



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6 amended, and repealed as provided herein.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 Everglades Agricultural Area  
8 Environmental Protection District is re-created and the  
9 charter for the district is re-created and 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 special district and  
14 political subdivision of the State of Florida. The district is  
15 created and established for purposes of ensuring environmental  
16 protection by means of conducting scientific research on  
17 environmental matters related to air, water, and land  
18 management practices and implementing the financing,  
19 construction, and operation of works and facilities designed  
20 to prevent, control, abate, or correct environmental problems  
21 and improve the environmental quality of air and water  
22 resources. All district activities shall be conducted to  
23 protect, restore, and enhance air and water quality and the  
24 natural resources of the state and shall be consistent with  
25 chapters 373 and 403, Florida Statutes, including rules and  
26 Surface Water Improvement Management Plans adopted thereunder.  
27 The lands lying within the area described as follows in Palm  
28 Beach, Hendry, and Glades Counties, Florida, shall hereby  
29 constitute the Everglades Agricultural Area Environmental  
30 Protection District:

31

1 BEGINNING at a point in Section 10, Township 41  
2 South, Range 37 East, Palm Beach County,  
3 Florida, where the Easterly right-of-way line  
4 of the Herbert Hoover Dike Levee of Lake  
5 Okeechobee intersects with the Southerly  
6 right-of-way line of Levee L-8 of the formerly  
7 Central and Southern Florida Flood Control  
8 District, now known as the South Florida Water  
9 Management District and hereinafter referred to  
10 as SFWMD;

11  
12 thence Easterly along said Southerly  
13 right-of-way line of Levee L-8 to a point near  
14 the West line of Section 12 of said Township 41  
15 South, Range 37 East, where the said  
16 right-of-way line turns North;

17  
18 thence Northerly along the Easterly  
19 right-of-way line of said Levee L-8 to a point  
20 near the Northwest corner of said Section 12,  
21 where said right-of-way line turns East;

22  
23 thence Easterly along the Southerly  
24 right-of-way line of said Levee L-8 to a point  
25 near the Northeast corner of Section 7,  
26 Township 41 South, Range 38 East where said  
27 right-of-way line turns Southeasterly;

28  
29 thence continue Southeasterly along the  
30 Southwesterly right-of-way line of said Levee  
31 L-8 to a point near the Southeast corner of

1        Township 43 South, Range 40 East where said  
2        right-of-way line turns South;  
3  
4        thence continue Southerly along the Westerly  
5        right-of-way line of said Levee L-8 to a point  
6        of intersection with the Northerly right-of-way  
7        line of State Road 80 in Section 32, Township  
8        43 South, Range 40 East;  
9  
10       thence Westerly along the Northerly  
11       right-of-way line of said State Road 80 to a  
12       point in said Section 32 where the Northerly  
13       right-of-way line of State Road 80 intersects  
14       with the Northeasterly prolongation of the  
15       Northwesterly right-of-way line of the SFWMD  
16       Levee L-7;  
17  
18       thence Southwesterly along said Northwesterly  
19       right-of-way line of said Levee L-7 and its  
20       Northeasterly prolongation to a point near the  
21       Northwest corner of Section 3, Township 45  
22       South, Range 39 East, where said right-of-way  
23       line turns South;  
24  
25       thence Southerly along the Westerly  
26       right-of-way line of said Levee L-7 to a point  
27       of intersection with the Northwesterly  
28       right-of-way line of SFWMD Levee L-6 near the  
29       East line of Section 4, Township 46 South,  
30       Range 39 East;  
31

1 thence Southwesterly along the Northwesterly  
2 right-of-way line of said Levee L-6 and its  
3 Southwesterly extension to a point of  
4 intersection with the Easterly termination of  
5 the Northerly right-of-way line of SFWMD Levee  
6 L-5 near the Southwest corner of Section 22,  
7 Township 47 South, Range 38 East;

8  
9 thence Westerly along the Northerly  
10 right-of-way line of said Levee L-5 to a point  
11 in Section 6, Township 48 South, Range 36 East  
12 where the right-of-way of said Levee L-5  
13 widens;

14  
15 thence continue Westerly following said  
16 Northerly right-of-way line of the widened  
17 right-of-way of said Levee L-5 to a point of  
18 intersection with the Easterly termination of  
19 the Northerly right-of-way line of SFWMD Levee  
20 L-4;

