

**STORAGE NAME:** h1043.sgc.doc  
**DATE:** February 15, 2002

**HOUSE OF REPRESENTATIVES  
COUNCIL FOR SMARTER GOVERNMENT  
ANALYSIS – LOCAL LEGISLATION**

**BILL #:** HB 1043  
**RELATING TO:** Lee Co./Lehigh Acres Fire & Rescue  
**SPONSOR(S):** Representative Green  
**TIED BILL(S):** None

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

- (1) LOCAL GOVERNMENT & VETERANS AFFAIRS (SGC) YEAS 9 NAYS 0
  - (2) COUNCIL FOR SMARTER GOVERNMENT YEAS 10 NAYS 0
  - (3)
  - (4)
  - (5)
- 

I. SUMMARY:

THIS DOCUMENT IS NOT INTENDED TO BE USED FOR THE PURPOSE OF CONSTRUING STATUTES, OR TO BE CONSTRUED AS AFFECTING, DEFINING, LIMITING, CONTROLLING, SPECIFYING, CLARIFYING, OR MODIFYING ANY LEGISLATION OR STATUTE.

This bill provides for the deannexation of certain lands currently included within Lehigh Acres Fire Control District.

This bill has no fiscal impact according to the Economic Impact Statement.

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 Lehigh Acres Fire & Rescue District (District) is an independent special district located in Lee County. The District's current charter may be found in chapter 2000-406, Laws of Florida.

Section 191.014, F.S., relating to District creation, expansion, and merger.--

(1) New districts may be created only by the Legislature under s. 189.404, F.S.

(2) The boundaries of a district may be modified, extended, or enlarged upon approval or ratification by the Legislature.

(3) The merger of a district with all or portions of other independent special districts or dependent fire control districts is effective only upon ratification by the Legislature. A district may not, solely by reason of a merger with another governmental entity, increase ad valorem taxes on property within the original limits of the district beyond the maximum established by the district's enabling legislation, unless approved by the electors of the district by referendum.

History.--s. 13, ch. 97-256.

C. EFFECT OF PROPOSED CHANGES:

This bill provides for the deannexation of certain lands currently included within Lehigh Acres Fire Control District.

D. SECTION-BY-SECTION ANALYSIS:

**Section 1.** Provides for the deannexation of and exclusion from the boundaries of Lehigh Acres Fire Control and Rescue District the lands described.

**Section 2.** Provides effective date of upon becoming law.

III. NOTICE/REFERENDUM AND OTHER REQUIREMENTS:

A. NOTICE PUBLISHED? Yes  No

IF YES, WHEN? December 20, 2001

WHERE? News-Press, Fort Myers, Lee 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:

Melody A. Bowers, Assistant Port Authority Attorney with the Lee County Port Authority, representing the District submitted a boundary letter stating the following:

This bill provides for the realignment of fire district boundary lines between the Lehigh Acres Fire District and the Lee County Port Authority. The property described in the bill is owned by the Lee County Port Authority but is located within the boundaries of the Lehigh Acres Fire District. This bill will move the property from the boundaries of the Lehigh Acres Fire District and place it under the control of the Port Authority's fire department in order to comply with FAA mandated response times.

The property described in this bill is vacant and unimproved.

V. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

None.

VI. SIGNATURES:

COMMITTEE ON LOCAL GOVERNMENT & VETERANS AFFAIRS:

Prepared by:

Terri S. Boggis

Staff Director:

Joan Highsmith-Smith

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AS REVISED BY THE COUNCIL FOR SMARTER GOVERNMENT:

Prepared by:

Staff Director:

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Terri S. Boggis

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Don Rubottom