CHAPTER 2000-444

House Bill No. 1641

An act relating to the East Naples Fire Control and Rescue District, Collier County; codifying the district's charter, chapter 61-2034, Laws of Florida, 1961, as amended; providing a provision that the district is an independent special district; providing for a board of commissioners; defining its duties, powers, and authority; providing for the raising of funds within said district by taxation on all the property therein and the methods of levying, collecting, and disbursing said funds; repealing all prior special acts of the Legislature relating to the East Naples Fire Control and Rescue District; providing that this act shall take precedence over any conflicting law to the extent of such conflict; providing severability; providing an effective date.

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

- Section 1. Chapter 61-2034, Laws of Florida, as amended, is codified, reenacted, amended, and repealed as herein provided.
- Section 2. The East Naples Fire Control and Rescue District is re-created and the charter for such district is re-created and reenacted to read:
- Section 1. Pursuant to chapter 97-255, Laws of Florida, this act constitutes the codification of all special acts relating to the East Naples 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 assess annually and levy against the taxable property in the district a tax not to exceed 1.5 mills on the dollar of assessed valuation.
- Section 2. (1) A fire control district known as the East Naples Fire Control and Rescue District, hereafter referred to as the district, is hereby established to consist of the following described lands in Collier County:
 - A. Beginning at the northeast corner of the Northwest quarter of Section 27, Township 49 South, Range 25 East, thence along the north line of said Section 27, east 45 feet to the east right-of-way line of C-851 (also known as Goodlette-Frank Road), (which right-of-way line lies 45 feet east of, measured at right angles to, and parallel with the north and south quarter section line of said Section 27), to the north line of Lot 11, Naples Improvement Company's Little Farms, Plat Book 2, Page 2; thence east to the east section line of Section 27, Township 49 South, Range 25 East; then north along the east line of said Section 27 to the northeast corner of said Section 27; said point also being the southeast corner of Section 23 Township 49 South, Range 25 East thence east along the north line of Section 26, Township 49 South, Range 25 East to a point 990.0 feet west of the west right-of-way line of Airport Pulling Road;

thence south 01 degrees 30 minutes 00 seconds east, 1320.0 feet; thence north 89 degrees 25 minutes 40 seconds east, 660.0 feet; thence north 01 degrees 30 minutes 00 seconds west, 1320.0 feet to the north line of said Section 26; thence east along said north line of Section 26 to the west right of way line of Airport-Pulling Road; to the south line of said Section 26 (said right-of-way line lying 50 feet west of the southeast corner of said Section 26); thence westerly along said south line to the southwest corner of said Section 26; thence northerly along the west line of said Section 26; to the southerly right-of-way line of Golden Gate Parkway (100 feet wide); thence easterly along said southerly right-of-way line to a point lying 1220.00 feet west of the west line of said Airport-Pulling Road: thence northerly parallel with said west right-of-way line to the northerly right-of-way line of said Golden Gate Parkway; thence westerly along the north right-of-way of Golden Gate Parkway to a point 620 feet east and 235.46 feet south of the northwest corner of Lot 8, Naples Improvement Company's Little Farms; thence north 235.46 feet to the north line of Lot 8; thence west along said north line 620 feet to the northwest corner of said Lot 8; thence southerly to that angle point in said east right-of-way line which lies on a line 400.00 feet northerly of (measured at right angles to) and parallel with the north line of Section 34, Township 49 South, Range 25 East; thence continuing along said east right-of-way to the north line of Gordon River Homes Subdivision; thence east along the north line of Lots 50, 49, and 48 to a point 22.5 feet east of the northwest corner of Lot 48; thence south parallel to the west line of Lot 48 to the south line of Lot 48; thence west along the south line of Lots 48, 49, and 50 to the east right-of-way line of Goodlette-Frank Road: thence continuing along said east right-of-way line, which line lies 100.00 feet east of, measured at right angles to, and parallel with the north and south quarter section line of said Section 34; thence continuing along said east right-of-way line to a point on the north line of the southwest quarter of the northeast quarter of Section 34, Township 49 South, Range 25 East; thence continue on said right of way line 460.0 feet; thence north 89 degrees 41 minutes 30 seconds east 494.99 feet; thence south 0 degrees 34 minutes 06 seconds east 615.88 feet to a point of curvature; thence southwesterly 343.97 feet along the arc of a tangential circular curve, concave to the northwest have a radius of 243.97 feet and subtended by a chord which bears south 44 degrees 33 minutes 25 seconds west 345.84 feet; thence south 89 degrees 41 minutes 30 seconds west 250.0 feet to the easterly right of way line of Goodlette-Frank Road; thence south along said right of way line to a point 48.41 feet south of the north line of the south half of Section 34, Township 49 South, Range 25 East; thence north 89 degrees 56 minutes 59 seconds east 249.79 feet; thence northeasterly 173.98 feet along the arc of a circular curve concave to the northwest having a radius of 293.97 feet and being subtended by a chord which bears north 72 degrees 59 minutes 41 seconds east 171.46 feet; thence south 89 degrees 47 minutes 31 seconds east 808.79 feet; thence north 89 degrees 55 minutes 05 seconds east 993.64 feet to a point on that bulkhead line as shown on Plate recorded in Bulkhead Line Plan Book 1, Page 25 Collier County Public Records, Collier County, Florida; thence run the following courses along the said Bulkhead line, 47.27 feet along the arc of a non-tangential circular curve concave to the west,

