

purchase money; providing such instrument must permit the said Board to pay off all or any portion of the deferred purchase price at any time the said Board may desire; and provided further that said Board shall not by said instrument or by the acquisition of said land become itself liable for the purchase price but the land shall stand as the sole security for the purchase price and each such instrument shall so provide and shall also provide that neither the credit of said Board nor the credit of Special School District No. 1 of said County is pledged for the payment of such purchase price. In years subsequent to the fiscal year in which such land is acquired funds shall be budgeted for the payment of the deferred portions of the purchase price so long as and to the extent that said Board shall determine doing so to be for the best interest of the public school system of Orange County, Florida.

Section 3. This act is intended to be cumulative and is not intended to repeal or curtail any existing authority of the Board of Public Instruction of Orange County, Florida.

Section 4. The Board should not be obligated at any one time for more than \$100,000.00 under this Act.

Section 5. This Act shall take effect immediately upon its becoming a law.

Became a law without the Governor's approval.

Filed in Office Secretary of State May 30, 1957.

CHAPTER 57-1643
HOUSE BILL NO. 1626

AN ACT to authorize the creation of the following described lands lying and being in Orange County, State of Florida, to-wit:

Beginning at the Northeast corner of the Northwest quarter of the Northeast quarter of Section 20, Township 23 South, Range 30 East run thence North along State Road No. 15 to the Northeast corner of the Northwest quarter of the Northeast quarter of Section 17, Township 23 South, Range 30 East; thence West along Orlando Gardens Road to the Southeast corner of the Southwest quarter of the Southwest quarter of Section 8, Township 23 South, Range 30 East; thence North along Conway Gardens Road to the Northeast corner of the Southwest quarter of the South-

west quarter of Section 8, Township 23 South, Range 30 East; thence West along Pershing Avenue to the Northwest corner of the Southwest quarter of the Southeast quarter of Section 7, Township 23 South, Range 30 East; thence South along Bumby Avenue to Gatlin Avenue; thence Westerly along Gatlin Avenue to a point 660 feet West of the Northeast corner of Section 13, Township 23 South, Range 29 East; thence South 1650 feet; thence West 660 feet to the West line of Government Lot 1; thence South to the North line of Government Lot 2; thence Westerly to the center of Section 13, Township 23 South, Range 29 East; thence South 400.7 feet; thence Westerly 1486.5 feet to State Road No. 527 (Kuhl Avenue); thence Southerly along State Road No. 527 to Hoffner Avenue; thence East along Hoffner Avenue to Randolph Avenue; thence South along Randolph Avenue to Wallace Street; thence East along Wallace Street to Matchett Road; thence Southerly along Matchett Road to intersection with Nela Avenue; thence East along Nela Avenue to the East line of Section 25, Township 23 South, Range 29 East; thence South along said East line of Section 25, Township 23 South, Range 29 East to the Southeast corner of Section 25, Township 23 South, Range 29 East; thence East to the Southeast corner of the Southwest quarter of the Southwest quarter of Section 29, Township 23 South, Range 30 East; thence North to the Northeast corner of the Northwest quarter of the Northwest quarter of Section 29, Township 23 South, Range 30 East; thence East to the Southeast Corner of the Southwest quarter of the Southeast quarter of Section 20, Township 23 South, Range 30 East; thence North to the Northeast corner of the Northwest quarter of the Northeast quarter of Section 20, Township 23 South, Range 30 East, being the point of beginning.

into a special Water and Navigation Control District to be known as the "Lake Conway Water and Navigation Control District", with power: to regulate and control the level of water within said District; to build, erect, and maintain wells for the purpose of restoring, maintaining, lowering, and raising the water level of the lakes within said District, and to provide drainage of excess waters from the lakes within said District: to have authority to control, regulate and determine the water level of the lakes

