

By Senator Cowin

11-406B-00

1 A bill to be entitled
2 An act relating to the Oklawaha Basin
3 Recreation and Water Conservation and Control
4 Authority, Lake County; amending ch. 29222,
5 Laws of Florida, 1953, as amended; changing the
6 name of the authority to the Lake County Water
7 Authority; increasing the number of members of
8 the board of trustees; requiring that members
9 be elected in nonpartisan elections conducted
10 by the county supervisor of elections in
11 accordance with the Florida Election Code;
12 providing residence requirements; limiting the
13 number of terms a member may serve; providing
14 for transition; prohibiting any board member
15 from serving as executive director of the
16 authority; changing the number of board members
17 required to constitute a quorum, to conform;
18 conforming property assessment procedures to
19 general law; providing for certification of
20 millage to the county tax collector; providing
21 a cap on millage; prescribing additional
22 purposes of the Authority; authorizing the
23 board to delegate duties to the Executive
24 Director under certain conditions; authorizing
25 the Authority to issue revenue bonds; providing
26 for a referendum; requiring the Authority to
27 prepare a plan and annual reports; repealing
28 obsolete provisions; providing for future
29 abolition and review of the authority;
30 providing severability; providing effective
31 dates.

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

2

3 Section 1. Chapter 29222, Laws of Florida, 1953, as
4 amended by chapters 57-1484, 59-1466, 63-1507, 65-1787, and
5 69-1209, Laws of Florida, is amended to read:

6 Section 1. The Legislature finds:

7 (a) That Lake County has within its boundaries large
8 acreage of highly developed agricultural land, including
9 thousands of acres of citrus groves and fruit and vegetable
10 producing land.

11 (b) That the problem of an adequate supply of fresh
12 water for this developed land and for the remaining thousands
13 of acres of undeveloped land in the county, as well as an
14 adequate supply of safe and healthful fresh water for human
15 and animal consumption, is of grave concern to the county and
16 its citizens and taxpayers.

17 (c) That there are many streams, lakes, and canals in
18 the county, including two chains of lakes, each having a large
19 water storage capacity.

20 (d) That the proper control by drainage, irrigation,
21 and storage of the fresh water in these streams, lakes, and
22 canals is necessary to the material development in the county
23 in which all of its citizens and taxpayers will be the
24 beneficiaries.

25 (e) That the most important source of income of the
26 people of Florida is the tourist business, and in Lake County
27 the tourist business is second in importance only to
28 agriculture. Sport fishing and recreational boating are major
29 factors in attracting tourists to Lake County and the orderly
30 development and control of the streams, lakes, and canals in
31 Lake County will materially increase the tourist business in

1 the county and will likewise afford recreational facilities
2 and opportunities to the citizens and taxpayers of the county
3 and will preserve, protect, and improve the fish and wildlife
4 of the county, all to the end of materially benefiting the
5 citizens and taxpayers of the county.

6 Section 2. ~~That~~ For the purposes of ~~(1)~~controlling
7 and conserving the freshwater ~~fresh water~~ resources of Lake
8 County; ~~(2)~~fostering and improving the tourist business in
9 the county by improvements to the streams, lakes, and canals
10 in the county; ~~(3)~~providing recreational facilities for the
11 tourists and citizens and taxpayers of the county by a more
12 efficient use of the streams, lakes, and canals in the county;
13 ~~and~~ ~~(4)~~preserving, protecting, and improving the fish and
14 wildlife of the county; and protecting the freshwater
15 resources of Lake County through assisting local governments
16 in treatment of stormwater runoff, there is ~~hereby~~ created and
17 incorporated a special taxing district extending territorially
18 throughout the present limits of Lake County, Florida. The
19 district shall be known and designated as "The Lake County
20 Water Authority ~~Oklawaha Basin Recreation and Water~~
21 ~~Conservation and Control Authority in Lake County~~," but shall
22 hereafter in this act, for convenience, be referred to as "the
23 Authority."

24 Section 3. ~~That~~ Each of the purposes for which the
25 Authority is created, as set out in section 2 of this act, is
26 ~~hereby~~ declared to be a county purpose, for the accomplishment
27 of which taxes upon all real and personal property within the
28 territorial limits of the Authority are by this act authorized
29 to be levied, assessed, and collected.

