

STORAGE NAME: h4029.ca

DATE: March 25, 1998

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

BILL #: HB 4029

RELATING TO: St. Lucie County Port & Airport Authority

SPONSOR(S): Representative K. Pruitt

COMPANION BILL(S): None

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

- (1) COMMUNITY AFFAIRS
 - (2)
 - (3)
 - (4)
 - (5)
-

I. SUMMARY:

The bill dissolves the St. Lucie County Port & Airport Authority.

II. SUBSTANTIVE RESEARCH:

A. PRESENT SITUATION:

The St. Lucie County Port and Airport Authority, a dependent district, was recreated by chapter 97-377, Laws of Florida. The authority is a continuation of the Fort Pierce Port Airport Authority, chapter 61-2754, Laws of Florida, now known as the St. Lucie County Port and Airport Authority pursuant to chapter 88-515, Laws of Florida. The authority's boundaries is all of St. Lucie County. The governing body of the St. Lucie County Port and Airport Authority is made up of ex officio of the five county commissioners of St. Lucie County and the clerk of the circuit court. Th authority's powers include, but are not limited to: employing an airport director and port director, to make contracts, to sue and be sued, to fix and determine rates, to assess, to levy and collect ad valorem taxes and non-ad valorem, and to issue bonds. The authority is currently operated by county employees under the direction of the county administrator. Under its current charter, there is no dissolution provision.

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 St. Lucie County Port & Airport Authority.

The bill provides that all Authority property is passed and vested in the Board of County Commissioners of St. Lucie County.

The bill provides that no obligations or contracts are impaired or avoided by the dissolution. Rather, all shall be binding upon St. Lucie County.

C. LAWS OF FLORIDA/FLORIDA STATUTES AFFECTED:

Chapter 97-377, 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?

Yes. The bill abolishes a dependent special district.

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

Yes. The bill transfers all authority and powers of the abolished authority to St. Lucie County.

- (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?

The Port and Airport Authority's powers and authority are transferred to St. Lucie County.

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

None.

- (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?

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: Abolishes the St. Lucie County Port and Airport Authority on October 1, 1998; and repeals chapter 97-377, Laws of Florida on October 1, 1998.

Section 2: Provides the transfer and vesting of all the District's properties and rights to the Board of County Commissioners of St. Lucie County.

Section 3: Provides that no obligations or contracts are impaired or avoided by the dissolution; and provides that all obligations and contracts are binding upon St. Lucie County.

Section 4: Provides liberal construction in order that St. Lucie County may effectively carry out the assumption of powers and authority.

Section 5: Provides a severability clause.

Section 6: Provides an effective date of upon becoming a law.

III. NOTICE/REFERENDUM AND OTHER REQUIREMENTS:

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A. NOTICE PUBLISHED? Yes No

IF YES, WHEN? November 18, 1997

WHERE? Fort Pierce, Florida; The Tribune

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:

The Board of County Commissioners of St. Lucie County asked that the Authority be dissolved. The reason is that the Board is the Authority. Following the Board's meeting, the gavel is often pounded as they re-meet as the St. Lucie County Port and Airport Authority. The dissolution eliminates an unneeded layer of government and reduces paperwork and meetings.

V. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

N/A

VI. SIGNATURES:

COMMITTEE ON COMMUNITY AFFAIRS:

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