having a radius of 32.68 feet and subtended by a chord having a bearing of south 14 degrees 08 minutes 50 seconds east and a length of 43.26 feet to a point of tangency; south 27 degrees 17 minutes 25 seconds west for 202.44 feet to a point of curvature; 296.89 feet along the arc of a curve concave to the southeast, having a radius of 679.46 feet and subtended by a chord having a bearing of south 14 degrees 46 minutes 21 seconds west and a length of 294.54 feet to a point of reverse curvature; 157.10 feet along the arc of a curve concave to the northwest, having a radius of 541.70 feet, and subtended by a chord having a bearing of south 10 degrees 33 minutes 47 seconds west and a length of 156.55 feet to a point of reverse curvature; 307.67 feet along the arc of a curve concave to the northeast; having a radius of 278.30 feet, and subtended by a chord having a bearing of south 12 degrees 47 minutes 59 seconds east and a length of 292.24 feet to a point of reverse curvature: 135.31 feet along the arc of a curve concave to the southwest having a radius of 100.00 feet and subtended by a chord having a bearing of south 05 degrees 42 minutes 27 seconds East and a length of 125.21 feet to a point of tangency; thence South 33 degrees, 03 minutes, 21 seconds West for 295.10 feet; and South 33 degrees 27 minutes 51 seconds West 1.93 feet to the north line of the River Park East Subdivision which is also the north line of the south half of the southeast quarter of Section 34, Township 49 South, Range 25 East; thence along the north line of the south half of the southeast quarter of said Section 34, easterly to the west line of Section 35, Township 49 South, Range 25 East; thence along the west line of said Section 35, northerly 1320 feet more or less to the northwest corner of the south half of said Section 35: thence along the north line of the south half of said Section 35, easterly to the west right-of-way line of State Road No. 31 (Airport Road), which right-of-way lies 50.0 feet west of, measured at right angles to, and parallel with the east line of said Section 35; thence along said right-of-way line of State Road No. 31, south 00 degrees 13 minutes 57 seconds west 1800 feet more or less to a point on said west right-of-way line, which lies north 00 degrees 13 minutes 57 seconds east 848.02 feet and south 89 degrees 46 minutes 03 seconds west 50.00 feet from the southeast corner of said Section 35; thence continuing along said west right-of-way line southerly 325.02 feet along the arc of a tangential circular curve concave to the east, radius 2914.93 feet, subtended by a chord which bears south 2 degrees 57 minutes 43 seconds east 324.87 feet; thence continuing along said west right-of-way line, tangentially south 6 degrees 09 minutes 22 second east 3.13 feet, thence southerly along a curve concave to the southwest, having a central angle of 6 degrees 23 minutes 18 seconds and a radius of 1860.08 feet, a distance of 207.34 feet; thence south 0 degrees 13 minutes 57 seconds west 313.03 feet more or less to a point on the north line of and 20 feet west of the northeast corner of Section 2, Township 50 South, Range 25 East; thence southeasterly, 300.7 feet more or less to a point on the east line of said Section 2 which point lies 300.0 feet south of the northeast corner of said Section 2; thence along the east line of the north half of said Section 2, southerly to the southeast corner of the north half of said Section 2; thence along the south line of the north half of said Section 2; westerly to the northeast corner of the southeast quarter of Section 3. Township 50 South, Range 25 East; thence southerly along the east line of the southeast corner of said Section 3 for a distance of 2013.98 feet; thence North 89 degrees 37 minutes 20 seconds East 662.04 feet; thence South 00 degrees 17 minutes 20 seconds East 119.26 feet; thence South 89 degrees 27 minutes 40 seconds West 322.00 feet; thence South 00 degrees, 17 minutes 20 seconds East 10.00 feet; thence South 89 degrees 27 minutes 40 seconds West 68.00 feet; thence South 00 degrees 17 minutes 20 seconds East 361.00 feet; thence North 89 degrees 27 minutes 40 seconds East 68.00 feet; thence South 00 degrees 17 minutes 20 seconds East 140.00 feet; thence South 89 degrees 27 minutes 40 seconds West 221.81 feet; thence North 01 degrees 05 minutes 56 seconds West 6.99 feet; thence westerly along the arc of a non-tangential circular curve concave to the north having a radius of 370.00 feet through a central angle of 18 degrees 34 minutes 13 seconds and being subtended by a chord which bears North 81 degrees 50 minutes 17 seconds West 119.40 feet for a distance of 119.92 feet to a point on the east line of said Section 3; thence southerly along the east line of Section 3, and along the east lines of Sections 10, 15, 22, and 27, all in Township 50 South, Range 25 East, to the southeast corner of said Section 27, Township 50 South, Range 25 East; thence westerly along the south line of said Section 27, Township 50 South, Range 25 East, and along the western prolongation of said south line to a point 1,000 feet west of the mean low water line of the Gulf of Mexico; thence southeasterly along said shoreline to the south line of Section 3, Township 51 South, Range 25 East, thence easterly along the south line of said Section 3, Section 2, Section 1, Township 51 South; thence along the south corner of said Section 5; thence north along the east line of Section 5, Township 51 South, Range 26 East; thence continue on the north line of Section 25, 26 and part of Section 27, Township 49 South, Range 25 East to the point of beginning and also,

