

By Representative Machek

1 A bill to be entitled
 2 An act relating to Palm Beach, Hendry, and
 3 Glades Counties; providing for codification of
 4 special laws relating to the Everglades
 5 Agricultural Area Environmental Protection
 6 District, a special tax district in Palm Beach,
 7 Hendry, and Glades Counties; providing
 8 legislative intent; amending, codifying,
 9 reenacting, and repealing chapters 89-423 and
 10 90-423, Laws of Florida, relating to the
 11 Everglades Agricultural Area Environmental
 12 District; re-creating and reenacting the
 13 district's charter; providing district status
 14 and boundaries; providing for applicability of
 15 chapters 373 and 403, Florida Statutes, and
 16 other general laws; providing for ratification
 17 of prior acts; providing for liberal
 18 construction; providing a saving clause in the
 19 event any provision of the act is deemed
 20 invalid; providing an effective date.

21
 22 Be It Enacted by the Legislature of the State of Florida:

23
 24 Section 1. Intent.--Pursuant to section 189.429,
 25 Florida Statutes, this act constitutes the codification of all
 26 special acts relating to the Everglades Agricultural Area
 27 Environmental Protection District. It is the intent of the
 28 Legislature in enacting this law to provide a single,
 29 comprehensive special act charter for the district, including
 30 all current legislative authority granted to the district by
 31

1 its several legislative enactments and any additional
2 authority granted by this act.

3 Section 2. Chapters 89-423 and 90-423, Laws of
4 Florida, relating to the Everglades Agricultural Area
5 Environmental Protection District, are codified, reenacted,
6 amended, and repealed as provided herein.

7 Section 3. The charter for the Everglades Agricultural
8 Area Environmental Protection District is re-created and
9 reenacted to read:

10 Section 1. Status and boundaries of Everglades
11 Agricultural Area Environmental Protection District.--The
12 Everglades Agricultural Area Environmental Protection District
13 is hereby declared to be an independent district of the State
14 of Florida, and the lands lying within the area described as
15 follows in Palm Beach, Hendry, and Glades Counties, Florida,
16 shall hereby constitute the Everglades Agricultural Area
17 Environmental Protection District:

18
19 BEGINNING at a point in Section 10, Township 41
20 South, Range 37 East, Palm Beach County,
21 Florida, where the Easterly right-of-way line
22 of the Herbert Hoover Dike Levee of Lake
23 Okeechobee intersects with the Southerly
24 right-of-way line of Levee L-8 of the formerly
25 Central and Southern Florida Flood Control
26 District, now known as the South Florida Water
27 Management District and hereinafter referred to
28 as SFWMD;

29
30 thence Easterly along said Southerly
31 right-of-way line of Levee L-8 to a point near

1 the West line of Section 12 of said Township 41
2 South, Range 37 East, where the said
3 right-of-way line turns North;
4
5 thence Northerly along the Easterly
6 right-of-way line of said Levee L-8 to a point
7 near the Northwest corner of said Section 12,
8 where said right-of-way line turns East;
9
10 thence Easterly along the Southerly
11 right-of-way line of said Levee L-8 to a point
12 near the Northeast corner of Section 7,
13 Township 41 South, Range 38 East where said
14 right-of-way line turns Southeasterly;
15
16 thence continue Southeasterly along the
17 Southwesterly right-of-way line of said Levee
18 L-8 to a point near the Southeast corner of
19 Section 8, Township 43 South, Range 40 East
20 where said right-of-way line turns South;
21
22 thence continue Southerly along the Westerly
23 right-of-way line of said Levee L-8 to a point
24 of intersection with the Northerly right-of-way
25 line of State Road 80 in Section 32, Township
26 43 South, Range 40 East;
27
28 thence Westerly along the Northerly
29 right-of-way line of said State Road 80 to a
30 point in said Section 32 where the Northerly
31 right-of-way line of State Road 80 intersects

