

STORAGE NAME: h1845z.ca

****FAILED TO PASS THE LEGISLATURE****

DATE: May 22, 2000

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

BILL #: HB 1845

RELATING TO: Ritta Drainage District

SPONSOR(S): Representative Spratt

TIED BILL(S): None

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

(1) COMMUNITY AFFAIRS (PRC) YEAS 10 NAYS 0

(2)

(3)

(4)

(5)

I. SUMMARY:

A similar bill, CS/SB 2664, by the Committee on Comprehensive Planning, Local and Military Affairs and Senator Geller passed the Legislature.

The bill codifies all prior special acts relating to the Ritta Drainage District in Palm Beach and Hendry Counties into a single act and repeals all prior special acts relating to the District's charter.

The bill removes obsolete language which was preempted by applicable general law chapters and inserts applicable chapter language.

The law firm representing the District has submitted a boundary letter which states that the bill's legal description does not modify or alter the current boundaries of the District.

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

This bill does not make any substantive changes to law.

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:

In 1945, the Florida Legislature created the Ritta Drainage District, an independent special district, through special act (Chapter 45-22882, L.O.F.). It has been amended since 1945, three times by the Legislature. The District exists to provide comprehensive water management and control and development and management of lands and water within the District for the purpose of making the lands within the District available and habitable for settlement and agriculture, for the public convenience, welfare, utility, and benefit.

Codification

Codification is the process of bringing up-to-date a special act. Special acts are not codified and, after the Legislature passes the initial enabling act, special acts continuously amend or alter previously enacted special acts. To ascertain the current status of any special act, it is necessary to research all amendments or changes made to the act since its inception or original passage by the Legislature. Codification of special district charters is important because it allows readers to go to one special act to determine the current charter of a district, instead of two, ten, twenty, or sometimes more special acts.

Codification of special districts' charters was authorized by the 1997 Legislature when it amended chapter 189, Florida Statutes. The 1997 Legislature amended chapter 189, Florida Statutes, to provide for codification of all special districts' charters either by December 1, 2001, or when any act relating to such district is introduced to the Legislature, whichever occurs first. In addition, section 189.429, Florida Statutes, requires that no changes be made to a district's charter as it exists on October 1, 1997, in the codifying legislation and that all prior Legislative acts relating to the district be repealed.

The 1998 Legislature further amended section 189.429, Florida Statutes, by (1) extending the deadline to codify to December 1, 2004, (2) allowing for the adoption of the codification schedule provided for in an October 3, 1997 memorandum issued by the Chair of the Committee on Community Affairs, (3) removing the prohibition of substantive amendments in a district's codification bill, and (4) removing the requirement that a codified charter must be submitted prior to the introduction of any act relating to the charter or prior to the scheduled deadline.

**SCHEDULE OF SUBMITTALS OF SPECIAL
DISTRICTS' CHARTERS**

| | |
|--|--------------------------|
| Special Districts with 2 special acts (45 districts) | 1999 Legislative Session |
| Special Districts with 3 or 4 special acts (63 districts) | 2000 Legislative Session |
| Special Districts with 5, 6 or 7 special acts (53 districts) | 2001 Legislative Session |
| Special Districts with 8, 9, 10, 11 or 12 special acts (56 districts) | 2002 Legislative Session |
| Special Districts with 13 or more (54 districts) | 2003 Legislative Session |
| Special Fire Control Districts (47 districts) | 2004 Legislative Session |

Since the enactment of sections 189.429 and 191.015, Florida Statutes, 36 special districts have codified their charters. Following is a list of special districts which have codified pursuant to sections 189.429 and 191.015, Florida Statutes, and the corresponding Laws of Florida:

| | |
|---|---|
| Alachua County Library District | Ch. 98-502 |
| Anastasia Mosquito Control District | Ch. 99-449 |
| Baker County Hospital District | Ch. 99-431 |
| Carrollwood Recreation District | Ch. 98-475, as amended by Ch. 99-418 |
| Cedar Key Water & Sewer District | Ch. 98-473 |
| Central Broward Water Control District | Ch. 98-501 |
| Charlotte County Airport Authority | Ch. 98-508 |
| Citrus County Hospital Board | Ch. 99-442 |
| Citrus County Mosquito Control District | Ch. 99-432 |
| County Line Drainage District | Ch. 99-417 |
| East Charlotte Drainage District | Ch. 99-439 |
| Flagler Estates Road & Water District | Ch. 98-529 |
| Florosa Fire Control District | Ch. 99-479 |

