

HOUSE OF REPRESENTATIVES LOCAL BILL STAFF ANALYSIS

BILL #: HB 1137 CS

Rupert J. Smith Law Library, St. Lucie County

SPONSOR(S): Harrell

TIED BILLS:

IDEN./SIM. BILLS:

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) <u>Local Government Council</u>	<u>8 Y, 0 N, w/CS</u>	<u>DiVagno</u>	<u>Hamby</u>
2) _____	_____	_____	_____
3) _____	_____	_____	_____
4) _____	_____	_____	_____
5) _____	_____	_____	_____

SUMMARY ANALYSIS

The Rupert J. Smith Law Library of Saint Lucie County (Law Library) is an independent special district. A Board of Trustees was created to establish, operate, and maintain law library facilities within Saint Lucie County. The Board of Trustees consists of three members: a circuit judge, a county commissioner, and an attorney. Each seat has its own requirements and assignment of who makes the appointment.

This bill increases the number of seats on the Board of Trustees from three to five, and creates requirements and appointment power for each new seat. The additions would include another attorney and a lay member.

This bill would take effect on becoming law.

According to the Economic Impact Statement, no fiscal impacts are anticipated for either fiscal year 2006-07 or 2007-08.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

Provide Limited Government: This bill increases the number of seats on the Board of Trustees for the Rupert J. Smith Law Library of Saint Lucie County.

B. EFFECT OF PROPOSED CHANGES:

Rupert J. Smith Law Library of Saint Lucie County and Board of Trustees

The Rupert J. Smith Law Library of Saint Lucie County (Law Library) is an independent special district, codified in chapter 2001-326, L.O.F. The Law Library is governed by a Board of Trustees. The Board of Trustees establish, operate, and maintain law library facilities within Saint Lucie County. They have the authority to prescribe rules and regulations of their own functions, and those of the library. The Board of County Commissioners of Saint Lucie County provides funds to the Board of Trustees for the Law Library in its annual budget. All of the funds are placed in the "Law Library Fund", and expended by the Trustees for procuring, equipping, and maintaining the Law Library. This includes securing furnishings, equipment, and personnel as necessary for operation of the Law Library.

The Board of Trustees consists of three members, broken down as follows:

- A Circuit Judge who is a resident of Saint Lucie County and appointed by the Chief Judge of the Nineteenth Judicial Circuit.
- A member of the Board of County Commissioners for Saint Lucie County, appointed by the members of the Board of County Commissioners biannually.
- An active practicing attorney who is a resident of the Saint Lucie County and appointed by the president of the Saint Lucie County Bar Association.

The attorney is appointed for a term of one year. The term begins on the first Tuesday after the first Monday in January of each year.

Effect of Bill

This bill increases the number of seats on the Board of Trustees for the Law Library from three to five and creates qualifications and appointment authority for the new seats. The new seats are as follows:

- An active practicing attorney who resides in Saint Lucie County, appointed by the president of the Port Saint Lucie Bar Association.
- A lay member, appointed by the president of the Friends of Saint Lucie County Library Association, Inc.

A change also is made to reflect that both attorneys would have a one year term, beginning on the first Tuesday after the first Monday in January of each year.

SECTION DIRECTORY:

Section 1: Amends section 1 of section 3 of chapter 2001-326, L.O.F., to increase number of seats on Board of Trustees.

Section 2: Provides an effective date of upon becoming law.

II. NOTICE/REFERENDUM AND OTHER REQUIREMENTS

A. NOTICE PUBLISHED? Yes No

IF YES, WHEN? November 10, 2005.

WHERE? *Fort Pierce Tribune*, Saint Lucie 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

According to the Economic Impact Statement, no fiscal impacts are anticipated for either fiscal year 2006-07 or 2007-08.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE & COMBINED BILL CHANGES

The Council on Local Government adopted one amendment on March 22, 2006. The amendment removed the Supremacy clause from the bill. The bill, as amended, was reported favorably with committee substitute.