1 with the Northeasterly prolongation of the
2 Northwesterly right-of-way line of the SFWMD
3 Levee L-7;
4
5 thence Southwesterly along said Northwesterly
6 right-of-way line of Levee L-7 and its
7 Northeasterly prolongation to a point near the
8 Northwest corner of Section 3, Township 45
9 South, Range 39 East, where said right-of-way
10 line turns South;
11
12 thence Southerly along the Westerly
13 right-of-way line of said Levee L-7 to a point
14 of intersection with the Northwesterly
15 right-of-way line of SFWMD Levee L-6 near the
16 East line of Section 4, Township 46 South,
17 Range 39 East;
18
19 thence Southwesterly along the Northwesterly
20 right-of-way line of said Levee L-6 and its
21 Southwesterly extension to a point of
22 intersection with the Easterly termination of
23 the Northerly right-of-way line of SFWMD Levee
24 L-5 near the Southwest corner of Section 22,
25 Township 47 South, Range 38 East;
26
27 thence Westerly along the Northerly
28 right-of-way line of said Levee L-5 to a point
29 in Section 6, Township 48 South, Range 36 East
30 where the right-of-way of said Levee L-5
31 widens;

1
2 thence continue Westerly following said
3 Northerly right-of-way line of the widened
4 right-of-way of said Levee L-5 to a point of
5 intersection with the Easterly termination of
6 the Northerly right-of-way line of SFWMD Levee
7 L-4;
8
9 thence continue Westerly along the North line
10 of said Levee L-4 to the Southwest corner of
11 Section 6, Township 48 South, Range 35 East,
12 said section corner marking the Southwest
13 corner of the Palm Beach County limits; said
14 section corner also being the point of
15 intersection of the Northerly right-of-way line
16 of said Levee L-4 with the Northeasterly
17 right-of-way line of SFWMD Levee L-3;
18
19 thence continue through Hendry County
20 Northwesterly along the Northeasterly
21 right-of-way line of said Levee L-3; following
22 said right-of-way line, wherever it may change
23 to a point near the Southwest corner of Section
24 9, Township 47 South, Range 34 East where said
25 right-of-way line turns North;
26
27 thence continue Northerly along the Easterly
28 right-of-way line of said Levee L-3, following
29 said right-of-way line wherever it may change
30 to a point of intersection with the Southern
31 terminus of the Easterly right-of-way line of

1 SFWMD Levee L-2 near the Southwest corner of
2 Section 16, Township 46 South, Range 34 East;
3
4 thence continue Northerly along the Easterly
5 right-of-way line of said Levee L-2 to a point
6 near the Northwest corner of Section 4,
7 Township 45 South, Range 34 East;
8
9 thence continue along the right-of-way line of
10 said Levee L-2 to a point of intersection with
11 the Easterly right-of-way line of SFWMD Levee
12 L-1;
13
14 thence continue Northerly along the Easterly
15 right-of-way line of said Levee L-1 to a point
16 near the Northwest corner of Section 16,
17 Township 44 South, Range 34 East; where said
18 right-of-way line turns West;
19
20 thence continue Westerly along the Northerly
21 right-of-way line of said Levee L-1 to a point
22 near the Southwest corner of Section 12,
23 Township 44 South, Range 33 East; where said
24 right-of-way line turns North;
25
26 thence continue Northerly along the Easterly
27 right-of-way line of said Levee L-1 to a point
28 near the Northwest corner of Section 12,
29 Township 44 South, Range 33 East, where said
30 right-of-way line turns West;
31

1 thence Westerly along the Northerly
2 right-of-way line of said Levee L-1 to a point
3 in the West line of Section 1, Township 44
4 South, Range 33 East;
5
6 thence Northerly along the West line of said
7 Section 1 and along the West line of Sections
8 36, 25, 24, 13 and 12 of Township 43 South,
9 Range 33 East to a point of intersection with
10 the Northerly right-of-way line of U.S. Highway
11 No. 27;
12
13 thence Westerly along the Northerly
14 right-of-way line of said U.S. Highway No. 27
15 to a point in the West line of Section 10,
16 Township 43 South, Range 33 East;
17
18 thence Northerly along the West line of said
19 Section 10 to the Northwest corner of said
20 Section 10;
21
22 thence Northerly along the Northerly
23 prolongation of the West line of said Section
24 10 a distance of 1100 feet more or less to a
25 point on the Northwest bank of the presently
26 existing nine mile canal in Section 31,
27 Township 42 South, Range 33 East, in Glades
28 County;
29
30 thence Westerly, following the North bank of
31 the said nine mile canal to a point of