21  
22 thence continue Westerly along the North line  
23 of said Levee L-4 to the Southwest corner of  
24 Township 48 South, Range 35 East, said section  
25 corner marking the Southwest corner of the Palm  
26 Beach County limits; said corner also being the  
27 point of intersection of the Northerly  
28 right-of-way line of said Levee L-4 with the  
29 Northeasterly right-of-way line of SFWMD Levee  
30 L-3;  
31

1 thence continue through Hendry County  
2 Northwesterly along the Northeasterly  
3 right-of-way line of said Levee L-3; following  
4 Said right-of-way line, wherever it may change  
5 to a point near the Southwest corner of Section  
6 9, Township 47 South, Range 34 East where said  
7 right-of-way line turns North;  
8  
9 thence continue Northerly along the Easterly  
10 Right-of-way line of said Levee L-3, following  
11 said right-of-way line wherever it may change  
12 to a point of intersection with the Southern  
13 terminus of the Easterly right-of-way line of  
14 SFWMD Levee L-2 near the Southwest corner of  
15 Township 46 South, Range 34 East;  
16  
17 thence continue Northerly along the Easterly  
18 right-of-way line of said Levee L-2 to a point  
19 near the Northwest corner of Section 4,  
20 Township 45 South, Range 34 East;  
21  
22 thence continue along the right-of-way line of  
23 said Levee L-2 to a point of intersection with  
24 the Easterly right-of-way line of SFWMD Levee  
25 L-1;  
26  
27 thence continue Northerly along the Easterly  
28 right-of-way line of said Levee L-1 to a point  
29 near the Northwest corner of Section 16,  
30 Township 44 South, Range 34 East; where said  
31 right-of-way line turns West;

1  
2       thence continue Westerly along the Northerly  
3       right-of-way line of said Levee L-1 to a point  
4       near the Southwest corner of Section 12,  
5       Township 44 South, Range 33 East; where said  
6       right-of-way line turns North;  
7  
8       thence continue Northerly along the Easterly  
9       right-of-way line of said Levee L-1 to a point  
10       near the Northwest corner of Section 12,  
11       Township 44 South, Range 33 East, where said  
12       right-of-way line turns West;  
13  
14       thence Westerly along the Northerly  
15       right-of-way line of said Levee L-1 to a point  
16       in the West line of Section 1, Township 44  
17       South, Range 33 East;  
18  
19       thence Northerly along the West line of said  
20       and along the West line of Sections 36, 25, 24,  
21       13 and 12 of Township 43 South, Range 33 East  
22       to a point of intersection with the Northerly  
23       right-of-way line of U.S. Highway No.27;  
24  
25       thence Westerly along the Northerly  
26       right-of-way line of said U.S. Highway No. 27  
27       to a point in the West line of Section 10,  
28       Township 43 South, Range 33 East;  
29  
30  
31

1        thence Northerly along the West line of said  
2        Section 10 to the Northwest corner of said  
3        Section 10;  
4  
5        thence Northerly along the Northerly  
6        prolongation of the West line of said Section  
7        10 a distance of 1100 feet more or less to a  
8        point on the Northwest bank of the presently  
9        existing nine mile canal in Section 31,  
10       Township 42 South, Range 33 East, in Glades  
11       County;  
12  
13       thence Westerly, following the North bank of  
14       the said nine mile canal to a point of  
15       intersection with the North-South one-quarter  
16       Line of Section 31 of said Township 42 South,  
17       Range 33 East;  
18  
19       thence Northerly along the North-South  
20       one-quarter Section Line of said Section 31 and  
21       the North-South one-quarter Section Lines of  
22       Sections 30, 19 and 18 of said Township 42  
23       South, Range 33 East to a point of intersection  
24       with the Southerly right-of-way line of  
25       aforementioned Herbert Hoover Dike Levee of  
26       Lake Okeechobee;  
27  
28       thence Southeasterly, Easterly and  
29       Northeasterly along said right-of-way line of  
30       the Herbert Hoover Dike Levee through Glades  
31



1           County, Hendry County and Palm Beach County to  
2           the POINT OF BEGINNING.

3  
4           LESS, the following described parcel: All that  
5           portion of Sections 4 and 9 of Township 45  
6           South, Range 34 East, Hendry County, Florida,  
7           lying East of the Easterly Right of Way Line of  
8           Levees L-1 and L-2 of the former Central and  
9           Southern Florida Flood Control District.

10  
11           This boundary is intended to define the general  
12           area of the district and does not imply any  
13           legislative intent with regard to future land  
14           or water management decisions affecting state  
15           lands that fall within the boundaries of this  
16           district.

