

STORAGE NAME: h3849z.ca
DATE: June 25, 1998

****FINAL ACTION****
****SEE FINAL ACTION STATUS SECTION****

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

BILL #: HB 3849
RELATING TO: Pinellas County (Pinellas Park Water Management District)
SPONSOR(S): Representative Brennan
COMPANION BILL(S): SB 2743 (i)

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

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

I. FINAL ACTION STATUS:

House Bill 3849 was referred to the House Committees on Community Affairs and Finance and Taxation on March 10, 1998. The bill was placed on the Community Affairs agenda on March 31, 1998. It was favorably passed by the committee on April 6, 1998. The bill died in the Committee on Finance and Taxation.

Senate Bill 2743, companion to HB 3849, was referred to the Senate Committee on Rules and Calendar on April 29, 1998. The bill was withdrawn from the committee on May 1, 1998. The bill was passed by the Senate on May 1, 1998 with a vote of 40 YEAS and 0 NAYS. The bill was received in House Messages on May 1, 1998. The bill was passed by the House on May 1, 1998 with a vote of 119 YEAS and 0 NAYS. The bill became law without the Governor's signature on May 24, 1998 as chapter 98-456, Laws of Florida.

II. SUMMARY:

This bill provides that property located within the Pinellas Park Water Management District, not receiving any benefit from the district's work or activities, may be removed from the district by an amendment to the district's enabling act.

III. SUBSTANTIVE RESEARCH:

A. PRESENT SITUATION:

The Pinellas Park Water Management District (PPWMD) was created in 1975 by the Florida Legislature (chapter 75-491, Laws of Florida). The district is listed in the 1997 *Official List of Special Districts* as an independent special district. The district manages the primary drainage system for a portion of central Pinellas County. The PPWMD is divided into five drainage basins with a primary channel system draining each basin. The jurisdictional limits of the PPWMD covers approximately 15 square miles, which include portions of the City of Pinellas Park and unincorporated Pinellas County.

Currently, the law provides that deletion of taxable property from the district's tax rolls, may be achieved, if over 50 percent of the property drains outside the district.

Section 10, Article III of the State Constitution, provides no special law shall be passed unless notice of intention to seek enactment thereof has been published in the manner provided by general law. Such notice shall not be necessary when the law, except the provision for referendum, is conditioned to become effective only upon approval by vote of the electors of the area affected. Section 11.02, Florida Statutes, provides implementing language for the constitutional provision.

B. EFFECT OF PROPOSED CHANGES:

House Bill 3849 provides that property located within the Pinellas Park Water Management District, not receiving any benefit from the district's work or activities, may be removed from the district by an amendment to the district's enabling act.

C. LAWS OF FLORIDA/FLORIDA STATUTES AFFECTED:

Chapter 75-491, Laws of Florida.

D. 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:

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

N/A

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

N/A

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

N/A

2. Lower Taxes:

a. Does the bill increase anyone's taxes?

N/A

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

N/A

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

N/A

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

N/A

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

N/A

3. Personal Responsibility:

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

N/A

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

N/A

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:

- (1) Who evaluates the family's needs?

N/A

- (2) Who makes the decisions?

N/A

- (3) Are private alternatives permitted?

N/A

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

N/A

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

N/A

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

N/A

- 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:

- (1) parents and guardians?

N/A

- (2) service providers?

N/A

- (3) government employees/agencies?

N/A

E. SECTION-BY-SECTION RESEARCH:

Section 1: Amends section 7 of chapter 75-491, Laws of Florida, as amended by chapters 78-597 and 90-488, Laws of Florida, to provide that property located within the Pinellas Park Water Management District, not receiving any benefit from the district's work or activities, may be removed from the district by an amendment to the district's enabling act. Repeals a provision which provides a method for deletion of taxable property from the district's tax rolls if over 50 percent of the property drains outside the district.

Section 2: Provides this act shall take effect upon becoming law.

IV. NOTICE/REFERENDUM AND OTHER REQUIREMENTS:

- A. NOTICE PUBLISHED? Yes No

IF YES, WHEN? January 30, 1998

WHERE? Warfield's Tampa Bay Review

- B. REFERENDUM(S) REQUIRED? Yes No

IF YES, WHEN?

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C. LOCAL BILL CERTIFICATION FILED? Yes, attached [X] No []

D. ECONOMIC IMPACT STATEMENT FILED? Yes, attached [x] No []

V. COMMENTS:

None.

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

None.

VII. SIGNATURES:

COMMITTEE ON COMMUNITY AFFAIRS:

Prepared by:

Legislative Research Director:

Lisa C. Cervenka

Joan Highsmith-Smith

FINAL RESEARCH PREPARED BY COMMITTEE ON COMMUNITY AFFAIRS:

Prepared by:

Legislative Research Director:

Lisa C. Cervenka

Joan Highsmith-Smith