| | |
|---|---|
| Hillsboro Inlet District | Ch. 99-433 |
| Immokalee Water & Sewer District | Ch. 98-495 |
| Joshua Water Control District | Ch. 99-460 |
| Lake Apopka Natural Gas District | Ch. 99-454 |
| Lake Worth Drainage District | Ch. 98-525, as amended by Ch. 99-422 |
| Lee County Bonita Springs Fire Control District | Ch. 98-464 |
| Lee County Hyacinth Control District | Ch. 98-462 |
| Lee County Mosquito Control District | Ch. 98-461 |
| Loxahatchee Groves Water Control District | Ch. 99-425 |
| North Bay Fire Control District | Ch. 98-470 |
| North Naples Fire District | Ch. 99-450 |
| Ocean City-Wright District | Ch. 99-478 |
| Old Plantation Water Control District | Ch. 99-435 |
| Orange County Library District | Ch. 99-486 |
| Panama City-Bay Co. Airport | Ch. 98-527 |
| Ranger Drainage District | Ch. 99-453 |
| South Broward Drainage District | Ch. 98-524 |
| Tindall Hammock Irrigation District | Ch. 98-523 |
| Twelve Oaks Special District | Ch. 99-452 |
| West Coast Inland Navigation District | Ch. 98-526 |

In 1998, the Environmental Protection Commission in Hillsborough County unsuccessfully attempted to codify its charter. The District is scheduled to codify in 2002. In 1999, there were two unsuccessful codifications. Mid-Bay Bridge Authority's codification bill passed the Legislature, but was vetoed by the Governor. The Authority was scheduled to codify its charter in 1999. The South Walton Fire District's codification bill died on the House calendar on April 30, 1999. The District is scheduled to codify its charter in 2004.

According to the Schedule of Submissions of Special District Charters and information relating to charters previously codified, there are 94 special districts that should have been codified during the 1999 session but which were not. There are 56 special districts that are scheduled for codification during the 2000 Legislative Session.

Status Statement Language

Section 189.404(5), Florida Statutes, provides that after October 1, 1997, the charter of any newly created special district shall contain and, as practical, the charter of a preexisting special district shall be amended to contain, a reference to the status of the special district as dependent or independent. When necessary, the status statement shall be amended to conform with the department's determination or declaratory statement regarding the status of the district.

History of Water Control Districts

Water control districts have a long history in Florida. As early as the 1830s, the Legislature passed a special act authorizing landowners to construct drainage ditches across adjacent lands to discharge excess water. Following the passage of several special acts creating drainage districts, the Legislature passed the state's first general drainage law, the General Drainage Act of 1913, to establish one procedure for creating drainage districts--through circuit court decree--and to provide general law provisions governing the operation of these districts.

Between 1913 and 1972, the General Drainage Act remained virtually unchanged. In 1972 and 1979, the Legislature amended the act to change the name of these districts to water management districts and then to water control districts. In neither year did the Legislature enact a major reform of the act, although the 1979 act did repeal provisions authorizing the creation of water control districts by circuit court decree.

Chapter 298, Florida Statutes

Chapter 298, Florida Statutes, contains provisions governing the creation and operation of water control districts. Some of these provisions are briefly described below.

Creation of Water Control Districts

Section 298.01, Florida Statutes, restricts the creation of new water control districts to special acts of the Legislature (independent water control districts) and under the provisions of section 125.01, Florida Statutes (dependent water control districts). Districts created by circuit court decree prior to July 1, 1980, are authorized to operate under the authority provided by chapter 298, Florida Statutes.

Election of Board of Supervisors

Upon the formation of a water control district, the circuit court where the majority of the land is located has jurisdiction within the boundaries of the district. Once a district is organized, the clerk of the circuit court with jurisdiction over the district must announce the first landowners' meeting in a newspaper. At the first meeting, the landowners are required to elect a three-member board of supervisors. Supervisors serve 3-year rotating terms, with one supervisor elected each year at a required annual meeting. To qualify as a supervisor, a person must own property in the district and be a resident of the county in which the district is located. In the event a quorum is not present, the Department of Environmental Protection (DEP) is required to fill the vacant seat.

