

By Representative Gay

1                                   A bill to be entitled  
2           An act relating to Lee, Charlotte, Sarasota,  
3           and Manatee Counties; providing for  
4           codification of special laws regarding special  
5           districts pursuant to chapter 97-255, Laws of  
6           Florida, relating to the West Coast Inland  
7           Navigation District, a special tax district of  
8           the State of Florida composed of the Counties  
9           of Lee, Charlotte, Sarasota, and Manatee;  
10          providing legislative intent, and codifying and  
11          reenacting chapter 23770, Laws of Florida,  
12          1947; chapters 27289 and 27290, Laws of  
13          Florida, 1951; chapter 28542, Laws of Florida,  
14          1953; chapter 30074, Laws of Florida, 1955;  
15          chapter 57-467, Laws of Florida; chapter  
16          59-756, Laws of Florida; chapter 61-1590, Laws  
17          of Florida; chapter 77-494, Laws of Florida;  
18          sections 2, 3, 4, 5, and 6 of chapter 79-435,  
19          Laws of Florida; chapter 81-337, Laws of  
20          Florida; section 5 of chapter 85-200, Laws of  
21          Florida; and section 5 of chapter 86-286, Laws  
22          of Florida; providing additional powers;  
23          providing for the repeal of section 8 of  
24          chapter 90-264, Laws of Florida; providing for  
25          repeal of all prior special acts related to the  
26          West Coast Inland Navigation District;  
27          providing an effective date.

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29   Be It Enacted by the Legislature of the State of Florida:  
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1           Section 1. Pursuant to chapter 97-255, Laws of  
2 Florida, this act constitutes the codification of all special  
3 acts relating to the West Coast Inland Navigation District. It  
4 is the intent of the Legislature in enacting this law to  
5 provide a single, comprehensive special act charter for the  
6 district, including all current legislative authority granted  
7 to the district by its several legislative enactments and any  
8 additional authority granted by this act. It is further the  
9 intent of this act to preserve all district authority,  
10 including the authority to annually assess and levy against  
11 the taxable property in the district a tax not to exceed 0.2  
12 mills on the dollar of assessed valuation.

13           Section 2. Chapter 23770, Laws of Florida, 1947;  
14 chapters 27289 and 27290, Laws of Florida, 1951; chapter  
15 28542, Laws of Florida, 1953; chapter 30074, Laws of Florida,  
16 1955; chapter 57-467, Laws of Florida; chapter 59-756, Laws of  
17 Florida; chapter 61-1590, Laws of Florida; chapter 77-494,  
18 Laws of Florida; sections 2, 3, 4, 5, and 6 of chapter 79-435,  
19 Laws of Florida; chapter 81-337, Laws of Florida; section 5 of  
20 chapter 85-200, Laws of Florida; section 5 of chapter 86-286,  
21 Laws of Florida; and section 8 of chapter 90-264, Laws of  
22 Florida, relating to the West Coast Inland Navigation District  
23 of Florida, are codified, reenacted, amended, and repealed as  
24 herein provided.

25           Section 3. Section 2 of chapter 61-1590, Laws of  
26 Florida, as amended by chapter 81-337, Laws of Florida, is  
27 amended to read:

28           Section 3.~~Section 2.~~ District boundaries.--The  
29 Counties of Lee, Charlotte, Sarasota, and Manatee, are hereby  
30 created into and incorporated, for the purposes of this act,  
31 into an independent multi-county ~~a~~ special tax district of the

1 State of Florida known as the "West Coast Inland Navigation  
2 District," hereinafter referred to as the district. Such  
3 district shall function and operate by and through its board  
4 of commissioners, hereinafter referred to as the board.  
5 However, the district services and projects may be provided by  
6 interlocal agreement within adjoining coastal counties.

7 Section 4. Section 4 is created to read:

8 Section 4. Definitions.--The term "inland waterway"  
9 includes those portions of the inland waterway as designated  
10 by the Federal River and Harbor Act of 1945 within district  
11 boundaries, any body of water connected with the inland  
12 waterway, and any other body of water which the board finds  
13 makes a significant contribution or has the potential to make  
14 a significant contribution to waterway traffic or waterborne  
15 commerce in the area served.