- B. All those lands in Collier County described as: Sections 21, 22, 23, 26, 27, 28, 33, 34 and 35, Township 50 South, Range 26 East; Section 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 23, 24, 25, 26, 35 and 36, Township 51 South, Range 26 East; Sections 1, 2, 3 and those portions of Sections 10, 11, 12, and 13, Township 52 South, Range 26 East, that lie North of the Marco River; those portion of Section 5, 6, 7 and 18, Township 52 South, Range 27 East, that lie West and North of State Road 92; and Sections 7, 8, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30 and 31, Township 51 South, Range 27 East, and those portions of Sections 32 and 33, Township 51 South, Range 27 East, that lie west and North of State Road 92,
- C. Less and except the North ½ of Section 2 of Township 50 South, Range 25 East and the South ½ of Section 35 of Township 49 South, Range 25 East.
- (2) In the event that property in the district is annexed by the City of Naples between January 1 and July 1 of any year, the property shall be regarded as removed from the East Naples Fire Control and Rescue District as of January 1 of that year for the purpose of the levy of general ad valorem taxes by the district. If annexation occurs after July 1, the property shall be assessed by the district for ad valorem taxes for that year. On and after the effective date of annexation, the district shall be relieved of providing fire

service to the annexed area. The city and the district may reach an agreement to determine what portion, if any, of the existing indebtedness or property of the district shall be assumed by the municipality of which the annexed territory will become a part, the fair value of such indebtedness or property, and the manner of transfer and financing. Nothing herein shall relieve the property annexed from the payment of general obligation debt service incurred by the district before annexation.

