

**STORAGE NAME:** h0619a.ca  
**DATE:** March 11, 1997

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

**BILL #:** HB 619

**RELATING TO:** Matlacha and Pine Island Fire Control District (Lee County)

**SPONSOR(S):** Representative Livingston

**COMPANION BILL(S):** SB 1894 (i)

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

- (1) COMMUNITY AFFAIRS YEAS 5 NAYS 0
  - (2) FINANCE AND TAXATION
  - (3)
  - (4)
  - (5)
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**I. SUMMARY:**

This bill authorizes the Fire Control Board (Board) of the Matlacha and Pine Island Fire Control District (District) to employ personnel and purchase the necessary equipment to provide advanced life support (ALS) subject to the provisions of general law.

The bill revokes the right of the Board to levy special assessments upon property, or charge a users fee for ambulance services. It also revokes the right of a majority of qualified voters to dissolve the Matlacha and Pine Island Fire Control District.

The bill increases the annual millage rate from 2 mills to 3 mills upon voter approval.

II. SUBSTANTIVE ANALYSIS:

A. PRESENT SITUATION:

The Matlacha and Pine Island Fire Control District (District) is a 43 square mile independent special district established in 1961 by special act. The Board of Directors consists of 5 members, each of whom serve 4 year terms and are elected by a majority of qualified electors residing in the District. The District serves a population of approximately 14,000, has 23 salaried employees and 25 volunteers. The District currently owns 5 fire engines, 4 brush trucks, 2 administrative vehicles, 1 tanker and 1 rescue truck. In 1996, the District responded to approximately 1,200 calls.

Currently, the District is authorized to levy special assessments upon certain properties located within the District. The rate of assessment cannot exceed twenty dollars (\$20.00) per family dwelling unit, per annum. The District also has the right to charge a user fee for ambulance services. These fees assisted the District in providing basic life support (BLS) to residents of the District. However, BLS is now provided by Lee County throughout the County. Therefore, the District no longer finds it necessary to duplicate this service. The District is currently authorized to assess 2 mills of assessed value.

B. EFFECT OF PROPOSED CHANGES:

The bill authorizes the District to provide advanced life support (ALS) to residents of the District subject to the provisions of Chapter 401, Florida Statutes. The bill eliminates the procedure for dissolving the District. It also eliminates the authority of the Board to levy special assessments on certain property within the District, or charge a user fee for ambulance services.

The bill also increases the maximum annual millage rate the Board may levy from 2 mills to 3 mills, upon voter approval.

C. LAWS OF FLORIDA/FLORIDA STATUTES AFFECTED:

Chapter 63-1558, and chapter 79-501, 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?

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:

Not Applicable.

(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?

Yes. If the voters approve, the maximum annual millage rate the Board is authorized to levy is raised 1 mill.

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?

Yes.

e. Does the bill authorize any fee or tax increase by any local government?

Yes.

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?

Yes.

4. Individual Freedom:

- a. Does the bill increase the allowable options of individuals or private organizations/associations to conduct their own affairs?

Not Applicable.

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

Not Applicable.

5. Family Empowerment:

- a. If the bill purports to provide services to families or children:

Not Applicable.

- (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?

Not Applicable.

- 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:

Not Applicable.

- (1) parents and guardians?

Not Applicable.

- (2) service providers?

Not Applicable.

- (3) government employees/agencies?

Not Applicable.

**E. SECTION-BY-SECTION ANALYSIS:**

Section 1 -- repeals sections 12, 13, 14, and 15 of 63-1558, Laws of Florida, as amended, and renumbers the remaining sections. The repeal abolishes the right of a majority of voters to dissolve the District, and abolishes the right of the Board to levy special assessments and charge user fees for ambulance services.

Section 2 -- grants the Board the right to employ personnel and purchase equipment necessary to establish, operate and maintain emergency medical and rescue response services, particularly advanced life support services.

Section 3 -- raises the maximum annual millage rate from 2 mills to 3 mills.

Section 4 -- provides that the annual millage rate increase is only effective upon its approval by a majority of the voters in the District.

Section 5 - provides for an effective of upon becoming law.

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

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

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IF YES, WHEN? January 30, 1997

WHERE? Cape Coral Daily Breeze, Lee County, FL

B. REFERENDUM(S) REQUIRED? Yes  No

IF YES, WHEN? To be called by the Board of County Commissioners.

C. LOCAL BILL CERTIFICATION FILED? Yes, attached  No

D. ECONOMIC IMPACT STATEMENT FILED? Yes, attached  No

IV. COMMENTS:

None.

V. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

On March 11, 1997, the House Committee on Community Affairs passed an amendment, agreed to by the sponsor and the District's attorney, that reinserts section 15 providing the right of the District residents to dissolve the District upon voter approval. The bill inadvertently removed this section from chapter 79-501, Laws of Florida, as amended.

VI. SIGNATURES:

COMMITTEE ON COMMUNITY AFFAIRS:

Prepared by:

Legislative Research Director:

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