16 Section 5. Section 3 of chapter 61-1590, Laws of  
17 Florida, as amended by chapter 81-337, Laws of Florida, is  
18 amended to read:

19 Section 5.~~Section 3.~~ District powers and authority.--

20 (a) It is the purpose and intent of this act that the  
21 board of said district do and perform all things requisite,  
22 necessary, or desirable within district boundaries to comply  
23 with the requirements and conditions imposed upon "local  
24 interests," by the Congress of the United States of America,  
25 in its River and Harbor Act approved March 2, 1945, as said  
26 act has been and may be from time to time amended, authorizing  
27 the improvement and construction, under direction of the  
28 Secretary of the Army and supervision of the Chief of  
29 Engineers, of an inland waterway ~~from the Caloosahatchee~~  
30 ~~River, Florida, to the Anclote River, Florida,~~ in accordance  
31 with report submitted by letter of Secretary of War, dated

1 June 22, 1939, Document No. 371, House of Representatives,  
2 76th Congress, 1st Session entitled, "Intracoastal Waterway  
3 from Caloosahatchee River to Withlacoochee River, Florida,"  
4 and all reports subsequent thereto relating to any change,  
5 modification, or expansion of said initial report. In order  
6 that said Secretary of the Army and Chief of Engineers may  
7 accomplish the work of improvement, adopted and authorized by  
8 said act of Congress as the same may from time to time be  
9 amended, said board of said district is authorized to obtain  
10 by donation, purchase, or condemnation and convey without cost  
11 to the United States, the necessary rights-of-way for said  
12 project together with suitable areas for the deposit of spoil  
13 material in connection with the work and its subsequent  
14 maintenance, all as contemplated and required by the Congress  
15 of the United States, and those acting by its authority.  
16 Nothing herein contained shall be construed to prohibit said  
17 board from expending such sums of money as in its discretion  
18 may be deemed proper for any purpose authorized, contemplated,  
19 or required to carry out any work authorized by any acts of  
20 Congress.

21 ~~(b) The term "inland waterway" includes any body of~~  
22 ~~water connected with the inland waterway as designated by the~~  
23 ~~Federal River and Harbor Act of 1945, and any other body of~~  
24 ~~water which the board finds makes a significant contribution~~  
25 ~~or has the potential to make a significant contribution to~~  
26 ~~waterway traffic or waterborne commerce in the area served.~~

27 (b)(c) The district may act as a local interest  
28 sponsor for any ~~so-called~~ "Section 107, River and Harbor Act  
29 of 1960," project authorized and undertaken by the U.S. Army  
30 Corps of Engineers, and in this regard may comply with any or  
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1 all conditions imposed on local interests as part of such  
2 project.

3 (c)~~(d)~~ The district may act as a local sponsor of any  
4 beach nourishment project in the district approved and  
5 undertaken by the U.S. Army Corps of Engineers and/or Florida  
6 Department of Environmental Protection or its successor  
7 ~~Natural Resources~~, provided the board of commissioners of the  
8 district shall first find ~~have found~~ that such project, ~~by the~~  
9 ~~dredging of the beach nourishment material, or otherwise~~ is a  
10 benefit to public navigation in the district.

11 (d)~~(e)~~ The district may furnish assistance and support  
12 to member counties in planning and carrying out public  
13 navigation projects of a purely local or regional nature. Such  
14 assistance and support, if financial in nature, shall be  
15 granted only after a finding by the board that such project  
16 contributes ~~does contribute~~ to public navigation in the area  
17 in which it is located.

18 (e)~~(f)~~ The district is authorized to participate with  
19 any local, state, or federal agencies in research, study, or  
20 test programs as to the impact, both physical and biological,  
21 of waterway construction, maintenance, and operation,  
22 including, but not limited to, erosion, accretion, and marine  
23 and shoreline vegetation.

24 (f)~~(g)~~ The district is authorized to assume  
25 sponsorship, or to act with other agencies, in environmental  
26 restoration and enhancement projects, seeking to protect,  
27 restore, and enhance water quality, aquatic habitat, and other  
28 marine oriented conservation and environmental values in the  
29 navigable waters in the district. Such activities may include  
30 studies and work to restore damage to the aquatic environment  
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1 caused by construction or maintenance of navigation channels,  
2 harbors, or similar works.

