

STORAGE NAME: h3433z.ca
DATE: June 25, 1998

****FINAL ACTION****
****SEE FINAL ACTION STATUS SECTION****

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
COMMUNITY AFFAIRS
FINAL BILL RESEARCH & ECONOMIC IMPACT STATEMENT - LOCAL LEGISLATION**

BILL #: HB 3433
RELATING TO: The East County Water Control District
SPONSOR(S): Representative Livingston
COMPANION BILL(S): SB 1526 (i)

ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:

- (1) COMMUNITY AFFAIRS YEAS 5 NAYS 0
- (2)
- (3)
- (4)
- (5)

I. FINAL ACTION STATUS:

House Bill 3433 was voted favorably by the House Committee on Community Affairs on March 4, 1998. The bill passed the House on April 1, 1998 with 114 YEAS and 0 NAYS. The bill passed the Senate on May 1, 1998 with 40 YEAS and 0 NAYS. The bill became law without the Governor's signature on May 27, 1998 as chapter 98-460, Laws of Florida.

II. SUMMARY:

House Bill 3433 relates to the East County Water Control District. The bill provides for a change in the election date of board members to conform with the state general election cycle in even-numbered years. In addition, the bill extends the length of term for current board members by one year, in order to accomplish the election date change.

III. SUBSTANTIVE RESEARCH:

A. PRESENT SITUATION:

The East County Water Control District is an independent special district established by the 1963 legislature to address water issues related to flooding and drainage for Lee and Hendry Counties. Statutory authority for the district is derived from chapter 298, Florida Statutes. The water control district is empowered by the legislature to charge assessments on property located within the district.

Currently, the East County Water Control District Board of Supervisors is comprised of 5 members that are elected at large by the electors living within the district. Each term of office for board members is four years. Elections are currently in odd-numbered years, as provided in the district's charter.

B. EFFECT OF PROPOSED CHANGES:

House Bill 3433 relating to the East County Water Control District provides for a change in the election date for members of the District Board of Supervisors for the water control district. The election date is changed to conform with the state general election cycle which requires elections in even-numbered years. In addition, the bill extends the length of term for current board members by one year, in order to accomplish the election date change.

C. LAWS OF FLORIDA/FLORIDA STATUTES AFFECTED:

Chapter 87-477, Florida Statutes.

D. APPLICATION OF PRINCIPLES:

1. Less Government:

a. Does the bill create, increase or reduce, either directly or indirectly:

(1) any authority to make rules or adjudicate disputes?

No.

(2) any new responsibilities, obligations or work for other governmental or private organizations or individuals?

No.

(3) any entitlement to a government service or benefit?

No.

b. If an agency or program is eliminated or reduced:

(1) what responsibilities, costs and powers are passed on to another program, agency, level of government, or private entity?

N/A

(2) what is the cost of such responsibility at the new level/agency?

N/A

(3) how is the new agency accountable to the people governed?

N/A

2. Lower Taxes:

a. Does the bill increase anyone's taxes?

No.

b. Does the bill require or authorize an increase in any fees?

No.

c. Does the bill reduce total taxes, both rates and revenues?

No.

d. Does the bill reduce total fees, both rates and revenues?

No.

e. Does the bill authorize any fee or tax increase by any local government?

No.

3. Personal Responsibility:

a. Does the bill reduce or eliminate an entitlement to government services or subsidy?

No.

b. Do the beneficiaries of the legislation directly pay any portion of the cost of implementation and operation?

No.

4. Individual Freedom:

- a. Does the bill increase the allowable options of individuals or private organizations/associations to conduct their own affairs?

No.

- b. Does the bill prohibit, or create new government interference with, any presently lawful activity?

No.

5. Family Empowerment:

- a. If the bill purports to provide services to families or children:

- (1) Who evaluates the family's needs?

N/A

- (2) Who makes the decisions?

N/A

- (3) Are private alternatives permitted?

N/A

- (4) Are families required to participate in a program?

N/A

- (5) Are families penalized for not participating in a program?

N/A

- b. Does the bill directly affect the legal rights and obligations between family members?

N/A

- c. If the bill creates or changes a program providing services to families or children, in which of the following does the bill vest control of the program, either through direct participation or appointment authority:

(1) parents and guardians?

N/A

(2) service providers?

N/A

(3) government employees/agencies?

N/A

E. SECTION-BY-SECTION RESEARCH:

Section 1. Subsection (3) of section 1 of chapter 87-477, Florida Statutes, as amended by chapters 90-393 and 93-309, Florida Statutes is amended to change the date of elections of East County Water Control District Board members from odd-numbered years to even-numbered years.

Section 2. Extends the length of term for current board members by one year, in order to accomplish the election date change.

Section 3. This act shall take effect upon becoming law.

IV. NOTICE/REFERENDUM AND OTHER REQUIREMENTS:

A. NOTICE PUBLISHED? Yes No

IF YES, WHEN? November 5, 1997 and November 13, 1997.

WHERE? Ft. Myers, Florida News-Press and News-Star.

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

V. COMMENTS:

None

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VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

None

VII. SIGNATURES:

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