One-Acre One-Vote

Section 298.11, Florida Statutes, provides for every acre of land within a district to represent one share, or vote. Each landowner within a district is entitled to one vote per acre of land they own. Landowners owning less than one acre are entitled to one vote. The section allows proxy voting by landowners as well.

Role of the Circuit Courts

As noted, once a water control district is formed, the circuit court of the county where the majority of the land is located has exclusive jurisdiction within the boundaries of the district. Circuit courts serve several functions in the creation and governance of water control districts. After a board of supervisors adopts a plan of reclamation, it must petition the circuit court to appoint three commissioners to appraise the lands that will be acquired to implement the plan of reclamation. A circuit court may require the report on assessment of benefits and damages to be amended and it must condemn lands described in the report that are needed to construct the district's works. In the event a circuit court determines that the value of land within the district has changed and additional conditions are met, the court is required to appoint three commissioners to readjust the original report on the assessments of benefits and damages.

Revenue Sources

The primary funding source for water control district activities is special assessments. Once a circuit court has issued its decree on the report on assessments of benefits and damages, a board of supervisors may levy a tax on the land that will be benefited by the works. This tax must be apportioned to, and levied on, each tract of land in said district in proportion to the benefits assessed, and not in excess thereof, as provided for in section 298.50, Florida Statutes. A board of supervisors is authorized to issue bonds, not to exceed 90 percent of the total amount of assessments levied. A board of supervisors also may levy an annual maintenance tax on each tract of land in the district to maintain and preserve the district's works once they are completed. This tax also must be apportioned on the basis of the net benefits accruing to the individual parcels.

Limitation on Special Acts

Paragraph (21) of Subsection 11(a), Article III of the State Constitution, prohibits special laws or general laws of local application pertaining to any subject when prohibited by general law passed by a three-fifths vote of the membership of each house. Furthermore, such law may be amended or repealed by like vote.

Section 298.76, Florida Statutes, was adopted pursuant to this authority. The section provides there shall be no special law or general law of local application granting additional authority, powers, rights, or privileges to any water control district formed pursuant to this chapter. However, this subsection does not prohibit special or local legislation that:

- (a) Amends an existing special act which provides for the levy of an annual maintenance tax of a district;
- (b) Extends the corporate life of a district;
- (c) Consolidates adjacent districts; or

- (d) Authorizes the construction or maintenance of roads for agricultural purposes as outlined in this chapter.

The section also authorizes special or local laws:

- (a) Changing the method of voting for a board of supervisors for any water control district;
- (b) Providing a change in the term of office of the board of supervisors and changing the qualifications of the board of supervisors of any water control district; and
- (c) Changing the governing authority or governing board of any water control district.

Finally, the section provides that any special or local laws enacted by the Legislature pertaining to any water control district shall prevail as to that district and shall have the same force and effect as though it had been a part of this chapter or any section thereof at the time the district was created and organized.

C. EFFECT OF PROPOSED CHANGES:

The bill codifies all prior special acts relating to the Ritta Drainage District (District) into a single act and repeals all prior special acts relating to the District's charter.

The bill states the District's minimum charter requirements pursuant to and provided by section 189.404(3), Florida Statutes, as the information is not provided for in the current charter.

The bill states that Chapters 298, 189, and 197, Florida Statutes, are applicable to the District's charter provisions.

The bill removes obsolete language which was preempted by applicable general law chapters and inserts applicable chapter language.

The bill does not modify the boundaries of the District. Please see the "**OTHER COMMENTS**" Section.

D. SECTION-BY-SECTION ANALYSIS:

Section 1: Provides that this act is the codification required under chapters 97-255 and 98-320, Laws of Florida; Declares the District an independent special district of the State of Florida; States legislative intent and preserves authority granted to the District by its legislative enactments and this act; Provides intent to preserve all District authority.

Section 2: Codifies, reenacts, amends, and repeals special acts relating to the District's charter.

