

By Representative Mayfield

1 A bill to be entitled
 2 An act relating to the Rupert J. Smith Law
 3 Library of Saint Lucie County; providing for
 4 codification of special laws regarding special
 5 districts pursuant to s. 189.429, F.S.,
 6 relating to the Rupert J. Smith Law Library of
 7 Saint Lucie County; providing legislative
 8 intent; codifying, amending, and reenacting
 9 chapter 57-1790, Laws of Florida, as amended;
 10 declaring the district to be an independent
 11 special district; providing a district charter;
 12 repealing chapters 57-1790, 71-895, 83-512, and
 13 88-516, Laws of Florida; providing an effective
 14 date.

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 16 WHEREAS, the proper and expeditious administration of
 17 justice in the courts of Saint Lucie County, Florida, make it
 18 necessary and desirable that there be available to the Judges
 19 and Officers of the several courts of said county and the
 20 county officials, and members of The Florida Bar and general
 21 public, a central and adequate law library located in the City
 22 of Fort Pierce, Saint Lucie County and elsewhere within the
 23 county, and

24 WHEREAS, the establishment and maintenance of such
 25 library would be beneficial to the public in general and would
 26 be of great aid in expediting matters before the courts of
 27 said county, and is therefore a public a public need, NOW,
 28 THEREFORE,

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 30 Be It Enacted by the Legislature of the State of Florida:
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1 Section 1. Pursuant to section 189.429, Florida
2 Statutes, this act constitutes the codification of all special
3 acts relating to the Rupert J. Smith Law Library of Saint
4 Lucie County, an independent special district. It is the
5 intent of the Legislature in enacting this law to provide a
6 single, comprehensive special act charter for the District,
7 including all current legislative authority granted to the
8 District by its several legislative enactments and any
9 additional authority granted by this act.

10 Section 2. Chapters 57-1790, 71-895, 83-512, and
11 88-516, Laws of Florida, relating to the Rupert J. Smith Law
12 Library of Saint Lucie County, are codified, reenacted,
13 amended, and repealed as herein provided.

14 Section 3. The charter for the Rupert J. Smith Law
15 Library of Saint Lucie County is re-created and reenacted to
16 read:

17 Section 1. There is hereby created a Board of Trustees
18 to be known as "Board of Trustees, Rupert J. Smith Law Library
19 of Saint Lucie County," which said board shall consist of
20 three members; the membership of the said board shall consist
21 of a Circuit Judge who is a resident of Saint Lucie County, to
22 be designated by the Chief Judge of the Nineteenth Judicial
23 Circuit, one member of the Board of County Commissioners of
24 Saint Lucie County to be chosen by the said Board of County
25 Commissioners biennially, and one active practicing attorney
26 who resides in Saint Lucie County to be appointed by the
27 president of the Saint Lucie County Bar Association. At the
28 time this act takes effect, one attorney shall be appointed
29 for a term of 1 year, beginning on the first Tuesday after the
30 first Monday in January of each year. The Board of Trustees
31 shall have full power and authority to establish, operate, and

1 maintain one or more law library facilities within Saint Lucie
2 County at such place or places as may, from time to time, be
3 designated by said Board of Trustees; to prescribe rules and
4 regulations as to its own functions and organization; and to
5 prescribe and enforce rules and regulations as to the use,
6 maintenance, and operation of said law library. Said Board of
7 Trustees shall purchase books, furniture, equipment, and
8 supplies either for cash or upon retained title or other
9 contracts that shall be payable solely out of said law library
10 fund and not otherwise.

11 Section 2. There shall be taxed and collected by the
12 Clerk of the Circuit Court of Saint Lucie County the sum of
13 \$30 for each civil action over \$5,000, the sum of \$30 for each
14 petition for dissolution of marriage or annulment, the sum of
15 \$30 for each probate and guardianship case filed, the sum of
16 \$30 for each caveat as to such probate and guardianship
17 filing, the sum of \$30 for each petition and order to admit
18 foreign wills, the sum of \$30 for disposition of personal
19 property without administration, the sum of \$30 for each
20 summary administration, the sum of \$30 for each family
21 administration, the sum of \$30 for each formal administration
22 guardianship, ancillary, curatorship, or conservatorship
23 proceeding, the sum of \$30 for each guardianship proceeding of
24 person, the sum of \$30 for each petition for determination of
25 incompetency, the sum of \$6 for each civil action involving a
26 claim of \$100 or less, the sum of \$6 for each civil action
27 involving a claim of more than \$100 but less than \$2,500, the
28 sum of \$10 for any civil claim of more than \$25, and the sum
29 of \$15 for each action involving an eviction, in addition to
30 the costs otherwise provided by law, the whole of which sum
31 shall be kept apart by said Clerk to be used exclusively for

1 the purchase and maintenance of said law library. The said
2 Clerk shall turn over said funds so collected, at the end of
3 each month, to the Board of Trustees herein established.
4 However, said Board of Trustees may, from time to time, as the
5 circumstances require, determine, by resolution at any regular
6 meeting, that all or a portion of the funds as hereinabove
7 provided is not required for the proper operation and
8 maintenance of said law library, and may direct the Clerk of
9 Circuit Court of Saint Lucie County to collect any lesser
10 amount, until such time as said Board, by similar resolution,
11 may deem it necessary to collect any larger amount not
12 exceeding the sums provided for in this section.

13 Section 3. The Board of County Commissioners of Saint
14 Lucie County is hereby authorized to provide in the annual
15 budget and thereby appropriate such other available funds to
16 such Board of Trustees, for the use of the law library, as
17 said Board of County Commissioners shall deem necessary and
18 proper for the use of said library; and said Saint Lucie
19 County law library is hereby made a county purpose.

20 Section 4. All of the funds hereby appropriated for
21 the use of said law library shall be placed by said Board of
22 Trustees into a fund to be known as the "Law Library Fund,"
23 which said fund shall be expended by said Board of Trustees
24 only for the purpose of procuring, equipping, and maintaining
25 a law library as herein provided, and for the purpose of
26 securing such furniture, furnishings, and equipment as may be
27 necessary for the proper operation of said law library, and
28 for the purpose of employing such personnel as may be required
29 for the proper operation of said library.

30 Section 5. Upon the re-creation as herein provided of
31 the Rupert J. Smith Law Library of Saint Lucie County, all

1 donations to the same and all property in any wise acquired by
2 donations, purchase, or otherwise shall be deemed to be held
3 and used by said Board of Trustees as a charitable public
4 trust for the benefit and use of the inhabitants of Saint
5 Lucie County and shall be exempt from all taxation.

6 Section 4. If any provision of this act or the
7 application thereof to any person or circumstance is held
8 invalid, the invalidity shall not affect other provisions or
9 applications of the act which can be given effect without the
10 invalid provision or application, and to this end the
11 provisions of this act are declared severable.

12 Section 5. In the event of a conflict between the
13 provisions of this act and the provisions of any other act,
14 the provisions of this act shall control to the extent of such
15 conflict.

16 Section 6. Chapters 57-1790, 71-895, 83-512, and
17 88-516, Laws of Florida, are repealed.

18 Section 7. This act shall take effect upon becoming a
19 law.

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