30 Section 4. ~~That~~ A governing body for the Authority is
31 ~~hereby~~ created, consisting of seven ~~three~~ members who are

1 residents of Lake County, ~~Florida~~, which body shall be known
2 and designated as the "Board of Trustees of the Lake County
3 Water Authority Oklawaha Basin recreation and water
4 ~~conservation and control authority in Lake county,~~" but which
5 shall ~~hereinafter~~, be referred to as "the board." Five of the
6 members must each reside in a geographic area identical to a
7 county commission district and will be elected by the electors
8 residing within that district. Two of the members will be
9 elected by the electors of the county without regard to their
10 residence. On the second Tuesday following the general
11 election in 2000, the term of office of each person serving on
12 the board immediately before that date expires, and the
13 members of the board shall be elected by the electors of Lake
14 County in nonpartisan elections conducted by the supervisor of
15 elections pursuant to section 189.405, Florida Statutes, in
16 accordance with the Florida Election Code, chapters 97 through
17 106, Florida Statutes, beginning with the general election in
18 2000, for terms of 4 years beginning on the second Tuesday
19 following the general election. For purposes of staggering
20 terms, the members elected in 2000 from odd-numbered areas and
21 the at-large member receiving the higher number of votes shall
22 be elected to 4-year terms and the members elected from
23 even-numbered areas and the at-large member receiving the
24 lower number of votes shall be elected to 2-year terms.
25 Thereafter, each member shall be elected for a term of 4
26 years, except that a person may not be elected to more than
27 two consecutive 4-year terms. At the first meeting in December
28 of each year appointed by the governor and confirmed by the
29 ~~senate of the state of Florida, and shall hold office for four~~
30 ~~years; provided, that in appointing the members of the first~~
31 ~~board, the governor shall appoint the members for the~~

1 ~~following terms, to wit: one member for a two-year term, one~~
2 ~~member for a three-year term, and one member for a four-year~~
3 ~~term, and thereafter each member shall be appointed for a~~
4 ~~four-year term. Immediately upon their appointment and in~~
5 ~~January of each succeeding year the members of the board shall~~
6 ~~meet and select one of their number as Chairman and one as~~
7 ~~Vice Chairman of the board. The Clerk of the Circuit Court of~~
8 ~~Lake County, Florida shall act as Secretary and Treasurer of~~
9 ~~the board without any additional compensation. In the event~~
10 ~~the provision pertaining to the duties of the Clerk of the~~
11 ~~Circuit Court is for any reason held to be invalid, the board~~
12 ~~may select one of its members to serve as its Secretary and~~
13 ~~Treasurer, or it may appoint a nonmember ~~non-member~~ of the~~
14 ~~board as its Secretary and Treasurer, and such nonmember~~
15 ~~member of non-member shall receive compensation commensurate~~
16 ~~with the duties and responsibilities as determined by the~~
17 ~~board. The board shall ~~may select one of its members or a~~
18 ~~nonmember ~~non-member~~ to serve as Executive a Director of the~~
19 ~~Authority, and such nonmember ~~member or non-member~~ shall~~
20 ~~receive compensation commensurate with the responsibilities as~~
21 ~~determined by the board. In the event of the appointment of a~~
22 ~~member of the board as director, he shall not be entitled to~~
23 ~~receive pay "per diem" as compensation for his services except~~
24 ~~as provided in section 8 of this act. The board shall require~~
25 ~~a surety bond of any person, including the Clerk of the~~
26 ~~Circuit Court, who shall act as Secretary and Treasurer of the~~
27 ~~board, in an amount to be fixed by the board, which bond in~~
28 ~~the case of the appointment of the Clerk of the Circuit Court~~
29 ~~or a member of the board shall be in addition to the bond~~
30 ~~furnished by such person ~~him~~ as Clerk of the Circuit Court or~~
31 ~~as a member of the board, and the premium thereon shall be~~~~

1 paid by the board as a necessary expense of operation. The
2 Auditor General shall make financial audits and performance
3 audits of the accounts and records of the Lake County Water
4 Authority.

