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A bill to be entitled
 An act relating to the Fort Myers Beach Public Library District; codifying, amending, and reenacting special acts relating to the district; providing membership, powers, and duties of the governing board of the district; providing for the levying of non ad-valorem assessments and the issuance of bonds; providing for the collection of taxes and assessments; providing construction; providing severability; repealing chapters 65-1823, 75-418, 79-489, 79-491, 81-414, 85-441, and 91-404, Laws of Florida; providing an effective date.

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

Section 1. Pursuant to section 189.429, Florida Statutes, this act constitutes the codification of all special acts relating to the Fort Myers Beach Public Library District. It is the intent of the Legislature in enacting this law to provide a single, comprehensive special act charter for the district, including all current legislative authority granted to the district by its several legislative enactments and any additional authority granted by this act.

Section 2. Chapters 65-1823, 75-418, 79-489, 79-491, 81-414, 85-441, and 91-404, Laws of Florida, are codified, reenacted, amended, and repealed as herein provided.

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

Section 1. Creation.--There is hereby made, created, and established the Fort Myers Beach Public Library District, an independent special district, hereinafter referred to as "the



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31 District," through the codification and reenactment of the
32 District's several legislative enactments, which shall include
33 the following described land:

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35 All that part of Lee County that is located and
36 situated within San Carlos Island; Estero Island;
37 the easterly one-half (1/2) of Section 13, Township
38 46 South, Range 23 East; Section 18, Township 46
39 South, Range 24 East; and Section 7, Township 46
40 South, Range 24 East, except that part which is
41 located and situated North of the old railroad
42 grade.

43
44 Section 2. Governing body.--The District shall be
45 governed by a board which shall consist of seven qualified
46 residents. Candidates shall be required to open
47 depositories and appoint treasurers prior to accepting any
48 contributions or expending any funds, provided that where a
49 candidate accepts no contributions and does no advertising
50 and the only expenditure is the filing fee or the fee
51 required for checking signatures, the candidate shall not
52 be required to open a depository or appoint a treasurer.
53 All members of the governing board of the District shall
54 serve for a term of 4 years. Nothing herein shall affect
55 the current term of office or require the early expiration
56 of the current term of office of any current member of the
57 governing board of the District. Each elected member of the
58 governing board shall assume office immediately upon his or
59 her election. Members of the governing board of the
60 District shall receive no compensation. Vacancies on the



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61 governing board of the District shall be filled by the
 62 Governor for the remainder of the term, and copies of all
 63 resignations or vacancies and appointments shall be sent to
 64 the Supervisor of Elections. All District elections shall
 65 be on the first Tuesday after the first Monday in November
 66 of even-numbered years. The registered voters residing
 67 within the District shall be permitted to vote. Costs of
 68 any election shall be borne by the District. All elections
 69 shall be called by resolution of the governing board of the
 70 District. Election results shall be determined by a
 71 plurality of the votes cast. Candidates shall qualify from
 72 noon of the 63rd day through noon of the 49th day prior to
 73 the election. The methods of qualifying shall be uniform
 74 pursuant to Florida law, especially chapter 99, Florida
 75 Statutes, and section 189.405, Florida Statutes, as said
 76 laws may be amended from time to time. The District may
 77 provide for the conduct of District elections by the
 78 Supervisor of Elections for Lee County, Florida, or as
 79 otherwise described by Florida law, specifically section
 80 189.405, Florida Statutes, as said laws may be amended from
 81 time to time.

82 Section 3. Officers; meetings; powers.--Within 10
 83 days after the election of the members of the governing
 84 board, the members shall meet and elect from their
 85 membership a president, vice-president, secretary,
 86 corresponding secretary, and treasurer; however, the same
 87 member may be both secretary and treasurer. The treasurer
 88 of the governing board, when entering upon his or her
 89 duties, shall give a sufficient bond to the Governor in the
 90 sum of \$3,000 for the faithful performance of his or her



