

STORAGE NAME: h1773a.ca

DATE: April 9, 1997

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
COMMUNITY AFFAIRS
BILL RESEARCH & ECONOMIC IMPACT STATEMENT - LOCAL LEGISLATION**

BILL #: HB 1773

RELATING TO: Rainbow River Management Area (Marion County)

SPONSOR(S): Representative Argenziano and others

COMPANION BILL(S): None

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

- (1) COMMUNITY AFFAIRS YEAS 6 NAYS 0
 - (2)
 - (3)
 - (4)
 - (5)
-

I. SUMMARY:

The Marion County Board of County Commissioners (the Commission) has the duty to fix and assess a schedule of rates, fees or charges sufficient to finance the cost of providing water and sewer services within the Rainbow River Management Plan Area, by January 1, 1998. Such rates, fees or charges are to be paid by the user, owner, tenant, or occupant of each lot or parcel of land within the district which is connected to, or uses any part of, the water or sewer services. This bill repeals the special acts which require the Commission to assess those fees and costs.

The Economic Impact Statement provides that without this bill, the impact of the mandated capital plant would amount to approximately \$17,100 per household, on a total of 126 households, together with a monthly service charge of approximately \$175.00 per month.

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II. SUBSTANTIVE RESEARCH:

PRESENT SITUATION:

In 1988, the Marion County Board of County Commissioners (the Commission) was authorized, by special act, chapter 88-468, Laws of Florida, to fix and assess a schedule of rates, fees and charges to finance the cost of providing water and sewer services within the Rainbow River Management Plan Area. The priority was the provision of services to waterfront properties. As of 1990, the Commissioners had not fixed or assessed the schedule of rates as prescribed by chapter 88-468, Laws of Florida. Thus, in 1990, chapter 88-468, Laws of Florida, was amended by chapter 90-262, Laws of Florida, to require the Commission to assume these duties by January 1, 1998. All rates, fees or charges must to be paid by the user or owner, tenant, or occupant of each lot or parcel of land within the district which is connected to or uses any part of the water or sewer services.

A. EFFECT OF PROPOSED CHANGES:

The Commission will no longer be required to assess a schedule of rates and fees to the tenants or occupants of each parcel of land in an amount sufficient to finance the cost of providing water and sewer services.

B. LAWS OF FLORIDA/FLORIDA STATUTES AFFECTED:

Chapter 88-469, Laws of Florida
Section 5 of chapter 90-262, Laws of Florida

C. APPLICATION OF PRINCIPLES:

1. Less Government:

a. Does the bill create, increase or reduce, either directly or indirectly:

(1) any authority to make rules or adjudicate disputes?

No.

(2) any new responsibilities, obligations or work for other governmental or private organizations or individuals?

No.

(3) any entitlement to a government service or benefit?

No.

- b. If an agency or program is eliminated or reduced:

Not applicable.

(1) what responsibilities, costs and powers are passed on to another program, agency, level of government, or private entity?

(2) what is the cost of such responsibility at the new level/agency?

(3) how is the new agency accountable to the people governed?

2. Lower Taxes:

- a. Does the bill increase anyone's taxes?

No.

- b. Does the bill require or authorize an increase in any fees?

No.

- c. Does the bill reduce total taxes, both rates and revenues?

No.

- d. Does the bill reduce total fees, both rates and revenues?

Yes, for 126 households. The bill repeals the special acts which would require the Commission to assess fees and costs on 126 households, in an amount sufficient to cover the cost of providing them water and sewer services.

- e. Does the bill authorize any fee or tax increase by any local government?

No.

3. Personal Responsibility:

- a. Does the bill reduce or eliminate an entitlement to government services or subsidy?

No.

- b. Do the beneficiaries of the legislation directly pay any portion of the cost of implementation and operation?

No.

4. Individual Freedom:

- a. Does the bill increase the allowable options of individuals or private organizations/associations to conduct their own affairs?

No.

- b. Does the bill prohibit, or create new government interference with, any presently lawful activity?

No.

5. Family Empowerment:

- a. If the bill purports to provide services to families or children:

Not applicable.

(1) Who evaluates the family's needs?

(2) Who makes the decisions?

(3) Are private alternatives permitted?

(4) Are families required to participate in a program?

(5) Are families penalized for not participating in a program?

- b. Does the bill directly affect the legal rights and obligations between family members?

No.

- c. If the bill creates or changes a program providing services to families or children, in which of the following does the bill vest control of the program, either through direct participation or appointment authority:

Not applicable.

(1) parents and guardians?

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(2) service providers?

(3) government employees/agencies?

D. SECTION-BY-SECTION RESEARCH:

Section 1. Repeals chapter 88-469, Laws of Florida, as amended by chapter 90-262, Laws of Florida.

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

III. NOTICE/REFERENDUM AND OTHER REQUIREMENTS:

A. NOTICE PUBLISHED? Yes No

IF YES, WHEN? January 27, 1997

WHERE? Star-Banner, Ocala, Marion 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

IV. COMMENTS:

Water and sewage services are currently, and will continue to be, provided by wells and septic tanks. Marion County has instituted a septic tank testing program to ensure the septic tanks to do not contribute to nitrate loading.

V. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

None.

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VI. SIGNATURES:

COMMITTEE ON COMMUNITY AFFAIRS:

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