1 intersection with the North-South one-quarter
2 Section Line of Section 31 of said Township 42
3 South, Range 33 East;
4
5 thence Northerly along the North-South
6 one-quarter Section Line of said Section 31 and
7 the North-South one-quarter Section Lines of
8 Sections 30, 19 and 18 of said Township 42
9 South, Range 33 East to a point of intersection
10 with the Southerly right-of-way line of
11 aforementioned Herbert Hoover Dike Levee of
12 Lake Okeechobee;
13
14 thence Southeasterly, Easterly and
15 Northeasterly along said right-of-way line of
16 the Herbert Hoover Dike Levee through Glades
17 County, Hendry County and Palm Beach County to
18 the POINT OF BEGINNING.
19
20 LESS, the following described parcel: All that
21 portion of Sections 4 and 9 of Township 45
22 South, Range 34 East, Hendry County, Florida,
23 lying East of the Easterly Right of Way Line of
24 Levees L-1 and L-2 of the former Central and
25 Southern Florida Flood Control District.
26
27 This boundary is intended to define the general area of
28 the district and does not imply any legislative intent with
29 regard to future land or water management decisions affecting
30 state lands that fall within the boundaries of this district.
31

1 Section 2. Definitions.--As used in this act, the
2 term:

3 (1) "Assessable improvements" means, without
4 limitations, any and all public improvements that the district
5 is empowered to provide in accordance with this act.

6 (2) "Board" or "board of supervisors" means the
7 governing board of the district.

8 (3) "Cost," when used with reference to any project,
9 includes, but is not limited to:

10 (a) The expenses of determining the feasibility or
11 practicability of acquisition, construction, or
12 reconstruction.

13 (b) The cost of research, surveys, estimates, plans,
14 and specifications.

15 (c) The cost of improvements.

16 (d) Scientific engineering, planning, and fiscal and
17 legal expenses and charges.

18 (e) The cost of all labor, materials, machinery, and
19 equipment.

20 (f) The cost of all lands, properties, rights,
21 easements, and franchises acquired.

22 (g) Financing charges.

23 (h) Working capital.

24 (i) Interest charges incurred or estimated to be
25 incurred on money borrowed prior to and during construction
26 and acquisition and for such reasonable period of time after
27 completion of construction or acquisition as the board may
28 determine.

29 (j) Administrative expenses.

30 (k) Such other expenses as may be necessary or
31 incidental to any project of the district.

1 (4) "Landowner" means the owner of a freehold estate
2 or lessee of land, title to which is held by the State of
3 Florida as appears by the deed record or lease instrument,
4 including a trustee or a private corporation, which freehold
5 or lease is classified by the property appraiser pursuant to
6 section 193.461, Florida Statutes, as agricultural land.

7 (5) "Project" means any research or planning project,
8 development, improvement, property, utility, facility, works,
9 enterprise, or service undertaken or established under the
10 provisions of this act.

11 Section 3. Board of supervisors; membership;
12 meetings.--

13 (1) The board of supervisors of the district shall
14 exercise the powers granted to the district pursuant to this
15 act. The board shall consist of five voting members and an ex
16 officio, nonvoting member. The ex officio, nonvoting member
17 shall be the executive director of the South Florida Water
18 Management District or his or her designee. Except as provided
19 herein for the terms of the initial members as provided in
20 subsection (2), each board member other than the executive
21 director of the South Florida Water Management District shall
22 hold office for a term of 4 years and until his or her
23 successor is chosen and qualifies. The members of the board
24 shall be residents of the state and citizens of the United
25 States.