within said District; to provide for the levying of taxes within said District for the payment of costs and expenses; determining that establishment and maintenance of said District confers special benefits on lands within said District for which ad valorem taxes may be assessed and collected; providing that taxes shall not be levied, assessed and collected in an amount in excess of two (2) mills on the total assessed valuation of the land within the District and the valuation of the land shall be determined by the valuation established by the Tax Assessor of Orange County, Florida, for lands within said District; to authorize and empower the said District to issue bonds to obtain funds to carry out the purposes of this law; to build, erect and maintain, and repair navigable canals within said District; to provide that the County Commissioners of Orange County, Florida shall be the governing body of said District and prescribing their duties, authority and functions; to make rules and regulations governing speed and operation of water craft plying the waters within said District; to provide for the punishment of violations of such rules and regulations; to provide regulations for the construction by private individuals or concerns of canals or ditches within the District, and to provide punishment for violation thereof; to provide for the establishment of an advisory committee to the Board of County Commissioners of Orange County with reference to the affairs of said District; to provide for the Clerk of the Circuit Court to serve as secretary ex officio and prescribing his duties; to provide that after the effective date of this Act it shall be unlawful to do any dredging, pumping of sand, extension of land, construction or extension of islands, creating obstructions in or under any of the waters of said District without obtaining a permit from the Lake Conway Water and Navigation Control District; providing for the requirements of applications to secure permits; providing for notice of public hearing on application for permits to make findings of fact according to standards stated in the Act; providing for public hearing on applications for permits; providing for the right of rehearing and the right of appeal on applications for permit; providing for exceptions as to docks and wharves in front of upland property owners with the power to establish rules and regulations therefor; providing for the period of time said permits may be issued; providing for the applicants for permits to pay the cost and expenses of process in determination of the application for per-

mits; providing for the applicants for purchase of submerged land from the trustees of the internal improvement fund to file a copy of said application together with other information with the Lake Conway Water and Navigation Control District; providing for the publication of notice of public hearing for proposed purchase of submerged land and other lands from the trustees of the Internal Improvement Fund of the State of Florida; providing for the Lake Conway Water and Navigation Control District to determine its recommendations on proposed purchase of all submerged land and other lands within the said District and submit them in writing to the trustees of the Internal Improvement Fund of the State of Florida after public hearing; providing that all costs and expenses of the process of determination and hearing of the Lake Conway Water Navigation Control District on its recommendations for sale of submerged land and other land shall be paid for by the applicants; granting the Lake Conway Water and Navigation Control District the right to subpoena witnesses and to compel them to testify under oath; providing for penalties for violation of this Act; providing that said Act is a valid public purpose; providing for this Act to be liberally construed; providing severability clause; repealing all laws in conflict herewith.

WHEREAS, the establishment and creation of the LAKE CONWAY WATER AND NAVIGATION CONTROL DISTRICT in Orange County, Florida would be for the benefit of the people of said district in that it would tend to promote their health, safety and general welfare,

NOW, THEREFORE,

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

Section 1. That in order to provide for adequate regulation and control of all lakes, canals, streams, waterways, inlets, bays and their alteration by dredging, filling, pumping, or otherwise altering the shoreline, land contours and/or water areas, and in the interest of public rights, public welfare, protection of public riparian property rights and the preservation of the natural beauty and attractiveness of the lakes, canals, streams, waterways, inlets and bays, and to provide for wells to restore and maintain water levels and to control and regulate speed and operation of boats, boating activity and navigation, and to provide adequate notice

as to the purchase of lands from the Trustees of the Internal Improvement Fund, within the District, and to provide public hearings and recommendations as to the same, there is hereby created the LAKE CONWAY WATER AND NAVIGATION CONTROL DISTRICT within the following described lands situate, lying and being in Orange County, Florida:

Beginning at the Northeast corner of the Northwest quarter of the Northeast quarter of Section 20, Township 23 South, Range 30 East; run thence North along State Road No. 15 to the Northeast corner of the Northwest quarter of the Northeast quarter of Section 17, Township 23 South, Range 30 East; thence West along Orlando Gardens Road to the Southeast corner of the Southwest quarter of the Southwest quarter of Section 8, Township 23 South, Range 30 East; thence North along Conway Gardens Road to the Northeast corner of the Southwest quarter of the Southwest quarter of Section 8, Township 23 South, Range 30 East; thence West along Pershing Avenue to the Northwest corner of the Southwest quarter of the Southeast quarter of Section 7, Township 23 South, Range 30 East; thence South along Bumby Avenue to Gatlin Avenue; thence Westerly along Gatlin Avenue to a point 660 feet West of the Northeast corner of Section 13, Township 23 South, Range 29 East; thence South 1650 feet; thence West 660 feet to the West line of Government Lot 1; thence South to the North line of Government Lot 2; thence Westerly to the Center of Section 13, Township 23 South, Range 29 East; thence South 400.7 feet; thence Westerly 1486.5 feet to State Road No. 527 (Kuhl Avenue); thence Southerly along State Road No. 527 to Hoffner Avenue; thence East along Hoffner Avenue to Randolph Avenue; thence South along Randolph Avenue to Wallace Street; thence East along Wallace Street to Matchett Road; thence Southerly along Matchett Road to intersection with Nela Avenue; thence East along Nela Avenue to the East line of Section 25, Township 23 South, Range 29 East; thence South along said East line of Section 25, Township 23 South, Range 29 East to the Southeast corner of Section 25, Township 23 South, Range 29 East; thence East to the Southeast corner of the Southwest quarter of the Southwest quarter of Section 29, Township 23 South, Range 30 East; thence North

