

CHAMBER ACTION

1 The Committee on Local Government & Veterans' Affairs recommends  
2 the following:

3  
4 **Committee Substitute**

5 Remove the entire bill and insert:

6 A bill to be entitled

7 An act relating to Trailer Estates Fire Control District,  
8 Manatee County; amending, codifying, reenacting, and  
9 repealing special acts relating to the district; providing  
10 boundaries of the district; providing for a board of  
11 commissioners; providing for election and organization of  
12 the board; providing powers and duties of the board;  
13 providing for a special assessment; providing powers and  
14 duties of the district; requiring a financial statement  
15 and budget; providing definitions; requiring a record of  
16 meetings of the board; providing for filling vacancies;  
17 providing for bonds; providing for severability; amending  
18 chapter 93-352, Laws of Florida, to remove a reference;  
19 providing an effective date.

20  
21 Be It Enacted by the Legislature of the State of Florida:  
22

23           Section 1. Pursuant to section 191.015, Florida Statutes,  
 24 this act constitutes the codification of all special acts  
 25 relating to the Trailer Estates Fire Control District. It is the  
 26 intent of the Legislature in enacting this law to provide a  
 27 single, comprehensive special act charter for the district,  
 28 including all current legislative authority granted to the  
 29 district by its several legislative enactments and any  
 30 additional authority granted by this act. It is further the  
 31 intent of this act to preserve all district authority, including  
 32 the authority to annually assess and levy against each taxable  
 33 property in the district a special assessment not to exceed \$75.

34           Section 2. Chapters 63-1587, 65-1894, 65-1895, 72-613, 80-  
 35 534, 82-323, 84-473, 94-373, and 95-503, Laws of Florida, are  
 36 codified, amended, reenacted, and repealed as provided herein.

37           Section 3. The Trailer Estates Fire Control District is  
 38 re-created and the charter for the district is re-created and  
 39 reenacted to read:

40           Section 1. Upon this act becoming a law, all of the lands  
 41 in Manatee County, hereinafter described, became and were  
 42 incorporated into and as a special fire control district, being  
 43 an independent special taxing district, a political subdivision  
 44 of the state, and having the powers and duties herein set forth,  
 45 under the name "Trailer Estates Fire Control District."

46           Section 2. The lands so incorporated being described as  
 47 follows:

48                   (a) Trailer Estates Subdivision as recorded in  
 49 Plat Book 8, Page 138, of the Public Records of  
 50 Manatee County, Florida.

- 51           (b) First Addition to Trailer Estates
- 52           Subdivision as recorded in Plat Book 9, Page 71, of
- 53           the Public Records of Manatee County, Florida.
- 54           (c) Second Addition to Trailer Estates
- 55           Subdivision as recorded in Plat Book 9, Page 61, of
- 56           the Public Records of Manatee County, Florida.
- 57           (d) Third Addition to Trailer Estates
- 58           Subdivision as recorded in Plat Book 10, Page 69, of
- 59           the Public Records of Manatee County, Florida.
- 60           (e) Fourth Addition to Trailer Estates
- 61           Subdivision as recorded in Plat Book 11, Page 66, of
- 62           the Public Records of Manatee County, Florida.
- 63           (f) Fifth Addition to Trailer Estates
- 64           Subdivision as recorded in Plat Book 12, Page 55, of
- 65           the Public Records of Manatee County, Florida.
- 66           (g) The SW 1/4 of the SE 1/4 of the SE 1/4 of
- 67           Section 22, Twp. 35 S., Rge. 17 E.; LESS: Land
- 68           Described in Deed Book 380, Page 451, Official Records
- 69           Book 208, Page 156 & 157, Official Records Book 240,
- 70           Pages 167 & 168, all of the Public Records of Manatee
- 71           County, Florida; ALSO LESS: The South 133 feet and
- 72           the East 290 feet of said SW 1/4 of the SE 1/4 of the
- 73           SE 1/4.
- 74           (h) A tract of land in the SW 1/4 of the SE 1/4
- 75           of the SE 1/4 of Section 22, Twp. 35 S., Rge. 17 E.,
- 76           of Manatee County, Florida, more particularly
- 77           described as follows: From the NW corner of said SW
- 78           1/4 of the SE 1/4 of the SE 1/4 of Section 22, run S.

