

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. Pursuant to chapter 97-255, Laws of Florida, this act constitutes the codification of all special acts relating to the East Charlotte 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. Chapter 65-664, Laws of Florida, chapter 80-472, Laws of Florida, chapter 85-395, Laws of Florida, and paragraph (b) of subsection (1) of section 1 of chapter 91-361, Laws of Florida, relating to the East Charlotte Drainage District, are codified, reenacted, amended, and repealed as herein provided.

Section 3. District formation ratified, restated,

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1 and approved.--The decree of the circuit court in and for the
2 Twelfth Judicial Circuit, Charlotte County, Florida, entered
3 in Chancery No. 4694 with respect to TROPICAL RIVER GROVES
4 WATER CONTROL DISTRICT, a public corporation of this state,
5 subsequent decrees of the Circuit Court in and for the Twelfth
6 Judicial Circuit, Charlotte County, Florida, entered in
7 Chancery No. 4694 changing the name of said district to EAST
8 CHARLOTTE DRAINAGE DISTRICT, and all subsequent proceedings
9 taken in said circuit court concerning said district including
10 the provisions setting the boundaries of said drainage
11 district are ratified, confirmed, and approved.

12 Section 4. The East Charlotte Drainage District, an
13 independent special district, is organized and exists for all
14 purposes set forth in this act and Chapter 298, Florida
15 Statutes, as may be amended from time to time.

16 Section 5. Provisions of chapter 298, Florida
17 Statutes, made applicable.--The East Charlotte Drainage
18 District, a public corporation of this state, created under
19 chapter 298, Florida Statutes, shall be governed by provisions
20 of the water control laws of Florida applicable to such water
21 control districts which are embodied in chapter 298, Florida
22 Statutes, and all of the laws amendatory thereof, now existing
23 or hereafter enacted, so far as not inconsistent with this act
24 or any subsequent special acts relating to the East Charlotte
25 Drainage District. However, the provisions of s. 298.11,
26 Florida Statutes, requiring that members of the board of
27 supervisors be residents of Charlotte County, shall not be
28 applicable to said district. The members of the board of
29 supervisors shall reside within the State of Florida.

30 Section 6. Boundaries of the district.--The
31 territorial boundaries of the district shall be as stated in

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1 the various orders and decrees of the circuit court of the
2 Twelfth Judicial Circuit in and for Charlotte County, entered
3 in Chancery No. 4694 and shall include all of the following
4 described property all located in Township 40 South, Range 26
5 East, in Charlotte County, Florida:

6 In Section 14: The West one-half of Section 14
7 and the West one-half of the Northeast
8 one-quarter.

9 Section 15: The Southeast one-quarter of the
10 Northeast one-quarter.

11 Section 21: The South one-half.

12 All of Sections 16 and 22.

13 Section 23: The Northwest one-quarter of the
14 Southwest one-quarter.

15 All of sections 27 and 34, together with all
16 easements and rights-of-way heretofore acquired
17 by East Charlotte Drainage District.

18
19 All are ratified, confirmed and approved.

20
21 The boundaries are legally described as
22 follows:

23
24 Commencing at the Southeast corner of Section
25 34 run north on the east lines of Section 34,
26 Section 27 and Section 22, to a point on the
27 east line of Section 22, comprising the
28 Southwest corner of the Northwest one-quarter
29 of the Southwest one-quarter of Section 23,
30 thence run east along the south line of the
31 Northwest one-quarter of the Southwest

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1 one-quarter of Section 23 to the southeast
2 corner of the Northwest one-quarter of the
3 Southwest one-quarter of said section, thence
4 run north on the east line of the Northwest
5 one-quarter of the Southwest one-quarter of
6 Section 23 to the northeast corner of the
7 Northwest one-quarter of the Southwest
8 one-quarter of Section 23, thence run west on
9 the north line of the Northwest one-quarter of
10 the Southwest one-quarter of Section 23 to the
11 east line of Section 22, thence run north to
12 the Northeast corner of Section 22 and the
13 Southwest corner of Section 14, thence run east
14 on the south line of Section 14 to the
15 Southeast corner of the Southwest one-quarter
16 of Section 14, thence run north on the east
17 line of the Southwest one-quarter of Section 14
18 to the northeast corner of the Southwest
19 one-quarter of Section 14, thence run east on
20 the south line of the west one-half of the
21 Northeast one-quarter of Section 14 to the
22 Southeast corner of the West one-half of the
23 Northeast one-quarter of Section 14, thence run
24 north on the east line of the West one-half of
25 the Northeast one-quarter of Section 14 to the
26 northeast corner of the West one-half of the
27 Northeast one-quarter of Section 14, thence run
28 west on the north line of Section 14 to the
29 Northwest corner of Section 14, thence run
30 south on the west line of Section 14 to the
31 Northeast corner of the Southeast one-quarter

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1 of the Northeast one-quarter of Section 15,
2 thence run west on the north line of the
3 Southeast one-quarter of the Northeast
4 one-quarter of Section 15 to the northwest
5 corner of the Southeast one-quarter of the
6 Northeast one-quarter of Section 15, thence run
7 south along the west line of the Southeast
8 one-quarter of the Northeast one-quarter of
9 Section 15 to the southwest corner of the
10 southeast one-quarter of the northeast
11 one-quarter of Section 15, thence run easterly
12 on the south line of the northeast one-quarter
13 of Section 15 to the west line of Section 14,
14 thence run south along the west line of Section
15 14 to the northeast corner of Section 22,
16 thence run west along the north line of Section
17 22 to the Southeast corner of Section 16,
18 thence run north on the east line of Section 16
19 to the Northeast corner of Section 16, thence
20 run west on the north line of Section 16 to the
21 Northwest corner of section 16, thence run
22 south on the west line of Section 16 to the
23 Southwest corner of Section 16, thence run east
24 on the south line of Section 16 to the
25 Southeast corner of Section 16, thence run
26 south on the west line of Section 22 and the
27 east line of Section 21 to the Northeast corner
28 of the South one-half of Section 21, thence run
29 west on the north line of the South one-half of
30 Section 21 to the Northwest corner of the South
31 one-half of Section 21, thence run south on the

