

Amendment No. 01 (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. Intent.--Pursuant to chapter 97-255, Laws of Florida, this act constitutes the codification of all special acts relating to the Ranger Drainage District. 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.

Section 2. Codification.--Chapter 81-445, Laws of Florida, and chapter 97-355, Laws of Florida, relating to the Ranger Drainage District, are codified, reenacted, amended, and repealed as herein provided.

Section 3. District formation ratified, restated and approved.--The District was created by decree of the circuit court in and for the Ninth Judicial Circuit, Orange County,

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1 Florida, entered on April 9, 1970, by final judgment entered
2 in In re: Ranger Drainage District, case number 69-2558, with
3 respect to RANGER DRAINAGE DISTRICT, a public corporation of
4 the state and all subsequent proceedings taken in said circuit
5 court concerning said district including the provisions
6 setting the boundaries of said drainage district are ratified,
7 confirmed, and approved.

8 Section 4. Status and boundaries of ranger drainage
9 district.--The Ranger Drainage District is hereby declared to
10 be an independent water control district and a public
11 corporation of the State of Florida pursuant to chapter 298,
12 Florida Statutes, as it may be amended from time to time, and
13 the lands lying within the area described as follows in Orange
14 County, Florida, shall hereby constitute the Ranger Drainage
15 District:

16
17 The South one-half of Sections 1 and 2, the
18 easterly three-eighths of Section 10, all of
19 Sections, 11, 12, 13, 14, 19, 23, 24, 25, 26,
20 27, 28, 29, 30, and 31 in Township 23 South,
21 Range 32 East in Orange County, Florida, the
22 boundary of which is more particularly
23 described as follows:

24
25 Commence at the Southeast corner of Section 25,
26 run northerly along the easterly lines of
27 Sections 25, 24, 13, 12, and 1 to the westerly
28 right-of-way of State Road 520; thence proceed
29 northwesterly along said westerly right-of-way
30 of State Road 520 to the intersection of State
31 Road 520 and the north line of the South

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1 one-half of Section 1; thence westerly along
2 the North line of the South one-half of
3 Sections 1 and 2 to the westerly quarter corner
4 of Section 2; thence southerly along the West
5 line of Section 2 to the Southwest corner of
6 Section 2; thence westerly along the North line
7 of Section 10 to the Northwest corner of the
8 easterly three-eighths of Section 10; thence
9 southerly along the west line of the easterly
10 three-eighths of Section 10 to the Southwest
11 corner of the easterly three-eighths of Section
12 10; thence easterly along the south line of
13 Section 10 to the Southeast corner of Section
14 10; thence southerly along the west line of
15 Section 14 and 23 to the Southwest corner of
16 Section 23; thence westerly along the North
17 line of Sections 27, 28, and 29 to the
18 Northwest corner of Section 29; thence
19 northerly along the east line of Section 19 to
20 the Northeast corner of Section 19; thence
21 westerly along the North line of Section 19 to
22 the Northwest corner of Section 19; thence
23 southerly along the west line of Sections 19,
24 30, and 31 to the Southwest corner of Section
25 31; thence easterly along the south line of
26 Section 31 to the Southeast corner of Section
27 31; thence northerly along the east line of
28 Section 31 to the Northeast corner of Section
29 31; thence easterly along the south lines of
30 Sections 29, 28, 27, 26, and 25 to the point of
31 beginning.

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1 Section 5. Additional district powers.--

2 (1) Services and projects may be provided by the
3 Ranger Drainage District on lands within or adjoining the
4 district by agreement with the owners of said lands.

5 (2) The Ranger Drainage District is authorized to
6 sponsor one or more events each calendar year intended to
7 foster community spirit, including, but not limited to, a
8 fishing tournament for the children of the community, so long
9 as the only involvement of the district is the provision of
10 its employees to assist in administering and holding the
11 event.

