

STORAGE NAME: h3853z.ca
DATE: May 12, 1998

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

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

BILL #: 2ND ENG/HB 3853
RELATING TO: Pinellas County Industry Council
SPONSOR(S): Representative Morroni and others
COMPANION BILL(S): None

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

- (1) COMMUNITY AFFAIRS YEAS 7 NAYS 0
- (2)
- (3)
- (4)
- (5)

I. FINAL ACTION STATUS:

House Bill 3853 was passed by the House Committee on Community Affairs on March 19, 1998. The bill was amended by the House on April 1, 1998, by a vote of 111 YEAS and 2 NAYS. The engrossed bill was received by the Senate on April 15, 1998 and was referred to the Senate Committee on Rules and Calendar. It was withdrawn from the Senate Committee on Rules and Calendar on May 1, 1998, and placed on the Senate Local Calendar. 1ST ENG/HB 3853 was amended by the Senate on May 1, 1998, and passed as amended by a vote of 40 YEAS and 0 NAYS. The House concurred in the Senate amendments and passed 2ND ENG/HB 3853 on May 1, 1998, by a vote of 118 YEAS and 1 NAYS. The bill became chapter 98-485, Laws of Florida.

II. SUMMARY:

The bill dissolves the Pinellas County Industry Council.

The bill transfers the Council's assets and liabilities to Pinellas County.

III. SUBSTANTIVE RESEARCH:

A. PRESENT SITUATION:

The Pinellas County Industry Council was created by a special act in 1969 to provide direction in the County's planning and development of industry, commerce and business. The Pinellas County Industry Council is a dependent special district in Pinellas County which has the authority to promote, finance and refinance the industrial development of Pinellas County. The Council is composed of nine members who are appointed by several groups in Pinellas County. The Council has various powers such as to hold and dispose of real and personal property, make contracts, acquire, finance or refinance projects, borrow money, make rules and regulations, and issue revenue bonds and other debt obligations. Since its creation, there have been no special acts relating to the Council.

The St. Petersburg/Clearwater Area Economic Development Council was created by Ordinance 97-101, and becomes effective July 1, 1998. This ordinance creates an advisory council which is authorized to act as a "local agency" pursuant to section 159.27(4), Florida Statutes. The Council will advise the Board of County Commissioners on issues including economic activity and promotion, agriculture, urban development, historic preservation, education, and health care. The Council will be composed of nine members who are appointed by the Board of County Commissioners and serve staggered terms of four years. The County feels that this Council will be more responsive to the changing economic environment and improves the competitive position of the County than the Pinellas County Industry Council.

Section 189.4042(2), Florida Statutes, provides that a merger or dissolution of a dependent special district created by special act of the Legislature may only be effectuated by the Legislature unless otherwise provided by general law.

B. EFFECT OF PROPOSED CHANGES:

The bill dissolves the Pinellas County Industry Council, effective July 1, 1999. In its place, the County has created the St. Petersburg/Clearwater Area Economic Development Council.

The bill transfers the Council's assets and liabilities to Pinellas County.

C. LAWS OF FLORIDA/FLORIDA STATUTES AFFECTED:

Chapter 69-1490, 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?

The bill eliminates a special district's authority to make rules relating to promotion, finance and refinance of industrial development in Pinellas County.

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

The St. Petersburg/Clearwater Area Economic Development Council's duties includes those now performed by the Council.

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

N/A

- 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?

No. The funds currently allocated by the County to the Pinellas County Industry Council are available for the St. Petersburg/Clearwater Area Economic Development Council. The Economic Development Council will receive \$727,950 from the Pinellas County FY '98 Annual Operating and Capital Budget.

- 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?

No.

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?

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?

N/A

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

N/A

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

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: Repeals chapter 69-1490, Laws of Florida.

Section 2: Transfers Council's assets and liabilities to Pinellas County.

Section 3: Provides the effective date of July 1, 1999.

IV. NOTICE/REFERENDUM AND OTHER REQUIREMENTS:

A. NOTICE PUBLISHED? Yes [X] No []

IF YES, WHEN? January 30, 1998

WHERE? Clearwater, Florida; Warfield's Tampa Bay Review

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B. REFERENDUM(S) REQUIRED? Yes [] No [X]

IF YES, WHEN?

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:

An amendment was adopted on the House floor on April 1, 1998. The amendment changed the date of the Council dissolution from 1998 to 1999.

An amendment was adopted on the Senate floor on May 1, 1998, which provided for the transfer of assets and liabilities of the Council to Pinellas County upon dissolution.

VII. SIGNATURES:

COMMITTEE ON COMMUNITY AFFAIRS:

Prepared by:

Legislative Research Director:

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