3 (g) The district is authorized to create advisory  
4 bodies and to assist local governments in the development of  
5 county and multi-county anchorage management programs.

6 (h) The district is authorized to enter into  
7 interlocal agreements with adjoining coastal counties to  
8 implement the purposes and projects authorized by this act,  
9 chapter 374, Florida Statutes, and applicable general law  
10 within the boundaries of the cooperating county or counties.  
11 The agreement shall also make provision for the continued  
12 construction or maintenance of district projects within a  
13 cooperating county or counties in the event an agreement is  
14 terminated.

15 Section 6. Section 4 of chapter 61-1590, Laws of  
16 Florida, as amended by chapter 81-337, Laws of Florida, is  
17 amended to read:

18 Section 6. ~~Section 4.~~ Governing board.--A governing  
19 body of said district is hereby created and shall be known as  
20 the "Board of Commissioners of West Coast Inland Navigation  
21 District," and shall be composed of four members who shall be  
22 qualified electors residing in said district, each of whom  
23 shall respectively be a member of the board of county  
24 commissioners of the county incorporated in the district each  
25 commissioner ~~he~~ represents on said board, and selected in each  
26 instance by the several county boards from the membership  
27 thereof. Said board shall have all the powers of a body  
28 corporate, including the power to sue and be sued as a  
29 corporation in its name; to make contracts; to adopt and use a  
30 common seal and to alter the same; to buy, acquire, by eminent  
31 domain, sell, own, lease, and convey such real estate or

1 interest therein, and personal property as said board may deem  
2 proper to carry out the provisions of this act; to appoint and  
3 employ such engineers, attorneys, agents, and employees as  
4 said board may require; to borrow money and issue negotiable  
5 promissory notes, and other evidences of indebtedness therefor  
6 to enable it to carry out the provisions of this act, and  
7 generally to do and perform all things necessary to accomplish  
8 the purposes of this act.

9 Section 7. Section 5 of chapter 61-1590, Laws of  
10 Florida, as amended by chapter 81-337, Laws of Florida, is  
11 amended to read:

12 Section 7. ~~Section 5.~~ Governance.--

13 (a) The elected officers of said board shall be:  
14 Chair, vice chair ~~Chairman, Vice-chairman~~, secretary and  
15 treasurer; provided, however, that no one person shall hold  
16 more than one such office at the same time. Said officers  
17 shall be elected annually from said board by the members  
18 thereof. Three members of the board shall constitute a quorum.  
19 The affirmative vote of three members shall be necessary to  
20 the transaction of business. The chair ~~Chairman~~ shall have the  
21 right to vote. Special meetings may be called at any time by  
22 the chair ~~Chairman~~ or any other two commissioners. Each member  
23 county may, in addition to its designated commission member,  
24 designate an alternate commission member who shall be  
25 authorized to attend all board meetings and other district  
26 approved activities and participate in board deliberations,  
27 but who shall not be authorized to vote except in case of the  
28 absence of the designated member. Each designated alternate  
29 commission member shall be a member of the board of county  
30 commissioners of the county incorporated in the district the

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1 alternate commission member ~~he~~ represents on the district  
2 board.

3 (b) The board may from time to time provide for the  
4 office of executive director and when such office is provided  
5 for may employ some qualified person to act in such capacity,  
6 and by resolution shall define the term and duties of such  
7 office. The executive director when so appointed shall be the  
8 assistant secretary of the board and as such shall be the  
9 official custodian of the minute books, records, maps, seal,  
10 and other properties and records of the district. Such officer  
11 shall be authorized to affix the official seal of the district  
12 to its legal documents and to certify copies of any official  
13 proceedings of the district.

14 (c) The district is authorized to pay all reasonable  
15 expenses incurred by its board members or designated alternate  
16 members in the fulfillment of their duties as members of the  
17 board, but no member of said board or designated alternate  
18 member shall receive any compensation beyond reimbursement for  
19 reasonable expenses.