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

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

22           (2) "Board" or "board of supervisors" means the  
23 governing board of the district.

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

26           (a) The expenses of determining the feasibility or  
27 practicability of acquisition, construction, or  
28 reconstruction.

29           (b) The cost of research, surveys, estimates, plans,  
30 and specifications.

31           (c) The cost of improvements.

1           (d) Scientific engineering, planning, and fiscal and  
2 legal expenses and charges.

3           (e) The cost of all labor, materials, machinery, and  
4 equipment.

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

7           (g) Financing charges.

8           (h) Working capital.

9           (i) Interest charges incurred or estimated to be  
10 incurred on money borrowed prior to and during construction  
11 and acquisition and for such reasonable period of time after  
12 completion of construction or acquisition as the board may  
13 determine.

14           (j) Administrative expenses.

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

17           (4) "Landowner" means the owner of a freehold estate  
18 or lessee of land, title to which is held by the State of  
19 Florida as appears by the deed record or lease instrument,  
20 including a trustee or a private corporation, which freehold  
21 or lease is classified by the property appraiser pursuant to  
22 section 193.461, Florida Statutes, as agricultural land.

23           (5) "Project" means any research or planning project,  
24 development, improvement, property, utility, facility, works,  
25 enterprise, or service undertaken or established under the  
26 provisions of this act.

27           Section 3. Board of supervisors; membership;  
28 meetings.--

29           (1) The board of supervisors of the district shall  
30 exercise the powers granted to the district pursuant to this  
31 act. The board shall consist of five voting members and an ex

1 officio, nonvoting member. The ex officio, nonvoting member  
2 shall be the executive director of the South Florida Water  
3 Management District or his or her designee. Except as provided  
4 herein for the terms of the initial members as provided in  
5 subsection (2), each board member other than the executive  
6 director of the South Florida Water Management District shall  
7 hold office for a term of 4 years and until his or her  
8 successor is chosen and qualifies. The members of the board  
9 shall be residents of the state and citizens of the United  
10 States.

11 (2) Within 90 days after the effective date of this  
12 subsection, a meeting of the landowners of the district shall  
13 be held for the purposes of conducting a landowners'  
14 referendum on the question of whether the district should be  
15 created and electing five supervisors for the district. Notice  
16 of the landowners' meeting shall be published once a week for  
17 2 consecutive weeks in a newspaper which is in general  
18 circulation in the area of the district, the last day of such  
19 publication to be not fewer than 14 days or more than 28 days  
20 before the date of the election. The landowners, when  
21 assembled at such meeting, shall organize by electing a chair  
22 who shall conduct the meeting. At such meeting, each landowner  
23 shall be entitled to cast one vote per acre of land owned by  
24 him or her and currently classified by the property appraiser  
25 pursuant to section 193.461, Florida Statutes, as agricultural  
26 land located within the district on the referendum question  
27 and one vote for each supervisor to be elected. A landowner  
28 may vote in person or by proxy in writing. A fraction of an  
29 acre shall be treated as 1 acre, entitling the landowner to  
30 one vote with respect thereto. With respect to the members  
31 initially elected, the three candidates receiving the highest

1 number of votes shall be elected for a period of 4 years, and  
2 the two candidates receiving the next largest number of votes  
3 shall be elected for a period of 2 years.

4 (3) Subsequent landowners' meetings shall be held to  
5 elect members of the board during the same month as the first  
6 landowners' meeting in years when any board member's term will  
7 expire. Notice and conduct of the meeting shall be as  
8 prescribed by subsection (2).

9 (4) Members of the board shall be known as supervisors  
10 and, upon entering into office, shall take and subscribe to  
11 the oath of office as prescribed by law. They shall hold  
12 office for the terms for which they were elected or appointed  
13 and until their successors are chosen and qualified. If,  
14 during the term of office of an elected board member, a  
15 vacancy occurs, the remaining members of the board shall fill  
16 the vacancy by an appointment for the remainder of the  
17 unexpired term.

18 (5) A majority of the voting members of the board  
19 constitutes a quorum for the purposes of conducting its  
20 business and exercising its powers and for all other purposes.  
21 Action taken by the district shall be upon a vote of a  
22 majority of the members present unless general law or a rule  
23 of the district requires a greater number.

24 (6) As soon as practicable after each election or  
25 appointment, the board shall organize by electing one of its  
26 members as chair and by electing a secretary, who need not be  
27 a member of the board, and such other officers as the board  
28 may deem necessary.