Section 3: Recreates and reenacts the Ritta Drainage District as follows:

Section 1: Provides the minimum charter requirements under section 189.404(3), Florida Statutes; Provides that the District is organized and exists pursuant to Chapter 298, Florida Statutes; Provides for the District's powers, functions, and duties relating to non-ad valorem assessments, bond issuance, other revenue-raising

capabilities, budget, liens, use of tax deeds and tax certificates as appropriate for non-ad valorem assessments, and contractual agreements; Provides the District was created by a special legislative act; Requires that the District's charter is amended only by special act of the Legislature; Provides that the District is governed by a Board of Supervisors; Provides for the membership and organization of the District's board; Provides for the compensation of board members; Provides for the administrative duties of the District's governing board; Provides for financial disclosure, meeting notices, reporting, public records, and per diem for officers and employees; Provides for the procedure and requirements governing bond and other indebtedness issuance; Provides for the procedures for conducting District elections and elector qualifications; Provides the methods for District financing; Authorizes the District to levy upon all of the real taxable property in the District a special tax each year as maintenance tax; Provides for the methods of collecting non-ad valorem assessments, fees, or service charges; Provides for the District's planning requirements; Provides the District's geographic boundary limitations.

Section 2: Provides that the drainage, reclamation, and conservation of these lands from the effects of water, or lack of water, for controlling the water and the water tables and the creation of the District are in the interest of and conducive to agricultural and sanitary purposes, and for the public health, convenience, welfare, utility, and benefit; Describes District's boundaries.

Section 3: Provides for the election and organization of the District's three-member board; Provides each landowner within the District is entitled to one vote, in person or by proxy, per acre of land they own; Provides landowners owning less than one acre of land are entitled to one vote; Provides for a three year appointment of supervisors and until his or her successor shall be elected or appointed and be qualified; Provides that at any landowners' meeting, the owners of land in the District present or otherwise properly voting shall constitute a quorum; Provides that vacancies are filled by appointment by the remaining Supervisors, however if the remaining Supervisors fail to act within 30 days, the Governor may fill such vacancies by appointment until the next annual meeting; Grants the same powers and duties to any Supervisor appointed by the remaining Supervisors, or the Governor; Provides that the Department of Environmental Protection shall designate a person to cast the vote for acreage owned by the State in said District; Provides that at any meeting guardians may represent their wards, executors and administrators may represent estates of deceased persons and trustees and other fiduciaries may represent their beneficiaries by proxy, and private corporations may be represented by their officers or duly authorized agents; Provides that lands that are delinquent in the payment to the District taxes for 2 years or more shall not be entitled to vote in said elections and meetings as owners, and such lands shall not be considered as acreage within the District for the purpose of determining whether a quorum is present; Provides for the compensation of Supervisors of the District.

Section 4: Provides for the location of the District meetings.

Section 5: Provides that the District shall have the power to make contracts, to adopt and use a common seal, to acquire, hold, and control by condemnation, gift, exchange, purchase, or otherwise any real or personal property, surveyors' notes, or engineering data which may be needed to carry out the provisions of the Act or which may be useful in the accomplishment of any of the purposes

for which the District is created, and to sell, lease, or otherwise dispose of property, to appoint or employ agents, engineers, attorneys, and employees as the business of the Board may require, to construct, purchase, operate, and maintain pumping plants, and stations, equipment, and all appurtenant or auxiliary machines, devices, or equipment, and to contract for the construction, operation, and maintenance of the said pumping plants and stations, including the purchase and supply of electric and other power and energy for the operation of the same; Grants permits to owners of land within the District for the installation of water control structures; Provides the District to borrow money and issue notes and bonds in order to enable the Board to carry out and perform any powers conferred by this Act; Authorizes the Board to establish and construct a system of canals, drains, ditches, levees, dikes, dams, sluices, revetments, locks, reservoirs, holding basins, floodways, pumping stations, and other works and improvements, of such dimensions, depth, and proportion as in the judgment of the Board is advisable to drain, reclaim, and conserve the lands within the District; Requires District to clean out, straighten, open up, widen, change the course of flow of, alter, or deepen any canal, ditch, drain, river, watercourse, pond, creek, or country stream in the District that the Board may deem necessary to facilitate the drainage, reclamation, conservation, and improvement of the lands in the District, including navigation facilities, making the land within the District available for agricultural purposes, habitation, settlement, and general utilities, to concentrate, divert, or divide the flow of water in or out of the District; Provides District to construct or enlarge any bridge or to construct such roadways over levees, embankments, and other works that may be needed by the District; Grants power and authority to the Board to pump water into or out of the canals, ditches, drains, and other works of the District, or on or from the lands in said District in such amounts as the Board determines, to regulate and control the flow of water into and out of the District, to maintain water tables, to do all things in order to accomplish any of the foregoing objectives; Provides for maintenance and operation of the canals, drains, levees, dikes, dams, locks, reservoirs, pumping stations, water control structure, and other works and improvements; Authorizes the Board and its agents and employees to enter upon the lands adjacent to any of such drainage works in order to transport and use equipment, machinery, and materials necessary to property maintain, preserve, and operate the drainage works; Grants powers upon the Board under the provisions of chapter 298, Florida Statutes; Authorizes District to construct or cause to be constructed the following water control facilities: Boundary Levees, Water Control - Pumping Plant, Water Control - Main Canal, Water Control - Lateral System.

