

STORAGE NAME: h1687.ca

DATE: March 27, 1999

**HOUSE OF REPRESENTATIVES
AS REVISED BY THE COMMITTEE ON
COMMUNITY AFFAIRS
ANALYSIS - LOCAL LEGISLATION**

BILL #: HB 1687

RELATING TO: Indian River County/Referendum on Indian River Memorial Hospital

SPONSOR(S): Representative Sembler

COMPANION BILL(S): SB 2598 (i)

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

- (1) HEALTH CARE LICENSING & REGULATION YEAS 8 NAYS 0
 - (2) COMMUNITY AFFAIRS
 - (3)
 - (4)
 - (5)
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I. SUMMARY:

This bill requires a binding voter referendum prior to the sale of all or substantially all of the facilities which make up the Indian River Memorial Hospital.

The referendum must be held in accordance with certain statutory procedures. The specific procedure to be utilized is determined by the district in the resolution calling for such referendum.

The Economic Impact Statement provided with the bill indicates no fiscal impact on the state, local government, or the private sector.

II. SUBSTANTIVE ANALYSIS:

A. PRESENT SITUATION:

The Indian River County Hospital District was created by ch. 61-2275, Laws of Florida. Indian River Memorial Hospital is owned and operated by the district. Currently, there is no provision for a binding voter referendum prior to the sale of Indian River Memorial Hospital by the district.

B. EFFECT OF PROPOSED CHANGES:

This bill requires a binding voter referendum prior to the sale of all or substantially all of the facilities which make up the Indian River Memorial Hospital.

The referendum must be held in accordance with: the bond referendum procedure set forth in s. 100.201, Florida Statutes; the procedure for a mail ballot set forth in s. 101.6101, Florida Statutes; or any other comparable procedure set forth in then existing Florida law. The specific procedure to be utilized is determined by the district in the resolution calling for such referendum.

C. LAWS OF FLORIDA/FLORIDA STATUTES AFFECTED:

Subsection (6) is added to s. 2.1 of ch. 61-2275, Laws of Florida, as amended.

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?

N/A

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

N/A

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

4. Individual Freedom:

- a. Does the bill increase the allowable options of individuals or private organizations/associations to conduct their own affairs?
N/A
- b. Does the bill prohibit, or create new government interference with, any presently lawful activity?
N/A

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 ANALYSIS:

Section 1. Adds subsection (6) to s. 2.1, of ch. 61-2275, Laws of Florida, as amended, to require a binding voter referendum prior to the sale of all or substantially all of the facilities which make up the Indian River Memorial Hospital.

The referendum must be held in accordance with: the bond referendum procedure set forth in s. 100.201, Florida Statutes; the procedure for a mail ballot set forth in s. 101.6101, Florida Statutes; or any other comparable procedure set forth in then existing Florida law. The specific procedure to be utilized is determined by the district in the resolution calling for such referendum.

Section 2. Provides an effective date of upon becoming a law.

III. NOTICE/REFERENDUM AND OTHER REQUIREMENTS:

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

IF YES, WHEN? January 30-31, 1999.

WHERE? In the Press Journal, Vero Beach, Indian River County, Florida.

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

IF YES, WHEN?

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

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

IV. COMMENTS:

The Economic Impact Statement reflects no fiscal impact and no impact on government or the private sector.

V. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

None.

VI. SIGNATURES:

COMMITTEE ON HEALTH CARE LICENSING & REGULATION:

Prepared by:

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AS REVISED BY THE COMMITTEE ON ELECTION REFORM:

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