

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. DOES THE BILL:

- | | | | |
|--------------------------------------|---|-----------------------------|---|
| 1. Reduce government? | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |
| 2. Lower taxes? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. Expand individual freedom? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. Increase personal responsibility? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. Empower families? | 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. EFFECT OF PROPOSED CHANGES:

This bill provides that the effects of annexation on the South Trail Fire Protection and Rescue District will be governed by general law instead of the provisions of the special acts relating to the district charter.

Background

The South Trail Fire Protection and Rescue District is an independent special district within Lee County. The current special law relating to annexation of district lands authorizes an agreement to be entered into by the City of Ft. Myers and the district which provides that any district land annexed by the City remains the responsibility of the District until January 1 of the following year. The City would then negotiate with the district to purchase, lease, or maintain real property and equipment of the district. In the event a negotiated settlement could not be reached, the City could exercise eminent domain power for all real property owned by the district which was annexed by the City.

Section 171.093, F.S. was enacted by the 2000 Legislature and sets forth a scheme for independent special districts and annexing municipalities to resolve issues of funding, and responsibility for providing services. The law provides a procedure for an interlocal agreement between the special district providing services up to the date of annexation, and the annexing municipality. If an interlocal agreement cannot be reached, the law provides that the special district will continue to provide services to the disputed area for a period of four years following the annexation. During this four-year period, the municipality will pay the district an amount equal to what the district would have collected had the property remained part of the district.

C. SECTION DIRECTORY:

Section 1. Amends s. 3, ch. 2000-484, L.O.F., to provide that s. 171.093, F.S., governs the effects of annexation on the area comprising the South Trail Fire Protection and Rescue District.

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

II. NOTICE/REFERENDUM AND OTHER REQUIREMENTS

A. NOTICE PUBLISHED? Yes No

IF YES, WHEN?

November 14, 2002

WHERE?

News-Press, a daily newspaper of general circulation in Lee County.

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

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

There do not appear to be any constitutional issues.

B. RULE-MAKING AUTHORITY:

Not applicable.

C. DRAFTING ISSUES OR OTHER COMMENTS:

There appear to be no technical drafting issues.

IV. AMENDMENT/COMMITTEE SUBSTITUTE CHANGES

None.