

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

The bill does not appear to implicate any of the House Principles.

B. EFFECT OF PROPOSED CHANGES:

Acme Improvement District

The Acme Drainage District, in Palm Beach County, was created by the Legislature in 1953, pursuant to and under ch. 298, F.S. The purpose of the District was for reclaiming and draining lands within its boundaries and to protect the lands from the effects of water by constructing canals, ditches, pumping plants, and other drainage works and improvements. The name of the District was changed to the Acme Improvement District in 1975, by ch. 75-470, L.O.F.

Chapter 298, Florida Statutes

Chapter 298, F.S., contains provisions governing the creation and operation of water control districts.

Creation of Water Control Districts

Section 298.01, F.S., restricts the creation of new water control districts to special acts of the Legislature (independent water control districts) and under the provisions of s. 125.01, F.S., (dependent water control districts). Districts created by circuit court decree prior to July 1, 1980, are authorized to operate under the authority provided by chapter 298, F.S.

District Boundary Modification

Section 298.301(1), F.S., states for any district that was created or whose authorities or boundaries have been amended by special act, *lands may be added to or deleted only through legislative modification of the special act*. For those districts existing solely by judicial decree, lands may be added to or deleted from such districts by decree of the circuit court of the county in which the majority of the land within the district is located. (*emphasis added*)

Effects of Proposed Changes

This bill expands the boundaries of the Acme Improvement District (District) in Palm Beach County. The bill removes and deletes the lands from the boundary lines of the Lake Worth Drainage District. In addition, the bill provides that the existing landowners of the District shall not be obligated or taxed to pay for the cost of amending the District boundaries or the cost of any improvements made to those lands included in the District by this act.

This bill increases Acme Improvement District's tax base by approximately 337 acres.

C. SECTION DIRECTORY:

Section 1. Amends s. 1 of s. 3 of ch. 2003-330, L.O.F., by expanding the boundaries of the Acme Improvement District; provides that the existing landowners of the District shall not be obligated or taxed to pay for the cost of amending the District boundaries or the cost of any improvements made to those lands included in the District by this act.

Section 2. Removes and deletes the lands described in section 1 from the boundary lines of the Lake Worth Drainage District.

Section 3. Provides an effective date of upon becoming a law.

II. NOTICE/REFERENDUM AND OTHER REQUIREMENTS

A. NOTICE PUBLISHED? Yes No

IF YES, WHEN? December 15, 2004

WHERE? *The Palm Beach Post*, West Palm Beach, Palm Beach 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

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

Other Comments

The Local Government Council received a letter from Eleanor B. Halperin, Esq., the manager of the Lake Worth Drainage District, that states that it received the De-Annexation Petition and that it has no objection to the property being de-annexed from the District and annexed into the Acme Improvement District. The Board of Supervisors unanimously approved the request for de-annexation on August 11, 2004 by Resolution No. 04-02.

Chapter 2000-419, L.O.F., with similar provisions to HB 1203, but involving another portion of property, was passed on June 5, 2000 and did not require a referendum.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE & COMBINED BILL CHANGES

None.