

By Representative Frankel

1 A bill to be entitled
2 An act relating to Indian Trail Improvement
3 District, Palm Beach County; amending chapter
4 57-646, Laws of Florida, as amended; providing
5 for alternate methods of amending water control
6 plans in addition to the provisions of chapter
7 298, Florida Statutes; providing an effective
8 date.

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10 Be It Enacted by the Legislature of the State of Florida:

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12 Section 1. Notwithstanding any other provisions of
13 chapter 298, Florida Statutes, or chapter 57-646, Laws of
14 Florida, 1957, as amended, the following provisions, to the
15 extent of any conflict, shall control Indian Trail Improvement
16 District with respect to amending its water control plans:

17 AMENDING WATER MANAGEMENT PLANS.--In addition and as an
18 alternative to the provisions of chapter 298, Florida
19 Statutes, the water control plans may be amended, modified,
20 and changed from time to time in the following manner:

21 (a) The intent of this section is to give the board of
22 supervisors power with latitude to make additional and other
23 improvements to the water control plan which the board of
24 supervisors considers appropriate to implement the purpose and
25 intent of the water control plan and which, in the opinion of
26 the board, results in a benefit to the land and will not
27 increase the cost in excess of the total benefits previously
28 assessed as provided herein. The district may accept for
29 maintenance additional facilities which are within its
30 boundaries and supplement a water control plan which are
31 donated to the district at no cost. All existing water control

1 plans as of the effective date of this act are hereby ratified
2 as amended and constructed.

3 (b) Where the circuit court has retained jurisdiction
4 for the purpose of considering any changes, modifications, or
5 amendments to a water control plan required by any other
6 local, state, or federal governmental agency or proposed by
7 the board of supervisors, and provided that the district
8 engineer has certified that all the lands effected receive the
9 same or greater benefits as determined by the commissioners
10 and that the estimated costs, including the changes or
11 amendments, do not exceed the benefits assessed and that any
12 existing bonds outstanding to not exceed 90 percent of the
13 total benefits assessed, said court shall approve said
14 amendments or changes. Only those parties appearing or
15 answering the original proceedings for approval of the
16 commissioners' report shall be entitled to receive notice of
17 these supplemental proceedings.

18 (c) As an alternate procedure, the board of
19 supervisors shall have the power to change, alter, or amend a
20 previously approved water control plan by resolution; provided
21 the district engineer certifies that all land subject to the
22 original plan receives the same or greater benefits as
23 previously assessed and that the estimated cost, including the
24 changes or amendments, does not exceed the total benefits
25 assessed. Said resolution shall be filed in the proceedings
26 assessing benefits and shall be binding upon the owners of
27 lands within the water control plan, their successors, and
28 assigns.

29 Section 2. This act shall take effect upon becoming a
30 law.

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