79 88 degrees 30' East along the North line of said SW  
 80 1/4 of the SE 1/4 of the SE 1/4, 14.74 feet; thence  
 81 run S. 1 degree 48' West, 100 feet for a Point of  
 82 Beginning; thence run S. 88 degrees 30' East, 130 feet  
 83 to a point; thence run S. 1 degree 48' West, 50 feet  
 84 to a point; thence run N. 88 degrees 30' West, 130  
 85 feet to a point; thence run N. 1 degree 48' East, 50  
 86 feet to the Point of Beginning.

87 (i) A tract of land in the SW 1/4 of the SE 1/4  
 88 of the SE 1/4 of Section 22, Twp. 35 S., Rge. 17 E.,  
 89 of Manatee County, Florida, more particularly  
 90 described as follows: From the NW corner of said SW  
 91 1/4 of the SE 1/4 of the SE 1/4 of Section 22, run S.  
 92 88 degrees 30' East along the North line of said SW  
 93 1/4 of the SE 1/4 of the SE 1/4, 14.74 feet; thence  
 94 run S. 1 degree 48' West, 150 feet for a Point of  
 95 Beginning; thence run S. 88 degrees 30' East, 130 feet  
 96 to a point; thence run S. 1 degree 48' West, 50 feet  
 97 to a point; thence run N. 88 degrees 30' West, 130  
 98 feet to a point; thence run N. 1 degree 48' East, 50  
 99 feet to the Point of Beginning.

100 (j) A tract of land in the SW 1/4 of the SE 1/4  
 101 of the SE 1/4 of Section 22, Twp. 35 S., Rge. 17 E.,  
 102 of Manatee County, Florida, more particularly  
 103 described as follows: From the NW corner of said SW  
 104 1/4 of the SE 1/4 of the SE 1/4 of Section 22, run S.  
 105 88 degrees 30' East along the North line of said SW  
 106 1/4 of the SE 1/4 of the SE 1/4, 14.74 feet; thence

107 run S. 1 degree 48' West, 200 feet for a Point of  
 108 Beginning; thence run S. 88 degrees 30' East, 130 feet  
 109 to a point; thence run S. 1 degree 48' West, 50 feet  
 110 to a point; thence run N. 88 degrees 30' West, 130  
 111 feet to a point; thence run N. 1 degree 48' East, 50  
 112 feet to the Point of Beginning.

113 (k) A tract of land in the SW 1/4 of the SE 1/4  
 114 of the SE 1/4 of Section 22, Twp. 35 S., Rge. 17 E.,  
 115 of Manatee County, Florida, more particularly  
 116 described as follows: From the NW corner of said SW  
 117 1/4 of the SE 1/4 of the SE 1/4 of Section 22, run S.  
 118 88 degrees 30' East along the North line of said SW  
 119 1/4 of the SE 1/4 of the SE 1/4, 14.74 feet to the  
 120 East Right-of-Way of American Way (as per plat of  
 121 Trailer Estates, Third Addition, as recorded in Plat  
 122 Book 10, Page 69, of the Public Records of Manatee  
 123 County, Florida); thence run S. 1 degree 48' West, 270  
 124 feet for a Point of Beginning; thence run S. 88  
 125 degrees 30' East, 130 feet to a point; thence run S. 1  
 126 degree 48' West, 100 feet to a point; thence run N. 88  
 127 degrees 30' West, 130 feet to a point on the East  
 128 Right-of-Way of said American Way; thence run N. 1  
 129 degree 48' East along the East Right-of-Way of said  
 130 American Way, 100 feet to the Point of Beginning.

