

By Senator Burt

16-180-02

See HB 501

1 A bill to be entitled
2 An act relating to Volusia County; providing
3 for codification of special laws regarding
4 special districts pursuant to s. 189.429, F.S.,
5 relating to Daytona Beach Racing and
6 Recreational Facilities District, an
7 independent special district in Volusia County;
8 providing legislative intent and codifying and
9 reenacting provisions of chapters 29588, 29590,
10 31343, 63-2023, 73-647, and 80-494, Laws of
11 Florida; providing a district charter;
12 providing for the severability of provisions
13 deemed invalid; providing for the repeal of
14 prior special acts relating to the Daytona
15 Beach Racing and Recreational Facilities
16 District; providing an effective date.

17
18 Be It Enacted by the Legislature of the State of Florida:

19
20 Section 1. Pursuant to section 189.429, Florida
21 Statutes, this act constitutes the codification of all special
22 acts relating to the Daytona Beach Racing and Recreational
23 Facilities District. It is the intent of the Legislature in
24 enacting this law to provide a single, comprehensive special
25 act charter for the district, including all current
26 legislative authority granted to the district by its several
27 legislative enactments and any additional authority granted by
28 this act.

29 Section 2. Chapter 29588, Laws of Florida, chapter
30 29590, Laws of Florida, chapter 31343, Laws of Florida,
31 chapter 63-2023, Laws of Florida, chapter 73-647, Laws of

1 Florida, and chapter 80-494, Laws of Florida, relating to the
2 Daytona Beach Racing and Recreational Facilities District, are
3 codified, reenacted, amended, and repealed as provided in this
4 act.

5 Section 3. The charter for the Daytona Beach Racing
6 and Recreational Facilities District is re-created and
7 reenacted to read:

8 Section 1. Definitions.--As used in this act, the
9 following words and terms shall have the following meanings,
10 unless some other meaning is plainly intended:

11 (a) The word "County" shall mean the County of Volusia
12 in the State of Florida.

13 (b) The term "Board of County Commissioners" or
14 "County Commissioners" shall mean the Board of County
15 Commissioners of Volusia County, Florida.

16 (c) The word "District" shall mean the Daytona Beach
17 Racing and Recreational Facilities District created and
18 established by this act.

19 (d) The term "District Commission" shall mean the
20 Daytona Beach Racing and Recreational Facilities Commission
21 created and established by this act.

22 (e) The term "racing and recreational facilities"
23 shall mean and shall include automobile and motorcycle
24 speedways, race tracks, testing grounds, fields for baseball,
25 football, or other sporting events, swimming pools, golf
26 courses, tennis courts, playgrounds, and other racing and
27 recreational facilities, and shall include but shall not be
28 limited to all lands, buildings, grandstands, stadiums, and
29 coliseums, all necessary appurtenances and equipment, and all
30 property, rights, easements, and franchises relating thereto
31 and deemed necessary or convenient for the operation thereof.

1 (f) The word "cost" as applied to any racing and
2 recreational facility shall mean and shall include the cost of
3 acquisition or construction, the cost of all labor, materials,
4 and equipment, the cost of all lands, property, rights,
5 easements, and franchises acquired, financing charges,
6 interest prior to and during construction and for 1 year after
7 completion of construction, cost of plans and specifications,
8 surveys and estimates of cost and of revenues, cost of
9 engineering and legal services, all expenses necessary or
10 incident to determining the feasibility or practicability of
11 such acquisition or construction, reasonable provisions for
12 working capital, administrative expenses, and such other
13 expenses as may be necessary or incident to the acquisition or
14 construction or the financing thereof herein authorized. Any
15 obligation or expense incurred by the County, the City of
16 Daytona Beach, or the district in connection with any of the
17 foregoing items of cost may be regarded as a part of such cost
18 and reimbursed to the County, the City of Daytona Beach, or
19 the district out of the proceeds of bonds issued under the
20 provisions of this act.