5 Section 5. ~~That~~ Each member of the board, before
6 assuming his duties, shall give a good and sufficient surety
7 bond in the sum of ~~twenty-five hundred dollars (\$2,500.00)~~,
8 payable to the Governor of the State of Florida and his
9 successors in office, conditioned upon the faithful
10 performance of his duties as a member of the board. Such bond
11 shall be approved by and filed with the Comptroller of the
12 State of Florida, and the premium or premiums thereon shall be
13 paid by the board as a necessary expense ~~of said Authority.~~

14 Section 6. Four ~~That two~~ members of the board shall
15 constitute a quorum for the transaction of business, and a
16 majority vote of all members present shall be necessary in
17 order to authorize any action by the board. The Chairman shall
18 be entitled to vote on all questions.

19 Section 7. Each member of the board shall receive
20 ~~twenty-five dollars (\$25.00)~~ per day as compensation for his
21 service when performing his duties.

22 Section 8. ~~That~~ Each member of the board, its
23 engineers, auditors, attorneys, agents, and employees, shall
24 be paid their actual expenses incurred when engaged on
25 business of the Authority, but such expenses shall not be paid
26 unless payment has been authorized and approved ~~by the Board.~~
27 The board may authorize and approve the payment of any
28 expense; or it may delegate to the Executive Director the
29 power to authorize such payment as long as, at the time it
30 makes the delegation, it approves parameters, including, but
31 not limited to, parameters on the amount that may be expended,

1 within which the Executive Director may exercise that power. A
2 separate delegation must be made with respect to any
3 expenditure or class of expenditures.

4 Section 9.(a)- ~~That~~ The board shall have all the
5 powers of a body corporate, including the power to sue and be
6 sued; to make contracts; to adopt and use a common seal and to
7 alter the same as may be deemed expedient; to buy, acquire by
8 condemnation or eminent domain in the manner prescribed for
9 use by counties in Florida, sell, own, use, control, operate,
10 improve, and lease all land and personal property as the board
11 may deem necessary or proper in carrying out the provisions of
12 this act; to appoint and employ, and dismiss at pleasure such
13 engineers, auditors, attorneys, and other employees and agents
14 as the board may require, and to fix and pay the compensation
15 thereof; to establish an office for the transaction of its
16 business in the City of Tavares, ~~Lake County, Florida~~ or any
17 other municipality in Lake County; to pay all necessary costs
18 and expenses incident to the administration and operation
19 thereof, and to pay all other costs and expenses reasonably
20 necessary or expedient in carrying out and accomplishing the
21 purposes of this act.

22 ~~Section 9(b)-~~ Each year a budget shall be prepared by
23 the Authority Oklawaha basin recreation and water conservation
24 and control authority in Lake County, and a millage, not to
25 exceed 0.5 mills sufficient to meet the budget within the
26 provisions of law shall be certified to the ~~board of county~~
27 ~~commissioners of Lake County Tax Collector for assessment.~~

28 ~~Section 9 (c)-~~ The board shall have the authority to
29 grant licenses or permits for the construction and excavation
30 of canals and ditches connecting with navigable waters; to
31 establish, promulgate and administer rules and regulations

1 governing the construction and excavation of canals and
2 ditches with authority to prohibit any construction deemed by
3 the board to be detrimental to the best interests of the
4 public or purposes for which the authority was established; to
5 do any and all other acts and things hereinafter authorized or
6 required to be done; and to do any and all things, whether or
7 not included in the enumerated powers of this act, necessary
8 to accomplish the purposes of this act.

9 ~~Section 9~~ (d)- The Authority shall control all
10 streams, including slow moving streams, flowing from any of
11 the water reservoirs in Lake County, whether natural or
12 constructed, into the system of lakes and streams in or
13 adjacent to Lake County for the protection of the natural
14 water reservoirs and the adjacent and neighboring areas.

15 Section 10. ~~That~~ The Authority is ~~hereby~~ authorized
16 and empowered to acquire by purchase, gift, lease,
17 condemnation, or eminent domain, or any other manner, such
18 lands within the territorial extent of the Authority as may be
19 reasonably necessary, for constructing and maintaining the
20 works and making the improvements required to carry out the
21 intent of this Act, including without limitation ~~limiting the~~
22 ~~meaning of the foregoing general terms~~, the right to acquire
23 by condemnation or eminent domain such lands and any interest
24 therein, reasonably necessary for any such purpose which ~~that~~
25 may already be devoted to public use for county, municipal,
26 district, railroad or public utility purposes where and to the
27 extent that the same may cross, intersect or be situate upon
28 or within the area of such land hereinbefore referred to, and
29 the Authority shall also have the right to acquire by
30 purchase, gift, lease, condemnation or eminent domain, or in
31 any other manner, land, timber, earth, rock, and other

1 materials or property, and property rights, including riparian
2 rights, in such amounts as may be reasonably necessary or
3 useful in the development of the works or improvements before
4 referred to. Condemnation or eminent domain proceedings shall
5 be maintained by and in the name of the Authority, and the
6 procedure shall be, except insofar as is altered hereby, that
7 prescribed for use by counties in Florida.