131 (l) A tract of land in the SW 1/4 of the SE 1/4  
 132 of the SE 1/4 of Section 22, Twp. 35 S., Rge. 17 E.,  
 133 of Manatee County, Florida, more particularly  
 134 described as follows: From the NW corner of said SW

135 1/4 of the SE 1/4 of the SE 1/4 of Section 22, run S.  
 136 88 degrees 30' East along the North line of said SW  
 137 1/4 of the SE 1/4 of the SE 1/4, 14.74 feet; thence  
 138 run S. 1 degree 48' West, 250 feet for a Point of  
 139 Beginning; thence run S. 88 degrees 30' East, 130 feet  
 140 to a point; thence run S. 1 degree 48' West, 20 feet  
 141 to a point; thence run N. 88 degrees 30' West, 130  
 142 feet to a point; thence run N. 1 degree 48' East, 20  
 143 feet to the Point of Beginning.

144  
 145 Section 3. The business and affairs of said district shall  
 146 be conducted and administered by a board of five commissioners,  
 147 hereinafter referred to as the "commissioners," who shall  
 148 organize in January of each year by electing from their number a  
 149 chair, a vice chair, a secretary, and a treasurer. The positions  
 150 of secretary and treasurer may be held by one commissioner. The  
 151 meeting at which the commissioners elect the officers shall be  
 152 called the "organizational meeting." Said commissioners shall  
 153 not receive any compensation for their services, but the  
 154 secretary and treasurer may receive a salary not to exceed \$300  
 155 per annum from the funds of said district for said officers'  
 156 services as secretary and/or treasurer. Each commissioner shall,  
 157 before said commissioner enters upon such duties, execute to the  
 158 Governor, for the benefit of said district, a good and  
 159 sufficient surety bond in the sum of \$5,000 with a qualified  
 160 corporate surety conditioned to faithfully perform the duties of  
 161 commissioner and to account for all funds which may come into  
 162 his or her hands as a commissioner. All premiums for such surety

163 | on all bonds shall be paid from the funds of said district. Each  
 164 | member shall, upon assuming office, take and subscribe to the  
 165 | oath of office prescribed by s. 5(b), Art. II of the State  
 166 | Constitution and section 876.05, Florida Statutes.

167 | Section 4. All district elections shall be conducted and  
 168 | supervised by the Supervisor of Elections of Manatee County,  
 169 | under the rules governing general elections in the County of  
 170 | Manatee, except as may otherwise be provided herein. All  
 171 | elections shall be held at the Trailer Estates Recreation Hall  
 172 | in the district. Any registered voter residing in the district  
 173 | may vote in a district election. Application for absentee  
 174 | ballots may be requested from the Supervisor of Elections of  
 175 | Manatee County within 1 year prior to each election, and shall  
 176 | be counted once returned to the Supervisor of Elections' office  
 177 | by 7:00 p.m. on the day of each election pursuant to the Florida  
 178 | Election Code. All election ballots shall be prepared by the  
 179 | Supervisor of Elections of Manatee County. The commissioners  
 180 | shall be elected in nonpartisan elections. A person desiring to  
 181 | have his or her name placed on the ballot for election as a  
 182 | commissioner of the district shall be a freeholder and qualified  
 183 | elector residing within the district, as certified by the county  
 184 | property appraiser and the supervisor of elections of said  
 185 | county to be a freeholder and qualified elector according to the  
 186 | respective official records of such officers, and shall pay a  
 187 | filing fee of \$25 or, in the alternative, the person may qualify  
 188 | by obtaining the signatures of at least 25 registered electors  
 189 | of the district on petition forms provided by the supervisor of  
 190 | elections, which petitions shall be submitted and checked in the

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191 same manner as petitions filed by nonpartisan judicial  
 192 candidates pursuant to section 105.035, Florida Statutes. Notice  
 193 of said election setting forth the names of the persons proposed  
 194 as commissioners of the district shall be in writing and posted  
 195 at the principal office of the district not less than 15 days  
 196 before the date of each election. Notwithstanding the provisions  
 197 of section 101.20, Florida Statutes, the publication of a sample  
 198 ballot is not required. The Supervisor of Elections of Manatee  
 199 County shall appoint inspectors and clerks for the election  
 200 whose duties shall be the same as similar officers in general  
 201 elections, except as herein stated. Said election may be by  
 202 ballot or by other electronic or electromechanical voting  
 203 system, and if by ballot the same shall be written or printed in  
 204 black ink on plain paper and shall be substantially in the  
 205 following form:

