

HOUSE OF REPRESENTATIVES LOCAL BILL STAFF ANALYSIS

BILL #: HB 1137

Hillsboro Inlet District, Broward County

SPONSOR(S): Seiler

TIED BILLS:

IDEN./SIM. BILLS:

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) <u>Committee on Urban & Local Affairs</u>	<u>7 Y, 0 N</u>	<u>Kruse</u>	<u>Kruse</u>
2) <u>Government Efficiency & Accountability Council</u>	<u></u>	<u></u>	<u></u>
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SUMMARY ANALYSIS

The bill reduces the number of appointments to the Hillsboro Inlet District board of commissioners, eliminates the limitation on the term of office for appointees, revises quorum requirements for meetings of the commissioners, and revises residency requirements for appointees to the board of commissioners.

The bill takes effect upon becoming a law.

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:

Present Situation

Chapter 97-255, L.O.F., codified all of the special acts relating to the Hillsboro Inlet District. The codification sets out the requirements for the governing body of the District.

The governing body of the Hillsboro Inlet District consists of nine commissioners, who serve without compensation. One representative on the Board of Commissioners is appointed by the City Commissioners or Town Councils of the Cities of:

Deerfield Beach;
Hillsboro Beach;
Pompano Beach;
Lauderdale-By-The-Sea;
Lighthouse Point;
Fort Lauderdale; and
Sea Ranch Lakes

Two representatives are appointed by the County Commission of Broward County, Florida. Each representative so appointed by the above municipalities represents the municipality that made the appointment, and the representatives appointed by the county commission represent the unincorporated areas. The representatives shall be qualified electors, residing in the district from which they are appointed for more than six months prior to appointment.

The meeting requirements and terms of office are also specified: A majority of the quorum at a regular or special meeting is sufficient for any legal action to be taken by the governing body of the district. The commissioners hold office for a term of 5 years from the date of their respective appointments from the appointing municipality or until their successors are appointed and qualified.

Effect of Proposed Changes

The bill reduces the number of commissioners who serve on the board of the Hillsboro Inlet District from nine to eight. The bill also specifies that the appointees each represent the respective governmental entity that made the appointment. This means that the appointee from Broward County no longer just represents the unincorporated areas of Broward County, but instead represents the Board of County Commissioners of Broward County. Additionally, the bill removes the five-year term of office for appointees. The appointees serve at the pleasure of their respective governmental entities and are subject to removal at any time by that entity.

The number of commissioners is lowered by reducing the number of appointments that may be made by the Board of County Commissioners of Broward County from two to one. Any new appointee from the Board of County Commissioners of Broward County to the District board must be a qualified elector, must reside within Broward County, and must reside within the District's boundaries for more than six months prior to appointment. Additionally, because of the reduction in the number of appointments, the bill requires the Board of County Commissioners of Broward County to determine by October 1, 2007, which of its appointees will continue to serve as the county representative.

An appointee from a municipality must reside within the respective municipality from which they are appointed for more than six months prior to appointment. After October 1, 2007, any new appointee to the District board must also reside within the District boundaries. Any District board member serving on or before October 1, 2006, is exempt from the requirement to reside within the District's boundaries. The bill also provides that four members present at any regular or special meeting of the District board constitutes a quorum and is sufficient to carry out any legal action taken by the board. The bill also provides more specificity as to whether any of the municipalities represented on the District board is a city, town, or village.

The bill provides that it shall take effect upon becoming a law.

C. SECTION DIRECTORY:

Section 1: Amends Section 4 of ch. 99-433, L.O.F., relating to the governing body of the Hillsboro Inlet District.

Section 2: Provides that the bill takes effect upon becoming a law.

II. NOTICE/REFERENDUM AND OTHER REQUIREMENTS

A. NOTICE PUBLISHED? Yes No

IF YES, WHEN? January 12, 2007

WHERE? The Sun-Sentinel, a daily publication in Broward, Palm Beach, and Miami-Dade counties.

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:

None.

D. STATEMENT OF THE SPONSOR

No statement received.

IV. AMENDMENTS/COUNCIL SUBSTITUTE CHANGES