

Amendment No. 3 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

11 The Committee on Local Government & Veterans Affairs offered
12 the following:

14 **Amendment**

15 On page 15, line 9 through page 20, line 27,
16 remove: all of said lines

18 and insert:

20 prior to August 1 of each year.

21 Section 6. General powers.--The district shall have,
22 and the board may exercise, the following powers, provided
23 such powers are exercised for the purpose specified herein:

24 (1) To sue and be sued in the name of the district; to
25 adopt and use a seal and authorize the use of a facsimile
26 thereof; to acquire, by purchase, gift, devise, or otherwise,
27 real and personal property, or any estate therein; and to make
28 and execute contracts and other instruments necessary or
29 convenient to the exercise of its powers.

30 (2) To apply for coverage of its employees under the
31 state retirement system in the same manner as if such

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1 employees were state employees, subject to necessary action by
2 the district to pay employer contributions into the state
3 retirement fund.

4 (3) To contract for the services of consultants to
5 perform scientific, planning, engineering, legal, or other
6 appropriate services of a professional nature. Such contracts
7 shall be subject to the requirements of state law relating to
8 public bidding.

9 (4) To borrow money for periods of up to 1 year and
10 accept gifts; to apply for and use grants or loans of money or
11 other property from the United States, the state, a unit of
12 local government, or any person for any district purposes and
13 enter into agreements required in connection therewith; and to
14 hold, use, and dispose of such moneys or property for any
15 district purposes in accordance with the terms of the gift,
16 grant, loan, or agreement relating thereto.

17 (5) To adopt bylaws, rules, resolutions, and orders
18 pursuant to the provisions of chapter 120, Florida Statutes,
19 prescribing the powers, duties, and functions of the officers
20 of the district; the conduct of the business of the district;
21 the maintenance of records; and the form of certificates
22 evidencing tax liens and all other documents and records of
23 the district. The board may adopt administrative rules and
24 regulations with respect to any of the projects of the
25 district and may define the area to be included therein on
26 such notice as is required for elections and public hearings.

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

31 (7) To hold, control, and acquire by donation or

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1 purchase any public easements, dedications to public use,
2 platted reservations for public purposes, or any reservations
3 for those purposes authorized by this act and to make use of
4 such easements, dedications, or reservations for any of the
5 purposes authorized by this act.

6 (8) To lease as lessor or lessee to or from any
7 person, firm, corporation, association, or body, public or
8 private, any projects of the type that the district is
9 authorized to undertake and facilities or property of any
10 nature for the use of the district to carry out any of the
11 purposes authorized by this act.

12 (9) To borrow money and issue certificates, warrants,
13 notices, or other evidence of indebtedness as hereinafter
14 provided, and to levy such special assessments as may be
15 authorized.

16 (10) To cooperate or contract with other governmental
17 agencies within or outside the boundaries of the district, as
18 may be necessary, convenient, incidental, or proper in
19 connection with any of the powers, duties, or purposes
20 authorized by this act.

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

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

27 (13) To develop and implement environmental protection
28 programs or plans, including cooperative scientific research
29 with public and private bodies, the construction or operation
30 of facilities and works, and the award of grants-in-aid to
31 other public or private bodies for the purpose of maintaining

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1 and improving air and water resource quality.

2 (14) To appoint, in its discretion, an advisory
3 council to assist the board in the development of
4 environmental protection programs consistent with the
5 requirements of chapters 373 and 403, Florida Statutes. The
6 advisory council shall consist of a scientific or technical
7 representative from the South Florida Water Management
8 District, the Department of Environmental Protection, the Fish
9 and Wildlife Conservation Commission, the Institute for Food
10 and Agricultural Sciences, the Department of Agriculture and
11 Consumer Services, and the agricultural industry, and such
12 other members as the board may determine.

13 (15) At any time, and from time to time after the
14 issuance of any bonds of the district have been authorized, to
15 borrow money for the purposes for which such bonds are to be
16 issued in anticipation of the receipt of the proceeds of the
17 sale of such bonds and to issue bond anticipation notes in a
18 principal sum not in excess of the authorized maximum amount
19 of such bond issue.

20 (16) To issue revenue bonds from time to time without
21 limitation as to amount for the purpose of financing those
22 systems and facilities provided for herein. Such revenue bonds
23 may be secured by, or payable from, the gross or net pledge of
24 the revenues to be derived from any project or combination of
25 projects; from the rates, fees, or other charges to be
26 collected from the users of any project or projects; from any
27 revenue-producing undertaking or activity of the district;
28 from special assessments; or from any other source or pledged
29 security. Such bonds shall not constitute an indebtedness of
30 the district. The district shall be authorized to issue bonds
31 only upon approval by landowners' referendum. A meeting of the

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1 landowners shall be held for the purpose of conducting a
2 landowners' referendum on the question of whether the district
3 should be authorized to issue bonds. Notice, voting, and
4 conduct of the meeting shall be as prescribed by of section
5 3(2).

6 (a) Any issue of bonds may be secured by a trust
7 agreement by and between the district and a corporate trustee
8 or trustees, which may be any trust company or bank having the
9 powers of a trust company within or without the state. The
10 resolution authorizing the issuance of the bonds or such trust
11 agreement may pledge the revenues to be received from any
12 projects of the district and may contain such provisions for
13 protecting and enforcing the rights and remedies of the
14 bondholders as the board may approve, including, without
15 limitation, covenants setting forth the duties of the district
16 in relation to: the acquisition, construction, reconstruction,
17 improvement, maintenance, repair, operation, and insurance of
18 any projects; the fixing and revising of the rates, fees, and
19 charges; and the custody, safeguarding, and application of all
20 moneys and for the employment of consulting engineers in
21 connection with such acquisition, construction,
22 reconstruction, improvement, maintenance, repair, or
23 operation.

24 (b) Bonds of each issue shall be dated; shall bear
25 interest at such rate or rates, not to exceed the maximum rate
26 allowed by law, including variable rates, which interest may
27 be tax exempt or taxable for federal income tax purposes;
28 shall mature at such time or times from their date or dates;
29 and may be made redeemable before maturity at such price or
30 prices and under such terms and conditions as may be
31 determined by the board.

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1 (17) To issue bonds for the purpose of refunding any
2 outstanding bonds of the district.

3 Section 7. Special assessments; exemptions.--

4 (1) The district board shall have the power to levy
5 and assess a special assessment upon each and every assessable
6 acre or fraction thereof, up to \$10 per acre, for the purposes
7 of management and administration of the district, development,
8 and implementation of the environmental protection plan, and
9 to fund the construction, operation, and maintenance of
10 assessable improvements. The benefit of implementation of said
11 plan and other costs cited herein shall be deemed to exceed
12 the damages of the special assessment authorized against all
13 assessable land within the district.

14 (2) Annual special assessments levied pursuant to this
15 act shall become due and be collected each year at the same
16 time that county taxes are due and collected, and said annual
17 assessment and levy shall be evidenced and certified by the
18 board of supervisors not later than September 15 of each year
19 to the tax collectors of counties in which lands of the
20 district are situated. The district shall be exempt from all
21 provisions of section 197.3632(3)(a), Florida Statutes, and
22 the first-class United States mail provisions of section
23 197.3632(4)(b), Florida Statutes, and shall levy, assess,
24 certify, and collect special assessments with the assistance
25 of the county tax collectors as provided pursuant to all other
26 applicable provisions of section 197.3632, Florida Statutes.