20 Section 8. Section 6 of chapter 61-1590, Laws of  
21 Florida, as amended by chapter 81-337, Laws of Florida, is  
22 amended to read:

23 Section 8.~~Section 6.~~ Property acquisition.--

24 (a) The district shall obtain by gift, donation,  
25 purchase, or condemnation and shall furnish to the United  
26 States or to the state all required right-of-way as the said  
27 board shall determine necessary pursuant to requirements of  
28 the United States for constructing and maintaining said inland  
29 waterway for the route of construction of said inland waterway  
30 as designated and requested from time to time by the Corps of  
31 Engineers, U.S. Army, or other proper state or federal agency.



1           (b) The district shall acquire by gift, donation,  
2 purchase, or condemnation, and shall furnish to the United  
3 States required areas for the deposit of spoil material in  
4 connection with the work of improving, constructing, and  
5 maintaining the aforementioned waterway as requested from time  
6 to time by the Corps of Engineers, U.S. Army, or other proper  
7 federal agency.

8           (c) The district shall obtain by gift, donation,  
9 purchase, or condemnation and shall furnish to the United  
10 States, any property, property rights, easement and interest  
11 in property, outside of said right-of-way and designated spoil  
12 areas that may be necessary for the construction, maintenance, and  
13 and operation of said canal to be constructed and maintained  
14 within said right-of-way by the United States.

15           (d) The district is authorized to acquire and obtain  
16 by gift, donation, purchase, or condemnation and to transfer  
17 to the United States such lands, easements, rights-of-way, and  
18 spoil disposal areas as may be required to effectuate the  
19 purpose and intent of all acts of the United States Congress  
20 as heretofore, or hereafter, enacted for the further  
21 improvement of said intracoastal waterway, with a view to  
22 providing a project depth of 12 feet, more or less, referred  
23 to the plane of local mean low water, and a width appropriate  
24 to said depth and such other improvements as may be authorized  
25 and adopted by the Congress, from time to time, and in  
26 connection with the subsequent maintenance of said waterway,  
27 as so improved.

28           (e) The district is authorized to contract for the  
29 purchase of any property acquired by it and to pay the  
30 purchase price therefor in installments or deferred payments  
31 upon such terms as the board shall determine; said contract

1 may provide for payment of interest as provided by general law  
2 ~~not to exceed twelve percent (12%) per annum upon deferred~~  
3 ~~payments.~~

4 (f) The funds to be used for the purchase of  
5 right-of-way, spoil areas and other property shall be obtained  
6 by said board either from a tax levy or levies as hereinafter  
7 provided, or borrowed upon its obligations as herein provided.

8 Section 9. Section 7 of chapter 61-1590, Laws of  
9 Florida, is amended to read:

10 Section 9.~~Section 7.~~ Eminent domain.--

11 (a) The district is authorized to exercise the right  
12 of eminent domain, and may condemn for the use of said  
13 district or other proper public agencies all lands, easements,  
14 rights-of-way, areas for deposit of spoil material, and  
15 property rights of every description required for the public  
16 purposes and powers of said district herein granted. The  
17 district is authorized to secure possession of lands,  
18 easements, rights-of-way, areas for deposit of spoil material,  
19 and other property rights, prior to final judgment pursuant to  
20 the procedure hereinafter provided. Such condemnation  
21 proceedings shall be maintained by and in the name of the West  
22 Coast Inland Navigation District, a special taxing district  
23 under the laws of the State of Florida, and the procedure  
24 shall be that prescribed in chapters 73 and 74, Florida  
25 Statutes, and any other procedure as otherwise from time to  
26 time is provided by law; and said district and its board is  
27 hereby vested with authority to pay any judgment or  
28 compensation awarded in any such proceedings out of any funds  
29 available for such purposes. The district is authorized to  
30 condemn lands owned by public utility companies and  
31 governmental agencies, provided no condemnation action may be

1 maintained against a state or federal agency without the  
2 consent of such agency.

3 (b) In the event the property sought to be condemned  
4 is in more than one county, the suit may be instituted in  
5 either county, but required notice shall be published in all  
6 counties affected.

7 (c) The delegation of the power of eminent domain as  
8 herein provided shall not be held to be an exclusive right to  
9 accomplish the purposes herein outlined and nothing herein  
10 provided shall be construed as prohibiting any other federal  
11 or state agency from exercising such powers as they  
12 respectively hold to carry out any of the purposes of this  
13 act.

