

HOUSE OF REPRESENTATIVES LOCAL BILL STAFF ANALYSIS

BILL #: CS/HB 977 St. Lucie County Mosquito Control District, St. Lucie County
SPONSOR(S): Local and Federal Affairs Committee, Harrell
TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Local & Federal Affairs Committee	17 Y, 0 N, As CS	Lukis	Rojas
2) State Affairs Committee	15 Y, 0 N	Moore	Camechis

SUMMARY ANALYSIS

HB 977 seeks to revise the boundaries of the St. Lucie County Mosquito Control District (District) in three ways.

First, the bill revises the District's boundaries to reflect a previous change in boundary to St. Lucie County. The District is wholly located within and has the same governing board as St. Lucie County. Therefore, the District boundaries cannot surpass those of the County.

During the 2012 regular legislative session, the Florida Legislature passed CS/SB 800 that will transfer a 129-acre area known as Beau Rivage, from St. Lucie County to Martin County. As Beau Rivage is located within the boundaries of the District, the land transfer will leave the District boundaries extending beyond St. Lucie County's boundaries—an area outside of the board's jurisdiction.

The 2012 land transfer of Beau Rivage becomes final on July 1, 2013. On that date, the District will cease to provide mosquito control services to Beau Rivage and those responsibilities will transfer to Martin County. HB 977 is a technical fix to revise and realign the District's boundaries with those of St. Lucie County to reflect the transfer of Beau Rivage.

Second, HB 977 revises the District's boundaries to reflect the inclusion of the Aero Acres Subdivision. Aero Acres' residents voted by referendum on November 8, 1996, to include themselves within the District. However, Aero Acres was inadvertently excluded from the District's legal boundary description during the codification of the District in 2003.

Third, the bill revises the District's boundaries to include land that is singly owned by the Riverland/Kennedy DRI project, which voluntarily requested Mosquito Control Services.

The District's boundaries may only be amended by special act of the Legislature.

This bill takes effect on July 1, 2013.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Background on St. Lucie County Mosquito Control District

The St. Lucie County Mosquito Control District (District) is a special taxing district that the Florida Legislature created by special act on May 19, 1953.¹ Some pertinent characteristics about the District include the following:

- 1) The District is wholly located within and has the same governing board as the St. Lucie Board of County Commissioners. Therefore, it is a *dependent* special district.²
- 2) The District receives its funding through ad valorem taxation.³
- 3) The District boundaries currently cover 301 square miles.⁴
- 4) The District provides the following services:
 - spraying adult mosquitos with pesticide;
 - reducing mosquito breeding habitats;
 - controlling mosquito larvae where possible;
 - monitoring mosquitos and viruses they may carry;
 - measuring and analyzing environmental information;
 - providing environmental education; and
 - overseeing public use of impounded wetland parks.⁵

Present Situation

Three situations indicate that a revision of the District's boundaries is necessary.

The first situation deals with a boundary change to St. Lucie County. During the 2012 legislative session, the Florida Legislature passed CS/SB 800, which among other things, will transfer a 129-acre piece of property known as Beau Rivage from St. Lucie County to Martin County, effective July 1, 2013.⁶ CS/SB 800 did not address the District's boundaries—it only addressed the St. Lucie County boundaries and Martin County boundaries. Therefore, once the Beau Rivage land transfer becomes effective on July 1,⁷ the District's boundaries will extend further than the St. Lucie County boundaries.

Consequently, after that date Beau Rivage will be outside of the District's jurisdiction. As noted above, the District's board is the same as the St. Lucie County Board of County Commissioners and only has jurisdiction within St. Lucie County.⁸

Thus, on July 1, 2013, the 550-plus Beau Rivage residents will no longer receive mosquito services from the District and will begin to receive mosquito services from Martin County mosquito control.⁹ The Beau Rivage residents will cease paying the District for those services and will instead pay Martin County.¹⁰ The bill is a technical fix to reflect this upcoming change.

The second situation deals with the addition to the District of an area known as Aero Acres. Aero Acres' residents voted by referendum on November 8, 1996 to include themselves within the District;¹¹

¹ Ch. 2003-365, L.O.F.

² Section 189.403(2)(a), F.S.

³ This information was obtained from the Department of Economic Opportunity's website: <http://dca.deo.myflorida.com/fhcd/sdip/OfficialListdeo/report.cfm>

⁴ This information was received from the St. Lucie County website: <http://www.stlucieco.gov/mosquito/index.htm>

⁵ *Id.*

⁶ Ch. 2012-45, L.O.F.

⁷ *Id.*

⁸ Ch. 2003-365, L.O.F.

⁹ Phone conversation with St. Lucie County Mosquito District director, James David, on 3/8/13.

¹⁰ *Id.*

¹¹ *See*, 1996 Aero Acres Referendum. (Copy filed with Local and Federal Affairs Committee)

however, Aero Acres was inadvertently excluded from the District's legal boundary description during the District's codification in 2003.¹²

Aero Acres is a residential airpark comprised of 68 lots ranging in size from 1.23 acres to 2.66 acres.¹³ Aero Acres is not directly attached to the current district boundaries; however, its unique status as a residential airpark surrounded by agricultural land removes cause for concern that neighboring communities are not receiving similar services. Aero Acres residents have been paying for and receiving mosquito services from the District since the 1996 referendum. Therefore, the bill's proposed boundary change is a technical fix to reflect the District's current practice.

The third situation involves a voluntary request by the Riverland/Kennedy DRI property owner to add land that it owns to the District. Riverland/Kennedy is the sole owner of the parcel, which was annexed into the City of Port St. Lucie in 2004.¹⁴

Effect of Changes

HB 977 revises the District's boundaries to reflect the situations described above. In sum, the bill does the following:

- 1) Removes Beau Rivage, and therefore keeps the boundaries correct and consistent with the St. Lucie County boundaries;
- 2) Formally includes the Aero Acres subdivision, which voters added to the District in 1996; and
- 3) Adds land owned by the Riverland/Kennedy DRI to the District.

The bill does not serve any other purpose.

The District's boundaries may only be amended by special act of the Legislature.¹⁵

This bill takes effect on July 1, 2013.

B. SECTION DIRECTORY:

Section 1: Amends ch. 2003-365, L.O.F., to revise the St. Lucie County Mosquito Control District's boundaries.

Section 2: Provides an effective date.

II. NOTICE/REFERENDUM AND OTHER REQUIREMENTS

A. NOTICE PUBLISHED? Yes No

IF YES, WHEN? January 23, 2013

WHERE? The *St. Lucie News-Tribune*, a daily newspaper of general circulation, published in St. Lucie County, Florida.

B. REFERENDUM(S) REQUIRED? Yes No

IF YES, WHEN?

¹² Ch. 2003-365, L.O.F.

¹³ See, Aero Acres website: <http://misco.net/>.

¹⁴ Copy of Ordinance 04-67 filed in Local and Federal Affairs Committee

¹⁵ Ch. 2003-365, L.O.F.

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.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

On March 3, 2013, the Local and Federal Affairs Committee adopted an amendment that changed the bill's effective date to July 1, 2013.

This analysis has been updated to reflect the bill as amended.