

By Senator Miller

21-1704-02

See HB

1                                   A bill to be entitled

2           An act relating to the Trailer Estates Park and

3           Recreation District, Manatee County; codifying,

4           reenacting, amending, and repealing special

5           acts relating to the district; providing for

6           the administration of the affairs of said

7           district by a board of nine trustees and

8           defining their powers and duties; providing for

9           the qualification of electors in the district

10          and the manner of conducting the first election

11          of trustees and for annual election of trustees

12          thereafter; providing for removal of trustees

13          and appointment to fill vacancies; providing

14          for the assessment and collection of a

15          recreation district tax assessed against each

16          improved residential parcel of real property

17          within the district; providing that such

18          district tax shall be a lien against each

19          parcel of land so assessed and for the method

20          of collecting such tax; providing for the

21          deposit and disbursement of funds of the

22          district; establishing a fiscal year and

23          providing for publication of annual financial

24          statements; authorizing the trustees of the

25          district to issue bonds and other obligations

26          of the district and to secure the same by

27          pledge of tax revenues and other property of

28          the district; authorizing the trustees of the

29          district to acquire and dispose of real and

30          personal property for the general purpose of

31          the district; authorizing the trustees of the

1 district to prescribe rules and regulations for  
2 the use of facilities of the district;  
3 providing for the abolishment of the district;  
4 providing conditions precedent to the filing of  
5 suit against the district or any of the  
6 trustees thereof, and relieving individual  
7 trustees from personal liability for  
8 obligations of the district; defining terms;  
9 providing for a special referendum within the  
10 district before this act may become effective;  
11 providing an effective date.

12  
13 Be It Enacted by the Legislature of the State of Florida:

14  
15 Section 1. Pursuant to section 189.429, Florida  
16 Statutes, this act constitutes the codification of all special  
17 acts relating to the Trailer Estates Park and Recreation  
18 District. It is the intent of the Legislature in enacting this  
19 law to provide a single, comprehensive special act charter for  
20 the district, including all current legislative authority  
21 granted to the district by its several legislative enactments  
22 and any additional authority granted by this act. It is  
23 further the intent of this act to preserve all district  
24 authority, including the authority to annually assess and levy  
25 against the taxable property in the district a tax not to  
26 exceed 0.2 mills on the dollar of assessed valuation.

27 Section 2. Chapters 69-1287, 70-796, 72-612, 73-546,  
28 76-420, 76-423, 81-428, 90-447, and 96-442, Laws of Florida,  
29 are codified, amended, reenacted, and repealed as provided in  
30 this act.

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1           Section 3. The charter for the Trailer Estates Park  
2 and Recreation District is re-created and reenacted to read:

3           Section 1. Upon this act becoming a law, all lands  
4 described in section 2 lying in Manatee County, hereinafter  
5 described, shall become and be incorporated into and as a park  
6 and recreation district, which shall be a special taxing  
7 district, having the powers and duties herein set forth, under  
8 the name of "Trailer Estates Park and Recreation District."

9           Section 2. The lands so to be incorporated are  
10 described as follows:

11  
12           (a) Trailer Estates Subdivision as recorded in  
13 Plat Book 8, page 138, of the Public Records of  
14 Manatee County, Florida. First Addition to  
15 Trailer Estates Subdivision as recorded in Plat  
16 Book 9, page 71, of the Public Records of  
17 Manatee County, Florida.

18  
19           (b) Second Addition to Trailer Estates  
20 Subdivision as recorded in Plat Book 9, page  
21 61, of the Public Records of Manatee County,  
22 Florida.

23  
24           (c) Third Addition to Trailer Estates  
25 Subdivision as recorded in Plat Book 10, Page  
26 69 of the Public Records of Manatee County,  
27 Florida.

28  
29           (d) Fourth Addition to Trailer Estates  
30 Subdivision as recorded in Plat Book 11, page  
31

1           66, of the Public Records of Manatee County,  
2           Florida.

3  
4           (e) Fifth Addition to Trailer Estates  
5           Subdivision as recorded in Plat Book 12, page  
6           55, of the Public Records of Manatee County,  
7           Florida.

