

By Senator Saunders

25-1266-02

See HB

1                                   A bill to be entitled  
2           An act relating to the Fort Myers Beach Public  
3           Library District, Lee County; providing  
4           legislative intent; providing for codification  
5           of the special laws relating to the Fort Myers  
6           Beach Public Library District pursuant to  
7           section 189.429, Florida Statutes; codifying,  
8           reenacting, and amending all prior special  
9           acts; creating and establishing a public  
10          library district as an independent district in  
11          Lee County and fixing the boundaries of the  
12          district; providing for a governing body;  
13          prescribing the powers of the board;  
14          authorizing the board to make policies, rules,  
15          and regulations; providing for assessing and  
16          collecting taxes and assessments; providing for  
17          liberal construction; providing for  
18          severability; repealing chapters 65-1823,  
19          75-418, 79-489, 79-491, 81-414, 85-441, and  
20          91-404, Laws of Florida, relating to the  
21          district; providing an effective date.

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

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25           Section 1. Intent.--Pursuant to section 189.429,  
26 Florida Statutes, this act constitutes the codification of all  
27 special acts relating to the Fort Myers Beach Public Library  
28 District. It is the intent of the Legislature to provide a  
29 single, comprehensive special act charter for the Fort Myers  
30 Beach Public Library District that includes all current  
31 legislative authority granted to the District by general law

1 and by its several legislative enactments, as those laws may  
2 be amended from time to time, and any additional authority  
3 granted by this act.

4 Section 2. Chapters 65-1823, 75-418, 79-489, 79-491,  
5 81-414, 85-441, and 91-404, Laws of Florida, as they relate to  
6 the Fort Myers Beach Public Library District, are hereby  
7 codified, reenacted, and amended as provided in this act.

8 Section 3. The Fort Myers Beach Public Library  
9 District is re-created and the charter for such District is  
10 re-created and reenacted to read:

11 Section 1. Creation.--There is created the Fort Myers  
12 Beach Public Library District, an independent special  
13 district, hereinafter referred to as "the district," through  
14 the codification and reenactment of the district's several  
15 legislative enactments, which shall include the following  
16 described land:

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18 All that part of Lee County that is located and  
19 situated within San Carlos Island; Estero  
20 Island; the easterly one-half (1/2) of Section  
21 13, Township 46 South, Range 23 East; Section  
22 18, Township 46 South, Range 24 East; and  
23 Section 7, Township 46 South, Range 24 East,  
24 except that part which is located and situated  
25 North of the old railroad grade.

26  
27 Section 2. Governing body.--The district shall be  
28 governed by a board that shall consist of seven qualified  
29 electors of the district who are elected by a vote of the  
30 electors of the district pursuant to the laws of Florida,  
31 specifically chapter 81-414, Laws of Florida, as those laws

1 may be amended from time to time. In particular, candidates  
2 shall be required to open depositories and appoint treasurers  
3 prior to accepting any contributions or expending any funds,  
4 provided that if a candidate accepts no contributions and does  
5 no advertising and the only expenditure is the filing fee or  
6 the fee required for checking signatures, the candidates shall  
7 not be required to open depositories or appoint a treasurer.

8 Section 3. Officers; meetings; powers.--Within 10 days  
9 after the election of the members of the board, members shall  
10 meet and elect from their membership a president, vice  
11 president, secretary, corresponding secretary, and treasurer.  
12 However, the same member may be both secretary and treasurer.  
13 Meetings of the members of the board as the governing body of  
14 the district shall be noticed and regulated as provided by  
15 chapter 189, Florida Statutes, or any other applicable general  
16 law or special law, as those laws may be amended from time to  
17 time. The district shall have and the board may exercise the  
18 general and special powers prescribed by chapter 65-1823, Laws  
19 of Florida, chapter 189, Florida Statutes, or any other  
20 applicable general law or special law, as those laws may be  
21 amended from time to time. In particular, the board is  
22 authorized to buy, own, and maintain library facilities,  
23 equipment, books, and supplies; to acquire property both real  
24 and personal, and any other property as the board considers  
25 necessary or proper in order to provide the residents within  
26 the district with the most complete library facilities as  
27 finances may permit; and to adopt an annual budget for the  
28 district.

29 Section 4. Taxes; non-ad valorem assessments.--The  
30 district board shall fix and cause to be levied on all  
31 property of the district a millage sufficient to meet the

1 requirements of the adopted budget; provided, however, that 1  
2 mill is the maximum that may be levied in any one year, except  
3 as may be provided in any applicable general law or special  
4 law, as those laws may be amended from time to time. In  
5 addition, the district shall have such authority to levy  
6 non-ad valorem assessments as prescribed in chapter 189,  
7 Florida Statutes, and any other applicable general law or  
8 special law, as those laws may be amended from time to time.

9 Section 5. Assessment and collection of taxes and  
10 assessments.--Taxes and assessments herein provided for shall  
11 be assessed and collected in the manner prescribed by  
12 applicable general law or special law, as those laws may be  
13 amended from time to time.

14 Section 4. This act shall be construed as a remedial  
15 act and shall be liberally construed to promote the purpose  
16 for which it is intended, which is a codification,  
17 reenactment, and repeal of the several legislative enactments  
18 of the district.

19 Section 5. If any clause or provision of this act is  
20 declared unconstitutional or invalid for any cause or reason,  
21 it shall be eliminated from this act and the remaining portion  
22 of this act shall remain in full force and effect as if the  
23 unconstitutional or invalid portion had not been incorporated  
24 in the act.

25 Section 6. Chapters 65-1823, 75-418, 79-489, 79-491,  
26 81-414, 85-441, and 91-404, Laws of Florida, as those laws  
27 relate to the district, are repealed.

28 Section 7. This act shall take effect upon becoming a  
29 law.

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