

STORAGE NAME: h1001a.ca
DATE: April 8, 1999

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
COMMUNITY AFFAIRS
ANALYSIS - LOCAL LEGISLATION**

BILL #: HB 1001
RELATING TO: City of Jacksonville/Jacksonville Sports Development Authority
SPONSOR(S): Representative Dennis and others
COMPANION BILL(S): None

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

(1) COMMUNITY AFFAIRS YEAS 8 NAYS 0
(2)
(3)
(4)
(5)

I. SUMMARY:

The bill abolishes the Jacksonville Sports Development Authority (Authority) . The bill also amends the Charter of the City of Jacksonville to replace the Chairman of the Authority with the Chairman of the Sports and Entertainment Board as an ex-officio advisor to the Jacksonville Economic Development Commission.

The bill has no fiscal impact.

II. SUBSTANTIVE ANALYSIS:

A. PRESENT SITUATION:

Jacksonville Charter

The City of Jacksonville functions under a consolidated government, as a municipal corporation that has jurisdiction both as a municipality and as a county. The government's jurisdiction extends throughout Duval County. The 1992 Legislature enacted chapter 92-341, Laws of Florida, which readopted the entire Charter of the City of Jacksonville (Charter), reflecting changes made by local ordinances as well as by special acts. The Charter has been subsequently amended by special act and local ordinance each year since.

Chapter 92-341, Laws of Florida, as amended, provides for local amendment of the Charter without an act of the Legislature. It further provides that the Charter may only be amended by ordinance or by petition signed by qualified Duval County voters, followed by a public referendum.

The Charter also contains the following directions to the City Council:

The City Council of the City of Jacksonville is directed to advise the Legislature of any home rule or referendum amendments or revisions to the Charter of the City of Jacksonville. Such advice shall be in the form of a reviser's bill for such further legislative revision of the Legislature after such local charter amendments or revisions have occurred.

To date this provision of chapter 92-341, Laws of Florida, has not been adhered to by the City. The effect of this is there are changes to the City's Charter accomplished by local ordinance that are not reflected in the Laws of Florida.

Jacksonville Sports Development Authority

Chapter 89-509, Laws of Florida, created the Jacksonville Sports Development Authority (Authority) for the purpose of developing, planning, coordinating, stimulating, and procuring sports-related facilities, organizations and events for the citizens of Jacksonville. The Authority was given the power to acquire, erect, or construct facilities for accommodations of sports events.

Chapter 97-339, Laws of Florida, amended the Charter of the City of Jacksonville to restructure the administration of the City's community and economic programs. The act created the Jacksonville Economic Development Commission (Commission), an autonomous body within the Office of the Mayor. On July 1, 1997, virtually all powers of the Authority were transferred to the Commission. However, the Authority did retain some advisory and fact-finding responsibilities.

In 1998, the Council of the City of Jacksonville passed Ordinance 98-836. The ordinance created a Sports and Entertainment Board to serve in an advisory capacity to the Commission. Moreover, the ordinance removed the remaining advisory and fact-finding responsibilities of the Authority and transferred those advisory powers to the Sports and Entertainment Board.

B. EFFECT OF PROPOSED CHANGES:

The bill repeals chapter 89-509, Laws of Florida, as amended, and abolishes the Authority. The bill also amends the Charter of the City of Jacksonville as created by chapter 92-341, Laws of Florida, as amended, to replace the Chairman of the Authority with the Chairman of the Sports and Entertainment Board as an ex-officio advisor to the Commission.

C. LAWS OF FLORIDA/FLORIDA STATUTES AFFECTED:

Chapter 89-509, Laws of Florida; chapter 97-339, Laws of Florida; and chapter 92-341, 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:

An agency or program is not 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?

No.

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:

The bill does not purport 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:

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The bill does not create or change a program providing services to families and children.

(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 chapter 89-509, Laws of Florida, as amended by chapter 97-339, Laws of Florida, to abolish the Jacksonville Sports Development Authority.

Section 2 -- Amends section 24.04, of chapter 92-341, Laws of Florida, to replace the Chairman of the Authority with the Chairman of the Sports and Entertainment Board as an ex-officio advisor to the Commission.

Section 3 -- Provides for act's effective date upon becoming law.

III. NOTICE/REFERENDUM AND OTHER REQUIREMENTS:

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

IF YES, WHEN? October 20, 1998

WHERE? Financial News and Daily Record

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

IF YES, WHEN?

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

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

IV. COMMENTS:

None.

V. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

The House Committee on Community Affairs at its meeting on April 8, 1999, adopted the following amendment:

Amendment #1 -- Clarifies that the bill amends the Charter of the City of Jacksonville as created by chapter 92-341, Laws of Florida, as amended, and does not solely amend chapter 97-339, Laws of Florida.

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VI. SIGNATURES:

COMMITTEE ON COMMUNITY AFFAIRS:

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