26 (2) Within 90 days after the effective date of this
27 subsection, a meeting of the landowners of the district shall
28 be held for the purposes of conducting a landowners'
29 referendum on the question of whether the district should be
30 created and electing five supervisors for the district. Notice
31 of the landowners' meeting shall be published once a week for

1 2 consecutive weeks in a newspaper which is in general
2 circulation in the area of the district, the last day of such
3 publication to be not fewer than 14 days or more than 28 days
4 before the date of the election. The landowners, when
5 assembled at such meeting, shall organize by electing a chair
6 who shall conduct the meeting. At such meeting, each landowner
7 shall be entitled to cast one vote per acre of land owned by
8 him or her and currently classified by the property appraiser
9 pursuant to section 193.461, Florida Statutes, as agricultural
10 land located within the district on the referendum question
11 and one vote for each supervisor to be elected. A landowner
12 may vote in person or by proxy in writing. A fraction of an
13 acre shall be treated as 1 acre, entitling the landowner to
14 one vote with respect thereto. With respect to the members
15 initially elected, the three candidates receiving the highest
16 number of votes shall be elected for a period of 4 years, and
17 the two candidates receiving the next largest number of votes
18 shall be elected for a period of 2 years.

19 (3) Subsequent landowners' meetings shall be held to
20 elect members of the board during the same month as the first
21 landowners' meeting in years when any board member's term will
22 expire. Notice and conduct of the meeting shall be as
23 prescribed by subsection (2).

24 (4) Members of the board shall be known as supervisors
25 and, upon entering into office, shall take and subscribe to
26 the oath of office as prescribed by law. They shall hold
27 office for the terms for which they were elected or appointed
28 and until their successors are chosen and qualified. If,
29 during the term of office of an elected board member, a
30 vacancy occurs, the remaining members of the board shall fill

31

1 the vacancy by an appointment for the remainder of the
2 unexpired term.

3 (5) A majority of the voting members of the board
4 constitutes a quorum for the purposes of conducting its
5 business and exercising its powers and for all other purposes.
6 Action taken by the district shall be upon a vote of a
7 majority of the members present unless general law or a rule
8 of the district requires a greater number.

9 (6) As soon as practicable after each election or
10 appointment, the board shall organize by electing one of its
11 members as chair and by electing a secretary, who need not be
12 a member of the board, and such other officers as the board
13 may deem necessary.

14 (7) The board shall keep a permanent record book
15 entitled "Record of Proceedings of the Everglades Agricultural
16 Area Environmental Protection District," in which shall be
17 recorded minutes of all meetings, resolutions, proceedings,
18 certificates, bonds given by all employees, and any and all
19 corporate acts. The record book shall at reasonable times be
20 open to inspection in the same manner as state, county, and
21 municipal records pursuant to chapter 119, Florida Statutes.
22 The record book shall be kept at the office or other regular
23 place of business maintained by the board.

24 (8) Each supervisor shall be entitled to receive for
25 his or her services an amount not to exceed \$100 per day for
26 each day spent on district duties. In addition, each
27 supervisor shall receive travel and per diem expenses as set
28 forth in section 112.061, Florida Statutes.

29 (9) All meetings of the board shall be open to the
30 public and governed by the provisions of chapter 286, Florida
31 Statutes.

1 Section 4. Board of supervisors; general duties;
2 district manager.--

3 (1) The board may employ and fix the compensation of a
4 district manager. The district manager may have charge and
5 supervision of district programs and facilities and be
6 responsible for implementation of any district projects or
7 programs and the operation and maintenance of any improvement
8 or facility constructed or erected pursuant to the provisions
9 of this act, for maintaining and operating the equipment owned
10 by the district, and for performing such other duties as may
11 be prescribed by the board. It shall not be a conflict of
12 interest under chapter 112, Florida Statutes, for a board
13 member, the district manager, or another employee of the
14 district to be a stockholder, officer, or employee of a
15 landowner. The district manager may hire or otherwise employ
16 and terminate the employment of such other persons, including,
17 without limitation, professional, supervisory, and clerical
18 employees, as may be necessary and authorized by the board.
19 The compensation and other conditions of employment of the
20 officers and employees of the district shall be as provided by
21 the board.

22 (2) The board is authorized to select as a depository
23 for its funds any qualified public depository as defined in
24 section 280.02, Florida Statutes, which meets all the
25 requirements of chapter 280, Florida Statutes, upon such terms
26 and conditions as to the payment of interest by such
27 depository upon the funds so deposited as the board may deem
28 just and reasonable.

29 Section 5. Budget; reports and reviews.--
30
31

1 (1) The district shall provide financial reports in
2 such form and manner as prescribed pursuant to this act and
3 chapter 218, Florida Statutes.