8  
9           (f) The SW 1/4 of the SE 1/4 of the SE 1/4 of  
10           Section 22, TWP. 35 S., Rge. 17 E.; LESS: Land  
11           Described in Deed Book 380, Page 451, Official  
12           Records Book 208, Pages 156 & 157, Official  
13           Records Book 240, Pages 167 & 168, all of the  
14           Public Records of Manatee County, Florida; ALSO  
15           LESS: The South 133 feet and the East 290 feet  
16           of said SW 1/4 of the SE 1/4 of the SE 1/4.

17  
18           (g) A tract of land in the SW 1/4 of the SE  
19           1/4 of the SE 1/4 of Section 22, Twp. 35 S.  
20           Rge. 17 E. of Manatee County, Florida, more  
21           particularly described as follows: From the NW  
22           corner of said SW 1/4 of the SE 1/4 of the SE  
23           1/4 of Section 22, run S. 88 degrees 30' East  
24           along the North line of said SW 1/4 of the SE  
25           1/4 of the SE 1/4, 14.74 feet; thence run S. 1  
26           degree 48' West, 100 feet for a Point of  
27           Beginning; thence run S. 88 degrees 30' East,  
28           130 feet to a point; thence run S. 1 degree 48'  
29           West, 50 feet to a point; thence run N. 88  
30           degrees 30' West, 130 feet to a point; thence

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1           run N. 1 degree 48' East 50 feet to the Point  
2           of Beginning.

3  
4           (h) A tract of land in the SW 1/4 of the SE  
5           1/4 of the SE 1/4 of Section 22, Twp. 35 S.  
6           Rge. 17 E. of Manatee County, Florida, more  
7           particularly described as follows: From the NW  
8           corner of said SW 1/4 of the SE 1/4 of the SE  
9           1/4 of Section 22, run S. 88 degrees 30' East  
10           along the North line of said SW 1/4 of the SE  
11           1/4 of the SE 1/4, 14.74 feet; thence run S. 1  
12           degree 48' West, 150 feet for a Point of  
13           Beginning; thence run S. 88 degrees 30' East,  
14           130 feet to a point; thence run S. 1 degree 48'  
15           West, 50 feet to a point; thence run N. 88  
16           degrees 30' West, 130 feet to a point; thence  
17           run N. 1 degree 48' East 50 feet to the Point  
18           of Beginning.

19  
20           (i) A tract of land in the SW 1/4 of the SE  
21           1/4 of the SE 1/4 of Section 22, Twp. 35 S.  
22           Rge. 17 E. of Manatee County, Florida, more  
23           particularly described as follows: From the NW  
24           corner of said SW 1/4 of the SE 1/4 of the SE  
25           1/4 of Section 22, run S. 88 degrees 30' East  
26           along the North line of said SW 1/4 of the SE  
27           1/4 of the SE 1/4, 14.74 feet; thence run S. 1  
28           degree 48' West, 200 feet for a Point of  
29           Beginning; thence run S. 88 degrees 30' East,  
30           130 feet to a point; thence run S. 1 degree 48'  
31           West, 50 feet to a point; thence run N. 88

1           degrees 30' West, 130 feet to a point; thence  
2           run N. 1 degree 48' East 50 feet to the Point  
3           of Beginning.

4           Section 3. The business and affairs of the district  
5 shall be conducted and administered by a board of nine  
6 trustees (hereinafter referred to as the "trustees") who, upon  
7 their annual election, shall organize by electing from their  
8 number a chair, two vice chairs, a secretary, and a treasurer.  
9 The trustees shall not receive any compensation for their  
10 services but shall be entitled to be reimbursed from funds of  
11 the district for any authorized disbursements they may  
12 properly incur on behalf of the district. Each trustee  
13 authorized to sign checks of the district or otherwise  
14 designated to handle its funds shall, before he or she enters  
15 upon such duties, execute to the Governor for the benefit of  
16 the district, a good and sufficient bond approved by a circuit  
17 judge of Manatee County in the sum of \$5,000 with a qualified  
18 corporate surety conditioned to faithfully perform the duties  
19 of such trustee and account for all funds which may come into  
20 his or her hands as such trustee. All premiums for such  
21 surety on all bonds shall be paid from the funds of the  
22 district.