206 Board of Commissioners of the Trailer Estates Fire Control  
 207 District  
 208 (stating their names)

209  
 210 ,and if by other electronic or electromechanical voting system  
 211 the requirements for the ballot herein described shall be  
 212 adapted to the use of such voting system. Election of  
 213 commissioners shall be held bi-annually on the second Tuesday of  
 214 November or, in the alternative, on another Tuesday in November,  
 215 in even years, in conjunction with any other special, primary,  
 216 or general election to be conducted by the supervisor of  
 217 elections, by electing two commissioners in 2004 and three  
 218 commissioners in 2006 for 4-year terms. In the November 2004



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219 election, Seats #2 and #4 shall be filled. In the November 2006  
 220 election, Seats #1, #3, and #5 shall be filled. Commissioners  
 221 may succeed themselves in office. The term of newly elected  
 222 commissioners shall commence on the first Tuesday of January  
 223 following the election. Commissioners shall serve until their  
 224 successors assume office, except as otherwise provided herein.  
 225 The commissioners whose seats are filled pursuant to the  
 226 commissioners' election in November 2000 (Seats #2 and #4) shall  
 227 serve until their successors assume office following the  
 228 November 2004 commissioners' election. The commissioners whose  
 229 seats are filled pursuant to the commissioners' election in  
 230 November 2002 (Seats #1, #3, and #5) shall serve until their  
 231 successors assume office following the November 2006  
 232 commissioners' election. Each commissioner must be a qualified  
 233 elector at the time he or she qualifies and continually  
 234 throughout his or her term.

235 Section 5. The Supervisor of Elections of Manatee County  
 236 shall canvass the returns of elections and shall announce the  
 237 result thereof no later than the day following the election. The  
 238 expenses of the supervisor of elections for conducting each  
 239 election shall be paid out of general funds of the district.

240 Section 6. All vacancies occurring in the board of  
 241 commissioners from any cause shall be filled by the remaining  
 242 commissioners by the appointment of a successor commissioner or  
 243 commissioners from among the registered voters residing in the  
 244 district who are freeholders within said district. An appointed  
 245 commissioner shall serve until the next commissioners' election,  
 246 at which time an election shall be held to fill the vacancy for

247 | the remaining term, if any. Any commissioner failing to  
 248 | discharge the duties of his or her position may be removed for  
 249 | cause by the board of commissioners, after due notice and an  
 250 | opportunity to be heard upon charges of malfeasance or  
 251 | misfeasance.

252 | Section 7.

253 | (1) The district shall have the right, power, and  
 254 | authority to levy special assessments against taxable real  
 255 | estate lying within its territorial bounds in order to provide  
 256 | funds for the purposes of the district. The rate of such  
 257 | assessments shall be fixed by a resolution of the board of  
 258 | commissioners, as hereinafter provided, but shall in no event  
 259 | exceed the sum of \$50 per annum on business firms and buildings,  
 260 | \$75 per annum on homes, \$0.50 per lot on vacant lots, and \$0.50  
 261 | per acre or fraction thereof on unsubdivided acreage. Apartment  
 262 | buildings and tourist courts are to be construed as business  
 263 | buildings; provided, however, there shall be an additional  
 264 | assessment of \$0.50 for each rental unit. Trailers and mobile  
 265 | homes with or without cabanas, carports, or utility rooms shall  
 266 | be construed as homes.

267 | (2) The county property appraiser shall furnish the  
 268 | commissioners with a tax roll covering all taxable properties  
 269 | within the territorial limits of said district upon which roll  
 270 | said commissioners will place the levy for each parcel of  
 271 | property shown thereon on or before the first day of June of  
 272 | each year and any property owner in said district shall have the  
 273 | right during the period between the tenth day of June and the  
 274 | twentieth day of June of each year to file written protest of

275 the proposed assessments and the amount or rate thereof, and to  
 276 appear before the board in support of such protest; and the  
 277 board shall hold a meeting or meetings during said period to  
 278 consider and act upon any such protests.

