

STORAGE NAME: h1547a.ca

DATE: April 19, 2000

**HOUSE OF REPRESENTATIVES
AS REVISED BY THE COMMITTEE ON
COMMUNITY AFFAIRS
ANALYSIS - LOCAL LEGISLATION**

BILL #: HB 1547

RELATING TO: Gasparilla Island Bridge Authority

SPONSOR(S): Representative Harrington

TIED BILL(S): None

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

- (1) TRANSPORTATION (EDC) YEAS 11 NAYS 0
- (2) COMMUNITY AFFAIRS (PRC) YEAS 8 NAYS 0
- (3) FINANCE & TAXATION (FRC)
- (4)
- (5)

I. SUMMARY:

The bill codifies all prior special acts relating to the Gasparilla Island Bridge Authority in Lee and Charlotte Counties into a single act.

The bill does not change the boundaries of the Authority or make substantive modifications to the power of the Authority.

No fiscal impacts are anticipated for either fiscal year 2000-01 or 2001-02 according to the Economic Impact Statement.

See Part V, AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES section, for the effect of the amendments traveling with the bill. Three technical amendments were adopted by the Committee on Community Affairs. All three amendments correct scrivener's errors in the bill.

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- | | | | |
|-----------------------------------|------------------------------|-----------------------------|---|
| 1. <u>Less Government</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. <u>Lower Taxes</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. <u>Individual Freedom</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. <u>Personal Responsibility</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. <u>Family Empowerment</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

B. PRESENT SITUATION:

The Legislature created the Gasparilla Island Bridge Authority (Authority) in 1996, through chapter 96-507, Laws of Florida. The Authority is an independent special taxing district in Lee and Charlotte Counties. The Authority owns and operates a toll bridge, called the Boca Grande Bridge and Causeway, which crosses Gasparilla Pass in Charlotte County. However, the southern two-thirds of Gasparilla Island is in Lee County. The Authority is managed by a nine-member board of supervisors. The Authority is authorized to fix and collect tolls from persons using the bridge and causeway system.

C. EFFECT OF PROPOSED CHANGES:

The bill codifies all prior special acts relating to the Gasparilla Island Bridge Authority (Authority) in Lee and Charlotte Counties into a single act.

The bill does not change the boundaries of the Authority or make substantive modifications to the power of the Authority.

D. SECTION-BY-SECTION ANALYSIS:

Section 1: Codifies, reenacts, amends, and repeals special acts relating to the Gasparilla Island Bridge Authority.

Section 2: Recreates and reenacts the Gasparilla Island Bridge Authority:

Section 1: Provides legislative findings

Section 2: Creates the Authority and provides boundaries.

Section 3: Provides the purposes of the Authority.

Section 4: Provides definitions.

Section 5: Provides for governing body of the Authority.

Section 6: Provides the powers and duties of the Authority; including ad valorem taxing powers not to exceed 2.0 mills.

Section 7: Authorizes the Authority to issue bonds and provides how the bonds should be issued and validated.

Section 8: Authorizes the pledging of revenues for the payment of bonds or other obligations.

Section 9: Provides for covenants of the Authority with bondholders.

Section 10: Requires public notice prior to bond issuance.

Section 11: Provides that Authority bonds are negotiable instruments; provides for the rights of bondholders.

Section 12: Provides budget procedure; requires financial and operation reports.

Section 13: Declares that any bonds or other obligations are legal investments for public funds.

Section 14: Authorizes payment for services with bonds.

Section 15: Provides for construction contracts; requires sealed bids.

Section 16: Authorizes conveyance of property to the Authority by governmental entities without consideration.

Section 17: Grants the Authority the same privileges, immunities and exemptions given to the state's political subdivisions; limits the personal liability of Authority members.

Section 18: Exempts property and revenues of the Authority from taxation.

Section 19: Provides penalties for tax delinquency; allows enforcement of taxes through liens and the sale of tax certificates.

Section 20: Provides for the effect of tax liens.

Section 21: Provides special vote requirements for toll structure changes, financing arrangements involving a pledge of assets or other revenues, exercising eminent domain, ad valorem tax referendums and legislative changes to the Authority's charter.

Section 22: Authorizes interlocal agreements.

Section 23: Provides for payment of administrative costs of property appraisers and tax collectors associated with collecting ad valorem taxes.

Section 3: Repeals all prior special acts relating to the Authority's charter.

Section 4: Provides for construction of the act's provisions.

Section 5: Provides for severability.

Section 6: Provides that the act shall be effective upon becoming law.

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III. NOTICE/REFERENDUM AND OTHER REQUIREMENTS:

A. NOTICE PUBLISHED? Yes No

IF YES, WHEN? January 27, 2000

WHERE? News Press, Fort Myers, Lee County, Florida

IF YES, WHEN? February 3, 2000

WHERE? Sarasota Herald-Tribune, Sarasota, Sarasota 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:

A. CONSTITUTIONAL ISSUES:

None.

B. RULE-MAKING AUTHORITY:

None.

C. OTHER COMMENTS:

None.

V. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

Three technical amendments were adopted by the Committee on Community Affairs on April 19, 2000. All three amendments correct scrivener's errors in the bill.

VI. SIGNATURES:

COMMITTEE ON TRANSPORTATION:

Prepared by:

Phillip B. Miller

Staff Director:

John R. Johnston

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AS REVISED BY THE COMMITTEE ON COMMUNITY AFFAIRS:

Prepared by:

Staff Director:

Kyle V. Mitchell

Joan Highsmith-Smith