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1 west line of Section 21 to the Southwest corner
2 of Section 21, thence run east on the south
3 line of Section 21 to the Southeast corner of
4 Section 21 and the Southwest corner of Section
5 22, thence run south on the west line of
6 Section 27 and Section 34 to the Southwest
7 corner of Section 34, thence run east on the
8 south line of Section 34 to the point of
9 beginning.
10 Section 7. Revenue Raising Powers and Duties.--The
11 powers, functions, and duties of the district regarding ad
12 valorem taxation, bond issuance, other revenue-raising
13 capabilities, budget preparation and approval, liens and
14 foreclosure of liens, use of tax deeds and tax certificates as
15 appropriate for non-ad valorem assessments, and contractual
16 agreements shall be as set forth in chapters 170, 189, 197,
17 and 298, Florida Statutes, or any other applicable general or
18 special law, as they may be amended from time to time.
19 Section 8. Charter Amendments.--The district's
20 charter may be amended only by special act of the Legislature.
21 Section 9. Governing Body.--In accordance with
22 chapter 189, Florida Statutes, this act, and section 298.11,
23 Florida Statutes, the district is governed by a three-member
24 board, elected on a one-acre, one-vote basis by the landowners
25 in the district. The membership and organization of the board
26 shall be as set forth in this act and chapter 298, Florida
27 Statutes, as they may be amended from time to time.
28 Section 10. Board Member Compensation.--The
29 compensation of board members shall be governed by this act
30 and chapter 298, Florida Statutes, as they may be amended from
31 time to time.

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1 Section 11. Duties of Governing Board.--The
2 administrative duties of the board of supervisors shall be as
3 set forth in this act and chapter 298, Florida Statutes, as
4 they may be amended from time to time.

5 Section 12. Financial Disclosure, Noticing, and
6 Reporting Requirements.--Requirements for financial
7 disclosure, meeting notices, reporting, public records
8 maintenance, and per diem expenses for officers and employees
9 shall be as set forth in chapters 112, 189, 286, and 298,
10 Florida Statutes, as they may be amended from time to time.

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

16 Section 14. Elections.--The procedures for
17 conducting district elections and for qualification of
18 electors shall be pursuant to chapters 189 and 298, Florida
19 Statutes, as they may be amended from time to time.

20 Section 15. District Financing.--The district may be
21 financed by any method established in this act, chapter 298,
22 Florida Statutes, and applicable general laws, as they may be
23 amended from time to time.

24 Section 16. Non-Ad valorem Assessments, Fees, and
25 Charges.--The methods for assessing and collecting non-ad
26 valorem assessments, fees, or service charges shall be as set
27 forth in chapters 170, 197, and 298, Florida Statutes, and
28 other applicable general laws, as they may be amended from
29 time to time.

30 Section 17. Planning Requirements.--The district's
31 planning requirements shall be as set forth in chapters 189

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1 and 298, Florida Statutes, as they may be amended from time to
2 time.

3 Section 18. Severability.--In case any one or more
4 of the sections or provisions of this act or the application
5 of such sections or provisions to any situation,
6 circumstances, or persons shall for any reason be held to be
7 unconstitutional, such unconstitutionality shall not affect
8 any of the sections or provisions of this act or the
9 application of such sections or provisions to any other
10 situation, circumstances, or persons and it is intended that
11 this law shall be construed and applied as if such section or
12 provision had not been included herein for any
13 unconstitutional application.

14 Section 19. Effect of conflict.--In the event of a
15 conflict between the provisions of this act and the provisions
16 of any other act, the provisions of this act shall control to
17 the extent of such conflict.

18 Section 20. Chapter 65-664, Laws of Florida, chapter
19 80-472, Laws of Florida, chapter 85-395, Laws of Florida, and
20 paragraph (b) of subsection (1) of section 1 of chapter
21 91-361, Laws of Florida, shall be repealed 10 days after the
22 effective date of this act.

23 Section 21. This act shall take effect upon becoming a
24 law.

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

28 And the title is amended as follows:

29 On page 1, lines 2 through 18,
30 remove from the title of the bill: all said lines

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1 and insert in lieu thereof:

2 An act relating to Charlotte County; providing
3 for codification of special laws regarding
4 special districts pursuant to chapter 97-255,
5 Laws of Florida, relating to the East Charlotte
6 Drainage District, an independent special tax
7 district in Charlotte County; providing
8 legislative intent; codifying and reenacting
9 special acts relating to District's charter;
10 providing for applicability of chapters 298 and
11 189, Florida Statutes, and other general laws;
12 providing a district charter; repealing
13 chapter 65-664, Laws of Florida, chapter
14 80-472, Laws of Florida, chapter 85-395, Laws
15 of Florida, and s. 1(1)(b) of chapter 91-361,
16 Laws of Florida, relating to the East Charlotte
17 Drainage District; providing an effective date.

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