279 (3) Immediately after the expiration of the period last  
 280 mentioned, the board of commissioners shall adopt a resolution  
 281 fixing the rates of assessment and shall return the said tax  
 282 roll to the county property appraiser, having first noted  
 283 thereon the levy against each parcel of property described  
 284 thereon, on or before the first day of July of each year. The  
 285 county property appraiser shall then include in the Manatee  
 286 County tax roll the assessments thus made by the Board of  
 287 Commissioners of the Trailer Estates Fire Control District and  
 288 the same shall be collected in the manner and form as is  
 289 provided for the collection of county taxes and paid over by the  
 290 county tax collector to the board of commissioners in the manner  
 291 and form as is provided for the disbursement of county taxes.  
 292 The county tax collector and the county property appraiser shall  
 293 receive commissions and fees for assessing and collecting such  
 294 assessments, of one and one-half percent to the tax collector  
 295 and one and one-half percent to the property appraiser, instead  
 296 of the same commissions and fees usually earned for the  
 297 assessment and collection of county taxes. Further, the services  
 298 of the property appraiser and the tax collector under this act  
 299 are hereby declared to be special services performed directly  
 300 for the district, and any payment therefor shall not be personal  
 301 income of such official but shall be income to said official's  
 302 office.

303 Section 8. Such special assessments shall be a lien upon  
304 the land so assessed along with the county taxes assessed  
305 against the same until said assessments and taxes have been  
306 paid, and if the same become delinquent, shall be considered a  
307 part of the county tax, subject to the same penalties, charges,  
308 fees, and remedies for enforcement and collection as provided by  
309 the laws of the state for the collection of such taxes.

310 Section 9. The proceeds of said assessments and the funds  
311 of the district shall be deposited in the name of the district  
312 in a qualified public depository as defined by Florida law,  
313 which depository shall be designated by resolution of the Board  
314 of Commissioners. No funds of the district shall be disbursed  
315 save and except by check or draft signed by any two  
316 commissioners.

317 Section 10. The fiscal year of the district shall commence  
318 October 1 of each year and end on September 30 of the following  
319 year. The commissioners shall, on or before April 1 of each  
320 year, prepare an annual financial statement of income and  
321 disbursements during the prior fiscal year. On or before  
322 September 1 of each year, the commissioners shall prepare and  
323 adopt an itemized budget showing the amount of money necessary  
324 for the operation of the district for the next fiscal year, and  
325 the district assessment to be assessed and collected upon the  
326 taxable property of the district for the next ensuing year. A  
327 copy of the annual financial statement and a copy of the budget  
328 shall be made available for public inspection at the principal  
329 office of the district at reasonable hours.

330       Section 11. The district may acquire and hold real and  
 331 personal property, sue and be sued, enter into contracts, and  
 332 perform other functions necessary or desirable to the carrying  
 333 out of the provisions and intent of this act. No debt shall be  
 334 created without the approval of the board of commissioners.

335       Section 12. The board of commissioners shall have the  
 336 power and authority to borrow money for the purposes of the  
 337 district in an amount not to exceed 50 percent of the total tax  
 338 assessment of the year when such borrowing is done, provided,  
 339 however, that the total accumulative debt of the district shall  
 340 never exceed 50 percent of the total special assessment in any 1  
 341 year. Neither the district commissioners as a body nor any one  
 342 of them as an individual shall be personally or individually  
 343 liable for the repayment of such loan, such repayment shall be  
 344 made out of tax receipts of the district. Except as provided in  
 345 this paragraph, the district commissioners shall not create any  
 346 indebtedness or incur obligations for any sum or amount which  
 347 the commissioners are unable to repay out of district funds then  
 348 in their hands, provided, that the district commissioners may  
 349 make purchases of equipment together with funds for the erection  
 350 or improvement of a fire station and/or ancillary structures of  
 351 the district on an installment basis as necessary if funds are  
 352 available for the payment of the current year's installment on  
 353 such equipment or building loan plus the amount due in that year  
 354 on any other installments and/or the repayment of any bank loan  
 355 or other existing indebtedness which may be due that year.