21 Section 2. Daytona Beach Racing and Recreational
22 Facilities District.--A Racing and Recreational Facilities
23 District in Volusia County is created and established and
24 shall be known as "Daytona Beach Racing and Recreational
25 Facilities District." The district shall be composed of the
26 following land in Volusia County:

27
28 BEGINNING at the Southwest corner of Section
29 18, Township 16 South, Range 32 East; thence
30 running Easterly along the South line of
31 Sections 18 through 13, Township 16 South,

1 Range 32 East and Sections 18 through 15,
2 Township 16 South, Range 33 East, to a point
3 where the South line of Section 15, Township 16
4 South, Range 33 East, intersects the South line
5 of the J. M. Sanchez Grant, being Section 40,
6 Township 16 South, Range 33 East; thence
7 following the Southerly and Easterly lines of
8 the said J. M. Sanchez Grant to a point where
9 the same would be intersected by the South line
10 of Lot 2, of Section 13, Township 16 South,
11 Range 33 East, extended West; thence Easterly
12 along the extension of the said South line of
13 said Lot 2 of said Section 13, Township 16
14 South, Range 33 East, and along the South line
15 of said Lot 2 extended Easterly, to the shore
16 of the Atlantic Ocean; thence running
17 Northwesterly along the shore of the Atlantic
18 Ocean to the present North Corporation Line of
19 Ormond Beach, Florida; the same being in an
20 Easterly extension of the South Line of Lot 3,
21 Section 3, Township 14 South, Range 32 East;
22 thence Westerly along said extension and along
23 the said South line of Lot 3, Section 3,
24 Township 14 South, Range 32 East and along the
25 said North Corporation Limits to a point in the
26 Center-line of the Intracoastal Waterway;
27 thence Northerly along the said Centerline to
28 an intersection with the Easterly extension of
29 the Centerline of Avenue Inglesa, as shown on
30 the plat of Daytona Shores, Section 1-A, of
31 record in Map Book 10, Page 72, Public Records

1 of Volusia County, Florida; thence
2 Southwesterly along said Center-line of Avenue
3 Inglesa and extension thereof to the
4 Center-line of the Tomoka River; thence
5 Southerly and Westerly along the meandering of
6 said Center-line of the Tomoka River to its
7 intersection with the Southwesterly
8 Right-of-way line of the Florida East Coast
9 Railway; thence Northwesterly along said
10 Right-of-way line to a point that is 1500 Ft.
11 Easterly of the Westerly line of the George
12 Anderson Grant, being Section 38, Township 14
13 South, Range 32 East, Volusia County, Florida,
14 said 1500 Ft. being measured parallel to the
15 Southerly line of said George Anderson Grant;
16 thence Southerly and parallel to the aforesaid
17 Westerly line of the George Anderson Grant, to
18 a point that is 990 Ft. Northerly from the
19 Southerly line of aforesaid George Anderson
20 Grant; thence Westerly and parallel to said
21 Southerly line of the George Anderson Grant to
22 the aforesaid Westerly line of the George
23 Anderson Grant; thence Southerly along said
24 Westerly line of the George Anderson Grant to
25 the North line of Section 12, Township 14
26 South, Range 31 East; thence West along the
27 North line of said Section 12, to the Northwest
28 corner of Government Lot 1 in said Section 12;
29 thence South along the west line of said
30 Government Lot 1, to the Southwest corner of
31 said Government Lot 1; being also the Northeast