- Section 6: Authorizes and empowers the Board to enter into arrangements with other drainage, water control, or water management districts for the pooling of insurance coverage, for the purchase, rental, and use of supplies, equipment, buildings, and facilities, and for the services of employees.
- Section 7: Authorizes and empowers the Board to borrow money and give security at interest rates not to exceed the then-prevailing interest rate of state and federal interest rates; Authorizes District to issue bonds, either with or without coupons, bearing interest as provided by general law, payable semiannually, each maturing within 30 years from issuance, both principal and interest payable, to be named in the bonds; Provides that bonds shall be signed by the President of the Board of Supervisors and attested with the seal of the District and by the signature of the Secretary of the Board; Provides that all bonds be

authorized by resolution of the Board of Supervisors and shall be executed and delivered to the Treasurer of the District, who shall sell the same in such quantities, on the dates, and on the terms as the Board deems necessary to meet the payments for the restoration work; Provides that the bonds will be sold at public sale and shall be awarded to the bidder offering the lowest net interest rate; Provides the bonds shall not be sold for less than 95 cents on the dollar, with accrued interest, and shall state the purpose of the issuance of the bonds and shall constitute a first lien on the moneys derived from the maintenance tax provided for in this Act.

Section 8: Authorizes and empowers the Board to borrow money for its corporate public purposes.

Section 9: Authorizes and empowers the Board the right of eminent domain and may use the District for any and all lands, easements, rights-of-way, riparian rights, and other rights of every description, whether owned by private individuals, firms, or corporations or by public or quasi-public corporations, required for the use and purposes of the Board; Provides for the condemnation of property; Provides that the District recognizes the right, title, interest, and claim of Palm Beach County in and to a rock road located next to the Miami Canal; Provides the District not destroy said road or the rock road material adjacent to it nor move any road materials nor move the County Road rock pile without first obtaining written permission from the County Commission by resolution; Provides that the District agrees not to interfere with the ingress and egress of traffic over the road; Provides that the District will obtain written permission if it needs to interfere with said road and shall provide necessary bridges and detours so that traffic will be unobstructed for the passage of trucks and vehicles; Provides the District will first give public notice in a newspaper published in Belle Glade, Florida, and in Clewiston, Florida, giving full details as to what it proposes to do; Provides the District is liable for damages should the District, its agents or employees, or its contractors or subcontractors obstruct said road, or fail to keep the road open, and cause loss or damage to Palm Bach County or to any person, firm, partnership, or corporation using the road, and consent is given by the District to any such suit brought for any such purpose.

Section 10: Provides the drainage and reclamation work to be constructed in the District be in accordance with the specifications the Board may determine.

Section 11: Authorizes the Board to contract out for work, not to exceed \$50,000; Provides for notice to contract work; Provides the work will be awarded to the lowest bidder; Provides the Board the right to reject any and all bids and to readvertise; Provides the Board to require a bond with a surety amount, conditioned that the contractor will carry out the contract in accordance with the terms; Requires a contract to perform work in the District.

Section 12: Provides the Board may levy annually a tax, not to exceed the sum of \$30 per acre, upon each tract or parcel of land within the District, designated as the "Maintenance Tax"; Provides that all public improvements constructed by or for the District, pursuant to the provisions of this Act will confer benefits upon the lands within the District in an amount at least equal to the taxes authorized to be levied by this Act for subsequent years, all lands in the District will be benefited equally by drainage works and improvements.