to the Northeast corner of the Northwest quarter of the Northwest quarter of Section 29, Township 23 South, Range 30 East; thence East to the Southeast corner of the Southwest quarter of the Southeast quarter of Section 20, Township 23 South, Range 30 East; thence North to the Northeast corner of the Northwest quarter of the Northeast quarter of Section 20, Township 23 South, Range 30 East, being the point of beginning.

Section 2. The following terms and phrases, when used in this Act, shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

District means the Lake Conway Water and Navigation Control District.

Board means the Board of County Commissioners of Orange County, Florida, acting as the governing authority of the Lake Conway Water and Navigation Control District.

Water or *Waters* includes all lakes, canals, streams, waterways, bays and inlets within the District.

Person, Firm, Partnership or *Corporation*, when used in this Act, shall not include the State of Florida and Orange County, Florida.

Person shall mean an individual, firm, partnership or corporation.

Section 3. The Lake Conway Water and Navigation Control District shall be composed of the duly elected members of the Board of County Commissioners of Orange County, Florida, and said Board shall be the governing authority of the Lake Conway Water and Navigation Control District.

Section 4. The Board shall each year elect one (1) of its members as Chairman. The Clerk of the Circuit Court of Orange County, Florida, shall serve as secretary ex officio and as Clerk of the Lake Conway Water and Navigation Control District, and shall keep the minutes of the meetings of said District, but he shall not be entitled to any salary or additional compensation therefor, nor shall he be entitled to a vote on said Board. The members of the Board shall not be entitled to any additional salary or additional compensation for their services as members of said governing authority of the Lake Conway Water and Navigation Control District.

Section 5. It shall be the duty of the Clerk on and after the effective date of this Act to accept and process all applications and matters of business coming before the District and receive all revenues and receipts of the District. He shall further provide for such administrative service as may be requested by the Board and shall keep accurate records of the business of said District. He shall have available at all times for public inspection any and all rules, regulations and codes promulgated by the Board for the District.

Section 6. The Board shall have the power to employ or retain all personnel necessary to carry out the purposes of this Act. The payment of such personnel, costs and expenses of the District shall be an obligation of the said District and not the responsibility of Orange County, Florida.

Section 7. The Board shall regulate and control the level of water within the lakes, canals, streams, waterways, basins, bays and inlets in the said District and may make such investigation or cause investigation to be made as may be necessary to properly regulate and control the level of the waters within said District.

Section 8. The Board shall build, erect and maintain wells within the said District for the purpose of restoring, maintaining, lowering and raising the water level of the lakes within the District as deemed necessary by the Board. The Board may employ such persons, firms or corporations as may be necessary to advise it as to the number and location of the wells within the District.

Section 9. The Board shall provide for the drainage of excess waters from the lakes, canals, streams, waterways, bays and inlets within said District as it shall deem necessary from time to time.

Section 10. The Board shall build, construct and repair canals and locks within the said District as may be necessary to render the waters navigable and to carry out the purposes of this Act.

Section 11. The Board is hereby authorized and empowered to adopt by resolution reasonable and uniform rules and regulations to regulate and control the speed and operation of all water craft or boats of any kind plying on or using the waters within said District, including specifically the canals therein. Violation of any such rule or regulation shall be a misdemeanor and shall be punishable by imprisonment in the county jail for not exceeding ninety

(90) days, or by a fine not exceeding Two Hundred Dollars (\$200.00), or by both such imprisonment and fine.