29 (7) The board shall keep a permanent record book  
30 entitled "Record of Proceedings of the Everglades Agricultural  
31 Area Environmental Protection District," in which shall be

1 recorded minutes of all meetings, resolutions, proceedings,  
2 certificates, bonds given by all employees, and any and all  
3 corporate acts. The record book shall at reasonable times be  
4 open to inspection in the same manner as state, county, and  
5 municipal records pursuant to chapter 119, Florida Statutes.  
6 The record book shall be kept at the office or other regular  
7 place of business maintained by the board.

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

13 (9) All meetings of the board shall be open to the  
14 public and governed by the provisions of chapter 286, Florida  
15 Statutes.

16 Section 4. Board of supervisors; general duties;  
17 district manager.--

18 (1) The board may employ and fix the compensation of a  
19 district manager. The district manager may have charge and  
20 supervision of district programs and facilities and be  
21 responsible for implementation of any district projects or  
22 programs and the operation and maintenance of any improvement  
23 or facility constructed or erected pursuant to the provisions  
24 of this act, for maintaining and operating the equipment owned  
25 by the district, and for performing such other duties as may  
26 be prescribed by the board. It shall not be a conflict of  
27 interest under chapter 112, Florida Statutes, for a board  
28 member, the district manager, or another employee of the  
29 district to be a stockholder, officer, or employee of a  
30 landowner. The district manager may hire or otherwise employ  
31 and terminate the employment of such other persons, including,

1 without limitation, professional, supervisory, and clerical  
2 employees, as may be necessary and authorized by the board.  
3 The compensation and other conditions of employment of the  
4 officers and employees of the district shall be as provided by  
5 the board.

6 (2) The board is authorized to select as a depository  
7 for its funds any qualified public depository as defined in  
8 section 280.02, Florida Statutes, which meets all the  
9 requirements of chapter 280, Florida Statutes, upon such terms  
10 and conditions as to the payment of interest by such  
11 depository upon the funds so deposited as the board may deem  
12 just and reasonable.

13 Section 5. Budget; reports and reviews.--

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

17 (2) On or before each June 1, the district manager  
18 shall prepare a proposed budget for the ensuing fiscal year to  
19 be submitted to the board for board approval. The proposed  
20 budget shall include at the direction of the board an estimate  
21 of all necessary expenditures of the district for the ensuing  
22 fiscal year and an estimate of income to the district from  
23 assessments provided in this act. The board shall consider the  
24 proposed budget item by item and may either approve the budget  
25 as proposed by the district manager or modify the same in part  
26 or in whole. The board shall indicate its approval of the  
27 budget by resolution, which resolution shall provide for a  
28 hearing on the budget as approved. Notice of the hearing on  
29 the budget shall be published in a newspaper of general  
30 circulation in the area of the district once a week for 2  
31 consecutive weeks, except that the first publication shall be

1 not fewer than 15 days prior to the date of the hearing. The  
2 notice shall further contain a designation of the day, time,  
3 and place of the public hearing. At the time and place  
4 designated in the notice, the board shall hear all objections  
5 to the budget as proposed and may make such changes as the  
6 board deems necessary. At the conclusion of the budget  
7 hearing, the board shall, by resolution, adopt the budget as  
8 finally approved by the board. The budget shall be adopted  
9 prior to August 1 of each year. However, for 1989, the  
10 district budget hearing shall be held within 30 days after  
11 referendum approval of this act as provided in section 3(2).

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

15 (1) To sue and be sued in the name of the district; to  
16 adopt and use a seal and authorize the use of a facsimile  
17 thereof; to acquire, by purchase, gift, devise, or otherwise,  
18 real and personal property, or any estate therein; and to make  
19 and execute contracts and other instruments necessary or  
20 convenient to the exercise of its powers.

21 (2) To apply for coverage of its employees under the  
22 state retirement system in the same manner as if such  
23 employees were state employees, subject to necessary action by  
24 the district to pay employer contributions into the state  
25 retirement fund.

26 (3) To contract for the services of consultants to  
27 perform scientific, planning, engineering, legal, or other  
28 appropriate services of a professional nature. Such contracts  
29 shall be subject to the requirements of state law relating to  
30 public bidding.

31

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

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

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

23           (7) To hold, control, and acquire by donation or  
24 purchase any public easements, dedications to public use,  
25 platted reservations for public purposes, or any reservations  
26 for those purposes authorized by this act and to make use of  
27 such easements, dedications, or reservations for any of the  
28 purposes authorized by this act.

