

Amendment No. 1 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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The Committee on Community Affairs offered the following:

Amendment (with title amendment)

Remove from the bill: Everything after the enacting clause
and insert in lieu thereof:

Section 1. Pursuant to chapter 98-320, Laws of Florida, this act constitutes the codification of all special acts relating to the Anastasia Mosquito Control District of St. Johns County. It is the intent of the Legislature in enacting this law to provide a single, comprehensive special act charter for the district, including all current legislative authority granted to the district by its several legislative enactments and any additional authority granted by this act. It is further the intent of this act to preserve all district authority, including the authority to annually assess and levy against the taxable property in the district a tax as provided by chapter 388, Florida Statutes. The Anastasia Mosquito Control District of St. Johns County is declared to be an independent special district.

Section 2. Chapter 61-2745, Laws of Florida, as

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1 amended, relating to the Anastasia Mosquito Control District
2 of St. Johns County, is codified, reenacted, amended, and
3 repealed as herein provided.

4 Section 3. The Anastasia Mosquito Control District is
5 re-created and reenacted to read:

6 Section 1. District Formation ratified, restated, and
7 approved.--The Anastasia Mosquito Control District established
8 pursuant to chapter 390 (1941), approved by referendum on
9 December 7, 1948, and ordered by the Board of County
10 Commissioners of St. Johns County at a meeting of said Board
11 held December 13, 1948, as the same appears of record in
12 County Commissioners Minute Book "L", at pages 226 and 227,
13 public records of St. Johns County, Florida, are ratified,
14 confirmed, and approved.

15 Section 2. District Boundaries.--Beginning at a point
16 on the shores of the Atlantic Ocean on the boundary line
17 between St. Johns County and Duval County, at a point where
18 the section line between ten and fifteen, in township three
19 south of range twenty-nine east, intersects the said shores of
20 the Atlantic Ocean; thence west along the St. Johns County
21 boundary on the said section line to a point where said
22 section line would intersect the range line between ranges
23 twenty-eight and twenty-nine east; thence south on said range
24 line to a point where said range line intersects the township
25 line between townships four and five south; thence west on the
26 township line between townships four and five south, in range
27 twenty-eight east, to a point where said township line
28 intersects the range line between ranges twenty-seven and
29 twenty-eight east; thence north on said range line to where
30 the same intersects Durbin Creek; thence along the south bank
31 of Durbin Creek to Julington Creek; thence along the thread of

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1 Julington Creek to the mouth thereof; thence due west to the
2 west margin of the main channel of the St. Johns River and the
3 boundary line of St. Johns County; thence southwardly along
4 the west margin of the main channel of said river and the
5 boundary of St. Johns County to a point due west of the mouth
6 of Tocoi Creek; thence leaving the St. Johns County boundary
7 line go due east to the mouth of Tocoi Creek; thence easterly
8 and northeasterly along Tocoi Creek following the center of
9 said creek to the centerline of the powerlines which run
10 north/south and are 8,000 feet west of County Road 13A; thence
11 northerly along the centerline of the powerlines to the
12 northerly line of Census Block 150; thence easterly along said
13 line to County Road 13A; thence southerly along county Road
14 13A to Sawdust Road; thence easterly along Sawdust Road to Poa
15 Boy road; thence southerly along Poa Boy Road to County Road
16 214; thence easterly along County Road 214 to the west
17 boundary lines of sections twenty-nine and thirty-two, in
18 township seven south, range twenty-nine east; thence south
19 along the west boundary lines of said sections twenty-nine and
20 thirty-two and the west boundary lines of sections five,
21 eight, seventeen, and twenty, in township eight south, range
22 twenty-nine east, to the south boundary line of said section
23 twenty; thence east along the south boundary lines of sections
24 twenty, twenty-one, and twenty-two, in township eight south,
25 range twenty-nine east, to I-95; thence southerly along I-95
26 to the boundary line between St. Johns County and Flagler
27 County; thence easterly along the St. Johns County boundary
28 line to the shores of the Atlantic Ocean; thence northwardly
29 along the shores of the Atlantic Ocean to the point of
30 beginning.

31 Section 3. Governing board.--The board of

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1 commissioners of the Anastasia Mosquito Control District of
2 St. Johns County shall consist of five (5) members, each of
3 whom shall be a registered elector, residing within the
4 boundaries of the district.