1 corner of Government Lot 3 in said Section 12;
2 thence West along the North line of said
3 Government Lot 3 to the Northwest corner
4 thereof; thence South along the West line of
5 Government Lot 3 aforesaid to the Southwest
6 comer thereof; thence East along the South line
7 of said Government Lot 3, being the North line
8 of Section 13 in aforesaid Township 14 South,
9 Range 31 East, to the intersection with the
10 West line of the Ann Papy Grant, being Section
11 38, Township 14 South, Range 31 East; thence
12 South along the West line of said Ann Papy
13 Grant to the Southwest corner thereof thence
14 East along the South line of said Ann Papy
15 Grant to the Northwest corner of Government Lot
16 1, Section 13, Township 14 South, Range 31
17 East; thence South along the West line of said
18 Government Lot 1 to the Southwest corner
19 thereof; thence East along the South line of
20 Government Lot 1, Section 13, Township 14
21 South, Range 31 East and along the South lines
22 of Government Lots 3, 2 and 1, Section 18,
23 Township 14 South, Range 32 East to the center
24 of the Tomoka River; thence Southerly along the
25 meandering of the center of the Tomoka River
26 and the West Branch thereof, to an intersection
27 with the Northerly Right-of-way Line of U. S.
28 Highway #92; thence Southwesterly along the
29 said Northerly Right-of-way Line of U. S.
30 Highway # 92 to an intersection with the West
31 line of Section 6, Township 16 South Range 32

1 East; thence Southerly along the West line of
2 Sections 6, 7 and 18, of said Township 16
3 South, Range 32 East, to the POINT OF
4 BEGINNING.

5
6 The District may contract and be contracted with, may sue and
7 be sued, and may plead and be impleaded.

8 Section 3. The powers, functions, and duties of the
9 District regarding ad valorem taxation, bond issuance, other
10 revenue raising capabilities, budget preparation and approval,
11 liens and foreclosure of liens, use of tax deeds and tax
12 certificates as appropriate for non-ad valorem assessments,
13 and contractual agreements shall be as set forth in this act
14 and in chapter 189, Florida Statutes, or any other applicable
15 general or special law, as they may be amended from time to
16 time.

17 Section 4. Creation and status.--The District was
18 created by a special act of the Legislature by chapter 31343,
19 Laws of Florida, 1955, in accordance with chapter 189, Florida
20 Statutes. The District is hereby declared to be an independent
21 special district pursuant to chapter 189, Florida Statutes.

22 Section 5. The District's charter may be amended only
23 by a special act of the Legislature.

24 Section 6. Daytona Beach Racing and Recreational
25 Facilities Commission.--The District shall be under the
26 management and control of a Commission known as the "Daytona
27 Beach Racing and Recreational Facilities Commission." The
28 District Commission shall consist of five members who shall be
29 qualified electors of the District. Two members of the
30 District Commission shall be appointed by the Board of County
31 Commissioners and two members shall be appointed by the City

1 Commission of the City of Daytona Beach; and one member shall
2 be appointed by the joint action of the Board of County
3 Commissioners and the City Commission of the City or by the
4 Governor as provided in this act. Members shall serve until
5 the specified termination of their respective appointed terms,
6 or for 4 years from the date of their appointment, whichever
7 is earlier. At least 30 days before the date of expiration of
8 the term of any member of the District Commission, the
9 successor of such member shall be appointed for a term of 4
10 years by the City or County as provided in this section. If
11 the City and County are unable to agree on the successor to be
12 named jointly by them within 5 days before the date of
13 expiration of the term of office of said member, such
14 appointment shall be made by the Governor of the State of
15 Florida. Each member shall serve until his or her successor is
16 appointed and qualifies. In the event of a vacancy in the
17 District Commission resulting from the death, resignation, or
18 change of residence of any member thereof or from any other
19 cause, the successor of such member shall be appointed for the
20 unexpired term. Any member of the District Commission shall be
21 eligible for reappointment. Upon the appointment of any member
22 of the District Commission, the Clerk of the City or County
23 making the appointment shall furnish a certificate of such
24 appointment to the appointee which shall be kept with the
25 public records of the District Commission and shall be noted
26 in the minutes of the first meeting of the District Commission
27 following such appointment. Each member of the District
28 Commission shall be reimbursed for the actual expenses
29 necessarily incurred by him or her in the performance of his
30 or her duties. Such reimbursement shall be the maximum amount
31