29           (8) To lease as lessor or lessee to or from any  
30 person, firm, corporation, association, or body, public or  
31 private, any projects of the type that the district is



1 authorized to undertake and facilities or property of any  
2 nature for the use of the district to carry out any of the  
3 purposes authorized by this act.

4 (9) To borrow money and issue certificates, warrants,  
5 notices, or other evidence of indebtedness as hereinafter  
6 provided, and to levy such special assessments as may be  
7 authorized.

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

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

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

19 (13) To develop and implement environmental protection  
20 programs or plans, including cooperative scientific research  
21 with public and private bodies, the construction or operation  
22 of facilities and works, and the award of grants-in-aid to  
23 other public or private bodies for the purpose of maintaining  
24 and improving air and water resource quality.

25 (14) To appoint, in its discretion, an advisory  
26 council to assist the board in the development of  
27 environmental protection programs consistent with the  
28 requirements of chapters 373 and 403, Florida Statutes. The  
29 advisory council shall consist of a scientific or technical  
30 representative from the South Florida Water Management  
31 District, the Department of Environmental Protection, the Fish

1 and Wildlife Conservation Commission, the Institute for Food  
2 and Agricultural Sciences, the Department of Agriculture and  
3 Consumer Services, and the agricultural industry, and such  
4 other members as the board may determine.

5 (15) At any time, and from time to time after the  
6 issuance of any bonds of the district have been authorized, to  
7 borrow money for the purposes for which such bonds are to be  
8 issued in anticipation of the receipt of the proceeds of the  
9 sale of such bonds and to issue bond anticipation notes in a  
10 principal sum not in excess of the authorized maximum amount  
11 of such bond issue.

12 (16) To issue revenue bonds from time to time without  
13 limitation as to amount for the purpose of financing those  
14 systems and facilities provided for herein. Such revenue bonds  
15 may be secured by, or payable from, the gross or net pledge of  
16 the revenues to be derived from any project or combination of  
17 projects; from the rates, fees, or other charges to be  
18 collected from the users of any project or projects; from any  
19 revenue-producing undertaking or activity of the district;  
20 from special assessments; or from any other source or pledged  
21 security. Such bonds shall not constitute an indebtedness of  
22 the district. The district shall be authorized to issue bonds  
23 only upon approval by landowners' referendum. A meeting of the  
24 landowners shall be held for the purpose of conducting a  
25 landowners' referendum on the question of whether the district  
26 should be authorized to issue bonds. Notice, voting, and  
27 conduct of the meeting shall be as prescribed by of section  
28 3(2).

29 (a) Any issue of bonds may be secured by a trust  
30 agreement by and between the district and a corporate trustee  
31 or trustees, which may be any trust company or bank having the

1 powers of a trust company within or without the state. The  
2 resolution authorizing the issuance of the bonds or such trust  
3 agreement may pledge the revenues to be received from any  
4 projects of the district and may contain such provisions for  
5 protecting and enforcing the rights and remedies of the  
6 bondholders as the board may approve, including, without  
7 limitation, covenants setting forth the duties of the district  
8 in relation to: the acquisition, construction, reconstruction,  
9 improvement, maintenance, repair, operation, and insurance of  
10 any projects; the fixing and revising of the rates, fees, and  
11 charges; and the custody, safeguarding, and application of all  
12 moneys and for the employment of consulting engineers in  
13 connection with such acquisition, construction,  
14 reconstruction, improvement, maintenance, repair, or  
15 operation.

16 (b) Bonds of each issue shall be dated; shall bear  
17 interest at such rate or rates, not to exceed the maximum rate  
18 allowed by law, including variable rates, which interest may  
19 be tax exempt or taxable for federal income tax purposes;  
20 shall mature at such time or times from their date or dates;  
21 and may be made redeemable before maturity at such price or  
22 prices and under such terms and conditions as may be  
23 determined by the board.

24 (17) To issue bonds for the purpose of refunding any  
25 outstanding bonds of the district.

26 Section 7. Special assessments; exemptions.--

27 (1) The district board shall have the power to levy  
28 and assess a special assessment upon each and every assessable  
29 acre or fraction thereof, up to \$10 per acre, for the purposes  
30 of management and administration of the district, development,  
31 and implementation of the environmental protection plan, and

1 to fund the construction, operation, and maintenance of  
2 assessable improvements. The benefit of implementation of said  
3 plan and other costs cited herein shall be deemed to exceed  
4 the damages of the special assessment authorized against all  
5 assessable land within the district.

