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A bill to be entitled

An act relating to the Merritt Island Public Library District, Brevard County; codifying, amending, reenacting, and repealing chapters 65-1289, 72-477, 76-330, 82-263, and 94-449, Laws of Florida, relating to the district; providing boundaries; providing for appointment of a library board; prescribing its duties, powers, and authority; providing for raising funds by taxation; providing a method of levying, collecting, and disbursing such funds; providing an effective date.

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

Section 1. Pursuant to section 189.429, Florida Statutes, this act constitutes the codification of all special acts relating to the Merritt Island Public Library District. It is the intent of the Legislature in enacting this law to provide a single, comprehensive special act charter for the Merritt Island Public Library District, including all current legislative authority granted to the Merritt Island Public Library District by its several legislative enactments and additional authority granted by this act.

Section 2. Chapters 65-1289, 72-477, 76-330, 82-263, and 94-449, Laws of Florida, are codified, amended, reenacted, and repealed as herein provided.

Section 3. The Merritt Island Public Library District is re-created and reenacted to read:

Section 1. All that part of Merritt Island, Florida, bounded and as described as:

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31 All that part of Merritt Island, lying South of the  
32 southerly boundary line of the Merritt Island  
33 Launching area, National Aeronautics and Space  
34 Administration, and bounded on the East by the waters  
35 of the Banana River, and on the West by the waters of  
36 the Indian River, excepting therefrom the lands of the  
37 Port Canaveral Authority,

38  
39 is created into a library district to be known as the Merritt  
40 Island Public Library District, hereinafter referred to as "the  
41 district."

42 Section 2. The Governor is authorized to appoint fifteen  
43 residents of the district as the Merritt Island library district  
44 board, hereinafter referred to as the "library board." The  
45 members of the library board shall, subject to the following,  
46 serve terms of 3 years each, unless removed for cause by the  
47 Governor. The first library board, however, shall consist of  
48 five members appointed for 3 years, five members appointed for 2  
49 years, and five members appointed for 1 year. Subsequent  
50 appointments or reappointments shall be for a period of 3 years.  
51 The library board members shall receive no compensation and must  
52 reside within the area designated in section 1. The library  
53 board members shall be appointed by the Governor and assume  
54 their duties within a reasonable time after this act becomes a  
55 law.

56 Section 3. Within 10 days after the appointment and  
57 qualifications of the members of the library board, the members  
58 shall meet and elect from their number a chair, first vice

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59 chair, second vice chair, recording secretary, corresponding  
60 secretary, and treasurer, provided, however, that the same  
61 member may be both secretary and treasurer.

62 Section 4. The library board shall meet each year and  
63 prepare a budget of proposed expenditures for the ensuing year.  
64 The meeting must be held on a date that conforms to, and does  
65 not conflict with, the requirements of section 200.065, Florida  
66 Statutes. Each year, a public hearing within the district must  
67 also be held after notice has been published at least once, to  
68 give residents living within the district an opportunity to  
69 review the proposed budget. The budget shall be funded by the  
70 imposition of a tax not to exceed one-half of 1 mill on the real  
71 and tangible personal property with the district less all such  
72 property exempt from taxation by the constitution or statutes of  
73 the state, and the use thereof shall be limited to the library  
74 purposes within the district. If, at the public hearing, a  
75 request for a rehearing is made and granted, the rehearing must  
76 be held on a date that conforms to, and does not conflict with,  
77 the requirements of section 200.065, Florida Statutes.

78 Section 5. The adoption by the library board of an annual  
79 budget for the library district pursuant to section 4 shall be  
80 accepted by the Brevard County board of commissioners and/or the  
81 Brevard County Tax Assessor and a millage assessment on the real  
82 and tangible personal property within the library district shall  
83 be made in order to produce the requirements set forth in said  
84 budget, provided, however, that in no event shall the assessment  
85 be in excess of one-half of 1 mill. The tax receipts shall be  
86 limited for library purposes within the district.

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87 Section 6. The library board shall constitute a body  
 88 politic and body corporate; it shall have perpetual existence;  
 89 it shall adopt and use a common seal and may alter the same; it  
 90 may contract and be contracted with; and it may sue and be sued  
 91 in its corporate name. It shall have the additional powers by  
 92 grant, purchase, lease, devise, gift, or bequest, or in any  
 93 other manner, real property, personal property, or any estate or  
 94 interest therein, and to improve, maintain, sell, lease,  
 95 mortgage, or otherwise encumber the same, or any part thereof,  
 96 or any interest therein, upon such terms and conditions as the  
 97 board shall fix and determine, and said determination shall be  
 98 deemed conclusive, except in case of fraud or gross abuse of  
 99 discretion; and to plan, build, construct, repair, fix,  
 100 purchase, sell, mortgage, encumber, furnish, equip, supply,  
 101 operate, manage, maintain, and conduct a library, and any  
 102 facilities, buildings, and structures related to and customarily  
 103 used, conducted, or operated in conjunction with a library.