- Section 3. The governing body of the district board shall be a board of five commissioners who are residents of the district who shall be elected as are county officers and who shall qualify and run for office as provided for by general law. For purposes of qualification and running for office, the commission seats shall be designated as number 1, 2, 3, 4, and 5. Within 15 days after any commissioner takes office, the district board shall meet and elect a chair and secretary-treasurer. Each member of the district board shall receive, from the funds of the district, compensation for his or her services as provided for by general law.
- Section 4. Within 10 days after the election and qualification of its members the board shall meet and elect from its membership a president, a secretary and treasurer or a secretary-treasurer.
- Section 5. The business affairs of the district shall be administered and conducted by the board. It shall have the authority, for and on behalf of the district, to establish, equip, operate, and maintain a fire department and rescue squad within the district and shall buy, lease, sell, exchange, or otherwise acquire and dispose of firefighting equipment and other property, real, personal, or mixed, that it may from time to time deem necessary to prevent and extinguish fire or provide rescue services within the district, which services may include transportation to a health facility when authorized by the Board of County Commissioners of Collier County under emergency conditions as may be prescribed by the board of county commissioners. This shall include, but not be limited to, the authority to provide water, water supply, water stations, and other necessary buildings; accept gifts or donations of equipment or money for the use of the district; and to do all things necessary to provide for an adequate water supply, fire prevention, and proper fire protection for the district. In addition, the board shall have the authority to extend its services outside the district when provided in cooperation with another governmental entity.
- Section 6. The board shall have the power to hire necessary firefighting personnel who shall serve at its pleasure.
- Section 7. The board shall have authority to inspect all property and investigate for fire hazards.
- Section 8. The board is authorized to promulgate rules and regulations for the prevention of fire and for fire control in the district, which rules 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 three public places.

Section 9. For the purpose of carrying into effect this law the board shall annually during the month of June, make an itemized estimate of the amount of money required to carry out the provisions of this act for the next fiscal year of said board, which fiscal year shall be from April 1 to and including the next succeeding March 31, which estimate shall show for what purpose the moneys are required and the amount necessary to be raised by taxation within the district, and shall be presented in writing, signed by the president and the secretary to the Board of County Commissioners of Collier County on or before the first Monday in July of each year. Prior to the presentation of such estimate to the Board of County Commissioners of Collier County, copies of the itemized estimate, signed by the president and secretary of the board, shall be posted in at least three public places within the district, and at the time of the presentation of such estimate the board shall also present to the Board of County Commissioners of Collier County a certificate of the board that copies of such estimate have been posted as provided herein.

Section 10. Upon receipt of such estimate and certificate of posting the said board of county commissioners shall cause the same to be recorded in the minutes of the county commissioners' meeting, and at the time of making and fixing the rate of annual taxation for county purposes, 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 estimate, provided however, the total millage shall not exceed 1 ½ mills. Subject to the provisions of chapter 82-281, Laws of Florida, this act shall take effect only when approved by a majority of the qualified electors residing within the area of the boundaries of the East Naples Fire Control District, voting in a referendum election to be called by the Board of County Commissioners of Collier County, in accordance with the provisions of the law relating to elections currently in force in Collier County, except that this section shall take effect upon becoming a law on March 18, 1982.

Section 11. Taxes herein provided for shall be assessed and collected in the same manner as provided for the assessment and collection of county taxes and subject to the same commission and fees for assessing and collecting as for the assessment and collection of county taxes except as herein otherwise provided.

Section 12. When the tax collector has collected the taxes provided for by this act he or she shall on or before the 10th day of each month report to the secretary of the board the collection made for the preceding month and remit the same to the treasurer of the board.

Section 13. All warrants for the payment of labor, equipment, materials, and other allowable expenses incurred by the board in carrying out the provisions of this act shall be payable by the treasurer of the board on accounts and vouchers approved by the board.

Section 14. The treasurer of the board when entering upon his or her duties shall give a good and sufficient bond to the Governor in the sum of \$3,000 for the faithful performance of his or her duties as treasurer.

