

STORAGE NAME: h4097.ca

DATE: March 31, 1998

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

BILL #: HB 4097

RELATING TO: West Parkland Water Management District, Broward County

SPONSOR(S): Representative Rayson

COMPANION BILL(S): None

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

- (1) COMMUNITY AFFAIRS
 - (2)
 - (3)
 - (4)
 - (5)
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I. SUMMARY:

The bill dissolves the West Parkland Water Management District.

II. 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.

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:

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(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: Provides an effective of upon becoming law.

III. 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

IV. 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.

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.

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V. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

N/A

VI. SIGNATURES:

COMMITTEE ON COMMUNITY AFFAIRS:

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