356       Section 13. No funds of said district shall be used for  
 357 any purposes other than the administration of the affairs and

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358 business of the district; the protection and preservation of  
 359 life and property; the prevention and elimination of fires; the  
 360 construction, care, maintenance, upkeep, operation, and purchase  
 361 of fire fighting and rescue equipment or a fire station and any  
 362 ancillary structures; installation of fire hydrants; payments of  
 363 public utilities such as electric lights and water; and payments  
 364 of salaries of a fire marshal and one or more firefighters as  
 365 the board of commissioners may from time to time determine to be  
 366 for the best interests of the district.

367 Section 14. The board of commissioners shall have the  
 368 power and the authority to buy, sell, trade, rent, or lease real  
 369 and personal property or otherwise dispose of surplus real or  
 370 personal property in the name of the district; to deliver  
 371 purchase money notes and mortgages or to assume the obligation  
 372 of existing mortgages in connection with the acquisition of  
 373 property of the district; to mortgage real and personal property  
 374 when necessary to carry out the district's duties and authority  
 375 under this act; to receive gifts of real or personal property;  
 376 and to acquire by gift or purchase a fire station and station  
 377 site and such fire fighting and rescue equipment as is deemed  
 378 necessary for the protection of said district. The board of  
 379 commissioners shall have the power to cooperate or contract with  
 380 other persons or entities, including other governmental  
 381 agencies, as necessary, convenient, incidental, or proper in  
 382 connection with providing effective mutual aid and furthering  
 383 any power, duty, or purpose authorized hereunder.

384 Section 15.

385       (1) The members of the board of commissioners shall have  
 386 the duties usually pertaining to, vested in, and incumbent upon  
 387 like officers. A record shall be kept of all meetings of the  
 388 board of commissioners, and in such meetings concurrence of a  
 389 majority of said commissioners shall be necessary to any  
 390 affirmative action taken by the board. The board of  
 391 commissioners shall keep a permanent record book in which the  
 392 minutes of all meetings, resolutions, proceedings, certificates,  
 393 bonds given by commissioners, and corporate acts shall be  
 394 recorded. The record book shall be open to inspection in the  
 395 same manner as state, county, and municipal records are open  
 396 under Florida law. The record book shall be kept at the  
 397 principal office of the district.

398       (2) The board of commissioners may adopt such bylaws and  
 399 rules and regulations not inconsistent with any portion of this  
 400 act, as it may deem necessary in and about the transaction of  
 401 its business and in carrying out the provisions of this act.

402       (3) The board of commissioners shall have the right,  
 403 power, and authority to employ by written contract the services  
 404 of a technical advisor who is thoroughly familiar with the  
 405 details and operations of a fire control district for any and  
 406 all such technical advice as may be necessary to make the fire  
 407 control district operative in accordance with this act, and fees  
 408 for such services shall be payable from the funds of the said  
 409 fire control district. The board of commissioners is hereby  
 410 authorized to employ and to enter into agreements or contracts  
 411 with consultants, engineers, attorneys, and fiscal, financial,  
 412 or other experts to perform planning, engineering, legal,

413 financial, or other professional services for the district, or  
 414 any asset thereof, upon such terms and conditions as the  
 415 commissioners shall deem desirable and proper.

416 Section 16.

417 (1) The board of commissioners of said district may  
 418 appoint a fire marshal, who shall be a person experienced in all  
 419 types of fire fighting and fire prevention and who shall work  
 420 with and cooperate with the Florida State Forestry Service in  
 421 which the district is situated, in the prevention of fires of  
 422 all types.

423 (2) Said fire marshal shall be required to inspect all  
 424 places of business, apartment houses, hotels, motels, and other  
 425 buildings within the territorial limits of the district wherein  
 426 large groups of people might congregate to determine that such  
 427 places have proper fire extinguishers and fire escapes, at least  
 428 two times each year, and shall submit a report on same to the  
 429 board of commissioners.