104 Section 7. Warrants for the payment of labor, equipment,  
 105 property, or other expenses of the library board, and in  
 106 carrying into effect this act and its purposes, shall be payable  
 107 by the treasurer of the library board on accounts and vouchers  
 108 in the manner approved by the library board.

109 Section 8. (1) If taxes as provided for shall have been  
 110 collected by the tax collector of Brevard County, he or she  
 111 shall, on or before the 10th day of each month, report to the  
 112 secretary of the board the collections made for the preceding  
 113 month and remit the same to the treasurer of the library board  
 114 and take a receipt for the same from the treasurer. The tax

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115 collector shall be relieved from all other liability as to the  
116 amount paid the treasurer of the library board.

117 (2) The taxes provided for shall be assessed and collected  
118 in the same manner and form as provided for the assessment and  
119 collection of county taxes and a reasonable charge may be made  
120 by the tax assessor and the tax collector for assessing and  
121 collecting the same.

122 Section 9. The chair and treasurer of the library board,  
123 when entering upon their duties, shall give a sufficient bond to  
124 the Governor in the sum of \$10,000 each for the faithful  
125 performance of their duties. The premium for the bonds shall be  
126 paid by the district. The library board shall designate a  
127 depository or depositories for the funds of the library board  
128 and shall establish by resolution of the library board the  
129 method and authority under which such funds may be withdrawn  
130 from such depository or depositories; however, no fewer than two  
131 signatures are required on any checks drawn on the funds of the  
132 library board and one signature must be that of either the  
133 treasurer or the chair.

134 Section 10. The treasurer shall, before April 11 of each  
135 year, make his or her semiannual report of the receipt and  
136 expenditures of the finds of the district to the library board.  
137 Before October 11 of each year, the treasurer shall make his or  
138 her annual report of receipts and expenditures of the funds of  
139 the district to the library board. The reports shall be in  
140 writing, setting forth the amount of money received, from whom  
141 received, itemized amounts of expenditures, and to whom paid and  
142 for what payment is made. At the time of making the report to

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143 the library board the treasurer shall also file a copy of the  
 144 report with the Board of County Commissioners of Brevard County.

145 Section 11. This act shall be liberally construed to  
 146 promote the purposes for which it is intended.

147 Section 12. In the event that any part of this act shall  
 148 be held void for any reason, the determinations shall not affect  
 149 any other part thereof.

150 Section 13. The library board shall keep accurate minutes  
 151 of its meetings and proceedings, and the minutes shall be open  
 152 to public inspection at all reasonable times at the premises or  
 153 office of the library board. All meetings of the library board  
 154 shall be open to the public and all meetings shall be held  
 155 within the district.

156 Section 14. Under the authority of s. 2, Art. XII, and s.  
 157 9(b), Art. VII, of the State Constitution, the provisions of  
 158 sections 200.071, 200.091, and 200.141, Florida Statutes, are  
 159 hereby declared to be inapplicable to the Merritt Island Public  
 160 Library District, and said statutory provisions shall not affect  
 161 the power of the Merritt Island Public Library District to levy,  
 162 assess, collect, and enforce ad valorem taxes as provided under  
 163 all general, special, or local laws relating to said district.

164 Section 15. Nothing contained herein is to be construed or  
 165 interpreted to affect the authority of Brevard County to levy 10  
 166 mills on the dollar of assessed value for county purposes as  
 167 authorized under s. 9(b), Art. VII of the State Constitution and  
 168 section 200.071, Florida Statutes, or to affect the authority of  
 169 Brevard County to continue at a greater rate of taxation in  
 170 excess of 10 mills for county purposes as provided in section  
 171 200.071(3) and section 200.091, Florida Statutes providing for

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172 counties to continue to levy millage at a greater rate of  
173 taxation in excess of 10 mills for county purposes.

174 Section 4. Chapters 65-1289, 72-477, 76-330, 82-263, and  
175 94-449, Laws of Florida, are repealed.

176 Section 5. This act shall take effect upon becoming a law.