

STORAGE NAME: h0593.ca

DATE: March 5, 1997

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

BILL #: HB 593

RELATING TO: Palm Beach County (Northern Palm Beach County Improvement District)

SPONSOR(S): Representative Merchant

COMPANION BILL(S): None.

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

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

I. SUMMARY:

This bill annexes 2.293 acres into the territorial limits of the Northern Palm Beach County Improvement District (District).

According to the attached Economic Impact Statement (EIS), this bill will have no impact on the revenues or expenditures of the District. The EIS states the bill will facilitate administration of the District.

II. SUBSTANTIVE ANALYSIS:

A. PRESENT SITUATION:

The Northern Palm Beach County Improvement District (District), formerly the Northern Palm Beach County Water Control District, is an independent district created by special act chapter 59-994, Laws of Florida, as a chapter 298, F.S., drainage or water control district. The District is responsible for drainage and land reclamation within a 250,000-acre area in northern Palm Beach County. The predominant land use is residential and industrial and includes eight municipalities and the United Technologies, Pratt and Whitney Aircraft Engine Facility.

The District is divided into units of development. When a simple majority of property owners petition the Board of Supervisors for reclamation or improvements, the discrete geographical land unit where such benefit is derived is established as a unit of development. Assessments are levied in each unit of development in proportion to improvements made.

Chapter 95-489, Laws of Florida, changed the name of the Northern Palm County Water Control District to the Northern Palm Beach County Improvement District (District) and significantly expanded the scope of the District's authorized activities beyond water control and drainage. The act authorized the district to provide, construct, operate, and maintain community or public preserves, playgrounds, amphitheaters, and recreation and sports areas and facilities as part of the District's plan of improvements for a unit of development. The act excluded the operation or maintenance of a professional sports stadium from this grant of additional power. The development, operation, and maintenance of improvements authorized by the act must be financed as a part of the unit development's plan of improvements through debt and/or maintenance taxes, user fees, and other legally available revenues. The annual cost of operating and maintaining such improvements must be included in the unit of development's maintenance taxes.

B. EFFECT OF PROPOSED CHANGES:

This bill annexes 2.293 acres into the territorial limits of the Northern Palm Beach County Improvement District.

C. LAWS OF FLORIDA/FLORIDA STATUTES AFFECTED:

Chapter 59-994, Laws of Florida, as amended.

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?

Not applicable.

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

Not applicable.

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

Not applicable.

2. Lower Taxes:

a. Does the bill increase anyone's taxes?

No.

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?

No.

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

The owner of the land annexed into the District will pay assessments for benefits received.

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?

Not applicable.

- (2) Who makes the decisions?

Not applicable.

- (3) Are private alternatives permitted?

Not applicable.

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

Not applicable.

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

Not applicable.

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

No.

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?

Not applicable.

(2) service providers?

Not applicable.

(3) government employees/agencies?

Not applicable.

E. SECTION-BY-SECTION ANALYSIS:

Section 1. Section 1 of chapter 59-994, Laws of Florida, as amended, is amended to annex 2.293 acres into the territorial limits of northern Palm Beach County Improvement District.

Section 2. An effective date of upon becoming a law is provided.

III. NOTICE/REFERENDUM AND OTHER REQUIREMENTS:

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

IF YES, WHEN? January 29, 1997

WHERE? The Palm Beach Post, Palm Beach County, Florida

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

IF YES, WHEN? Not applicable.

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

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

IV. COMMENTS:

Although the local bill certification provided with HB 593 states the purpose of this act cannot be accomplished locally, s. 298.07, F.S., provides a vehicle other than a special act for amending the District's boundaries. However, the District's boundaries were established in Chapter 59-994, Laws of Florida, as amended, and have been changed by special act as recently as 1996 (Chapter 96-488, Laws of Florida).

V. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

None.

VI. SIGNATURES:

COMMITTEE ON COMMUNITY AFFAIRS:

Prepared by:

Legislative Research Director:

Thomas L. Hamby, Jr.

Jenny Underwood Dietzel