6 (2) Annual special assessments levied pursuant to this  
7 act shall become due and be collected each year at the same  
8 time that county taxes are due and collected, and said annual  
9 assessment and levy shall be evidenced and certified by the  
10 board of supervisors not later than September 15 of each year  
11 to the tax collectors of counties in which lands of the  
12 district are situated. However, for 1989, said certification  
13 shall be transmitted to the tax collector within 45 days after  
14 referendum approval of this act as provided in section 3(2).  
15 Said assessments shall be extended on the county special  
16 assessment or tax rolls and shall be collected by the tax  
17 collectors in the same manner and time as county taxes and the  
18 proceeds thereof paid to said district. Said assessment shall  
19 be a lien until paid on the property against which assessed  
20 and enforceable in like manner as county taxes. The district  
21 shall be exempt from all provisions of section 197.3632(3)(a),  
22 Florida Statutes, and the first-class United States mail  
23 provisions of section 197.3632(4)(b), Florida Statutes, and  
24 shall levy, assess, certify, and collect special assessments  
25 with the assistance of the county tax collectors as provided  
26 pursuant to all other applicable provisions of section  
27 197.3632, Florida Statutes, for 1989 and all subsequent years.

28 (3) All assessments provided for in this act, together  
29 with all penalties for default and payment of the same and all  
30 costs in collecting the same, shall, from the date of  
31 assessment thereof until paid, constitute a lien of equal

1 dignity with the liens for county taxes, and other taxes of  
2 equal dignity with the county taxes, upon all the lands  
3 against which such assessments shall be levied as is provided  
4 in this act.

5 (4) All lands within the district classified by the  
6 property appraisers of Palm Beach, Hendry, or Glades Counties  
7 as agricultural pursuant to section 193.461, Florida Statutes,  
8 shall be liable for the assessments levied by the district for  
9 so long as said lands remain classified as agricultural. All  
10 lands within the district classified by the property  
11 appraisers for uses other than agricultural shall be exempt  
12 from district assessments so long as said lands are not  
13 classified as agricultural pursuant to section 193.461,  
14 Florida Statutes.

15 Section 8. Short-term borrowing.--The district at any  
16 time may obtain loans, in such amount and on such terms and  
17 conditions as the district board may approve, for the purpose  
18 of paying any of the expenses of the district or any costs  
19 incurred or that may be incurred in connection with any of the  
20 projects of the district, which loans shall bear such interest  
21 as the district board may determine in compliance with general  
22 law, and may be payable from and secured by a pledge of such  
23 funds, revenues, and assessments as the district board may  
24 determine. The district shall not obtain loans for periods in  
25 excess of 1 year. The district may issue negotiable notes,  
26 warrants, or other evidence of debt to be payable at such  
27 times, to bear such interest as the district board may  
28 determine in compliance with general law, and to be sold or  
29 discounted at such price or prices not less than 95 percent of  
30 par value and on such terms as the district board may deem  
31 advisable. The district board shall have the right to provide

1 for the payment thereof by pledging the whole or any part of  
2 the funds, revenues, and assessments of the district. The  
3 approval of the electors residing in the district shall not be  
4 necessary except when required by the State Constitution.

5 Section 9. Ratification of prior acts.--All acts and  
6 proceedings of the circuit court taken by, for, and on behalf  
7 of the district since the creation thereof, and all of the  
8 acts and proceedings of the board of supervisors, the  
9 commissioners, and all other officers and agents of the  
10 district, and of the county, acting for and on behalf of the  
11 district, and any and all tax levies and assessments which  
12 have been made by the board of supervisors for and on behalf  
13 of the district, are each and every one of them, and each and  
14 every part thereof, hereby ratified, validated, and confirmed.

15 Section 10. Liberal construction.--It is intended that  
16 the provisions of this act shall be liberally construed for  
17 accomplishing the work authorized and provided for or intended  
18 to be provided for by this act, and where strict construction  
19 would permit or assist in the accomplishment of any part of  
20 the work authorized by this act, the liberal construction  
21 shall be chosen.

22 Section 4. In the event any section or provision of  
23 this act is determined to be invalid or unenforceable, such  
24 determination shall not affect the validity of or  
25 enforceability of each other section and provision of this  
26 act.

27 Section 5. In the event of a conflict of the  
28 provisions of this act with the provisions of any other act  
29 the provisions of this act shall control to the extent of such  
30 conflict.

31

1           Section 6. Chapters 89-423 and 90-423, Laws of  
2 Florida, are repealed.  
3           Section 7. This act shall take effect upon becoming a  
4 law.  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31