1 of compensation that any Commission member shall be entitled
2 to receive.
3
4 Before entering upon the duties of office, each member of the
5 District Commission shall take and file with the District an
6 oath to faithfully discharge the duties of his or her office,
7 and such other oaths as shall be required by law, and shall
8 execute a surety bond in the penal sum of \$5,000 payable to
9 the Governor of the State of Florida and conditioned upon the
10 faithful performance of the duties of office of such member.
11 Such bonds shall be approved by the District Commission and
12 filed with the Secretary and Treasurer thereof, and such bonds
13 shall be signed by a surety company authorized to do business
14 in Florida.
15
16 Three members of the District Commission constitute a quorum,
17 and the affirmative vote of three members of the District
18 Commission is necessary for any action taken by the District
19 Commission. A vacancy in the District Commission shall not
20 impair the rights of a quorum to exercise all the rights and
21 perform all the duties of the District Commission. The
22 District Commission shall elect one of its members as Chair
23 and shall also appoint a Secretary and Treasurer who may or
24 may not be a member of the District Commission. The Secretary
25 and Treasurer of the District Commission, before entering upon
26 his or her duties as such officer, shall execute a surety bond
27 in a penal sum, not less than \$25,000, to be determined by the
28 District Commission, payable to the Governor of the State of
29 Florida and conditioned upon the faithful performance of the
30 duties of his or her office, such bond to be signed by a
31 surety company authorized to do business in Florida and to be

1 approved by the District Commission and filed with the
2 Secretary and Treasurer thereof.

3 Section 7. General grant of powers.--The District
4 Commission is authorized and empowered:

5 (a) To adopt bylaws for the regulation of its affairs
6 and the conduct of its business.

7 (b) To adopt an official seal for the District and to
8 alter the same at pleasure.

9 (c) To purchase or otherwise acquire, construct,
10 reconstruct, improve, extend, enlarge, equip, repair,
11 maintain, and operate any racing and recreational facilities
12 within the territorial limits of the District.

13 (d) To acquire by grant, purchase, gift, or devise or
14 by the exercise of the right of eminent domain all property,
15 real or personal, or any estate or interest therein necessary,
16 desirable, or convenient for the purposes of this act, and to
17 sell, convey, lease, rent, or assign all or any part thereof
18 and to exercise all of its powers and authority with respect
19 thereto.

20 (e) To issue bonds or to request the Board of County
21 Commissioners to issue bonds of the District, as hereinafter
22 provided, to pay the cost of purchasing or otherwise
23 acquiring, constructing, reconstructing, improving, extending,
24 enlarging, or equipping racing and recreational facilities.

25 (f) To issue refunding bonds or to request the Board
26 of County Commissioners to issue refunding bonds of the
27 District, as provided in this act, to refund any bonds then
28 outstanding which have been issued under the provisions of
29 this act.

30 (g) To lease, rent, or contract for the operation of
31 all or any part of any racing and recreational facilities.

1 (h) To fix and collect rates, rentals, fees, and
2 charges for the use of any racing and recreational facilities.

3 (i) To contract for the operation of concessions on or
4 in any racing and recreational facilities.

5 (j) To advertise within or without the state any
6 racing and recreational facilities.

7 (k) To make and enter into all contracts and
8 agreements necessary or incidental to the performance of the
9 duties imposed and the execution of the powers granted under
10 this act, and to employ such consulting and other engineers,
11 superintendents, managers, construction and financial experts,
12 and attorneys, and such employees and agents, as may, in the
13 judgment of the District Commission, be deemed necessary, and
14 to fix their compensation; however, all such expenses shall be
15 payable solely from funds made available under the provisions
16 of this act.

17 (l) To enter into contracts with the government of the
18 United States or the State of Florida or any agency or
19 instrumentality of either thereof, or with any municipality,
20 district, private corporation, copartnership, association, or
21 individual providing for or relating to racing and
22 recreational facilities.

23 (m) To do all acts or things necessary or convenient
24 to carry out the powers expressly granted in this act.