23           Section 4. An election shall be held within the  
24 district on a Tuesday not less than 30 nor more than 60 days  
25 after the date this act is approved at the special referendum  
26 provided for in this act, for the purpose of electing the  
27 first Board of Trustees of the district. The election shall  
28 be held at the usual polling place within the district between  
29 the hours of 12 noon and 8 p.m. and shall be conducted and  
30 supervised by the supervisor of elections of Manatee County  
31 under the rules governing general elections in the county,

1 except as otherwise provided in this act. Election of  
2 succeeding Boards of Trustees shall be held annually on the  
3 first Tuesday after the first Monday of December. In the year  
4 1976, the five candidates receiving the highest number of  
5 votes shall be elected for a term of 2 years and the four  
6 candidates receiving the next highest number of votes shall be  
7 elected for a term of 1 year, all to take office on January 1  
8 following the election. The four 1-year terms of office which  
9 expire on December 31, 1977, will be filled with trustees  
10 elected for 2-year terms at the December 1977 election, thus  
11 establishing an annual election thereafter for 2-year terms  
12 for all trustees, five to be elected in even years to serve  
13 2-year terms and four to be elected in odd years to serve  
14 2-year terms in order of expiration of terms of office and as  
15 required to maintain a full board of nine trustees.

16 Section 5. The only persons qualified to vote in the  
17 election are owners of record of real property within the  
18 district, but they need not be actually residing in the  
19 district, nor be residents of the state. The term "owners of  
20 record" means record owners appearing on the current rolls of  
21 the tax assessor of Manatee County not less than 30 days prior  
22 to the date of each election. For the purpose of determining  
23 the qualifications of electors, the rolls of the tax assessor  
24 of Manatee County shall be presumptive evidence of the record  
25 of owners of property within the district, but such  
26 presumption may be rebutted by the voter furnishing a recorded  
27 deed or facsimile thereof to the supervisor of elections, or  
28 his or her designated agent at the polling place, at the time  
29 of voting at such election. Application for absentee ballots  
30 may be obtained from the supervisor of elections of Manatee  
31 County within 45 days prior to each annual election, and shall

1 be counted if actually received by the supervisor of elections  
2 by 5 p.m. on the day before the date of each such election.  
3 All election ballots shall be prepared by the supervisor of  
4 elections of the county. Persons seeking to have their names  
5 placed on the ballot for election as trustee of the district  
6 must be qualified electors as defined in this act and shall  
7 present a written petition to the supervisor of elections of  
8 Manatee County not less than 60 days prior to the date of each  
9 election, which petition must be signed by the candidate and  
10 notarized, and signed by not less than 25 persons qualified to  
11 vote in the election within the district. Notice of the  
12 election setting forth the names of the persons proposed as  
13 trustees of the district for the next ensuing 2 years shall be  
14 given by the district in writing addressed to each record  
15 owner or owners of each parcel of property within the  
16 district, not less than 15 days before the date of each  
17 election, and shall also be published by the district one time  
18 at least 10 days prior to such election, in a newspaper of  
19 general circulation published in the county, and if no such  
20 newspaper is published in the county, then they shall cause  
21 written or printed notices of the election to be posted in  
22 five public places within the district. The trustees may  
23 appoint inspectors and clerks for the election whose duties  
24 shall be the same as similar officers in general elections,  
25 except as otherwise provided in this act. The election may be  
26 by ballot or by voting machine; and, if by ballot, the ballot  
27 shall be written or printed in black ink on plain paper and  
28 shall be substantially in the following form:

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30  
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1           Board of Trustees of the Trailer Estates Park  
2           and Recreation District (stating their names  
3           and residence addresses)

4  
5 and, if by voting machine, the requirements for the ballot  
6 shall be adapted to the use of such voting machine. The nine  
7 persons receiving the highest number of votes shall be  
8 declared trustees of the district for the ensuing 2 years.  
9 Trustees may succeed themselves in office.

