

House Bill No. 871

An act relating to Big Corkscrew Island Fire Control and Rescue District, a special tax district of the State of Florida in Collier County; codifying the District charter, chapter 77-535, Laws of Florida, as amended, pursuant to section 191.015, Florida Statutes; providing legislative intent; amending, codifying, and reenacting all special acts relating to Big Corkscrew Island Fire Control and Rescue District as a single act; repealing all prior special acts relating to Big Corkscrew Island Fire Control and Rescue District; providing an effective date.

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

Section 1. Pursuant to section 191.015, Florida Statutes, this act constitutes the codification of all special acts relating to Big Corkscrew Island Fire Control and Rescue 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. It is further the intent of this act to preserve all District authority, including the authority to annually assess and levy against the taxable property in the District a tax not to exceed 2.0 mills on the dollar of assessed valuation, except as provided in chapter 191, Florida Statutes, as amended from time to time.

Section 2. Chapter 77-535, Laws of Florida, as amended, is amended, codified, reenacted, and repealed as herein provided.

Section 3. The Big Corkscrew Island Fire Control and Rescue District is re-created and the charter for such District is re-created and reenacted to read:

Section 1. Creation.—All that area of land located in Collier County, Florida, described as:

Range 27 East, Township 47 South; Range 28 East, Township 47 South; Range 27 East, except Sections 29, 30, 31, and 32, Township 48 South; Range 28 East, Township 48 South; Range 29 East, except Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18, Township 48 South; Range 28 East, except Sections 4, 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, 21, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, and 36, Township 49 South; Range 29 East, except Sections 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, and 36, Township 49 South; all of said lands being located in Collier County as set forth in the public records,

is hereby created and established as an independent fire control and rescue district known as the Big Corkscrew Island Fire Control and Rescue District. The District's geographic boundary shall be as set forth in this act.

Section 2. Status and purpose.—The Big Corkscrew Island Fire Control and Rescue District, an independent special district, is organized and exists for all purposes set forth in this act and chapters 189 and 191, Florida Statutes.

Section 3. Creation; amendment of charter.—The District was created by special act of the Legislature in 1977. Its charter may be amended only by special act of the Legislature.

Section 4. Governing body.—There shall be a District board to consist of three members who are residents of the District who shall constitute the Big Corkscrew Island Fire Control and Rescue District, to be elected as provided in chapter 191, Florida Statutes, as it may be amended from time to time.

Section 5. Officers.—Within 60 days after the election and qualification of its members, the board shall meet and elect from its membership a president, a secretary, and a treasurer, or a secretary-treasurer. The District shall have and the board may exercise all the general and special powers and duties prescribed in this act and chapters 189 and 191, Florida Statutes, as they may be amended from time to time.

Section 6. Policies and regulations.—The board is authorized to adopt policies and regulations for the prevention of fire and for fire control in the District, which policies and regulations shall have the same force and effect as law 10 days after copies thereof executed by the president and secretary of the board have been posted in at least two public places.

Section 7. Budget.—For the purposes of carrying into effect this act, the board shall annually prepare, consider, and adopt a District budget pursuant to the applicable requirements of chapter 200, Florida Statutes, as it may be amended from time to time.

Section 8. Taxing authority.—The District board shall fix and cause to be levied on all property of said District, real and personal, a millage sufficient to meet the requirements of the adopted budget, provided the total millage shall not exceed 2.0 mills except as provided by chapter 191, Florida Statutes.

Section 9. Powers and duties.—

(1) The District shall hold all powers, functions, and duties set forth in chapters 189 and 191, Florida Statutes, as they may be amended from time to time, regarding ad valorem taxation, bond issuance, other revenue-raising capabilities, budget preparation and approval, liens and foreclosure of liens, use of tax deeds and tax certificates as appropriate for non-ad valorem assessments, and contractual agreements. The District may be financed by any method established in this act, chapter 189 or chapter 191, Florida Statutes, or any other applicable general or special law, as any of these may be amended from time to time.

(2) The methods for assessing and collecting non-ad valorem assessments, fees, or service charges shall be as set forth in chapter 170, chapter 189, chapter 191, or chapter 197, Florida Statutes, as any of these may be amended from time to time.

(3) Requirements for financial disclosure, meeting notices, reporting, public records maintenance, and per diem expenses for officers and employees shall be as set forth in chapters 112, 119, 189, 191, and 286, Florida Statutes, as they may be amended from time to time.

(4) The District's planning requirements shall be as set forth in this act and chapters 189 and 191, Florida Statutes, as they may be amended from time to time.

Section 4. If any clause, section, or provision of this act is declared unconstitutional or invalid for any cause or reason, it shall be eliminated from this act, and the remaining portion of this act shall remain in force and effect as if said unconstitutional or invalid portion had not been incorporated therein.

Section 5. This act shall be construed as a remedial act and shall be liberally construed to promote the purpose for which it is intended.

Section 6. Chapters 77-535, 80-487, 85-401, 85-402, 87-512, 89-453, 90-444, 91-336, and 98-493, Laws of Florida, are repealed.

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

Approved by the Governor May 22, 2000.

Filed in Office Secretary of State May 22, 2000.