



## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. DOES THE BILL:

- |                                      |                              |                             |                              |
|--------------------------------------|------------------------------|-----------------------------|------------------------------|
| 1. Reduce government?                | Yes <input 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 type="checkbox"/> |
| 3. Expand individual freedom?        | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |
| 4. Increase personal responsibility? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |
| 5. Empower families?                 | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |

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

#### B. EFFECT OF PROPOSED CHANGES:

This bill changes the minimum required frequency of meetings of the Martin County Environmental Control Board from once every ninety days to once every twelve months.

##### Background

The Martin County Environmental Control Board (Board) was created by a special act (ch. 78-560, L.O.F.) to provide and maintain for the citizens and visitors of Martin County standards which would insure sanitary practice and freedom of the environment from contaminants or synergetic agents injurious to human, plant or animal life, or which unreasonably interfere with the comfortable enjoyment of life or property, or the conduct of business. The Environmental Control Board was required to meet no less frequently than every ninety days.

The special act was amended in 1993, ch. 93-377, L.O.F., granting the Environmental Control Board the express authority to issue orders imposing fines and providing additional guidance on the monetary amount of fines to be imposed.

The Environmental Control Board continues to meet every ninety days, even though no actions or requests may be in front of the board. The Environmental Control Board does not routinely have business that would require a meeting schedule of this frequency. The requested language would permit the Board of County Commissioners to convene the Board when actions or requests are brought before it, but require only one meeting a year if no actions are required of the Environmental Control Board.

#### C. SECTION DIRECTORY:

Section 1. Amends s. 4, ch. 78-560, L.O.F., to change the required frequency of meetings.

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

### II. NOTICE/REFERENDUM AND OTHER REQUIREMENTS

#### A. NOTICE PUBLISHED? Yes No

IF YES, WHEN?

January 31, 2003.

WHERE?

*The Stuart News*, a daily newspaper of general circulation in Martin 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

The Economic Impact Statement notes that there may be "[p]ossible minimal savings to Martin County due to less administrative costs from fewer unnecessary meetings."

### III. COMMENTS

A. CONSTITUTIONAL ISSUES:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

#### Drafting Issues

There do not appear to be any technical drafting issues.

#### Other Comments

According to a representative of the Environmental Control Board<sup>1</sup>, the Board does not usually have enough business pending before it to necessitate meetings called on a 90 day basis. This bill will alleviate the costs and necessity to convene the board members on such a frequent basis.

### IV. AMENDMENT/COMMITTEE SUBSTITUTE CHANGES

None.

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<sup>1</sup> Joe McCann, of the law firm Smith, Ballard & Logan, 3/28/03.