10           Section 6. The supervisor of elections of Manatee  
11 County shall canvass the return of election and shall announce  
12 the results thereon the day following the election. If there  
13 is a deadlock in the balloting, a runoff election shall be  
14 held on the 3rd Tuesday of December next following the  
15 deadlocked election; however, if a deadlock occurs in the  
16 first election as provided hereunder, a runoff election shall  
17 be held on the 3rd Tuesday following such deadlocked election.  
18 The supervisor of elections shall be entitled to a reasonable  
19 fee for conducting each election, payable out of general funds  
20 of the district.

21           Section 7. The Board of Trustees shall have the right,  
22 power, and authority to levy a special assessment known as a  
23 recreation district tax against all taxable real estate  
24 situated within the district for the purpose of providing  
25 funds for the operation of the district. The trustees shall,  
26 on or before April 1 of each year, by resolution, fix the  
27 amount of the assessment for the next ensuing year and shall  
28 direct the tax assessor of Manatee County to assess and the  
29 tax collector of Manatee County to collect such tax as  
30 assessed upon each improved residential parcel of property  
31 within the district. Prior to the adoption of the resolution

1 fixing the amount of the assessment, the trustees shall hold a  
2 public hearing at which time property owners within the  
3 district may appear and be heard. Notice of the time and  
4 place of the public hearing shall be published once in a  
5 newspaper of general circulation within the county at least 21  
6 days prior to the public hearing. The county tax assessor  
7 shall include on the Manatee County tax roll the special  
8 assessment for park and recreation district benefits thus made  
9 by the Board of Trustees of the district, and the same shall  
10 be collected in the manner and form as provided for collection  
11 of county taxes. The offices of the county tax collector and  
12 the county tax assessor shall each receive compensation for  
13 their services regarding such special assessment of 1-1/2  
14 percent of the gross tax receipts instead of the commissions  
15 and fees usually earned for the assessment and collection of  
16 county taxes. Further, the services of the tax assessor and  
17 the tax collector under this act are declared to be special  
18 services performed directly for the district, and any payment  
19 therefor shall not be considered of the general income of such  
20 official nor come under sections 116.03 and 145.121, Florida  
21 Statutes. After deducting therefrom the fees, the tax  
22 collector shall deposit the funds into a depository designated  
23 by the Board of Trustees of the district for the account of  
24 the district. For the purpose of determining property subject  
25 to the district tax, the term "improved residential parcel"  
26 means a lot or lots on which a mobile home has been erected as  
27 of January 1 of the taxable year. The district tax shall not  
28 be an ad valorem tax but rather shall be a unit tax assessed  
29 equally against all improved residential parcels.

30 Section 8. The district may acquire and hold property,  
31 sue and be sued, enter into contracts, and perform other

1 functions necessary or desirable to the carrying out of the  
2 provisions and intent of this act. No debt shall be created  
3 without the approval of the Board of Trustees.

4 Section 9. The district tax shall be a lien upon each  
5 improved residential parcel of land so assessed until the tax  
6 has been paid, and shall be considered a part of the Manatee  
7 County tax, subject to the same penalties, charges, fees, and  
8 remedies for enforcement and collection as provided by the  
9 laws of the state for the collection of such taxes.

10 Section 10. The proceeds for the tax and the funds of  
11 the district shall be deposited in the name of the district in  
12 a bank or savings and loan association or building and loan  
13 association authorized to receive deposits of county funds,  
14 which depository shall be designated by resolution of the  
15 Board of Trustees. No funds of the district shall be  
16 disbursed except by check or draft signed by the chair and  
17 treasurer of the board or, in the absence of either, by  
18 another trustee designated for that purpose by the board.

19 Section 11. Trustees shall hold office for a term of 2  
20 years, and may succeed themselves. All vacancies occurring in  
21 the Board of Trustees for any cause shall be filled for the  
22 unexpired term by the remaining trustees by the appointment of  
23 a successor trustee or trustees from among the qualified  
24 electors of the district. Any trustee failing to discharge  
25 the duties of his or her position may be removed for cause by  
26 the Board of Trustees, after due notice and an opportunity to  
27 be heard upon charges of malfeasance or misfeasance.