14 Section 10. Section 9 of chapter 61-1590, Laws of  
15 Florida, is amended to read:

16 Section 10.~~Section 9.~~ Borrowing.--In order to defray  
17 current expenses the district is authorized to borrow money  
18 for said purposes; and to execute therefor the negotiable  
19 promissory notes of the district, same to bear interest as  
20 provided by general law not exceeding six percent per annum  
21 ~~and payable and payable not later than two years from date.~~

22 Section 11. Section 10 of chapter 61-1590, Laws of  
23 Florida, is amended to read:

24 Section 11.~~Section 10.~~ Property conveyed to U.S.  
25 Government.--The district is authorized to convey any property  
26 or property rights it owns or possesses to the United States  
27 or any proper federal agency for any purpose contemplated by  
28 this act, with or without consideration, and upon such terms  
29 and conditions as the board deems proper. The district is  
30 authorized to furnish in connection therewith title evidence,  
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1 title insurance, hold harmless agreements, and such other  
2 assurances as the United States may from time to time request.

3 Section 12. Section 11 of chapter 61-1590, Laws of  
4 Florida, as amended by chapter 81-337, Laws of Florida, is  
5 amended to read:

6 Section 12.~~Section 11.~~ Ad valorem taxes.--The  
7 district may annually assess and levy against the taxable  
8 property in the district a tax not to exceed 0.2 mill on the  
9 dollar of assessed valuation for each year, and the proceeds  
10 from such tax shall be used by said board for all expenses of  
11 the district including the purchase of right-of-way and other  
12 property, and any other purpose authorized by this or any  
13 other law.

14 Section 13. Section 12 of chapter 61-1590, Laws of  
15 Florida, as amended by chapter 81-337, Laws of Florida, is  
16 amended to read:

17 Section 13.~~Section 12.~~ Tax collection.--The district  
18 shall levy and collect its taxes pursuant to chapter 200,  
19 Florida Statutes, and applicable general law.

20 ~~(a) The Board shall, on or before the 15th day of July~~  
21 ~~of each year, by resolution, determine the millage to be~~  
22 ~~levied as taxes for that year upon the taxable property in the~~  
23 ~~District for the purposes of said District. Certified copies~~  
24 ~~of such resolution executed in the name of the Board by its~~  
25 ~~Chairman, and attested under its corporate seal, shall be made~~  
26 ~~and delivered to the Board of County Commissioners of each~~  
27 ~~County in said District and to the State Comptroller;~~  
28 ~~thereupon, it shall be the duty of each said Board of County~~  
29 ~~Commissioners to order the Property Appraiser of each of said~~  
30 ~~counties to assess, and the Collector of each of said counties~~  
31 ~~to collect, a tax at the rate fixed by said resolution of said~~

1 ~~Board of said District upon all the real and personal property~~  
2 ~~in said counties for said year and such officers shall perform~~  
3 ~~such duty and said levy shall be included in the warrant of~~  
4 ~~the Property Appraiser of each of said counties and attached~~  
5 ~~to the assessment roll of taxes for each of said counties. The~~  
6 ~~Tax Collector of each of said counties shall collect such~~  
7 ~~taxes so levied by said Board of said District in the same~~  
8 ~~manner as other taxes, and shall pay the same in the manner~~  
9 ~~prescribed by law, to the Treasurer of the District. It shall~~  
10 ~~be the duty of the State Comptroller to assess and levy on all~~  
11 ~~railroads and telegraph property in the District a tax at the~~  
12 ~~rate prescribed by said resolution of the District, and to~~  
13 ~~collect the said tax thereon in the same manner as he is~~  
14 ~~required by law to assess and collect taxes for County~~  
15 ~~purposes and to remit same to the Treasurer of the District.~~  
16 ~~All such taxes shall be held by the Treasurer of the District~~  
17 ~~for the credit of the District and paid out by him as herein~~  
18 ~~provided. The Property Appraiser and Tax Collector of each of~~  
19 ~~said counties shall be entitled to receive his fee which shall~~  
20 ~~be computed at the same rate as for taxing districts as~~  
21 ~~provided by general law upon the amount of taxes assessed on~~  
22 ~~behalf of the District in said county and said fee shall be~~  
23 ~~allowed and paid him by the Treasurer of the District.~~

