

**STORAGE NAME:** h1063a.lgva.doc

**DATE:** February 7, 2002

**HOUSE OF REPRESENTATIVES  
COMMITTEE ON  
LOCAL GOVERNMENT & VETERANS AFFAIRS  
ANALYSIS – LOCAL LEGISLATION**

**BILL #:** HB 1063

**RELATING TO:** Lafayette County Recreation Board

**SPONSOR(S):** Representative Stansel

**TIED BILL(S):** None

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

- (1) LOCAL GOVERNMENT & VETERANS AFFAIRS (SGC) YEAS 8 NAYS 0
  - (2)
  - (3)
  - (4)
  - (5)
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I. SUMMARY:

THIS DOCUMENT IS NOT INTENDED TO BE USED FOR THE PURPOSE OF CONSTRUING STATUTES, OR TO BE CONSTRUED AS AFFECTING, DEFINING, LIMITING, CONTROLLING, SPECIFYING, CLARIFYING, OR MODIFYING ANY LEGISLATION OR STATUTE.

This bill repeals the enabling act of the Lafayette County Recreation Board, and provides for the transfer of all assets and liabilities of the board to the Board of County Commissioners of Lafayette County.

According to the attached "Economic Impact Statement," the bill requires a \$20,000 annual expenditure by the Board of County Commissioners of Lafayette County. The statement indicates the current recreation fee structure will fund this expenditure.

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- |                                   |   |                             |   |
|-----------------------------------|---|-----------------------------|---|
| 1. <u>Less Government</u>         | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/>            |
| 2. <u>Lower Taxes</u>             | Yes <input type="checkbox"/>            | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. <u>Individual Freedom</u>      | Yes <input type="checkbox"/>            | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. <u>Personal Responsibility</u> | Yes <input type="checkbox"/>            | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. <u>Family Empowerment</u>      | Yes <input type="checkbox"/>            | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

B. PRESENT SITUATION:

**Lafayette County Recreation Board**

Chapter 80-518, Laws of Florida, creates the Lafayette County Recreation Board (Board). The Board is a dependent district composed of seven members as follows: one member appointed by the Board of County Commissioners of Lafayette County, one member appointed by the City Council of the City of Mayo, one member appointed by the District School Board of Lafayette County, and one member appointed by Lafayette Development Authority. The remaining three members are appointed by the first four members. All members serve terms of four years, without compensation.

The Board is empowered to provide, maintain, conduct, and supervise recreation, recreational centers, and all recreational activities, and is empowered to expend funds and employ personnel for these purposes. The Board does not have an independent revenue source, but the Board of County Commissioners of Lafayette County, the City Council of the City of Mayo, and the Lafayette Development Authority are authorized to provide public funds and in-kind services through the Board and to transfer real or personal property to the Board. The District School Board of Lafayette County is authorized to provide in-kind services through the Board and to transfer real or personal property to the Board. The Board may receive gifts, grants, devises, and bequests for the use for which the Board is created.

**General Law Governing the Merger or Dissolution of a Special District**

Subsection (2) of s. 189.4042, F.S., provides that the merger or dissolution of an independent special district or a dependent district created and operating pursuant to a special act may only be effectuated by the Legislature unless otherwise provided by general law. If an inactive independent district was created by a county or municipality through a referendum, the county or municipality that created the district may dissolve the district after publishing notice as described in s. 189.4044, F.S. If an independent district was created by a county or municipality by referendum or any other procedure, the county or municipality that created the district may merge or dissolve the district pursuant to the same procedure by which the independent district was created. However, for any independent district that has ad valorem taxation powers, the same procedure required to grant such independent district ad valorem taxation powers must also be required to dissolve or merge the district.

C. EFFECT OF PROPOSED CHANGES:

This bill repeals the enabling act of the Lafayette County Recreation Board, and provides for the transfer of all assets and liabilities of the board to the Board of County Commissioners of Lafayette County.

D. SECTION-BY-SECTION ANALYSIS:

**Section 1.** Chapter 80-518, L.O.F., is repealed.

**Section 2.** All assets and liabilities of the Board are transferred to the Board of County Commissioners of Lafayette County.

**Section 3.** An effective date of July 1, 2002, is provided.

III. NOTICE/REFERENDUM AND OTHER REQUIREMENTS:

A. NOTICE PUBLISHED? Yes  No

IF YES, WHEN?

December 13, 2001

WHERE? The Mayo Free Press, Lafayette County

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

IV. COMMENTS:

A. CONSTITUTIONAL ISSUES:

N/A

B. RULE-MAKING AUTHORITY:

N/A

C. OTHER COMMENTS:

N/A

V. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

None.

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**DATE:** February 7, 2002

**PAGE:** 4

VI. SIGNATURES:

COMMITTEE ON LOCAL GOVERNMENT & VETERANS AFFAIRS:

Prepared by:

Staff Director:

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Thomas L. Hamby, Jr.

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Joan Highsmith-Smith