28 Section 12. The fiscal year of the district shall  
29 commence January 1. The trustees shall, on or before April 1  
30 of each year, prepare an annual financial statement of income  
31 and disbursements during the prior fiscal year. On or before

1 April 1 of each year, the trustees shall prepare and adopt an  
2 itemized budget showing the amount of money necessary for the  
3 operation of the district for the next fiscal year, and the  
4 district tax to be assessed and collected upon the taxable  
5 property of the district for the next ensuing year. Such  
6 financial statement shall be published once during the month  
7 of April each year in a newspaper of general circulation  
8 within the county. A copy of the statement and a copy of the  
9 budget shall also be furnished by mail to each taxpayer within  
10 the district within 30 days after its preparation and a copy  
11 made available for public inspection at the principal office  
12 of the district at reasonable hours.

13 Section 13. The property of the district shall consist  
14 of the recreational hall, shuffleboard courts, marina,  
15 playgrounds, walks, and other property and improvements now or  
16 hereafter erected or purchased by the trustees for the  
17 district, as well as any other real or personal property which  
18 the trustees of the district may, in their discretion,  
19 determine to be necessary or convenient for the purposes of  
20 the district. In addition thereto, for the comfort and  
21 convenience of taxpayers within the district, the trustees may  
22 in their discretion assume the cost of installing and  
23 maintaining entrance parkways and street lighting within the  
24 district and may acquire and dispose of any other facilities  
25 for the general purpose of the district.

26 Section 14. Persons entitled to use the facilities and  
27 property of the district shall be limited to property owners  
28 within the district, their family members and guests, and such  
29 other persons and groups as the trustees may authorize from  
30 time to time.

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1           Section 15. The trustees shall supervise all real and  
2 personal property owned by the district, and shall have the  
3 following powers in addition to the others enumerated in this  
4 act:

5           (a) To negotiate purchases and to purchase real and  
6 personal property on behalf of the district and to pay for  
7 such purchases with either cash or by the issuance of bonds or  
8 revenue certificates.

9           (b) To determine and fix the tax to be assessed  
10 annually within the district.

11           (c) To enter into contracts on behalf of the district.

12           (d) To incur obligations on behalf of the district,  
13 including the power to issue bonds, notes, and other evidence  
14 of indebtedness of the district for the purpose of obtaining  
15 funds for the operation of the district, including the  
16 purchase of land, buildings, and other improvements; however,  
17 the aggregate amount of all obligations of the district  
18 payable in any fiscal year may not exceed the aggregate amount  
19 of all revenue received by the district from all sources  
20 during such fiscal year. Bonds, notes, or other certificates  
21 of indebtedness issued by the district may be secured by the  
22 pledge of tax revenues obtained by the district, as well as by  
23 mortgage of property owned by the district.

24           (e) To issue its bonds to finance, in whole or in  
25 part, the cost of construction, acquisition, or improvements  
26 of real and personal property of the district. The trustees,  
27 in determining such costs, may include all costs and estimated  
28 costs of the issuance of the bonds, all engineering,  
29 inspection, fiscal, and legal expenses, all costs of  
30 preliminary surveys, plans, maps, and specifications, initial  
31 reserve funds for debt service, the costs of the services of

1 persons, firms, corporations, partnerships, or associations  
2 employed, or consultants, advisors, engineers, or fiscal,  
3 financial, or other experts in the planning, preparation, and  
4 financing of the district. The trustees may employ and enter  
5 into agreements or contracts with consultants, engineers,  
6 attorneys, or fiscal, financial, or other experts for the  
7 planning, preparation, and financing of the district, or any  
8 asset thereof, upon such terms and conditions as the trustees  
9 consider desirable and proper. The district may pledge to the  
10 punctual payment of bonds or revenue certificates issued  
11 pursuant to this act, and interest thereon, an amount of the  
12 revenue derived from the facilities and services of the  
13 district, including acquisitions, extensions, and improvements  
14 thereof sufficient to pay the bonds and the interest thereon  
15 as the same become due and to create and maintain reasonable  
16 reserves therefor.