24 ~~(b) The Property Appraiser, Tax Collector and Board of~~  
25 ~~County Commissioners of each County in the District, shall,~~  
26 ~~when requested by the Board prepare from their official~~  
27 ~~records and deliver any information that may be requested from~~  
28 ~~him or them by said Board of said District regarding the tax~~  
29 ~~valuation, assessments, collection, and other information~~  
30 ~~regarding the levy, assessment and collection of taxes in each~~  
31 ~~such county.~~

1           ~~(c) In the event that in the judgment of the Board,~~  
2 ~~any procedures, dates or time periods specified in this Act~~  
3 ~~relative to the method of fixing millage, or to the~~  
4 ~~assessment, levy, or collection of taxes conflict with the~~  
5 ~~provisions of general law now or hereafter in effect, the~~  
6 ~~provisions of general law shall control.~~

7           Section 14. Section 13 of chapter 61-1590, Laws of  
8 Florida, is amended to read:

9           Section 14. Section 13. Bridge construction.--

10           (a) The district is authorized to assume and relieve  
11 the United States from the cost and expense of construction,  
12 reconstructing, maintaining, and operating any bridge over  
13 said intracoastal waterway, whenever, in the judgment of said  
14 board such action is necessary upon its part to fully comply  
15 with the requirements and conditions imposed upon "local  
16 interests" by said River and Harbor Act of the United States,  
17 approved March 2, 1945, in accordance with the report  
18 submitted June 14, 1939, in House Document No. 371, 76th  
19 Congress, first session, as amended and expanded. The expense  
20 therefor may be paid as a necessary expense of the district;  
21 provided, however, that the district shall not be required to  
22 pay the cost of maintenance of any bridges within its borders  
23 nor bear the cost of bridge tenders for such bridges, except  
24 by special agreement. Said board is authorized to contract  
25 with the board of county commissioners of any county in the  
26 district to the end that said board of county commissioners,  
27 shall assume the responsibility for the construction,  
28 reconstruction, maintenance, and operation of any such bridge.  
29 Each ~~said~~ board of county commissioners is hereby authorized  
30 to enter into such a contract with the board of commissioners  
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1 of said district and such a contract shall be binding upon  
2 said county and district.

3 (b) Whenever the district assumes the responsibility  
4 for constructing or reconstructing, altering, or modifying any  
5 bridge, including necessary appurtenances and approaches, such  
6 responsibility may be met either directly or through contract  
7 with any other public agency or agencies and any funds of the  
8 district paid out pursuant to such a contract shall be deemed  
9 to be for a proper public purpose.

10 (c) The district is authorized to exercise the power  
11 of eminent domain in securing any lands and rights-of-way  
12 necessary for any bridge or bridge approach roads and the  
13 procedure shall be as herein otherwise provided.

14 Section 15. Section 14 of chapter 61-1590, Laws of  
15 Florida, is amended to read:

16 Section 15.~~Section 14.~~ Delegation.--Any delegable act  
17 authorized to be performed by the district may be performed by  
18 any other public or private agency by agreement with the  
19 district upon such terms as the parties shall agree.

20 Section 16. Section 15 of chapter 61-1590, Laws of  
21 Florida, as amended by chapter 81-337, Laws of Florida, is  
22 amended to read:

23 Section 16.~~Section 15.~~ Studies.--

24 (a) In order to carry out the purpose and intent of  
25 any laws that heretofore have been, or hereafter may be  
26 enacted by the United States Congress authorizing and  
27 directing the Secretary of the Army to make examinations,  
28 surveys, and studies of the intracoastal waterway from  
29 Caloosahatchee River to Anclote Key, Florida, or other Florida  
30 West Coast Waterways, the district is authorized to collect,  
31 compile, and to furnish to the Secretary of the Army, the

1 Secretary's ~~his~~ officers and agents, appropriate information  
2 on the counties within the district's boundaries bearing on  
3 the advantages, benefits, and increased usefulness that may be  
4 expected to accrue to the public and to the counties traversed  
5 by said waterway by reason of any improvement or extension  
6 thereof, that has previously been or may subsequently be  
7 authorized by said United States Congress.