4 (2) On or before each May 1, the district manager
5 shall prepare a proposed budget for the ensuing fiscal year to
6 be submitted to the board for board approval. The proposed
7 budget shall include at the direction of the board an estimate
8 of all necessary expenditures of the district for the ensuing
9 fiscal year and an estimate of income to the district from
10 assessments provided in this act. The board shall consider the
11 proposed budget item by item and may either approve the budget
12 as proposed by the district manager or modify the same in part
13 or in whole. The board shall indicate its approval of the
14 budget by resolution, which resolution shall provide for a
15 hearing on the budget as approved. Notice of the hearing on
16 the budget shall be published in a newspaper of general
17 circulation in the area of the district once a week for 2
18 consecutive weeks, except that the first publication shall be
19 not fewer than 15 days prior to the date of the hearing. The
20 notice shall further contain a designation of the day, time,
21 and place of the public hearing. At the time and place
22 designated in the notice, the board shall hear all objections
23 to the budget as proposed and may make such changes as the
24 board deems necessary. At the conclusion of the budget
25 hearing, the board shall, by resolution, adopt the budget as
26 finally approved by the board. The budget shall be adopted
27 prior to June 1 of each year. However, for 1989, the district
28 budget hearing shall be held within 30 days after referendum
29 approval of this act as provided in section 3(2).

30
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1 Section 6. General powers.--The district shall have,
2 and the board may exercise, the following powers, provided
3 such powers are exercised for the purpose specified herein:

4 (1) To sue and be sued in the name of the district; to
5 adopt and use a seal and authorize the use of a facsimile
6 thereof; to acquire, by purchase, gift, devise, or otherwise,
7 real and personal property, or any estate therein; and to make
8 and execute contracts and other instruments necessary or
9 convenient to the exercise of its powers.

10 (2) To apply for coverage of its employees under the
11 state retirement system in the same manner as if such
12 employees were state employees, subject to necessary action by
13 the district to pay employer contributions into the state
14 retirement fund.

15 (3) To contract for the services of consultants to
16 perform scientific, planning, engineering, legal, or other
17 appropriate services of a professional nature. Such contracts
18 shall be subject to the requirements of state law relating to
19 public bidding.

20 (4) To borrow money for periods of up to 1 year and
21 accept gifts; to apply for and use grants or loans of money or
22 other property from the United States, the state, a unit of
23 local government, or any person for any district purposes and
24 enter into agreements required in connection therewith; and to
25 hold, use, and dispose of such moneys or property for any
26 district purposes in accordance with the terms of the gift,
27 grant, loan, or agreement relating thereto.

28 (5) To adopt bylaws, rules, resolutions, and orders
29 pursuant to the provisions of chapter 120, Florida Statutes,
30 prescribing the powers, duties, and functions of the officers
31 of the district; the conduct of the business of the district;

1 the maintenance of records; and the form of certificates
2 evidencing tax liens and all other documents and records of
3 the district. The board may adopt administrative rules and
4 regulations with respect to any of the projects of the
5 district and may define the area to be included therein on
6 such notice as is required for elections and public hearings.

7 (6) To maintain an office at such place or places as
8 it may designate within a county in which the district is
9 located, which office must be reasonably accessible to the
10 landowners.

11 (7) To hold, control, and acquire by donation or
12 purchase any public easements, dedications to public use,
13 platted reservations for public purposes, or any reservations
14 for those purposes authorized by this act and to make use of
15 such easements, dedications, or reservations for any of the
16 purposes authorized by this act.

17 (8) To lease as lessor or lessee to or from any
18 person, firm, corporation, association, or body, public or
19 private, any projects of the type that the district is
20 authorized to undertake and facilities or property of any
21 nature for the use of the district to carry out any of the
22 purposes authorized by this act.

23 (9) To borrow money and issue certificates, warrants,
24 notices, or other evidence of indebtedness as hereinafter
25 provided, and to levy such special assessments as may be
26 authorized.

27 (10) To cooperate or contract with other governmental
28 agencies within or outside the boundaries of the district, as
29 may be necessary, convenient, incidental, or proper in
30 connection with any of the powers, duties, or purposes
31 authorized by this act.

1 (11) To assess and impose upon lands in the district,
2 not otherwise exempt as defined herein, special assessments as
3 provided by this act.