25 Section 8. Issuance of bonds.--

26 (a) The District Commission is authorized to provide
27 by resolution, at one time or from time to time, for the
28 issuance of special obligation bonds of the District payable
29 solely from rates, rentals, fees, and charges provided for
30 herein for the purpose of paying the cost of purchasing or
31 otherwise acquiring, constructing, reconstructing, improving,

1 extending, enlarging, or equipping racing and recreational
2 facilities.

3 (b) The Board of County Commissioners is directed to
4 provide by resolution, at one time or from time to time, upon
5 the request of the District Commission and with the
6 concurrence of the District Commission in all of the
7 provisions of any such resolution, including the provisions of
8 any trust agreement authorized thereby, and in all
9 determinations to be made by the County Commissioners under
10 this section, for the issuance of general obligation bonds of
11 the District in an aggregate principal amount not exceeding \$3
12 million payable from rates, rentals, fees, and charges
13 provided for in this act and, to the extent necessary, ad
14 valorem taxes levied as provided in this act, for the purpose
15 of paying the cost of purchasing or otherwise acquiring,
16 constructing, reconstructing, improving, extending, enlarging,
17 or equipping racing and recreational facilities; however, any
18 such bonds must have been approved by the majority of the
19 electors of the district voting on their issuance. Any such
20 election must be held and the result thereof determined and
21 declared in the manner provided by the Florida Election Code
22 and chapter 189, Florida Statutes, or any amendments thereof.

23 (c) The bonds of each issue authorized pursuant to this
24 act shall be dated, shall mature at such time or times not
25 exceeding 40 years from their date or dates, and shall bear
26 interest at such rate or rates not exceeding the rate
27 prescribed by general law, as may be determined by the
28 District Commission or the County Commissioners, as the case
29 may be, authorizing the issuance of such bonds, hereinafter
30 sometimes called the "Authorizing Body," and may be made
31 redeemable before maturity, at the option of the Authorizing

1 Body, at such price or prices and under such terms and
2 conditions as may be fixed by the Authorizing Body prior to
3 the issuance of the bonds. The principal of and the interest
4 on such bonds may be made payable in any lawful medium. The
5 Authorizing Body shall determine the form and the manner of
6 execution of the bonds, including any interest coupons to be
7 attached thereto, and shall fix the denomination or
8 denominations of the bonds and the place or places of payment
9 of principal and interest which may be at any bank or trust
10 company within or without the state. In case any officer whose
11 signature or a facsimile of whose signature shall appear on
12 any bonds or coupons shall cease to be such officer before the
13 delivery of such bonds, such signature or such facsimile shall
14 nevertheless be valid and sufficient for all purposes the same
15 as if he or she had remained in office until such delivery.
16 Notwithstanding any of the other provisions of the act or any
17 recitals in any bonds issued under the provisions of this act,
18 all such bonds shall be deemed to be negotiable instruments
19 under the laws of this state. The bonds may be issued in
20 coupon or in registered form, or both, as the Authorizing Body
21 may determine, and provision may be made for the registration
22 of any coupon bonds as to principal alone and also as to both
23 principal and interest, and for the reconversion into coupon
24 bonds of any bonds registered as to both principal and
25 interest. The issuance of such bonds shall not be subject to
26 any limitations or conditions contained in any other law, and
27 the Authorizing Body may sell such bonds in such manner,
28 either at public or at private sale, and for such price, as it
29 may determine to be for the best interests of the District,
30 but no such sale shall be made at a price so low as to require
31 the payment of interest on the money received therefor at more

1 than the rate prescribed by general law, computed with
2 relation to the absolute maturity of the bonds in accordance
3 with standard tables of bond values, excluding, however, from
4 such computation the amount of any premium to be paid on
5 redemption of any bonds prior to maturity. Prior to the
6 preparation of definitive bonds, provision may be made for the
7 issuance of interim receipts or temporary bonds, with or
8 without coupons, exchangeable for definitive bonds when such
9 bonds have been executed and are available for delivery.
10 Provision may also be made for the replacement of any bonds
11 which shall become mutilated or be destroyed or lost.