8 (b) The district is authorized to expend its funds for  
9 publicizing to other governmental agencies the completion by  
10 the United States of all or any portion of the intracoastal  
11 waterway and related waterways and its availability and  
12 utility to water craft, and to distribute information as to  
13 route, channel, depth, and facilities of said waterway and  
14 such other information and data as may, in the opinion of the  
15 board, be desirable or useful to give the public full  
16 information regarding said waterway and to promote its use in  
17 navigation.

18 Section 17. Section 16 of chapter 61-1590, Laws of  
19 Florida, is amended to read:

20 Section 17.~~Section 16.~~ Dredging.--The district is  
21 authorized to pay all or part of the cost of dredging  
22 performed on the waterway by the United States, to construct  
23 dikes, bulkheads, and levees, to construct ditches and  
24 pipelines for the control of water discharged by dredges, to  
25 reconstruct, modify, or relocate bridges, docks, wharfs, and  
26 other structures, including water and sewer lines and  
27 appurtenances, electric and telephone lines and appurtenances,  
28 gas transmission and distribution lines and appurtenances, or  
29 to pay for same, and to do all other work or things which, in  
30 the judgment of the board shall be proper and necessary to  
31 produce economies in meeting the conditions imposed on local



1 interests by the United States Congress in the several acts  
2 authorizing and directing the improvement and maintenance of  
3 the intracoastal waterway.

4 Section 18. Section 17 of chapter 61-1590, Laws of  
5 Florida, is amended to read:

6 Section 18.~~Section 17.~~ Administrative  
7 procedures.--The district is authorized to prosecute in behalf  
8 of itself or others any administrative procedures necessary to  
9 be followed to carry out any of the activities authorized or  
10 contemplated by this act and to pay the reasonable expenses  
11 thereof, including, but not limited to, any bulkhead line and  
12 dredge and fill procedures required by law to be completed.  
13 The district may contract with other agencies or public or  
14 private persons to perform any such activities in its behalf.

15 Section 19. Section 18 of chapter 61-1590, Laws of  
16 Florida, as amended by chapter 81-337, Laws of Florida, is  
17 amended to read:

18 Section 19.~~Section 18.~~ Franchise.--No franchise or  
19 other privilege pertaining to leasing, buying, building,  
20 operating operation, or otherwise dealing with any business or  
21 establishment relating to food, lodging, beverages, fuel,  
22 supplies, or other services to people or waterborne vehicles  
23 and located on any property owned by the district, shall be  
24 granted or contracted for unless the same shall have first  
25 been advertised for bids in each of the counties in the  
26 district. Such advertisement shall appear in a newspaper of  
27 general circulation located and published in the county in  
28 which such property is located and shall appear one time at  
29 least 30 days prior to the date set to hear and receive  
30 proposals upon such franchise or other similar privilege.

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1           Section 20. Section 19 of chapter 61-1590, Laws of  
2 Florida, is amended to read:

3           Section 20.~~Section 19.~~ Tax exemptions.--All land or  
4 interest in land, now or hereafter owned by the district, is  
5 exempted from taxation of all kinds, including, but not  
6 limited to, special assessment and improvement taxes.

7           Section 21. Section 20 of chapter 61-1590, Laws of  
8 Florida, as amended by chapter 81-337, Laws of Florida, is  
9 amended to read:

10           Section 21.~~Section 20.~~ Depository.--

11           (a) A bank or banks, or other depository to be  
12 designated by the board, shall receive and be custodian of all  
13 funds of said district. Such depository or depositories shall  
14 give satisfactory security for the adequate protection of ~~all~~  
15 ~~bonds or all moneys~~ to be deposited with it.

16           (b) The funds of the district shall be paid out only  
17 upon warrant signed by the Treasurer and countersigned by the  
18 chair ~~Chairman~~ or in the absence of the chair ~~Chairman~~ by the  
19 vice chair ~~Vice-chairman~~ of the board and have affixed thereto  
20 the corporate seal of the district. No warrant shall be drawn  
21 or issued against funds of said district except for a purpose  
22 authorized by this act, and no such warrant shall be drawn or  
23 used unless the account or expenditure for which the same is  
24 given in payment has been approved by the board.