4 (12) To exercise all of the powers necessary,
5 convenient, incidental, or proper in connection with any of
6 the powers, duties, or purposes authorized by this act.

7 (13) To develop and implement environmental protection
8 programs or plans, including cooperative scientific research
9 with public and private bodies, the construction or operation
10 of facilities and works, and the award of grants-in-aid to
11 other public or private bodies for the purpose of maintaining
12 and improving air and water resource quality.

13 (14) To appoint, in its discretion, an advisory
14 council to assist the board in the development of
15 environmental protection programs consistent with the
16 requirements of chapters 373 and 403, Florida Statutes. The
17 advisory council shall consist of a scientific or technical
18 representative from the South Florida Water Management
19 District, the Department of Environmental Protection, the Fish
20 and Wildlife Conservation Commission, the Institute for Food
21 and Agricultural Sciences, the Department of Agriculture and
22 Consumer Services, and the agricultural industry, and such
23 other members as the board may determine.

24 (15) At any time, and from time to time after the
25 issuance of any bonds of the district have been authorized, to
26 borrow money for the purposes for which such bonds are to be
27 issued in anticipation of the receipt of the proceeds of the
28 sale of such bonds and to issue bond anticipation notes in a
29 principal sum not in excess of the authorized maximum amount
30 of such bond issue.

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1 (16) To issue revenue bonds from time to time without
2 limitation as to amount for the purpose of financing those
3 systems and facilities provided for herein. Such revenue bonds
4 may be secured by, or payable from, the gross or net pledge of
5 the revenues to be derived from any project or combination of
6 projects; from the rates, fees, or other charges to be
7 collected from the users of any project or projects; from any
8 revenue-producing undertaking or activity of the district;
9 from special assessments; or from any other source or pledged
10 security. Such bonds shall not constitute an indebtedness of
11 the district. The district shall be authorized to issue bonds
12 only upon approval by landowners' referendum. A meeting of the
13 landowners shall be held for the purpose of conducting a
14 landowners' referendum on the question of whether the district
15 should be authorized to issue bonds. Notice, voting, and
16 conduct of the meeting shall be as prescribed by subsection
17 (2) of section 3.

18 (a) Any issue of bonds may be secured by a trust
19 agreement by and between the district and a corporate trustee
20 or trustees, which may be any trust company or bank having the
21 powers of a trust company within or without the state. The
22 resolution authorizing the issuance of the bonds or such trust
23 agreement may pledge the revenues to be received from any
24 projects of the district and may contain such provisions for
25 protecting and enforcing the rights and remedies of the
26 bondholders as the board may approve, including, without
27 limitation, covenants setting forth the duties of the district
28 in relation to: the acquisition, construction, reconstruction,
29 improvement, maintenance, repair, operation, and insurance of
30 any projects; the fixing and revising of the rates, fees, and
31 charges; and the custody, safeguarding, and application of all

1 moneys and for the employment of consulting engineers in
2 connection with such acquisition, construction,
3 reconstruction, improvement, maintenance, repair, or
4 operation.

5 (b) Bonds of each issue shall be dated; shall bear
6 interest at such rate or rates, not to exceed the maximum rate
7 allowed by law, including variable rates, which interest may
8 be tax exempt or taxable for federal income tax purposes;
9 shall mature at such time or times from their date or dates;
10 and may be made redeemable before maturity at such price or
11 prices and under such terms and conditions as may be
12 determined by the board.

13 (17) To issue bonds for the purpose of refunding any
14 outstanding bonds of the district.

15 Section 7. Special assessments; exemptions.--

16 (1) The district board shall have the power to levy
17 and assess a special assessment upon each and every assessable
18 acre or fraction thereof, up to \$5 per acre, for the purposes
19 of management and administration of the district, development,
20 and implementation of the environmental protection plan, and
21 to fund the construction, operation, and maintenance of
22 assessable improvements. The benefit of implementation of said
23 plan and other costs cited herein shall be deemed to exceed
24 the damages of the special assessment authorized against all
25 assessable land within the district.

