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HB 1685

2005 Legislature

1                                   A bill to be entitled  
 2           An act relating to the Bay County Law Library; codifying,  
 3           amending, reenacting, and repealing chapters 69-835, 75-  
 4           328, 96-464, and 96-530, Laws of Florida, relating to the  
 5           Bay County Law Library; providing legislative intent;  
 6           providing a governing body; providing that the district is  
 7           a dependent district; providing a district charter;  
 8           eliminating obsolete provisions; providing an effective  
 9           date.

10  
 11           WHEREAS, the proper and expeditious administration of  
 12           justice in the courts of Bay County makes it desirable and  
 13           necessary that there be available to the county officials and  
 14           the judges and officers of said county's several courts a  
 15           central and adequate law library located in Bay County, and

16           WHEREAS, the establishment and maintenance of such central  
 17           law library is a public need and serves a general county  
 18           purpose. The library, under the direction of a library board  
 19           created by this act, will be maintained and operated under such  
 20           rules and regulations as the law library board shall from time  
 21           to time prescribe, NOW, THEREFORE,

22  
 23           Be It Enacted by the Legislature of the State of Florida:

24  
 25           Section 1. Pursuant to section 189.429, Florida Statutes,  
 26           this act constitutes the codification of all special acts  
 27           relating to the Bay County Law Library. It is the intent of the  
 28           Legislature in enacting this law to provide a single,  
 29           comprehensive special act charter for the district, including

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30 all current legislative authority granted to the district by its  
 31 several legislative enactments and any additional authority  
 32 granted by this act.

33 Section 2. Chapters 69-835, 75-328, 96-464, and 96-530,  
 34 Laws of Florida, are codified, reenacted, amended, and repealed  
 35 as herein provided.

36 Section 3. This act may be cited as the "Bay County Law  
 37 Library Act."

38 Section 4. The charter for the Bay County Law Library is  
 39 re-created and reenacted to read:

40 Section 1. The Bay County Law Library is created and  
 41 established as a dependent special district in Bay County for  
 42 the purposes of providing a central, adequate law library for  
 43 the use of county officials, judges, officers of the several  
 44 courts of Bay County, and the citizens of Bay County. The  
 45 library is to be operated by a library board. The board shall  
 46 operate and maintain the library under rules and regulations as  
 47 it shall from time to time prescribe.

48 Section 2. (1) The governing body of the Bay County Law  
 49 Library is created, to be known as the "Bay County Law Library  
 50 Board," and shall be composed of three practicing members of the  
 51 Bay County bar association who shall be appointed by the Bay  
 52 County Board of County Commissioners for terms of 4 years each,  
 53 a judge of the fourteenth judicial circuit court residing in Bay  
 54 County, and a county judge of Bay County, and their successors  
 55 in office. The members of the board shall meet within 30 days  
 56 after their appointment and quarterly thereafter. Members shall  
 57 elect one member chair, one member vice chair, and one member  
 58 secretary/treasurer. Three members of the board shall constitute

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59 a quorum. Vacancies occurring on the board shall be filled by  
 60 appointment by the Bay County Board of County Commissioners for  
 61 the unexpired portion of the term. The library board shall have  
 62 full power to purchase, or acquire by gift, books, library  
 63 equipment, and supplies on time payments or for cash and to  
 64 enter into binding contracts for the purchase thereof. The board  
 65 is authorized to expend moneys to reimburse Bay County for all  
 66 library personnel expenses. The board is authorized to  
 67 promulgate and adopt all rules and regulations for the governing  
 68 of the library.

69 (2) All meetings shall be open to the public and conducted  
 70 in accordance with chapter 286, Florida Statutes. Minutes of the  
 71 meetings shall be recorded and shall be signed by the chair or,  
 72 in his or her absence, by the vice chair.

73 Section 3. The Bay County Commissioners and the Bay County  
 74 Law Library Board as established hereby shall, jointly and  
 75 severally, have the right to acquire and provide for the  
 76 maintenance and operation of the law library from existing  
 77 facilities or by establishing new, independent facilities, and  
 78 for such purposes shall jointly and severally have the right to  
 79 acquire real and personal properties and to borrow and encumber  
 80 moneys for the purpose of financing same.

81 Section 4. The law library hereby created, established,  
 82 and organized in conformity with the provisions of its  
 83 legislative acts shall belong to and be the property of the Bay  
 84 County Board of County Commissioners.

85 Section 5. The designated chair of the law library board  
 86 shall provide annual reports to the Bay County Board of County  
 87 Commissioners giving such statistics and other information as

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88 may be requested by the Board of County Commissioners.

89 Section 6. No profit from the operation of the library or  
 90 its facilities herein described shall inure to Bay County or any  
 91 person, firm, association, or corporation or other  
 92 organizations.

93 Section 7. All funds allocated for the use of the law  
 94 library or moneys donated shall be expended by the law library  
 95 board and only for the purpose of maintaining and operating the  
 96 law library.

97 Section 5. Chapters 69-835, 75-328, 96-464, and 96-530,  
 98 Laws of Florida, are repealed.

99 Section 6. This act shall take effect upon becoming a law.