

STORAGE NAME: h0017b.jud

DATE: October 5, 1999

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
JUDICIARY
ANALYSIS**

BILL #: HB 17

RELATING TO: Thomas H. Barkdull Jr. District Courthouse

SPONSOR(S): Rep. Cosgrove

TIED BILL(S):

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

(1) JUDICIARY YEAS 8 NAYS 0

(2)

(3)

(4)

(5)

I. SUMMARY:

HB 17 provides that the courthouse of the Third District Court of Appeal in the State of Florida be designated as the "Thomas H. Barkdull, Jr., District Courthouse" and authorizes the Third District Court of Appeal to erect suitable markers. A similar bill, HB 85, was passed in the 1999 Session by the House and Senate. However, that bill included a designation of the schooner Western Union as the official flagship of the State of Florida.

HB 85 was vetoed by the Governor on May 14, 1999. The veto message indicated that Judge Barkdull was worthy of the honors bestowed on him by the Courthouse designation. The Governor's veto was based upon the proposed designation or state endorsement of one for-profit commercial venture -- the Western Union -- over that of its competitors, which the Governor believed would set a dangerous precedent.

This bill does not appear to have a significant fiscal impact on state government and it has no fiscal impact on local governments.

This bill is effective upon becoming law.

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:

The Third District Court of Appeal has its courthouse in Miami, Florida. Judge Thomas H. Barkdull, Jr. served as a Judge of that court from 1961 through 1996.

C. EFFECT OF PROPOSED CHANGES:

The bill designates the Third District Court of Appeal Courthouse as the "Thomas H. Barkdull, Jr., District Courthouse."

D. SECTION-BY-SECTION ANALYSIS:

Section 1. The courthouse of the Third District Court of Appeal of the State of Florida is designated the "Thomas H. Barkdull, Jr., District Courthouse."

Section 2. The Third District Court of Appeals is directed to erect appropriate markers.

Section 3. This bill takes effect upon becoming law.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

There would be costs associated with the physical re-naming of the courthouse. These costs have not been estimated.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

The bill does not require counties or municipalities to spend funds or to take an action requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

The bill does not reduce the authority that municipalities or counties have to raise revenues in the aggregate.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

This bill does not reduce the percentage of a state tax shared with counties or municipalities.

V. COMMENTS:

A. CONSTITUTIONAL ISSUES:

None.

B. RULE-MAKING AUTHORITY:

None.

C. OTHER COMMENTS:

None.

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VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

N/A

VII. SIGNATURES:

COMMITTEE ON JUDICIARY:

Prepared by:

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