8 Section 11. ~~That~~ The Authority shall have the right to
9 take, exclusively occupy, use, and possess, insofar as may be
10 necessary for carrying out the provisions of this Act, any
11 areas of land owned by the state ~~of Florida~~ and within the
12 territorial extent of the Authority, not in use for state
13 purposes, including, without limitation ~~limiting the foregoing~~
14 ~~general terms~~, swamps and overflowed lands, bottoms of
15 streams, lakes, and rivers, and the riparian rights thereto
16 pertaining, and, when so taken and occupied, due notice of
17 such taking and occupancy having been filed with the Trustees
18 of the Internal Improvement Fund of the State of Florida by
19 the Authority, such areas of land are ~~hereby~~ granted to and
20 shall be the property of the Authority. For the purposes of
21 this section, the meaning of the term "use" shall include the
22 removal of material from and the placing of material on any
23 such land. In case it is ~~shall be~~ held by any court of
24 competent jurisdiction that there are any lands owned by the
25 state that ~~of Florida which~~ may not be so granted, then the
26 provisions of this section shall continue in full force and
27 effect as to all other lands owned by the state ~~of Florida~~ and
28 granted to the Authority under this section ~~hereunder~~. The
29 provisions of this Section are subject to all laws and
30 regulations of the United States of America with respect to
31 navigable waters.

1 Section 12. ~~That~~ In addition to all other power
2 conferred upon by the board by this act, the board may ~~shall~~
3 ~~have the power to and is hereby authorized in its discretion~~
4 ~~to~~ enlarge, change, modify, or improve any stream, lake, or
5 canal within the territorial limits of the Authority and to
6 clean out, straighten, enlarge, or change the course of any
7 waterway, or canal, natural or artificial, within the
8 territorial limits of the Authority; to provide such canals,
9 locks, levees, dikes, dams, sluiceways, reservoirs, holding
10 basins, floodways, pumping stations, buildings, bridges,
11 highways, and other works and facilities that ~~which~~ the board
12 deems ~~may deem~~ necessary; to cross any highway or railway with
13 works of said district and to hold, control and acquire by
14 donation, lease or purchase, or otherwise any land or personal
15 property needed for carrying out the purpose of this act and
16 may remove any building or other obstruction necessary for the
17 construction, maintenance and operation of such ~~said~~ works.
18 The improvements made or to be made under this act are
19 sometimes referred to in this act as "the works" of the board
20 ~~of Authority~~. The board shall also have power to operate any
21 and all works and improvements of the Authority. The
22 provisions of this section are subject to all laws and
23 regulations of the United States of America with respect to
24 navigable waters.

25 Section 13. ~~That~~ The board shall have authority to
26 take possession of and control and use and operate and
27 maintain all streams, lakes and canals, dams, locks, levees,
28 dikes, sluiceways, reservoirs, holding basins, floodways,
29 pumping stations, buildings, bridges, highways, navigation and
30 conservation works and other works and facilities, within the
31 territorial limits of the Authority to the extent only that

1 such possession, control and use shall be deemed by the Board,
2 in its sole discretion, to be useful and necessary in carrying
3 out the purposes of this Act; provided that such possession,
4 control and use shall be subject to the rights of persons,
5 firms and corporations, and the rights of Lake County, ~~Florida~~
6 and municipalities, districts, and political bodies in Lake
7 County, ~~Florida~~ (which rights may be acquired by the Authority
8 by condemnation or eminent domain as provided for by this
9 act).

10 Section 14. ~~That~~ Lake County, ~~Florida~~ and all
11 municipalities, districts, political bodies, and political
12 subdivisions of the state ~~of Florida~~, in Lake County, ~~Florida~~
13 are ~~hereby~~ severally authorized to grant, convey, transfer to,
14 and permit the use of by the Authority upon such terms and
15 conditions as are agreeable to the governing bodies thereof of
16 real and personal property belonging to them or either of
17 them, that may be necessary or useful to the Authority in
18 carrying out the purposes of this act.