25           ~~(c) At least once each year the District shall publish~~  
26 ~~in some newspaper published in each of said counties in said~~  
27 ~~District a complete statement of all moneys received and~~  
28 ~~disbursed by them during the preceding year. Such statement~~  
29 ~~shall also show the several sources from which said funds were~~  
30 ~~received and shall show the balance on hand at the time of the~~  
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1 ~~published statement. Also, it shall show a complete financial~~  
2 ~~statement of the condition of the District.~~

3 (c)~~(d)~~ The district is authorized to enter into  
4 agreements with the Department of Transportation, the board of  
5 county commissioners of any county in the district, or both,  
6 or any other person, corporation, or agency, federal, state or  
7 local, public, or private in connection with financing,  
8 alteration, and construction of any bridge structure or bridge  
9 approach or roadway or other structure and said parties are  
10 hereby specifically authorized to enter into such agreements  
11 with each other respecting responsibility for acquisition of  
12 right-of-way, for construction and maintenance of any bridge  
13 structure and approach required to be provided or modified  
14 because of the construction of the intracoastal waterway.

15 (d)~~(e)~~ The accounts of the district shall be audited  
16 annually pursuant to chapter 11, Florida Statutes, and  
17 applicable general law by the State Auditor, who shall be paid  
18 ~~his usual fee by the District for such audit and report. If~~  
19 ~~the State Auditor is unable to perform an annual audit, the~~  
20 ~~District may contract with a private auditor for such~~  
21 ~~services.~~

22 Section 22. Section 21 of chapter 61-1590, Laws of  
23 Florida, is amended to read:

24 Section 22.~~Section 21.~~ Liberal construction.--It is  
25 intended that the provisions of this act shall be liberally  
26 construed for accomplishing the work authorized and provided  
27 for or intended to be provided for by this act, and where  
28 strict construction would result in the defeat of the  
29 accomplishment of any part of the work authorized by this act,  
30 and a liberal construction would permit or assist in the  
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1 accomplishment of any part of the work authorized by this act,  
2 the liberal construction shall be chosen.

3 Section 23. Section 23 of chapter 61-1590, Laws of  
4 Florida, is amended to read:

5 Section 23. Invalidity.--If any section, subsection,  
6 sentence, clause or phrase of this act is held to be  
7 unconstitutional, such holding shall not affect the validity  
8 of the remaining portions of the act, the Legislature hereby  
9 declaring that it would have passed this act and each section,  
10 subsection, sentence, clause, and phrase thereof, irrespective  
11 of any other separate section; subsection, sentence, clause,  
12 or phrase thereof, and irrespective of the fact that any one  
13 or more other sections, subsections, sentences, clauses, or  
14 phrases thereof may be declared unconstitutional.

15 Section 24. Section 24 of chapter 61-1590, Laws of  
16 Florida, is amended to read:

17 Section 24. Chapter 23770, Laws of Florida, 1947;  
18 chapters 27289 and 27290, Laws of Florida, 1951; chapter  
19 28542, Laws of Florida, 1953; chapter 30074, Laws of Florida,  
20 1955; chapter 57-467, Laws of Florida; chapter 59-756, Laws of  
21 Florida; chapter 61-1590, Laws of Florida; chapter 77-494,  
22 Laws of Florida; sections 2, 3, 4, 5, and 6 of chapter 79-435,  
23 Laws of Florida; chapter 81-337, Laws of Florida; section 5 of  
24 chapter 85-200, Laws of Florida; section 5 of chapter 86-286,  
25 Laws of Florida, and section 8 of chapter 90-264, Laws of  
26 Florida, will be repealed 10 days after the effective date of  
27 this act; provided the authority to levy and assess 0.2 mill  
28 of ad valorem tax provided by section 11 of chapter 61-1590,  
29 Laws of Florida, as amended by chapter 81-337, Laws of  
30 Florida, shall not be repealed.~~All laws or parts of laws in~~  
31 ~~conflict herewith are hereby repealed.~~

1           Section 25. This act shall take effect upon becoming a  
2 law.  
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