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91 duties as treasurer, the premium for the bond to be paid by
 92 the District. The treasurer shall make a report at each
 93 regular meeting of the governing board. Warrants for the
 94 payment of labor, equipment, property, or other expenses of
 95 the governing board, and in carrying into effect this act
 96 and its purposes, shall be payable by the treasurer of the
 97 governing board on accounts and vouchers in the manner
 98 approved by the governing board. The governing board shall
 99 meet regularly at times designated by the governing board
 100 for the purpose of carrying out the business of the
 101 District. Meetings of the members of the governing board of
 102 the District shall be noticed and regulated as provided by
 103 chapters 189 and 286, Florida Statutes, or any other
 104 applicable general law, as said laws may be amended from
 105 time to time. The governing board shall meet each year and
 106 prepare a budget of proposed expenditures for the ensuing
 107 year and fix a millage rate for the ensuing year in
 108 accordance with the provisions of section 200.065, Florida
 109 Statutes, as said law may be amended from time to time. The
 110 budget shall be limited to a sum which can be raised by the
 111 imposition of a tax not to exceed 1 mill on the real and
 112 tangible personal property within the District, and the use
 113 thereof shall be limited to library purposes within the
 114 District. The District shall have and the governing board
 115 may exercise the general powers and special powers
 116 prescribed herein and by general law, as said laws may be
 117 amended from time to time. In particular, the governing
 118 board is authorized to buy, own, lease, and maintain
 119 library facilities, equipment, books, and supplies; to
 120 acquire, by purchase, lease, gift, dedication, devise, or



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121 otherwise, property both real and personal, and any other
 122 property as the governing board may deem necessary or
 123 proper in order to provide the residents within the
 124 District with the most complete library facilities as
 125 finances may permit; to make and execute contracts and
 126 other instruments necessary or convenient to exercise and
 127 carry out the powers of the District, including contracting
 128 for the services of consultants; to issue bonds; to borrow
 129 money, accept gifts, and apply for and use grants or loans
 130 of money or other property from any government agency or
 131 person for any District purposes and to enter into
 132 agreements required in connection therewith, and to hold,
 133 use, sell, and dispose of such moneys or property for any
 134 District purpose in accordance with the terms of the gift,
 135 grant, loan, or agreement relating thereto; to adopt
 136 procedures, ordinances, or resolutions necessary to conduct
 137 District business and to satisfy the requirements of the
 138 District, including those requirements prescribed in
 139 chapter 189, Florida Statutes; to invest and reinvest any
 140 surplus public funds as provided in chapter 218, Florida
 141 Statutes; and to negotiate and contract with any library
 142 facility within the District that has been in existence for
 143 at least 5 years on the date that this act becomes law and
 144 which has been determined by the Internal Revenue Service
 145 of the United States Treasury Department to be tax-exempt
 146 under the laws of the United States for the purpose of
 147 allocating funds to the library facility or property in
 148 kind, either real or personal, and in furtherance of
 149 providing facilities for the residents within the District.

150 Section 4. Taxes; non-ad valorem assessments; bond



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151 issuance.--The District governing board shall fix and cause
 152 to be levied on all property of the District a millage
 153 sufficient to meet the requirements of the adopted budget;
 154 however, 1 mill is the maximum that can be levied in any
 155 one year, except as may be provided in any applicable
 156 general law, as said laws may be amended from time to time.
 157 The District shall have such authority to levy non-ad
 158 valorem assessments as prescribed in chapter 189, Florida
 159 Statutes, and any other applicable general law, as said
 160 laws may be amended from time to time. The District shall
 161 have such authority to issue bonds as prescribed in chapter
 162 189, Florida Statutes, and any other applicable general
 163 law, as said laws may be amended from time to time, for
 164 District purposes. The taxes received by the District
 165 herein shall be limited for library purposes within the
 166 District, and upon assessment having been made, the
 167 assessment shall be in substitution and shall supercede,
 168 within the District, any other taxes, whether special or
 169 included within the general fund, which the Board of County
 170 Commissioners of Lee County may levy or attempt to levy
 171 within this District for library purposes.

172 Section 5. Assessment and collection of taxes and
 173 assessments.--Taxes and assessments herein provided for
 174 shall be assessed and collected in the manner prescribed by
 175 applicable general law, as said laws may be amended from
 176 time to time. In particular, the taxes provided for herein
 177 shall be assessed and collected in the same manner and form
 178 as provided for the assessment and collection of county
 179 taxes and subject to a 3-percent commission for assessing
 180 and a 3-percent commission for collecting same. The tax



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181 collector shall distribute taxes collected on behalf of the
182 District pursuant to general law, as said laws may be
183 amended from time to time.

184 Section 4. This act shall be construed as remedial
185 and shall be liberally construed to promote the purpose for
186 which it is intended.

187 Section 5. If any clause or provision of this act is
188 declared as unconstitutional or invalid for any cause or
189 reason, it shall be eliminated from this act, and the
190 remaining portion of this act shall remain in full force
191 and effect as if said unconstitutional or invalid portion
192 had not been incorporated herein.

193 Section 6. Chapters 65-1823, 75-418, 79-489, 79-491,
194 81-414, 85-441, and 91-404, Laws of Florida, are repealed.

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