19 Section 15. ~~That~~ The board shall have power to enter
20 into any agreement or contract with the Federal Government or
21 the state ~~of Florida~~, or any agency, political subdivision, or
22 instrumentality of either, and counties adjoining Lake County,
23 ~~Florida~~, and municipalities and taxing districts in Lake
24 County and in counties adjoining Lake County, ~~Florida~~, for the
25 purpose of carrying out, or which in the judgment of the board
26 may assist it in carrying out, the purposes of this act.

27 Section 16. ~~That~~ All Authority funds shall be
28 deposited in a bank or banks or federal or state savings and
29 loan association to be designated by the board, but before any
30 Authority moneys are deposited in such depository or
31 depositories, security, shall be furnished the Authority ample

1 to protect such deposits to the full extent and amount that
2 such deposits shall not be otherwise protected or insured by
3 Federal Deposit Insurance Corporation, or Federal Savings and
4 Loan Insurance Corporation. Funds of the Authority shall be
5 paid out only upon warrant signed by the Treasurer of the
6 Authority and countersigned by the Chairman or Vice Chairman.
7 No warrants shall be drawn or issued disbursing any of the
8 funds of the Authority except for a purpose authorized by this
9 act, and only when the account or expenditure for which the
10 same is to be given in payment has been audited and approved
11 by the board.

12 Section 17. The board shall have and is hereby granted
13 the power to determine, annually on or before July 15, by
14 resolution the amount of money that will be required to carry
15 out the purposes of this act for the next ensuing fiscal year
16 (which fiscal year shall be the same as that of Lake County)
17 and the millage ~~not exceeding, during the next five (5) years~~
18 ~~after this act takes effect, one and one-half (1 1/2) mills on~~
19 ~~the dollar of the taxable real and personal property within~~
20 ~~the authority, and after said five (5) year period has elapsed~~
21 ~~the millage shall not exceed one (1) mill on the dollar on~~
22 ~~such property, that will be required to be levied to produce~~
23 the ~~said~~ amount of money set forth in the resolution; provided
24 that the determination of the amount of money to be raised and
25 the millage to be levied may be delayed until the board
26 receives ~~from the county tax assessor and the comptroller the~~
27 necessary information they are required to furnish the board
28 ~~as set out in this section of this act; immediately upon the~~
29 adoption of the resolution a certified copy thereof shall be
30 furnished to the board of county commissioners of Lake County,
31 and the board of county commissioners of Lake County shall,

1 for the year named in the certified copy of the resolution,
2 levy, assess, collect, and enforce taxes upon all taxable real
3 and personal property within the authority; ~~provided that in~~
4 ~~no event shall the board of county commissioners levy for the~~
5 ~~authority, taxes in any one (1) year in excess of one (1) mill~~
6 ~~on the dollar of all taxable real and personal property within~~
7 ~~the authority. The procedure to be followed to accomplish the~~
8 ~~purpose of this section shall be as hereinafter set out,~~
9 to-wit:

10 (a) Assessment of property shall be as provided by
11 general law. ~~The County Tax Assessor of Lake County, Florida,~~
12 ~~each year beginning with the year 1953, immediately after the~~
13 ~~tax assessment roll of said county has been reviewed and~~
14 ~~equalized by the Board of County Commissioners of said county,~~
15 ~~shall report to the board the assessed valuation of all~~
16 ~~taxable real and personal property in the county, and the~~
17 ~~Comptroller of the State of Florida shall, annually, beginning~~
18 ~~with the year 1953, report to board, at the time he is~~
19 ~~required by law to report to the county Tax Assessors, the~~
20 ~~assessed valuation of all railroad lines, railroad property,~~
21 ~~telephone and telegraph lines, and telephone and telegraph~~
22 ~~property and all other taxable property within said Authority~~
23 ~~over which he has jurisdiction for valuation or assessment~~
24 ~~purposes. The sum of all assessments so reported by the County~~
25 ~~Tax Assessor of Lake County, Florida and the Comptroller of~~
26 ~~the State of Florida, shall be the assessed value of taxable~~
27 ~~property of said Authority for that year for the purposes of~~
28 ~~Authority taxes and taxation under the provisions of this act.~~