430 Section 17. The special fire control district shall exist  
 431 until dissolved by law. Should any part of the territory covered  
 432 in this act be held not to be included herein, then this act  
 433 shall continue in effect as to the balance of the said  
 434 territory. The district may be abolished by a majority vote of  
 435 the registered voters residing in the district at an election  
 436 called by the board of commissioners for such purpose, which  
 437 election shall be held and notice thereof given under the same  
 438 requirements as are set forth hereunder for the election of  
 439 commissioners and the levying and collecting of the district  
 440 assessments. Provided that the district shall not be abolished



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441 while it has outstanding indebtedness without first making  
442 adequate provision for the liquidation of such outstanding  
443 indebtedness and provided, further, that the real and personal  
444 property of the district shall be conveyed or otherwise  
445 transferred by gift by the board of commissioners to the Trailer  
446 Estates Park and Recreation District, being a political  
447 subdivision of the state.

448 Section 18. Commissioners not guilty of malfeasance in  
449 office shall be relieved of any personal liability for any acts  
450 done by them while holding office in the district; and any  
451 commissioner who is made a party to any action, suit, or  
452 proceeding solely by reason of holding office in the district  
453 shall be indemnified by the district against reasonable  
454 expenses, including attorneys' fees, incurred by said  
455 commissioner in defending such suit, action, or proceeding,  
456 except with respect to matters wherein it shall be adjudged in  
457 such proceeding that such commissioner is liable for negligence  
458 or misconduct in the performance of the commissioner's duties.

459 Section 19. No suit, action, or proceeding shall be  
460 instituted or maintained in any court against said district or  
461 the commissioners, or any commissioner thereof, for or upon any  
462 claim, right, or demand of any kind or nature, unless the person  
463 or persons making such claim or demand or claiming such right  
464 shall have within 30 days after the alleged accrual of such  
465 claim, right, or demand, given to the commissioners, or one of  
466 them, a notice in writing setting forth the nature of the right,  
467 claim, or demand, the amount thereof, the place and manner in  
468 which such claim or right accrued, together with the names and

469 addresses of all witnesses by whom such claims, rights, or  
 470 demands are to be proved or established, all with sufficient  
 471 detail to enable the district and the commissioners to fully  
 472 investigate such claim, right, or demand; and no suit, action,  
 473 or proceeding or any such demand shall be instituted within 3  
 474 months after such notice shall be given.

475 Section 20. The word "district" shall mean the special  
 476 fire control district hereby organized; the words "board" and  
 477 "board of commissioners" shall mean the board of commissioners  
 478 of and for the special fire control district hereby created when  
 479 used in this act, unless otherwise specified.

480 Section 21. If any clause, section, or provision of this  
 481 act shall be declared to be unconstitutional or invalid for any  
 482 cause or reason, the same shall be eliminated from this act, and  
 483 the remaining portion of said act shall be in force and effect  
 484 and be as valid as if such invalid portion thereof had not been  
 485 incorporated therein.

486 Section 22. This provisions of this act shall be liberally  
 487 construed in order to effectively carry out the purposes of this  
 488 act in the interest of the public.

489 Section 4. Paragraph (a) of subsection (1) of chapter 93-  
 490 352, Laws of Florida, is amended to read:

491 (1)(a) The business affairs of the Cedar Hammock Fire  
 492 Control District, Parrish Fire Control District, Southern  
 493 Manatee Fire and Rescue District, ~~Trailer Estates Fire Control~~  
 494 ~~District~~, Westside Fire Control District, and Whitfield Fire  
 495 Control District in Manatee County shall be conducted and  
 496 administered by a five-member board that is elected by the

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497 electors of the respective districts in nonpartisan elections  
498 held at the time and in the manner prescribed for holding  
499 general elections in section 189.405(2)(a), Florida Statutes.  
500 Each member shall be elected for a term of 4 years and shall  
501 serve until his successor is chosen and qualified, except that  
502 members elected to seats 2 and 4 in the first election held  
503 after the effective date of this act shall be elected for a term  
504 of 2 years.

505 Section 5. Chapters 63-1587, 65-1894, 65-1895, 72-613, 80-  
506 534, 82-323, 84-473, 94-373, and 95-503, Laws of Florida, are  
507 repealed.

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