12
13 Bonds may be issued under the provisions of this act without
14 obtaining the consent of any other department, commission,
15 board, bureau, or agency of the state, and without any other
16 proceeding or the happening of any other condition or thing
17 than those proceedings, conditions, or things which are
18 specifically required by this act.

19
20 The proceeds of such bonds shall be used solely for the
21 purpose for which such bonds shall have been authorized and
22 shall be disbursed in such manner and under such restrictions,
23 if any, as the Authorizing Body provides in the authorizing
24 resolution or in any trust agreement securing such bonds. If
25 the proceeds of such bonds, by error of estimates or
26 otherwise, are less than such cost, additional bonds may in
27 like manner be issued, subject to the limitations contained in
28 this act on the maximum amount of general obligation bonds
29 which may be issued, to provide the amount of such deficit,
30 and, unless otherwise provided in the authorizing resolution
31 of such trust agreement, shall be deemed to be of the same

1 issue and shall be entitled to payment from the same fund
2 without preference or priority of the bonds first issued for
3 the same purpose.

4
5 Any resolution or trust agreement providing for the issuance
6 of or securing bonds hereunder may also contain such
7 limitations upon the issuance of additional bonds as the
8 Authorizing Body determines to be proper, and such additional
9 bonds shall be issued under such restrictions and limitations
10 as are prescribed by such resolution or trust agreement.

11
12 The maximum amount of general obligation bonds which may be
13 issued under this act may be increased by the Legislature by
14 subsequent legislation. Special obligation bonds of the
15 District payable solely from rates, rentals, fees, and charges
16 for the use of the racing and recreational facilities, issued
17 under the provisions of this act, shall not be deemed to
18 constitute a debt of the District or a pledge of the faith and
19 credit of the District, and a statement to that effect shall
20 be recited on the face of the bonds.

21 Section 9. Revenues.--The District Commission shall
22 fix rates, rentals, fees, and other charges for the use of the
23 racing and recreational facilities and may revise such rates,
24 rentals, fees, and charges from time to time. Such rates,
25 rentals, fees, and charges shall not be subject to supervision
26 or regulation by any department, commission, board, bureau, or
27 agency of the state, or of any political subdivision of the
28 state. Such rates, rentals, fees, and charges shall be so
29 fixed and revised as to provide the most revenue practicable
30 from such facilities.

31

1 Section 10. Trust agreement; pledges and
2 covenants.--Any resolution authorizing the issuance of bonds
3 under the provisions of this act may provide for the execution
4 of a trust agreement securing such bonds, and such resolution
5 or trust agreement may contain such provisions for protecting
6 and enforcing the rights and remedies of the bondholders as
7 may be reasonable and proper and not in violation of law,
8 including covenants setting forth the duties of the District
9 Commission in relation to the acquisition, construction,
10 reconstruction, improvement, extension, enlargement,
11 equipment, maintenance, repair, operation, and insurance of
12 any racing and recreational facilities and provisions for the
13 custody, safeguarding, and application of all moneys, and for
14 the employment of consulting engineers in connection with such
15 acquisition, construction, reconstruction, improvement,
16 extension, enlargement, equipment, maintenance, repair,
17 operation, and insurance of any such racing and recreational
18 facilities. Such resolution or trust agreement may set forth
19 the rights and remedies of the bondholders and of the trustee,
20 if any, and may restrict the individual right of action by
21 bondholders as is customary in trust agreements or trust
22 indentures. In addition to the foregoing, such resolution or
23 trust agreement may contain such other provisions as are
24 deemed reasonable and proper for the security of the
25 bondholders. Except as in this act otherwise provided, such
26 resolution or trust agreement may provide for the payment of
27 the proceeds of the sale of the bonds and the revenues of the
28 racing and recreational facilities to such officer, board, or
29 depository as is designated for the custody thereof, and for
30 the method of disbursement thereof, with such safeguards and
31 restrictions as are deemed desirable. All expenses incurred in

1 carrying out the provisions of such resolution or trust
2 agreement may be treated as a part of the cost of operation.