17 (f) To buy, sell, rent, or lease real and personal  
18 property in the name of the district; to deliver purchase  
19 money notes and mortgages or to assume the obligation of  
20 existing mortgages in connection with the acquisition of  
21 property of the district; and to receive gifts of real or  
22 personal property.

23 (g) To prescribe reasonable rules and regulations  
24 governing the use of the facilities of the district.

25 (h) To provide trash and garbage collection and  
26 central television antenna signals and services for the  
27 benefit of all persons residing within the district, to own,  
28 operate, and maintain the necessary equipment and apparatus,  
29 or to contract with others to provide such services, and to  
30 hold such franchises as are necessary or desirable to provide  
31 such services.

1           (i) To use district funds in the administration and  
2 enforcement of the deed restriction as filed in the Manatee  
3 County public records for properties within the district.

4           (j) To recover all costs and reasonable attorney's  
5 fees, in addition to other appropriate relief, if the trustees  
6 are the prevailing party in any litigation, and in any  
7 appellate proceedings, involving the enforcement of this act  
8 or the deed restrictions as filed in the Manatee County public  
9 records.

10           Section 16. The construction, acquisition, or  
11 improvements of real or personal property of the district, or  
12 the refunding of any bonds or other obligations issued for  
13 such purposes, may be authorized under this act. Bonds may be  
14 authorized to be issued under this act to provide funds for  
15 such purposes by resolution or resolutions of the trustees,  
16 which may be adopted at the same meeting at which they were  
17 introduced and may be adopted by a majority of the members  
18 thereof, and shall take effect immediately upon adoption and  
19 need not be published or posted. The bonds shall bear interest  
20 at such rate or rates not exceeding that prescribed by general  
21 law, payable semiannually, may be in one or more series, may  
22 bear such date or dates, may mature at such time or times not  
23 exceeding 40 years from their respective dates, may be made  
24 payable in such medium of payment, at such place, within or  
25 without the state, may carry such registration privileges, may  
26 be subject to such terms of redemption, with or without  
27 premium, may be executed in such manner, may contain such  
28 terms, covenants, and conditions, and may be in such form,  
29 either coupon or registered, as such resolution or subsequent  
30 resolution provides. The bonds may be sold all at one time or  
31 in blocks from time to time, at public or private sale, or if

1 refunding bonds, may also be delivered and exchanged for the  
2 outstanding obligations to be refunded thereby, in such manner  
3 as the trustees determine by resolution, and at such price or  
4 prices computed according to standard tables of bond value as  
5 will yield to the purchasers or the holders of the obligations  
6 surrendered in exchange in the case of refunding bonds, income  
7 at a rate not exceeding the maximum interest rate for bonds as  
8 prescribed by general law to the maturity dates of the several  
9 bonds so sold or exchanged on the money paid or the principal  
10 amount of obligations surrendered therefor to the district.  
11 Pending the preparation of the definitive bonds, interim  
12 certificates or receipts or temporary bonds in such form and  
13 with such provisions as the trustees may determine may be  
14 issued to the purchaser or purchasers of the bonds sold  
15 pursuant to this act. The bonds, and such interim  
16 certificates or receipts or temporary bonds, shall be fully  
17 negotiable.

18 Section 17. A record shall be kept of all meetings of  
19 the Board of Trustees and in such meetings a concurrence of a  
20 majority of the trustees shall be necessary for any  
21 affirmative action taken by the board. The trustees may adopt  
22 such rules and regulations, not inconsistent with any portion  
23 of this act, as they consider necessary or convenient for the  
24 transaction of the business of the board and in carrying out  
25 the provisions of this act.

26 Section 18. For the general purposes of this act, each  
27 parcel of improved residential property in the district is  
28 declared to be uniformly and generally benefited by the  
29 provisions hereof.

