

STORAGE NAME: h01593.ca

DATE: March 17, 1999

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

BILL #: HB 1593

RELATING TO: Broward County

SPONSOR(S): Representative Wasserman Schultz

COMPANION BILL(S):

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

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

I. SUMMARY:

The bill revises the definition of port jurisdictional area and revises the territorial boundaries of the port jurisdictional area. Repeals the prior special act providing certain authority to the county administrator to enter into a lease whose term does not exceed 1 year.

II. SUBSTANTIVE ANALYSIS:

A. PRESENT SITUATION:

Chapter 91-356, Laws of Florida: Amended the Port Everglades District (District) jurisdictional area. The functions of the District including, in part, the following:

- To operate, maintain, and manage port and harbor facilities;
- To create and promote commerce and industry within the county;
- To participate in the establishment and operation of a transportation system associated with the port jurisdictional area;
- To plan, construct, maintain, operate, manage, improve, and regulate harbor and port facilities;
- To handle, weigh, measure, regulate, inspect, and recondition all commodities and cargo received or shipped through the harbor and port facilities;
- To do all things necessary or convenient to establish, regulate, operate, and maintain foreign trade zones, authorized pursuant to state or federal law;
- To do all things necessary or convenient to regulate, maintain, and improve all navigable and nonnavigable waters within the port jurisdictional area necessary for the operation, improvement, and maintenance of port and harbor facilities;
- Within the geographic boundaries of Broward County, to acquire, construct, lease, establish, improve, maintain, and operate a railroad and all necessary or convenient appurtenances for the use of passengers, freight, and railroads; and
- To take any other action which is necessary or convenient to carry out the purposes of this act.

Chapter 94-429, Laws of Florida: Amended the Port Everglades District and Port Everglades Authority in Broward County. Provided the legislative intent, definitions, and port jurisdictional area.

B. EFFECT OF PROPOSED CHANGES:

The bill increases the Port Everglades District jurisdictional area, adding, approximately, 271 acres. The bill also repeals a prior special act section which authorized the county administrator to enter into leases whose term does not exceed one year.

C. LAWS OF FLORIDA/FLORIDA STATUTES AFFECTED:

Chapter 91-356, Laws of Florida; and
Chapter 94-429, 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?

N/A

(2) any new responsibilities, obligations or work for other governmental or private organizations or individuals?

N/A

(3) any entitlement to a government service or benefit?

N/A

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?

N/A

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

N/A

(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:

- (1) parents and guardians?

N/A

- (2) service providers?

N/A

- (3) government employees/agencies?

N/A

E. SECTION-BY-SECTION ANALYSIS:

Section 1: Amends subsection (3) of section 2 of chapter 94-429, Laws of Florida, deleting the reference to the definition of the "Port jurisdictional area" as that contained in the Charter of Port Everglades in chapter 89-427, Laws of Florida. Provides for the definition of "Port jurisdictional area" to be the legal description contained in section 3 of this bill.

Section 2: Repeals subsection (2) of section 6 of chapter 94-429, Laws of Florida, relating to the county administrator entering into and executing leases of terms of less than 1 year. Renumbers subsection (3) and (4) as subsections (2) and (3). Renumbers sections (2) and (3). Renumbers

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section 3 through 15 as sections 4 through 16. Creates a new section 3, providing the legal description for the Port Jurisdictional Area.

Section 3: Repeals Chapter 91-356, Laws of Florida, relating to the jurisdictional boundaries of the District.

Section 4: Provides that the act will become effective upon becoming a law.

III. NOTICE/REFERENDUM AND OTHER REQUIREMENTS:

A. NOTICE PUBLISHED? Yes No

IF YES, WHEN? January 31, 1999

WHERE? **The Miami Herald**, Miami, Dade County, Florida

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:

According to the 1999 Economic Impact Statement, no funding is needed to implement this legislation.

V. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

N/A

VI. SIGNATURES:

COMMITTEE ON COMMUNITY AFFAIRS:

Prepared by:

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