12 (3) The Ranger Drainage District is authorized to
13 allow fishing within canals which are works of the district
14 and which lie within rights-of-way or easements owned by the
15 district, subject to such policies as may be adopted by the
16 district from time to time.

17 Section 6. Limitation on liability with respect to
18 district lands and works used by the public for
19 recreation.--The provisions of chapter 298, Florida Statutes,
20 and applicable local laws to the contrary notwithstanding, the
21 following provisions control with respect to liability of the
22 Ranger Drainage District to persons using district
23 rights-of-way, works, or easements for outdoor recreational
24 purposes:

25 (1) Except as provided in subsection (2), when a water
26 management district, individually or jointly with another
27 agency of government, has acquired land adjacent to drainage
28 rights-of-way or works owned by the Ranger Drainage District,
29 or over which the Ranger Drainage District has a legally
30 established easement right, which land is made available by
31 the water management district for outdoor recreational

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1 purposes, thereby allowing access to such rights-of-way,
2 works, or easements of the Ranger Drainage District, and which
3 otherwise qualifies for the limitation on liability afforded
4 to the water management district when there is no charge made
5 or usually made for entering or using the land and on which no
6 commercial or other activity from which profit is derived from
7 the patronage of the public is conducted on the land, the
8 Ranger Drainage District shall enjoy the same limitation on
9 liability for its rights-of-way, works, and easements as is
10 enjoyed by the water management district for its lands when
11 those same circumstances exist, when access is gained to
12 Ranger Drainage District rights-of-way, works, or easements
13 from the water management district lands.

14 (2) This section does not relieve the Ranger Drainage
15 District of any liability that would otherwise exist for gross
16 negligence or a deliberate, willful, or malicious injury to a
17 person or property. This section does not create or increase
18 the liability of the Ranger Drainage District or any person
19 beyond that which is authorized by s. 768.28, Florida
20 Statutes.

21 (3) The term "outdoor recreational purposes," as used
22 in this section, includes activities such as, but not limited
23 to, horseback riding, hunting, fishing, bicycling, swimming,
24 boating, camping, picnicking, hiking, pleasure driving, nature
25 study, water skiing, motorcycling, and visiting historical,
26 archaeological, scenic, or scientific sites.

27 Section 7. Minimum charter requirements.--In
28 accordance with s. 189.404(3), Florida Statutes, the following
29 subsections shall constitute the charter of the Ranger
30 Drainage District:

31 (1) The district is organized and exists for all

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1 purposes set forth in this act and chapter 298, Florida
2 Statutes, as they may be amended from time to time.

3 (2) The powers, functions, and duties of the district
4 regarding ad valorem taxation, bond issuance, other
5 revenue-raising capabilities, budget preparation and approval,
6 liens and foreclosure of liens, use of tax deeds and tax
7 certificates as appropriate for non-ad valorem assessments,
8 and contractual agreements shall be as set forth in chapters
9 170, 189, 197, and 298, Florida Statutes, or any other
10 applicable general or special law, as they may be amended from
11 time to time.

12 (3) The district was created by judicial decree by the
13 Circuit Court of Orange County, Florida, in In re: Ranger
14 Drainage District, Civil Case Number 69-2558 in accordance
15 with chapter 298, Florida Statutes.

16 (4) The district's charter may be amended only by
17 special act of the Legislature.

18 (5) In accordance with chapter 189, Florida Statutes,
19 this act, and s. 298.11, Florida Statutes, the district is
20 governed by a three-member board, elected on a one-acre,
21 one-vote basis by the landowners in the district; however,
22 landowners owning less than one acre shall be entitled to one
23 vote. Landowners with more than one acre shall be entitled to
24 one additional vote for any fraction of an acre greater than
25 1/2 acre owned, when all of the landowner's acreage has been
26 aggregated for purposes of voting. The membership and
27 organization of the board shall be as set forth in this act
28 and chapter 298, Florida Statutes, as they may be amended from
29 time to time.

30 (6) The compensation of board members shall be
31 governed by this act and chapter 298, Florida Statutes, as

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1 they may be amended from time to time.