- Section 13: Provides for the establishment of the Debt Service Fund and the Maintenance Fund; Authorizes and empowers the Board to establish other funds for the moneys of the District as determined to be necessary, advisable, or expedient; Provides the funds created by this Act are held inviolate and the moneys from the said funds shall be used only for the purposes for which the funds, respectively, are required to be devoted in accordance with the provisions of the Act; Provides the Debt Service Fund to be used for purposes set forth in this Act, and for the maintenance of any reserve or sinking fund established by resolution of the Board for the purpose of paying the principal and interest on any bonds which may be issued pursuant to the provisions of this Act; Provides the Maintenance Fund to be used for the purposes set forth in this Act.
- Section 14: Provides for the assembly and organization of the Board, and electing some suitable person Secretary of the District who may or may not be a member of the Board of Supervisors; Provides the Board may, in its discretion, require the secretary to execute a bond in an indeterminate amount for the faithful performance of his or her duties; Provides that two members of the Board shall constitute a quorum; Provides for meetings; Provides for special meetings called by the President or any two members of the Board; Provides for the meeting place; Provides for the employment of the Treasurer of the District; Provides the same person may be Secretary and Treasurer of the District; Provides the Treasurer shall execute a surety bond; Provides the Treasurer shall pay out funds of the District; Provides for the selection and appointment of the Chief Engineer of the District.
- Section 15: Provides all taxes or assessment levied upon the District shall constitute a lien upon the land the first day of January of each year, the liens are superior to other liens except liens from State and County taxes and shall be equal to the lien for State and County taxes.
- Section 16: Authorizes the Trustees of the Internal Improvement Trust Fund of Florida to pay out of any moneys derived from the sale of lands or the taxes or assessments levied pursuant to this Act upon all lands owned by the State of Florida or the Trustees within the boundaries of the District.
- Section 17: Ratifies, validates, and confirms all other acts and proceedings of the Circuit Court of said Counties taken by, for, and on behalf of the District since the creation, and all of the acts and proceedings of the Board of Supervisors, the Commissioners, and all other officers and agents of the District, Counties, acting for and on behalf of the District, and any and all tax levies and assessments which have been made by the Board of Supervisors for and on behalf of the District.
- Section 4:** Repeals all previous special acts.
- Section 5:** Provides that in the event a section or provision of this act or the application of the sections or provisions to any situation, circumstance, or person is held unconstitutional it shall not affect any other section or provision of this Act or the application of the sections or provisions to any other situation, circumstance, or person, and such section or provision shall be construed and applied as if the section or provision had not been included.

Section 6: Provides this act shall take effect upon becoming a law.

III. NOTICE/REFERENDUM AND OTHER REQUIREMENTS:

A. NOTICE PUBLISHED? Yes No

IF YES, WHEN? February 4, 2000

WHERE? The Palm Beach Post in Palm Beach 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:

N/A

B. RULE-MAKING AUTHORITY:

N/A

C. OTHER COMMENTS:

The law firm representing the District has submitted a boundary letter which states that the legal description includes the District as originally constituted plus previous modifications. The bill's legal description does not modify or alter the current boundaries of the District.

V. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

The Committee on Community Affairs adopted two amendments on April 5, 2000. The first amendment corrects a scrivener's error relating to section 5 of the charter. The second amendment removes obsolete language in section 8 of the charter which was preempted by applicable general law chapters.

HB 1845 died on the House Calendar on May 5, 2000; however, a similar bill, CS/SB 2664, by the Committee on Comprehensive Planning, Local and Military Affairs and Senator Geller was passed by the Senate.

VI. SIGNATURES:

COMMITTEE ON COMMUNITY AFFAIRS:

Prepared by:

Terri S. Boggis

Staff Director:

Joan Highsmith-Smith

STORAGE NAME: h1845z.ca

DATE: May 22, 2000

PAGE 13

FINAL ANALYSIS PREPARED BY THE COMMITTEE ON COMMUNITY AFFAIRS:

Prepared by:

Staff Director:

Terri S. Boggis

Joan Highsmith-Smith