29 (b) The board shall immediately, thereupon, by
30 resolution, determine the total amount to be raised by
31 taxation in such year upon the taxable property within the

1 Authority, and shall, in and by such ~~said~~ resolution, fix and
2 determine the millage on each dollar valuation of property on
3 the ~~said~~ assessment rolls, which, when levied, will raise the
4 ~~said~~ amount so determined as aforesaid as the total amount to
5 be raised by taxation in that year, and in and by such ~~said~~
6 resolution the board shall direct the board of county
7 commissioners to levy, assess, and fix such ~~said~~ millage as
8 the rate of taxation upon all the taxable real and personal
9 property within the Authority; ~~provided that the Authority~~
10 ~~shall not direct the County Commissioners of Lake County,~~
11 ~~Florida to levy and assess any tax for any one year in excess~~
12 ~~of one mill on the dollar upon all taxable real and personal~~
13 ~~property within the Authority and the Board of County~~
14 ~~Commissioners shall not within any one year levy and assess~~
15 ~~for the Authority more than one mill on the dollar upon the~~
16 ~~taxable real and personal property within the Authority.~~

17 (c) A certified copy of such tax resolution executed
18 in the name of the Authority by its Chairman, or Vice
19 Chairman, and attested by its Secretary, under its corporate
20 seal, shall immediately be delivered to the Board of County
21 Commissioners of Lake County, Florida.

22 (d) It shall be the duty of the ~~said~~ board of county
23 commissioners, each year: (1) to levy, assess, and fix the
24 millage and the rate of taxation upon all the taxable real and
25 personal property within the Authority as set forth in the
26 certified copy of the resolution of the ~~said~~ board, and (2) to
27 certify the ~~said~~ millage to the Department of Revenue
28 ~~Comptroller~~ of the State of Florida, and (3) to order the
29 property appraiser Assessor of the ~~said~~ county to levy and
30 assess, and the county tax collector to collect, a tax at the
31 millage fixed by the ~~said~~ board of county commissioners upon

1 all of the taxable real and personal property within the said
2 Authority for the said year, and the said levies and
3 assessments shall be included in the tax roll and warrant of
4 the property appraiser ~~Tax Assessor~~ of the said county for
5 each fiscal year thereafter. The tax collector of the said
6 county shall collect such taxes so levied by the board of
7 county commissioners for the ~~said~~ Authority in lawful money of
8 the United States of America in the same manner and at the
9 same time as county taxes are collected, and shall pay and
10 remit the same upon collection to the board.

11 ~~(e) It shall be the duty of the Comptroller of the~~
12 ~~State of Florida each year, to assess and levy upon all~~
13 ~~railroad lines and railroad property, telephone and telegraph~~
14 ~~lines and telephone and telegraph property, and all other~~
15 ~~taxable property within his jurisdiction and located within~~
16 ~~the Authority, a tax at the rate prescribed by the Board of~~
17 ~~County Commissioners of Lake County, Florida, and certified to~~
18 ~~him by the Board of County Commissioners of Lake County,~~
19 ~~Florida, and to collect in lawful money of the United States~~
20 ~~of America the tax thereupon in the same manner and at the~~
21 ~~same time as he is required by law to assess and collect such~~
22 ~~taxes for county purposes, and to remit the same when~~
23 ~~collected to the board.~~

24 ~~(e)~~(f) The Property Appraiser ~~Tax Assessor~~, Tax
25 Collector, and Board of County Commissioners of Lake County,
26 ~~Florida,~~ and the Department of Revenue ~~Comptroller~~ shall, when
27 requested by the board, prepare from their official records
28 and deliver to the board any and all information that may be
29 requested from time to time from them regarding the tax
30 valuations, levies, assessments, or collections in such
31 county.

1 Section 18. ~~That~~ All taxes levied and assessed by the
2 Board of County Commissioners of Lake County, ~~Florida~~ for the
3 Authority (beginning with the year 1953) shall be collected
4 and the enforcement thereof shall be at the same time and in
5 the same manner as other county taxes are collected and
6 enforced and when so collected shall be paid over to the board
7 for its use pursuant to this act.

