

STORAGE NAME: h0623a.ca

DATE: March 11, 1997

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

BILL #: HB 623

RELATING TO: Lake County (North Lake County Hospital District)

SPONSOR(S): Representative Bainter

COMPANION BILL(S): None.

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

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

I. SUMMARY:

The bill repeals provisions in the North Lake County Hospital District's enabling act that authorize it to accept contributions and provide for the distribution of such contributions.

According to the attached Economic Impact Statement, the bill would have no fiscal impact.

II. SUBSTANTIVE ANALYSIS:

A. PRESENT SITUATION:

The Northeast Lake County Hospital District and the Northwest Lake County Hospital District were created by separate special acts of the Legislature. Both districts had similar powers and both were authorized to levy 1 mill on the dollar in ad valorem taxes on all taxable real and personal property in the district. In February 1990, these two distinct districts, citing section 189.4042, Florida Statutes, passed concurrent Resolutions and merged into one North Lake County Hospital District (District). Chapter 95-508, Laws of Florida, ratified the 1990 merger by resolution of two predecessor districts into one hospital District.

Chapter 95-508, Laws of Florida, provides for the District to be governed by an elected board of trustees. The District is granted all the powers of a body corporate. In addition, the District is given the power of eminent domain, as well as the authority to levy an ad valorem tax of 1 mill.

Except for amounts for board maintenance and services, all tax proceeds generated from the northeast territory are allocated to Florida Hospital Waterman Foundation, Inc., and all proceeds from the northwest territory are allocated to Leesburg Regional Medical Center Charitable Foundation, Inc. Upon request, both foundations must allocate a certain percentage of their tax funds to LifeStream Behavioral Center or lose those funds to the Center during the following year.

The recipients of tax proceeds are required to provide the District with annual audited financial statements, and the county's property appraiser is required to collect the 1 mill of taxes on behalf of the District. The Comptroller has the duty to assess and levy taxes on all railroad and telegraph, telephone, and cable television lines that are located in the District, if legally permissible.

The District is required to annually disclose its financial condition to the Clerk of the Circuit Court, must prepare a balanced budget, and is entitled to have its liens and foreclosures of liens resulting from failure to pay ad valorem taxation treated as other ad valorem taxes.

Subsection I of section 4 of chapter 95-508, Laws of Florida, authorizes the District board of trustees to accept grants, benefits, devices, donations, contributions, gifts, requests, and offerings made to the district. The subsection provides that unless such contributions are specifically designated for payment to a specific health care provider, they shall be equally divided and paid to Florida Hospital Waterman Foundation, Inc. and Leesburg Regional Medical Center Charitable Foundation, Inc.

B. EFFECT OF PROPOSED CHANGES:

The bill repeals provisions in the District's enabling act that authorize it to accept contributions and provide for the distribution of such contributions.

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C. LAWS OF FLORIDA/FLORIDA STATUTES AFFECTED:

Chapter 95-508, 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:

(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?

Not applicable.

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. Subsection I of section 4 of chapter 95-508, Laws of Florida, relating to contributions to the district, is repealed.

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

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III. NOTICE/REFERENDUM AND OTHER REQUIREMENTS:

A. NOTICE PUBLISHED? Yes No

IF YES, WHEN? January 9, 1997

WHERE? The Orlando Sentinel, Lake County, Florida

B. REFERENDUM(S) REQUIRED? Yes No

IF YES, WHEN? Not applicable

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:

None.

VI. SIGNATURES:

COMMITTEE ON COMMUNITY AFFAIRS:

Prepared by:

Legislative Research Director:

Thomas L. Hamby, Jr.

Jenny Underwood Dietzel