

STORAGE NAME: h0017z.jud
DATE: August 29, 2000

****AS PASSED BY THE LEGISLATURE****
CHAPTER #: 2000-375, Laws of Florida

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
JUDICIARY
FINAL 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:

House Bill 17 provides that the courthouse for 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.

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

The 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 [X] |
| 2. <u>Lower Taxes</u> Yes <input type="checkbox"/> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A [X] |
| 3. <u>Individual Freedom</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A [X] |
| 4. <u>Personal Responsibility</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A [X] |
| 5. <u>Family Empowerment</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A [X] |

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.

A similar bill, House Bill 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.

House Bill 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 indicated would set a dangerous precedent.

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.

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2. Expenditures:

The Third District Court of Appeals absorbed the costs of re-naming.

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:

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