3
4 Any pledge of revenues made by such resolution or trust
5 agreement shall be valid and binding from the time when the
6 pledge is made; the rates, rentals, fees, and charges and any
7 other revenues so pledged and thereafter received by the
8 District Commission shall immediately be subject to the lien
9 of such pledge without any physical delivery thereof or
10 further act; and the lien of any such pledge shall be valid
11 and binding as against all parties having claims of any kind
12 in tort, contract, or otherwise against the District,
13 irrespective of whether such parties have notice thereof.

14 Section 11. Levy of taxes.--The Board of County
15 Commissioners is authorized and required to levy annually a
16 tax upon all taxable property within the District sufficient
17 to pay the principal of and the interest on all general
18 obligation bonds issued under the provisions of this act as
19 the same shall respectively become due and payable; provided,
20 however, that the amount of such annual tax levy may be
21 reduced in any year by so much of the amount of the proceeds
22 of rates, rentals, fees, and charges, if any, then on deposit
23 to the credit of a special fund for the payment of such
24 principal and interest as shall be certified to the Board of
25 County Commissioners by the District Commission as available
26 for the payment of such principal and interest during the year
27 from which such tax shall be levied, but any such proceeds on
28 deposit to the credit of any reserve account in such special
29 fund shall not be taken into account in determining the amount
30 of such tax levy. The proceeds of such tax levy shall when

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1 collected be paid into such special fund and used for no other
2 purpose than the payment of such principal and interest.

3 Section 12. Trust funds.--All moneys received pursuant
4 to the authority of this act shall be deemed to be trust
5 funds, to be held and applied solely as provided in this act.
6 Any resolution authorizing the issuance of bonds shall provide
7 that any officer to whom, or any bank, trust company or other
8 fiscal agent to which, such moneys shall be paid shall act as
9 trustee of such moneys and shall hold and apply the same for
10 the purposes hereof, subject to such regulations as this act
11 and such resolution may provide.

12 Section 13. Remedies.--Any holder of bonds issued
13 under the provisions of this act or of any of the coupons
14 appertaining thereto, and the trustee under any trust
15 agreement, except to the extent the rights given in this act
16 may be restricted by the resolution authorizing the issuance
17 of such bonds or such trust agreement, may, either at law or
18 in equity, by suit, action, mandamus, or other proceeding,
19 protect and enforce any and all rights under the laws of the
20 state or granted hereunder or under such resolution or trust
21 agreement, and may enforce and compel the performance of all
22 duties required by this act or by such resolution or trust
23 agreement to be performed by the District, the District
24 Commission, the Board of County Commissioners, or by any
25 officer thereof, including the fixing, charging, and
26 collecting of rates, rentals, fees, and charges.

27 Section 14. Refunding Bonds.--The District Commission
28 is authorized to provide by resolution for the issuance of
29 special obligation refunding bonds of the District, and the
30 Board of County Commissioners is authorized to provide by
31 resolution, upon the request of the District Commission and

1 with the concurrence of the District Commission in all of the
2 provisions of such resolution, for the issuance of general
3 obligation refunding bonds of the District, for the purpose of
4 refunding any bonds then outstanding which shall have been
5 issued under the provisions of this act, including the payment
6 of any redemption premium thereon and any interest accrued or
7 to accrue to the date of redemption of such bonds, or for the
8 combined purpose of refunding any such outstanding bonds and
9 paying all or any part of the cost of purchasing or otherwise
10 acquiring, constructing, reconstructing, improving, extending,
11 enlarging, or equipping any racing and recreational
12 facilities; however, the proceeds of any portion of any such
13 general obligation refunding bonds to be applied to paying all
14 or any part of the cost of purchasing or otherwise acquiring,
15 constructing, reconstructing, improving, extending, enlarging,
16 or equipping any racing or recreational facilities as above
17 provided, together with the aggregate amount of bonds
18 theretofore issued under section 8(b) shall not exceed the
19 aggregate principal amount of \$3 million. The issuance of such
20 bonds, the maturities and other details thereof, the rights
21 and remedies of the holders thereof, and the rights, powers,
22 privileges, duties, and obligations of the district, of the
23 County Commissioners, and of the District Commission, with
24 respect to the same shall be governed by the foregoing
25 provisions of this act insofar as the same are applicable.

