

**HOUSE OF REPRESENTATIVES LOCAL BILL STAFF ANALYSIS**

**BILL #:** HB 927 w/CS Collier Mosquito Control District  
**SPONSOR(S):** Representative M. Davis  
**TIED BILLS:** None. **IDEN./SIM. BILLS:** None.

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REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) <u>Local Affairs (Sub)</u>	<u>9 Y, 0 N</u>	<u>Morris</u>	<u>Cutchins</u>
2) <u>Local Government &amp; Veterans' Affairs</u>	<u>17 Y, 0 N w/CS</u>	<u>Morris</u>	<u>Cutchins</u>
3) _____	_____	_____	_____
4) _____	_____	_____	_____
5) _____	_____	_____	_____

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**SUMMARY ANALYSIS**

The Collier Mosquito Control District (CMCD) is an independent special taxing district that serves the community by suppressing pestiferous and disease carrying mosquito populations in such a way as to minimize potential effects on people, wildlife, and the environment.

This bill provides an exemption to general law allowing the board members to receive certain benefits, such as medical insurance or accidental death and dismemberment insurance, in addition to the maximum salary allowed under general law. Each additional benefit authorized in this bill is subject to a unanimous vote by the board with all five members present.

This bill also updates the boundaries of the CMCD as they have been amended from time to time at the local level.

The district will incur the expenses if the board unanimously chooses to provide benefits.

**Pursuant to House Rule 5.5(b), a local bill that provides an exemption from general law may not be placed on the Special Order Calendar in any section reserved for the expedited consideration of local bills. The provisions of House Rule 5.5(b) appear to apply to this bill. (See section I.B. "EFFECT OF PROPOSED CHANGES:").**

This document does not reflect the intent or official position of the bill sponsor or House of Representatives.

**STORAGE NAME:** h0927c.lgv.doc  
**DATE:** March 16, 2004

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. DOES THE BILL:

- |                                      |                              |                             |   |
|--------------------------------------|------------------------------|-----------------------------|---|
| 1. Reduce government?                | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" 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:

The Collier Mosquito Control District (CMCD) is an independent special taxing district that serves the community by suppressing pestiferous and disease carrying mosquito populations in such a way as to minimize potential effects on people, wildlife, and the environment. The CMCD is governed by five commissioners and has the authority to expand its boundaries without a referendum approval of the qualified electors within or beyond the district boundaries.<sup>1</sup> The CMCD must have the approval of the Collier County Board of Commissioners to amend its boundaries.

Section 388.141(1), F.S., authorizes mosquito control district salaries and per diem travel expenses but does not allow for board members to receive other benefits. This bill provides an exemption to s. 388.141(1), F.S., by allowing the board members to receive certain benefits, such as medical insurance or accidental death and dismemberment insurance, in addition to the maximum salary allowed under general law.<sup>2</sup> Currently, board members do receive the maximum \$4,800 salary allowed under general law but the language in this bill provides the board future opportunities of raising its salary if general law is amended. Each additional benefit authorized in this bill is subject to a unanimous vote by the board with all five members present.

This bill also updates the boundaries of the CMCD as they have been amended from time to time at the local level.

#### C. SECTION DIRECTORY:

**Section 1** allows the board members to receive benefits, such as medical insurance or accidental death and dismemberment insurance, in addition to the maximum salary allowed under general law. Each additional benefit is subject to a unanimous vote by the board with a five members present.

Section 1 also updates the current boundaries of the district as they have been amended from time to time at the local level. The Collier County Board of Commissioners approved the district’s request to embody Immokalee and eastern Golden Gate Estates in its boundaries after the local delegation unanimously approved the bill. This boundary change will align the district’s charter with the recently approved boundaries, which will be effective October 1, 2004.

**Section 2** provides effective date upon becoming a law.

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<sup>1</sup> Section 388.211, F.S., authorizes mosquito control districts formed prior to July 1, 1980, to seek approval from county commissioners in each county, within the mosquito control district, to amend its boundaries.

<sup>2</sup> Section 388.141, F.S., states that board members of independent special taxing districts salary shall not exceed \$4,800 for each commissioner during any one year.

## II. NOTICE/REFERENDUM AND OTHER REQUIREMENTS

A. NOTICE PUBLISHED? Yes  No

IF YES, WHEN?

November 5, 2003

WHERE?

*Naples Daily News*, Collier 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

The bill will authorize the district to provide benefits to the board members, upon unanimous consent of the board members. The district will incur the expenses if the board chooses to provide benefits.

## III. COMMENTS

A. CONSTITUTIONAL ISSUES:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

This bill provides an exemption to general law that allows the authority to offer benefits to board members "Notwithstanding" s. 388.141(1), F.S.

Pursuant to House Rule 5.5(b), a local bill that provides an exemption from general law may not be placed on the Special Order Calendar in any section reserved for the expedited consideration of local bills. The provisions of House Rule 5.5(b) appear to apply to this bill. (See section I.B. "EFFECT OF PROPOSED CHANGES:".)

## IV. AMENDMENT/COMMITTEE SUBSTITUTE CHANGES

The Committee on Local Government & Veterans' Affairs adopted three amendments.

- Amendment 1 is a technical amendment inserting the word "of" in lines 83 and 84.

- Amendment 2 is a technical amendment that corrects an error in the bill relating to the CMCD's current boundaries.
- Amendment 3 is a substantive amendment relating to the district's boundaries. The Collier County Board of Commissioners approved the district's request to embody Immokalee and eastern Golden Gate Estates in its boundaries after the local delegation unanimously approved the bill. This amendment will align the district's charter with the recently approved boundaries, which will be effective October 1, 2004.