# HOUSE OF REPRESENTATIVES LOCAL BILL STAFF ANALYSIS

**BILL #:**     HB 921          Pinellas County Water and Navigation Control Authority
**SPONSOR(S):** Berfield
**TIED BILLS:**               **IDEN./SIM. BILLS:**

| REFERENCE | ACTION | ANALYST | STAFF DIRECTOR |
|---|---|---|---|
| 1) Local Government Council | | Smith | Hamby |
| 2) | | | |
| 3) | | | |
| 4) | | | |
| 5) | | | |

## SUMMARY ANALYSIS

This bill abolishes the Pinellas County Water and Navigation Control Authority, and provides for the transfer of assets and liabilities to Pinellas County.

The bill does not appear to have any impact on local and state budgets.

**This document does not reflect the intent or official position of the bill sponsor or House of Representatives.**
**STORAGE NAME**:     h0921.LGC.doc
**DATE**:           3/6/2006

**FULL ANALYSIS**

**I. SUBSTANTIVE ANALYSIS**

A. HOUSE PRINCIPLES ANALYSIS:

Provide limited government – This bill abolishes the Pinellas County Water and Navigation Control Authority.

B. EFFECT OF PROPOSED CHANGES:

<u>Current Situation</u>

The Pinellas County Water and Navigation Control Authority (Authority) was created in 1955 by chapter 31182, L.O.F., 1955. The Authority was created to provide for adequate regulation and control of all water, water courses, waterways, inlets, bays, bayous, lakes, submerged bottom lands, islands, sandbars, and swamp and overflow lands and their alteration by dredging, filling, pumping, or otherwise altering the shoreline, land contours or water areas, and in the interest of public rights, public welfare, protection of public riparian property rights, preservation and protection of the state's natural resources and scenic beauty of the bays, bayous, harbors, streams, lakes, water courses, inlets, submerged bottom lands, islands, sandbars, and swamp and overflow lands, and to aid and assist boating activities and navigation.

The Water and Navigation Section of the Office of Water Policy within the Department of Environmental Management[1] handles the permitting of docks and dredge and fill projects in both the unincorporated areas of Pinellas County as well as within municipal limits. The types of projects which require permits from the Pinellas County Water and Navigation Control Authority include private single family docks, multi-use docks, commercial docks, marinas, seawalls, riprap, tie poles, and all dredging or filling within the Waters of the County. Projects are reviewed for environmental impacts, navigational impacts, construction requirements, as well as consistency with the Pinellas County Water and Navigation Code.[2]

<u>Effect of Proposed Changes</u>

This bill repeals chapter 31182, L.O.F., 1955, and chapters 72-664, 74-588, 78-602, 81-471, and 85-493, L.O.F., and thereby abolishes the Pinellas County Water and Navigation Control Authority on January 1, 2007, and transfers the assets and liabilities of the Authority to Pinellas County.

C. SECTION DIRECTORY:

Section 1: Repeals chapter 31182, L.O.F., 1955, and chapters 72-664, 74-588, 78-602, 81-471, and 85-493, L.O.F.

Section 2: Abolishes the Authority; transfers the assets and liabilities of the Authority to Pinellas County, and provides that Pinellas County will assume the Authority's obligations.

Section 3: Provides an effective date of January 1, 2007.

**II. NOTICE/REFERENDUM AND OTHER REQUIREMENTS**

A. NOTICE PUBLISHED?    Yes [X]    No []

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[1] http://www.dep.state.fl.us/water/waterpolicy/index.htm.

[2] http://www.pinellascounty.org/Environment/pagesHTML/watrNav/wn500.html.

IF YES, WHEN? December 30, 2005

WHERE? *Pinellas News*, St. Petersburg, Pinellas County, Florida.

B. REFERENDUM(S) REQUIRED?    Yes []    No [X]

IF YES, WHEN?

C. LOCAL BILL CERTIFICATION FILED?    Yes, attached []    No []

D. ECONOMIC IMPACT STATEMENT FILED?    Yes, attached []    No []

## III. COMMENTS

A. CONSTITUTIONAL ISSUES: Not applicable.

B. RULE-MAKING AUTHORITY: Not applicable.

C. DRAFTING ISSUES OR OTHER COMMENTS:

*Drafting Issues*

Chapter 74-588, L.O.F., relates to Pinellas County, the bill amends different special district charters. Only s. 3 of the bill should be repealed because it specifically relates to the Water and Navigation Control Authority.

## IV. AMENDMENTS/COMMITTEE SUBSTITUTE & COMBINED BILL CHANGES

Not Applicable.