5 Section 4. Election of commissioners.--The provisions
6 of this act shall in no manner affect the present term of
7 office of any of the five (5) members of the board of
8 commissioners of the Anastasia Mosquito Control District of
9 St. Johns County. The terms of the office of the members of
10 the board of commissioners shall be staggered. Three persons
11 shall be elected to serve 4 years in the general election in
12 2000. Two persons shall be elected to serve 4 years in the
13 general election in 2002. Thereafter, each commissioner shall
14 be elected to a 4-year term of office. The election of
15 commissioners shall be in accordance with chapter 388, Florida
16 Statutes, as the same may be amended from time to time.

17 Section 5. Voting requirements.--Three members of the
18 board shall constitute a quorum. The affirmative vote of a
19 majority of those members present and voting shall be
20 necessary to transact business.

21 Section 6. District powers.--The provisions of chapter
22 388, Florida Statutes (1997), entitled "Mosquito Control," as
23 the same may be amended from time to time, shall govern the
24 functions of the Anastasia Mosquito Control District of St.
25 Johns County, except where the same is inconsistent with the
26 provisions of this act.

27 Section 7. Expenses.--The members of the board of
28 commissioners of the Anastasia Mosquito Control District of
29 St. Johns County shall be paid for expenses for travel,
30 meetings, and for other expenses in connection with their
31 duties within the district the lump sum of \$100 per month.

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1 However, during any one year, said total expense paid shall
2 not exceed \$1,200.

3 Section 8. Limitations on expenses.--Payments made
4 pursuant to this act shall be deemed reimbursement for
5 expenses and shall not be construed as salary. Said lump sum
6 monthly reimbursement shall not be paid in any month that
7 compensation is received pursuant to s. 388.141, Florida
8 Statutes.

9 Section 9. Change of district boundaries.--The board
10 of commissioners of the Anastasia Mosquito Control District of
11 St. Johns County may, for and on behalf of the district or the
12 qualified electors within or without the district, file a
13 petition with the Board of County Commissioners of St. Johns
14 County requesting it to call an election to determine whether
15 or not the boundaries of the district shall be extended to
16 include lands described in the petition. When such a petition
17 is filed, the board of county commissioners shall call an
18 election to be held at the next general election of the
19 qualified electors residing in the district, and the qualified
20 electors residing in the territory proposed to be added to the
21 district, to determine by the majority of votes cast in the
22 district, and by the majority of the votes cast in the
23 territory proposed to be added to the district, whether said
24 territory will be added to the district. Notice of the
25 election shall be given in accordance with s. 100.342, Florida
26 Statutes, as the same may be amended from time to time. If
27 either a majority of the votes cast in the district or a
28 majority of the votes cast in the area proposed to be added to
29 the district are not in favor of adding the territory, then
30 the area shall not be added to the district. If the results of
31 an election favor a change in boundary, the board of county

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1 commissioners shall amend its order creating the district to
2 include the change in boundary. The same procedure shall be
3 followed for the removal of any territory from the district.
4 The expenses of holding any election shall be paid by the
5 Anastasia Mosquito Control District of St. Johns County.

6 Section 4. Chapter 61-2745, Laws of Florida, Chapter
7 73-609, Laws of Florida, Chapter 73-611, Laws of Florida, and
8 Chapter 80-597, Laws of Florida, are hereby repealed 10 days
9 after the effective date of this act; provided the authority
10 to levy and assess an ad valorem tax as provided by chapter
11 388, Florida Statutes, as the same may be amended from time to
12 time, shall not be repealed.

13 Section 5. This act shall take effect upon becoming a
14 law.

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17 ===== T I T L E A M E N D M E N T =====

18 And the title is amended as follows:

19 On page 1, lines 1 through 25
20 remove the entire title of the bill:

21
22 and insert in lieu thereof:

23 An act relating to the Anastasia Mosquito
24 Control District, St. Johns County; codifying
25 the District's charter; eliminating obsolete
26 provisions pertaining to the appointment and
27 election of the initial board of commissioners;
28 providing for formation of District; providing
29 District boundaries; eliminating the
30 requirement that members of the board be
31 freeholders; eliminating the requirement for

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1 petitions by candidates for the office of
2 commissioner; providing that the terms of
3 office of the commissioners shall be staggered;
4 amending the voting requirements for the board
5 of commissioners; providing for the election of
6 commissioners and operation of the district in
7 accordance with chapter 388, Florida Statutes
8 (1997), as the same may be amended from time to
9 time; amending the provisions on expense
10 reimbursement for commissioners; requiring an
11 election for a change in boundaries of the
12 district; repealing chapter 61-2745, Laws of
13 Florida, chapter 73-609, Laws of Florida,
14 chapter 73-611, Laws of Florida, and chapter
15 80-597, Laws of Florida; providing an effective
16 date.

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