26 (2) Annual special assessments levied pursuant to this
27 act shall become due and be collected each year at the same
28 time that county taxes are due and collected, and said annual
29 assessment and levy shall be evidenced and certified by the
30 board of supervisors not later than June 1 of each year to the
31 tax collectors of counties in which lands of the district are

1 situated. However, for 1989, said certification shall be
2 transmitted to the tax collector within 45 days after
3 referendum approval of this act as provided in section 3(2).
4 Said assessments shall be extended on the county special
5 assessment or tax rolls and shall be collected by the tax
6 collectors in the same manner and time as county taxes and the
7 proceeds thereof paid to said district. Said assessment shall
8 be a lien until paid on the property against which assessed
9 and enforceable in like manner as county taxes. The district
10 shall be exempt from all provisions of section 197.3632(3)(a),
11 Florida Statutes, and the first-class United States mail
12 provisions of section 197.3632(4)(b), Florida Statutes, and
13 shall levy, assess, certify, and collect special assessments
14 with the assistance of the county tax collectors as provided
15 pursuant to all other applicable provisions of section
16 197.3632, Florida Statutes, for 1989 and all subsequent years.

17 (3) All assessments provided for in this act, together
18 with all penalties for default and payment of the same and all
19 costs in collecting the same, shall, from the date of
20 assessment thereof until paid, constitute a lien of equal
21 dignity with the liens for county taxes, and other taxes of
22 equal dignity with the county taxes, upon all the lands
23 against which such assessments shall be levied as is provided
24 in this act.

25 (4) All lands within the district classified by the
26 property appraisers of Palm Beach, Hendry, or Glades Counties
27 as agricultural pursuant to section 193.461, Florida Statutes,
28 shall be liable for the assessments levied by the district for
29 so long as said lands remain classified as agricultural. All
30 lands within the district classified by the property
31 appraisers for uses other than agricultural shall be exempt

1 from district assessments so long as said lands are not
2 classified as agricultural pursuant to section 193.461,
3 Florida Statutes.

4 Section 8. Short-term borrowing.--The district at any
5 time may obtain loans, in such amount and on such terms and
6 conditions as the district board may approve, for the purpose
7 of paying any of the expenses of the district or any costs
8 incurred or that may be incurred in connection with any of the
9 projects of the district, which loans shall bear such interest
10 as the district board may determine in compliance with general
11 law, and may be payable from and secured by a pledge of such
12 funds, revenues, and assessments as the district board may
13 determine. The district shall not obtain loans for periods in
14 excess of 1 year. The district may issue negotiable notes,
15 warrants, or other evidence of debt to be payable at such
16 times, to bear such interest as the district board may
17 determine in compliance with general law, and to be sold or
18 discounted at such price or prices not less than 95 percent of
19 par value and on such terms as the district board may deem
20 advisable. The district board shall have the right to provide
21 for the payment thereof by pledging the whole or any part of
22 the funds, revenues, and assessments of the district. The
23 approval of the electors residing in the district shall not be
24 necessary except when required by the State Constitution.

25 Section 9. Ratification of prior acts.--All acts and
26 proceedings of the circuit court taken by, for, and on behalf
27 of the district since the creation thereof, and all of the
28 acts and proceedings of the board of supervisors, the
29 commissioners, and all other officers and agents of the
30 district, and of the county, acting for and on behalf of the
31 district, and any and all tax levies and assessments which

1 have been made by the board of supervisors for and on behalf
2 of the district, are each and every one of them, and each and
3 every part thereof, hereby ratified, validated, and confirmed.

4 Section 10. Liberal construction.--It is intended that
5 the provisions of this act shall be liberally construed for
6 accomplishing the work authorized and provided for or intended
7 to be provided for by this act, and where strict construction
8 would permit or assist in the accomplishment of any part of
9 the work authorized by this act, the liberal construction
10 shall be chosen.

11 Section 4. In the event any section or provision of
12 this act is determined to be invalid or unenforceable, such
13 determination shall not affect the validity of or
14 enforceability of each other section and provision of this
15 act.

16 Section 5. In the event of a conflict of the
17 provisions of this act with the provisions of any other act
18 the provisions of this act shall control to the extent of such
19 conflict.

20 Section 6. Chapters 89-423 and 90-423, Laws of
21 Florida, are repealed.

22 Section 7. This act shall take effect upon becoming a
23 law.

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