8 Section 19. (a) ~~That~~ The board is ~~hereby~~ authorized to
9 borrow money at such time or times as it may deem necessary to
10 carry out the purposes of this act and to execute and deliver
11 its promissory note or notes therefor bearing interest as
12 fixed by the board; however, ~~provided that~~ the board shall not
13 borrow any sum of money or ~~nor~~ give its promissory note
14 therefor, for a period of time longer than 1 ~~one~~ year, and the
15 total amount of money borrowed and outstanding shall not
16 exceed ~~thirty-five thousand and no/100 dollars~~ (\$35,000.00) at
17 any one time.

18 (b) The board may issue bonds payable solely from
19 revenues of the Authority. The value of all such bonds
20 outstanding at any time may not exceed an amount equal to
21 one-third of the Authority's anticipated revenues for the
22 period for which the bonds are outstanding. Revenue bonds may
23 not be issued unless their issuance has been approved by a
24 majority of those electors of the Authority voting in a
25 referendum in which the ballot statement describes in detail
26 the purpose for which the bonds will be issued.

27 Section 20. ~~That~~ At least once in each year the board
28 shall publish in some newspaper published in Lake County,
29 ~~Florida,~~ a complete detailed statement of its financial
30 condition, including a list of all moneys received and
31 disbursed by the board during the preceding year.

1 Section 21. ~~That~~ All real and personal property owned,
2 leased, controlled, or used by the Authority shall be exempt
3 from all county, municipal, taxing district, and other ad
4 valorem taxes and special assessments for benefits.

5 Section 22. ~~That~~ It is the intention of the
6 Legislature that the provisions of this act shall be liberally
7 construed to accomplish its ~~the~~ purposes ~~provided for herein~~.

8 Section 22A.(a) The Authority shall prepare a plan
9 that describes the Authority's goals for the ensuing 5 years.
10 The plan must include projects that will be undertaken within
11 that period in furtherance of its goals. The Authority shall
12 update the plan periodically.

13 (b) The Authority shall prepare a report annually
14 which includes an evaluation and assessment of the
15 effectiveness of the Authority's activities in the preceding
16 year. The report must address both ongoing activities of the
17 Authority and the progress in meeting goals and projects
18 enumerated in the 5-year plan.

19 ~~Section 23. That if any Section, subsection,~~
20 ~~paragraph, subparagraph, sentence, clause, phrase or word of~~
21 ~~this Act is for any reason held to be unconstitutional or~~
22 ~~invalid, such holding shall not affect the validity of the~~
23 ~~remaining portions of the Act, the Legislature hereby~~
24 ~~declaring that it would have passed this Act, and each and~~
25 ~~every Section, subsection, paragraph, subparagraph, sentence,~~
26 ~~clause, phrase and word thereof, irrespective of the fact that~~
27 ~~any one or more other Sections, subsections, paragraphs,~~
28 ~~subparagraphs, sentences, clauses, phrases or words thereof~~
29 ~~may be declared to be unconstitutional or otherwise~~
30 ~~ineffective.~~

31

1 ~~Section 24. That notice for the passage of this Act~~
2 ~~has been published as required by Section 21 of Article III of~~
3 ~~the Constitution, and affidavit of proof of such publication,~~
4 ~~together with a true copy of the notice, was duly attached to~~
5 ~~this Act when the bill therefor was introduced in the~~
6 ~~Legislature, and accompanied said bill throughout the~~
7 ~~Legislature, as required by law.~~

8 ~~Section 25. That all laws and parts of laws, and~~
9 ~~specifically Chapter 10814, Laws of Florida, Acts of 1925, be~~
10 ~~and they are hereby repealed.~~

11 Section 2. The date on which the additional seats on
12 the Board of Trustees of the Lake County Water Authority are
13 created is the second Tuesday following the general election
14 in 2000, and those seats will be filled initially on that date
15 by persons elected at the general election in 2000 in the
16 manner described in section 4, chapter 29222, Laws of Florida,
17 1953, as amended by this act.

18 Section 3. Chapter 29222, Laws of Florida, 1953, as
19 amended, is repealed September 30, 2010, and the Lake County
20 Water Authority must be reviewed by the Legislature before
21 that date.

22 Section 4. If any provision of this act or the
23 application thereof to any person or circumstance is held
24 invalid, the invalidity shall not affect other provisions or
25 applications of the act which can be given effect without the
26 invalid provision or application, and to this end the
27 provisions of this act are declared severable.

28 Section 5. Except as otherwise expressly provided in
29 this act, this act shall take effect upon becoming a law.
30
31