

**STORAGE NAME:** h4097z.ca  
**DATE:** May 11, 1998

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

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

**BILL #:** 1ST ENG/HB 4097

**RELATING TO:** West Parkland Water Management District, Broward County

**SPONSOR(S):** Representative Rayson

**COMPANION BILL(S):** SB 2702 (i)

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

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

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**I. FINAL ACTION STATUS:**

House Bill 4097 was passed by the House Committee on Community Affairs on April 6, 1998. The bill was amended by the House on April 24, 1998, and passed as amended by a vote of 117 YEAS and 0 NAYS, and was ordered engrossed. The bill was received by the Senate on April 29, 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 It was withdrawn from the Senate Committee on Rules and Calendar on May 1, 1998, and placed on the Senate Local Calendar. The Senate passed 1st ENG/HB 4097 on May 1, 1998, by a vote of 40 YEAS and 0 NAYS. The bill became chapter 98-500, Laws of Florida.

**II. SUMMARY:**

The bill dissolves the West Parkland Water Management District.

The bill transfers District obligations and assets to the City of Parkland.

III. SUBSTANTIVE RESEARCH:

A. PRESENT SITUATION:

The West Parkland Water Management District, an independent district, was created by chapter 75-353, Laws of Florida. The purpose of the district is to facilitate the proper development and water control of the land within the District. The governing board of the District consists of five supervisors. The District's powers include, but are not limited to, the authority to: acquire property, contract, sue, adopt water management and control plans, regulate supply and water level, borrow money and issue bonds and other indebtedness, construct bridges, collect fees and rates, and assess and collect ad valorem taxes.

Section 189.4042(2), Florida Statutes, provides that a merger or dissolution of an independent 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 West Parkland Water Management District.

The bill transfers District assets and obligations to the City of Parkland.

C. LAWS OF FLORIDA/FLORIDA STATUTES AFFECTED:

Chapter 75-353, 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 water management District. However, this District has not functioned in over ten years.

(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?

No.

(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:

**STORAGE NAME:** h4097z.ca

**DATE:** May 11, 1998

**PAGE 5**

(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 75-353, Laws of Florida; and abolishes the West Parkland Water Management District as a legal entity.

Section 2: Transfers District assets and obligations to the City of Parkland.

Section 3: Provides an effective of upon becoming law.

**IV. NOTICE/REFERENDUM AND OTHER REQUIREMENTS:**

A. NOTICE PUBLISHED? Yes [] No []

IF YES, WHEN? February 9, 1998

WHERE? Fort Lauderdale, Florida; Sun - Sentinel

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 []

**V. COMMENTS:**

The bill eliminates the West Parkland Water Management District which has not functioned, performed any duties, or been responsible for any water management activities for over ten years. It appears as though this District never performed any of its duties. The District was created in order to serve an area titled "The Ranches" in the City of Parkland. Although the District was created, it was never organized because there was no need for it. A neighbor allowed residents in the Ranches to drain onto his property.

**STORAGE NAME:** h4097z.ca

**DATE:** May 11, 1998

**PAGE 6**

The bill abolishes an antiquated District and can be abolished without loss of any public service. Water management practices in the city are covered by a number of special districts and by the City of Parkland through special assessments.

**VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:**

An amendment was adopted on the House Floor on April 24, 1998. The amendment transfers the assets and obligations of the dissolved district to the City of Parkland. The amendment was engrossed into the bill resulting in 1st ENG/HB 4097.

**VII. SIGNATURES:**

**COMMITTEE ON COMMUNITY AFFAIRS:**

Prepared by:

Legislative Research Director:

Laura L. Jacobs

Joan Highsmith-Smith

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