30 Section 19. The district may be abolished by a  
31 majority vote of the qualified electors in the district at an



1 election called by the trustees of the district for such  
2 purpose, which election shall be held and notice thereof given  
3 under the same requirements as are set forth hereunder for the  
4 election of trustees and the levying and collecting of the  
5 district tax. However, the district shall not be abolished  
6 while it has outstanding indebtedness without first making  
7 adequate provisions for the liquidation of such outstanding  
8 indebtedness.

9 Section 20. Trustees not guilty of malfeasance in  
10 office shall be relieved of any personal liability for any  
11 acts done by them while holding office in the district; any  
12 trustee who is made a party to any action, suit, or proceeding  
13 solely by reason of his or her holding office in the district  
14 shall be indemnified by the district against reasonable  
15 expenses, including attorney's fees, incurred by him or her in  
16 defending such suit, action, or proceeding, except with  
17 respect to matters wherein it is adjudged in such proceeding  
18 that such trustee is liable for negligence or misconduct in  
19 the performance of his or her duties.

20 Section 21. As used in this act, the word "district"  
21 means the special park and recreation district hereby  
22 organized; the words "board," "trustees," and "Board of  
23 Trustees" mean the Board of Trustees of and for the special  
24 park and recreation district created in this act.

25 Section 22. If any clause, section, or provision of  
26 this act shall be declared to be unconstitutional or invalid  
27 for any cause or reason, the same shall be eliminated from  
28 this act, and the remaining portion of the act shall be in  
29 force and effect and be as valid as if such invalid portion  
30 thereof had not been incorporated in the act.

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1           Section 23. All laws or parts of laws in conflict  
2 herewith are repealed to the extent of such conflict.

3           Section 24. The provisions of this act shall be  
4 liberally construed in order to effectively carry out the  
5 purpose of this act in the interest of the public.

6           Section 25. Except as provided in section 6 of this  
7 act, this act shall take effect upon approval of a majority of  
8 the electors of the district voting in a special referendum  
9 election held in the territory proposed to be constituted into  
10 the Trailer Estates Park and Recreation District in favor of  
11 constituting the territory into a park and recreation  
12 district. The referendum election shall be held within not  
13 less than 30 nor more than 60 days after presentation to the  
14 supervisor of elections for Manatee County of a petition for a  
15 special referendum election, signed by at least 50 qualified  
16 electors. If a majority of the qualified electors  
17 participating in the election vote "no" and unfavorable to  
18 this act, then this act shall be void.

19           Section 26. (a) Notwithstanding any provisions to the  
20 contrary (as may now appear in section 8, section 13, or  
21 section 15), the trustees of Trailer Estates Park and  
22 Recreation District shall not enter into any contract  
23 involving the initial purchase, lease, conveyance, or other  
24 manner of acquisition of real or tangible personal property  
25 constituting recreational facilities, which presently exist  
26 within the territory included in the Trailer Estates Park and  
27 Recreation District, in any instance when the cost price or  
28 consideration therefor exceeds \$25,000 including all  
29 obligations proposed to be assumed in connection with such  
30 acquisition, unless:

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1           (1) The trustees by two-thirds vote have approved the  
2 terms and conditions of such acquisition by written  
3 resolution;

4           (2) Within not less than 30 nor more than 60 days  
5 after the date of the resolution, the trustees certify the  
6 resolution to the supervisor of elections of Manatee County  
7 for a referendum election; and

8           (3) A majority of qualified electors of the district  
9 voting in a referendum election approve the resolution.

10           (b) The qualifications of voters, notice, and  
11 procedure for this referendum shall be the same as set forth  
12 in this act for the election of trustees and for special  
13 referendum elections.

14           Section 4. Chapters 69-1287, 70-796, 72-612, 73-546,  
15 76-420, 76-423, 81-428, 90-447, and 96-442, Laws of Florida,  
16 are repealed.

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

21           Section 6. This section and section 25 of section 3 of  
22 this act shall take effect upon becoming a law. The remaining  
23 provisions of this act shall take effect as provided in  
24 section 25 of section 3 of this act.

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