- Section 15. The treasurer shall on or before April 10 and October 10 of each year make a written semiannual report of receipts and expenditures of the funds of the district to the board. He or she shall furnish a copy of said report to the board of county commissioners.
- Section 16. Subject to the original provisions of chapter 61-2034, Laws of Florida, not be effective until the same is ratified by a majority of the qualified electors of the district who vote in an election called by the board of county commissioners for ratification or rejection. In the event of ratification this act shall become effective immediately.
- Section 17. This act shall be construed as a remedial act and shall be liberally construed to promote the purpose for which it is intended.
- Section 18. The district shall have the power to issue general obligation bonds, notes, or certificates of indebtedness, hereafter "bonds," pledging the full faith, credit, and taxing power of the district for capital projects of the district in accordance with the following requirements:
- (a) The district shall have the power to, from time to time, issue general obligation bonds, notes, or certificates of indebtedness not to exceed 3 percent of the assessed value of the taxable property within the district as shown on the current tax roll at the time of the authorization of the general bonds.
- (b) Except for refunding bonds, no bonds shall be issued unless the issuance thereof shall have been approved at a referendum held in accordance with the requirements for such referendum as prescribed by general law. A referendum shall be called by the board of county commissioners of the county upon the request of the board of the district. The expenses of calling and holding the referendum shall be borne by the district, and the district shall reimburse the county for any expenses incurred in calling or holding such referendum.
- (c) The district may pledge its full faith and credit for the payment of the principal and interest on such general obligations bonds and for any reserve funds provided therefor and will unconditionally and irrevocably pledge itself to levy a special tax on all taxable property in the district, to the extent necessary for the payment thereof, over and above all other taxes authorized and permitted by this act.
- (d) If the board shall determine to issue bonds maturing in 12 months or more from the date of issue for more than one purpose, the approval of the issuance of the bonds for each and all such purposes may be submitted to the electors on one and the same ballot. The failure of the electors to approve the issuance of bonds for any one or more purposes shall not defeat the approval of bonds for any purpose which shall be approved by the electors.
- (e) Notwithstanding any provisions of any other law to the contrary, all bonds issued under the provisions of the act shall constitute legal investments for savings banks, banks, trust companies, insurance companies, executors, administrators, trustees, guardians, and other fiduciaries and for any board, body, agency, instrumentality, county, municipality, or other

political subdivision of the state and shall be and constitute security which may be deposited by banks or trust companies as security for deposits of state, county, municipal, or other public funds or be insurance companies as required for voluntary statutory deposits.

- (f) Any bonds issued by the district shall be incontestable in the hands of bona fide purchasers or holders for value and shall not be invalid because of any irregularity or defect in the proceeding for the issue and sale thereof.
- (g) Any resolution authorizing the issuance of bonds may contain such covenants as the board may deem advisable, and all such covenants shall constitute valid and legally binding and enforceable contracts between the district and the bondholders, regardless of the time of issuance thereof.
- (h) This act constitutes full and complete authority for the issuance of bonds and the exercise of the powers of the district provided herein. No procedures or proceedings, publications, minutes, consents, approvals, orders, acts, or things by the board for any board, officers, commission, department, agency, or instrumentality of the district, other than those required by this act, shall be required to issue bonds under this act.
- (i) Bonds may be sold at public or private sale after such advertisement, if any, as deemed advisable by the board.
- (j) The state pledges to the holders of any bonds issued under this act that it will not limit or alter the rights of the district to furnish the projects or to own, acquire, construct, reconstruct, improve, maintain, operate, or furnish the projects or to levy and collect the taxes, assessments, rentals, rates, fees, and other charges provided for herein and to fulfill the terms of any agreement made with the holders of such bonds and that it will not in any way impair the rights or remedies of such holders.
- (k) A default on the bonds of the district shall not constitute a debt or obligation of a local general-purpose government or the state.
- Section 19. The district shall have the authority to exercise the power of eminent domain, pursuant to chapters 73 and 74, Florida Statutes, over any property located within the district, except municipal, county, state, and federal property, for the purpose of acquiring property for the location of fire stations. The location and construction of fire stations shall comply with applicable Collier County ordinances.
- Section 20. Whenever a referendum is required under the provisions of this act, the district shall reimburse the county for the cost of such election.
- Section 21. The district board may allow for the collection of impact fees for capital improvements on new construction within the district.
 - (a) Impact fees for capital improvement:
- 1. It is hereby found and determined that Collier County is located in one of the fastest growing areas in the nation. New construction and resulting population growth is placing a strain upon the capabilities of the district to

continue to provide the high level of professional fire protection and related emergency services, for which the residents of the district pay and which they deserve.

- 2. It is readily apparent that additional equipment and facilities will be needed to meet the expanded commercial and residential growth within the district, at a cost beyond that which can be provided from current and anticipated ad valorem tax revenues assessed, collected, and received by the district.
- 3. It is hereby declared that the cost of new facilities and equipment for fire protection and related emergency services shall be borne by new users of the district's services to the extent that new construction requires new facilities and equipment, but only to that extent.
- 4. It is therefore the legislative intent of this section to transfer to the new user of the district's fire protection and related emergency services a fair share of the costs that new users impose on the district for new facilities.
- 5. It is hereby declared that the amounts of impact fees for capital improvement provided for in this section are just, reasonable, and equitable.

