 95-473, Laws of Florida. Chapter 95-473, L.O.F., amended the Board's composition to include the following nine members:

The county superintendent of schools, two judges of the juvenile court, and an appointed member of the Pinellas County Board of County Commissioners, each of whom shall serve on the Board during the terms of their official offices; and five members appointed by the Governor and confirmed by the Senate, who shall serve terms of four years each.

C. EFFECT OF PROPOSED CHANGES:

This bill is intended to place the state attorney and the public defender for the Sixth Judicial Circuit (located in Clearwater, in Pinellas County) on the Board. The bill also increase the number of gubernatorial appointments.

The bill will require that the Board consist of eleven members as follows:

- ▶ The county superintendent of schools;
- ▶ A circuit court juvenile division judge;
- ▶ The state attorney;
- ▶ The public defender; and ;
- ▶ An appointed member of the Board of County Commissioners.

These members serve for the duration of the terms of office of their official offices.

**STORAGE NAME:** h1551z.jud

**DATE:** September 15, 2000

**PAGE 3**

The remaining six members are Governor appointed and confirmed by the Senate, and serve for four years.

The bill also provides that if a member appointed by the Governor dies, resigns, or is removed from office, the Governor shall appoint another person to serve the remainder of the term.

**D. SECTION-BY-SECTION ANALYSIS:**

This section need be completed only in the discretion of the Committee.

**III. NOTICE/REFERENDUM AND OTHER REQUIREMENTS:**

**A. NOTICE PUBLISHED? Yes  No**

IF YES, WHEN? January 28, 2000.

WHERE? Tampa Bay Review in Clearwater, Pinellas County, Florida.

**B. REFERENDUM(S) REQUIRED? Yes  No**

IF YES, WHEN?

**C. LOCAL BILL CERTIFICATION FILED? Yes, attached  No**

**D. ECONOMIC IMPACT STATEMENT FILED? Yes, attached  No**

**IV. COMMENTS:**

**A. CONSTITUTIONAL ISSUES:**

N/A

**B. RULE-MAKING AUTHORITY:**

N/A

**C. OTHER COMMENTS:**

This bill takes effect upon becoming a law.

**V. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:**

The Committee on Community Affairs met on April 5, 2000 and adopted three amendments that are traveling with the bill:

Amendment one is a clarifying amendment, regarding the gubernatorial appointees to the board.

Amendment two was offered and withdrawn.

**STORAGE NAME:** h1551z.jud

**DATE:** September 15, 2000

**PAGE 4**

Amendment three increases the total membership from nine to eleven board members.

Amendment four increases the number of gubernatorial appointees from four to six.

**The Sponsor was advised that Amendments three and four likely corrupt the published notice.**

The bill was amended on the floor to include the amendments traveling with the bill and the bill passed the House. (HJ 622-623). It passed the Senate on May 5, 2000. (SJ 1370). It was signed by the Governor on June 7, 2000, and became chapter 2000-427, Laws of Florida.

VI. SIGNATURES:

COMMITTEE ON JUDICIARY:

Prepared by:

Staff Director:

Michael W. Carlson, J.D.

P.K. Jameson, J.D.

AS REVISED BY THE COMMITTEE ON COMMUNITY AFFAIRS:

Prepared by:

Staff Director:

Cindy M. Brown, J.D.

Joan Highsmith-Smith

**FINAL ANALYSIS PREPARED BY THE COMMITTEE ON JUDICIARY:**

Prepared by:

Staff Director:

Michael W. Carlson, J.D.

P.K. Jameson, J.D.