

STORAGE NAME: h0849a.lgva.doc
DATE: March 27, 2001

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
LOCAL GOVERNMENT & VETERANS AFFAIRS
ANALYSIS – LOCAL LEGISLATION**

BILL #: HB 849
RELATING TO: Pinellas County Emergency Medical Services Authority
SPONSOR(S): Representative Crow
TIED BILL(S): None

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

- (1) LOCAL GOVERNMENT & VETERANS AFFAIRS (SGC) YEAS 7 NAYS 0
 - (2)
 - (3)
 - (4)
 - (5)
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I. SUMMARY:

This bill provides for various changes to the Pinellas County Emergency Medical Services Authority (Authority) Act. These changes include increasing the number of members of the Authority, and authorizing mayor designates to substitute seats reserved for the four mayors, on the Emergency Medical Services Advisory Council (Council).

According to the Economic Impact Statement, there is no economic impact related to this bill.

On March 27, 2001, the Committee on Local Government & Veterans Affairs considered HB 849, adopted one amendment, and passed the bill. The amendment, which is traveling with the bill, is explained in this bill analysis. (See section V. "AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:".)

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:

Special Districts

Special districts are local units of special purpose government restricted to a limited boundary. They are created by general law, special act, local ordinance, or by rule of the Governor and Cabinet. Special districts provide municipal services in Florida. A broad range of services provided by special districts includes fire services, water control, economic development, housing, health facilities, and juvenile welfare.

In 1989, the Legislature granted counties and municipalities authority to create, at their prerogative, dependent special districts. The Legislature retains the authority to create independent special districts unless general law provides otherwise. Special districts must be either dependent or independent.

Dependent special districts are distinguished as districts that have at least one of the following characteristics:

- A governing body that is identical to the governing body of a single county or municipality;
- Governing board members that are appointed by a single county or municipality governing board;
- A governing body whose members may be removed by a single county or municipality governing board, at will; or
- A budget that must be approved or vetoed by a single county or municipality.

Chapter 189, F.S., defines special districts and establishes methods for creation, elections, bond issuance, merger, dissolution, comprehensive planning, and reporting. The act requires compilation of an official list of all special districts in Florida. Besides enhancing special district uniformity and accountability, the act makes it easier to locate and understand the requirements imposed upon all special districts.

The Authority is classified as a dependent special district.

Emergency Medical Services Authority

The Emergency Medical Services Authority was created by special act in 1975 (Chapter 75-492, Laws of Florida) Since then, the enabling act has been amended three times, through Chapters 80-585, 89-424, and 94-416, Laws of Florida. The Authority is permitted to employ paid personnel, negotiate contracts, hold public hearings, sue and be sued, accept and use funds, grants and services from all levels of government, receive and disburse funds through ad valorem taxation of up to 1.5 mills, prepare an annual budget, create uniform standards that conform, at a minimum, to those required by the former Department of Health and Rehabilitative Services EMS Rules, provide for designation of districts in the special taxing district through resolution, impose and collect reasonable fees for the provision of emergency medical services, and to create uniform standards and issue certificates for paratransit services for ambulatory persons.

The countywide authority is governed by the Board of County Commissioners (Board). The Authority's members are the Board of County Commissioners. Three members constitute a quorum.

The Authority is required to provide for EMS in any designated districts. If budget requests for the new fiscal year exceed estimated revenue available, the authority is required to follow a certain procedure.

Referendums

On June 8, 1976, the Supervisor of Elections for Pinellas County included a referendum ballot, pursuant to a requirement in Chapter 74-492, L.O.F. The ballot read:

Shall there be created an emergency medical services district covering the entirety of Pinellas County to provide a comprehensive emergency medical services system. The services to be provided shall include but not be limited to the operation of emergency rescue vehicles, communications, and trained paramedics necessary for a complete emergency rescue capability throughout the entire county. All real property within said special taxing district shall be subject to ad valorem real property tax sufficient to pay the cost of providing this service but not to exceed a maximum of 6/10th of a mill, which millage shall not be enclosed within the 10 mill limit imposed by the Constitution and Statutes of this state.

This enacting referendum was defeated.

A subsequent referendum, held October 8, 1980, pursuant to Chapter 80-585, provided for the creation of EMS. This referendum passed. The ballot read:

Shall Chapter 80-585, Laws of Florida, which defines the role and responsibilities of the Board of County Commissioners, be approved?

On November 4, 1980, an additional referendum passed, approving the assessment of ad valorem taxation, as follows:

Shall there be created an emergency medical services district covering the entirety of Pinellas County to provide a comprehensive emergency medical services system: The services to be provided shall include but not be limited to the operation of emergency rescue vehicles, communications, and trained paramedics necessary for a complete emergency rescue capability throughout the entire county. All real property within said special taxing district shall be subject to ad valorem real property tax sufficient to pay the cost of providing this service but not to exceed a maximum of 1.5 mills.

The current millage rate assessed is 0.647.

C. EFFECT OF PROPOSED CHANGES:

Other than technical changes, this bill provides for an increase in members required for a quorum, from three to four members, and authorizes mayor designates to substitute for the mayor seats on the Council.

D. SECTION-BY-SECTION ANALYSIS:

Section 1. Amends Section 1 of Chapter 80-585, L.O.F., to provide for the following: an increase in members required for a quorum, from three to four members, and a technical change.

Section 2. Amends Section 3 of Chapter 80-585, L.O.F., as amended by Chapter 89-424, L.O.F., to provide clarifying change.

Section 3. Amends Section 5 of Chapter 80-585, L.O.F., to spell out numbers, provide for mayor designates to substitute for the mayor seats on the Council, and provides clarifying language.

Section 4. Provides that this act takes effect upon becoming a law.

II. NOTICE/REFERENDUM AND OTHER REQUIREMENTS:

A. NOTICE PUBLISHED? Yes No

IF YES, WHEN?

February 2, 2001

WHERE?

Tampa Bay Review

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

According to the Economic Impact Statement, there is no economic impact related to this bill. The Authority already exists and these changes are mainly technical in nature.

III. COMMENTS:

A. CONSTITUTIONAL ISSUES:

N/A

B. RULE-MAKING AUTHORITY:

This bill does not necessitate additional rulemaking authority.

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C. OTHER COMMENTS:

The Pinellas County Board of County Commissioners expresses support for this bill.

IV. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

At the Committee on Local Government & Veterans Affairs meeting on March 27, 2001, the Committee adopted an amendment, which changes a reference from the Department of Health and Rehabilitative Services to the Department of Health, and provides for the renumbering of subsequent sections.

V. SIGNATURES:

COMMITTEE ON LOCAL GOVERNMENT & VETERANS AFFAIRS:

Prepared by:

Staff Director:

Cindy M. Brown

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