26 Section 15. Contracts; competition.--The District
27 Commission may enter into any contracts or agreements
28 authorized by this act by negotiation and without public
29 advertisement or otherwise obtaining competition if in the
30 sole determination of the District Commission such action is
31 for the best interests of the District.

1 Section 16. Inconsistent laws inapplicable.--All other
2 general or special laws, or parts thereof, inconsistent with
3 this act are declared to be inapplicable to the provisions of
4 this act, and the issuance of bonds under the provisions of
5 this act need not comply with the requirements of any other
6 law relating to the issuance of bonds.

7 Section 17. The terms "racing and recreational
8 facilities," "race tracks," and "sporting events," used in
9 this act, shall not embrace or include but shall exclude all
10 race track and jai alai fronton permits and permittees
11 conducting pari-mutuel pools in this state; and the provisions
12 of this act shall not apply to race tracks and jai alai
13 frontons licensed and authorized to operate under chapter 550,
14 Florida Statutes, and amendments thereto.

15 Section 18. Declaration of public purposes.--It is
16 determined and declared by the Legislature of the State of
17 Florida that all of the powers conferred upon the District and
18 the County by this act, and the exercise of such powers or any
19 of them, constitute and are proper public purposes and are for
20 the welfare and benefit of the District and its inhabitants.

21 Section 19. Alternative method.--This act shall be
22 deemed to provide an additional and alternative method for the
23 doing of the things authorized in it and shall be regarded as
24 supplemental to powers conferred by other laws, and shall not
25 be regarded as in derogation of any powers now existing. This
26 act, being necessary for the welfare of the inhabitants of the
27 District and the County, shall be liberally construed to
28 effect the purposes thereof.

29 Section 20. The showing of commercial motion pictures
30 as described in section 847.013, Florida Statutes, in or upon
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1 any of the facilities as defined in section 1(e) is
2 prohibited.

3 Section 21. Financial disclosure.--Requirements for
4 financial disclosure, meeting notices, reporting, public
5 records maintenance, and per diem expenses for officers and
6 employees shall be as set forth in chapters 112 and 189,
7 Florida Statutes.

8 Section 22. The procedures for District elections and
9 for the qualification of electors shall be pursuant to this
10 act and in accordance with chapter 189, Florida Statutes, as
11 it may be amended from time to time.

12 Section 23. Financing.--The District may be financed
13 by any method established in this act, and any applicable
14 general laws as amended from time to time.

15 Section 24. The methods for collecting non-ad valorem
16 assessments, fees, or service charges shall be as set forth in
17 this act, chapter 189, Florida Statutes, and other applicable
18 general laws as amended from time to time.

19 Section 25. The District's planning requirements shall
20 be as set forth in chapter 189, Florida Statutes, as amended
21 from time to time.

22 Section 4. Chapters 29588 and 29590, Laws of Florida,
23 1953, were repealed by chapter 31343, Laws of Florida, 1955.
24 Chapter 31343, Laws of Florida, 1955; chapter 63-2023, Laws of
25 Florida; chapter 73-647, Laws of Florida; and chapter 80-494,
26 Laws of Florida, are repealed.

27 Section 5. If any provision of this act or its
28 applicability to any person or circumstance is held invalid,
29 the invalidity does not affect other provisions of the act
30 which can be given effect without the invalid provision or
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1 application, and to this end the provisions of this act are
2 declared severable.

3 Section 6. This act shall take effect upon becoming a
4 law.

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