2 (7) The administrative duties of the board of
3 supervisors shall be as set forth in this act and chapter 298,
4 Florida Statutes, as they may be amended from time to time.

5 (8) Requirements for financial disclosure, meeting
6 notices, reporting, public records maintenance, and per diem
7 expenses for officers and employees shall be as set forth in
8 chapters 112, 189, 286, and 298, Florida Statutes, as they may
9 be amended from time to time.

10 (9) The procedures and requirements governing the
11 issuance of bonds, notes and other evidence of indebtedness by
12 the district shall be as set forth in chapter 298, Florida
13 Statutes, and applicable general laws, as they may be amended
14 from time to time.

15 (10) The procedures for conducting district elections
16 and for qualification of electors shall be pursuant to
17 chapters 189 and 298, Florida Statutes, as they may be amended
18 from time to time; however, a quorum for purposes of holding
19 the annual meeting or any special meeting shall consist of
20 those landowners present in person or represented by proxy at
21 said meeting.

22 (11) The district may be financed by any method
23 established in this act, chapter 298, Florida Statutes, and
24 applicable general laws, as they may be amended from time to
25 time.

26 (12) The methods for collecting non-ad valorem
27 assessments, fees, or service charges shall be as set forth in
28 chapters 170, 197, and 298, Florida Statutes, and other
29 applicable general laws, as they may be amended from time to
30 time.

31 (13) The district's planning requirements shall be as

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1 set forth in chapters 189 and 298, Florida Statutes, as they
2 may be amended from time to time.

3 (14) The district's geographic boundary limitations
4 shall be as set forth in section 4 of this act.

5 (15) The district shall have all powers provided to it
6 by this act, chapters 189 and 298, Florida Statutes, and other
7 applicable general laws, as they may be amended from time to
8 time.

9 Section 8. Liberal construction.--It is intended that
10 the provisions of this act shall be liberally construed for
11 accomplishing the work authorized and provided for or intended
12 to be provided for by this act, and where strict construction
13 would result in the defeat of the accomplishment of any part
14 of the work authorized by this act, and a liberal construction
15 would permit or assist in the accomplishment of any part of
16 the work authorized by this act, the liberal construction
17 shall be chosen.

18 Section 9. Invalidity.--If any section, subsection,
19 sentence, clause, or phrase of this act is held to be
20 unconstitutional, such holding shall not affect the validity
21 of the remaining portions of the act, the Legislature hereby
22 declaring that it would have passed this act and each section,
23 subsection, sentence, clause, and phrase thereof, irrespective
24 of any other separate section, subsection, sentence, clause,
25 or phrase thereof, and irrespective of the fact that any one
26 or more other sections, subsections, sentences, clauses, or
27 phrases thereof may be declared unconstitutional.

28 Section 10. Repeal of prior special acts.--Chapter
29 81-445, Laws of Florida, and chapter 97-355, Laws of Florida,
30 relating to the Ranger Drainage District shall be repealed 10
31 days after the effective date of this act.

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1 Section 11. This act shall take effect upon becoming a
2 law.

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

6 And the title is amended as follows:

7 On page 1, lines 2 - 19
8 remove from the title of the bill: all of said lines

9
10 and insert in lieu thereof:

11 An act relating to Orange County; providing for
12 codification of special laws regarding special
13 districts pursuant to chapter 97-255, Laws of
14 Florida, relating to the Ranger Drainage
15 District, a special tax district in Orange
16 County; providing legislative intent; codifying
17 and reenacting chapter 97-355, Laws of Florida;
18 providing district status and boundaries;
19 ratifying, restating and approving district
20 formation; providing additional powers;
21 providing for applicability of chapters 298 and
22 189, Florida Statutes, and other general laws;
23 providing a district charter; providing for
24 liberal construction; providing a saving clause
25 in the event any provision of the act is deemed
26 invalid; repealing chapters; providing an
27 effective date.

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