No person shall issue or obtain a building permit for new residential dwelling units or new commercial or industrial structures within the district, or issue or obtain construction plan approval for new mobile home developments located within the district, until the developer thereof shall have paid the applicable impact fee to capital improvements to the district hereinafter set forth.

- (b) Impact fees for capital improvement to be assessed and collected hereunder shall not exceed the following:
 - 1. Each new residential dwelling unit: \$.15 per square foot of living area.
- 2. New commercial or industrial structure: \$.30 per square foot of usable area.
- 3. New mobile home development: \$.15 per square foot of permitted living area.
- a. Living area shall be defined as that area of any structure that is covered by a roof.
- <u>b.</u> Permitted living shall be 25 percent of the area covered by the individual lots.
- (c) For the purpose of this section, each unit of any multifamily structure, whether it be a duplex, triplex, cooperative apartment, or condominium or similar type structure shall be considered and shall constitute a residential dwelling unit.
- (d) For the purpose of this section, motels, hotels, shopping centers, churches, nursing homes, hospitals, congregate living facilities when not

part of an actual residence, schools, fraternal lodges, veterans' lodges, or similar type structure shall be considered commercial structures.

- (e) Impact fees for capital improvement collected by the district pursuant to this section shall be kept and maintained as a separate fund from other revenues of the district and shall be used exclusively for the acquisition, purchase, or construction of new facilities and equipment, or portions thereof required to provide fire protection and related emergency services to new construction. "New facilities and equipment" means buildings and capital equipment including, but not limited to, such fire and emergency vehicles and communication equipment as may from time to time be deemed necessary by the district to provide fire protection and related emergency services to the areas of new construction.
- (f) The impact fees for capital improvement collected hereunder shall not be used for the acquisition, purchase, or construction of facilities or equipment which must be obtained in any event to meet the needs of the district, regardless of growth within the district.
- (g) The district board shall determine the maximum amount of impact fees to be assessed in any 1 fiscal year. This determination shall be made prior to the immediately succeeding fiscal year. However, should the district board authorize the collection of impact fees in an amount less than the maximum allowable hereunder, then these fees shall be uniform in each type of new construction subject to the fee. The district board's determination of the amount of the impact fee to be assessed in any 1 fiscal year shall be based on the requirements set forth in this section.
- (h) The impact fee for capital improvement called for in this section may be reduced by 50 percent if the owner of the permitted structure will install fire sprinklers in accordance with NFPA Pamphlet 13 and 13D. Only full sprinkler coverage is applicable for this reduction.
- (i) The board of fire commissioners shall, prior to assessing and collecting said fees, pass a resolution by a majority vote authorizing the collection of said fees subject to a referendum of registered voters of the district voting in favor of said resolution by a majority of votes cast.
- Section 3. It is intended that the provisions of this act shall be liberally construed for accomplishing the work authorized and provided for by this act, and where strict construction would result in the defeat of the accomplishment of any part of the work authorized by this act, and a liberal construction would permit or assist in the accomplishment of any part of the work authorized by this act, the liberal construction shall be chosen.
- Section 4. If any section, subsection, sentence, clause, or phrase of this act is held to be unconstitutional, such holding shall not affect the validity of the remaining portions of the act, the Legislature hereby declaring that it would have passed this act and each section, subsection, sentence, clause, and phrase thereof, irrespective of any separate section, subsection, sentence, clause, or phrase thereof, and irrespective of the fact that any one or more other sections, subsections, sentences, clauses, or phrases thereof may be declared unconstitutional.

Section 5. Chapter 61-2034, Laws of Florida; chapter 65-1410, Laws of Florida; chapter 77-534, Laws of Florida; chapter 80-486, Laws of Florida; chapter 82-281, Laws of Florida; chapter 83-391, Laws of Florida; chapter 84-417, Laws of Florida; chapter 87-546, Laws of Florida; and chapter 89-454, Laws of Florida, are repealed.

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

Approved by the Governor June 5, 2000.

Filed in Office Secretary of State June 5, 2000.