Section 12: That on and after the effective date of this Act, it shall be unlawful for any person to do any dredging, pumping of sand, extension of lands, construction or extension of islands, creating canals, basins, inlets or bays for subdivisions or for any other purpose, filling of any submerged lands or creating obstructions in, on or under any of the waters of said District except as hereinafter provided.

(a) Any person, firm or corporation desiring to do any dredging, pumping of sand, filling of any submerged lands, extension of lands, construction of islands in or under the waters in the said District, or desiring to create canals, basins, inlets or bays for subdivisions or for any other purpose, or to create obstructions in, on or under any of the waters of the said District, shall make an application to the District for a permit to be granted to such person, firm or corporation to dredge, pump sand, fill or extend lands, or create canals, ditches, basins, inlets, or bays for subdivisions or for any other purpose, construction of islands, or to create obstructions in, on or under any of the waters of said District, or the excavating of basins or channels in the District.

(b) That said application shall be accompanied by a plan or drawing showing specifically what is proposed to be done, and the location of property owners who may be affected thereby. Said plan or drawing shall be to scale and shall show the depths of the waters and the elevation of the development above the waterline, and shall have been drawn by an accredited civil engineer; that said application shall include the names and mailing addresses of all the owners of property within five hundred (500) feet of the nearest point of said development; that said application shall further include proof of ownership of the property which is proposed to be developed; that the District may require such other information as may be necessary in the processing and determination of the application.

(c) The application shall be filed with the Clerk of said District, together with such filing fees and costs as may be necessary for the filing, processing and determination of said application; provided, however, such fees and costs shall not exceed Ten Dollars (\$10.00).

(d) The Board shall set a public hearing and publish notice of such public hearing one (1) time in a newspaper of general circulation in the area that is qualified to publish legal notices, at least one (1) week prior to said public hearing. Said notice shall state the development proposed to be made, the legal description of the area in which the development is to be made, a general description of the area involved. An affidavit of proof of said publication with a copy attached shall be furnished to the Board before its consideration of said application. The Board shall further cause notices to be sent by mail or personal service to each of the property owners within five hundred (500) feet of the proposed development, which shall in all events include the owners of the upland affected by any proposed fill between said upland and the nearest channel, and such other property owners as the Board deems might be adversely affected by the proposed development, and such notices shall be substantially the same as are required to be published in a newspaper as hereinbefore provided; that all municipalities or other public agencies who may be affected by said proposed development shall also be notified by mail as hereinbefore provided and shall have the right to be heard. The Board shall have the right to issue a writ of subpoena to any person to compel attendance at any hearing for the purposes of testifying before the Board, and the Board shall pay the witnesses fees required by statute for witnesses attending court in the State of Florida.

(e) That the District in order to prevent undesirable situations which might result from the promiscuous and uncontrolled dredging, pumping of sand, filling and/or extending lands, creating canals, ditches, basins, inlets or bays for subdivisions or for any other purpose, construction of islands, or creating obstructions in, on or under any of the waters of said District or excavating basins or channels within the District without regard to what might result therefrom, shall obtain such engineering or other data and hear such testimony under oath as may be necessary to determine:

(1) The effect of the proposed plan or development on the use of said waters in said District for transportation and recreational or other public purposes and public conveniences.

(2) The effect of the proposed plan or development on the free use of waters and waterways within the District.

(3) The effect of the proposed plan or development upon erosion control in the said District.

(4) The effect of the proposed plan or development upon the flow of waters in said District.

(5) The effect of the proposed plan or development upon formation of stagnant pockets likely to collect debris.

(6) The effect of the proposed plan or development upon the natural beauty and recreational advantage within said District.

(7) The effect of the proposed plan or development upon the conservation of wild life, marine life, and other natural resources.

(8) The effect of the proposed plan or development upon the upland surrounding or necessarily affected by said plan or development.

The Board after public hearing, from said data and testimony, shall make findings of fact and determine whether or not the proposed plan or development will materially affect any of the rights and interests of the public heretofore set out in this section. Said findings of fact and said determination shall be reduced to writing and shall be filed with the Clerk of the Board and, when so filed, shall be open to the public. The Board shall, if it desires, or at the request of any applicant or any objector, cause the testimony taken at public hearings to be reported and transcribed, which testimony, together with all engineering and other data considered by the Board, shall be filed with the Clerk of the Board and, when so filed, the same shall be open to the public; provided, however, that the Board may require the person or persons requesting the reporting of said testimony to post with the Board sufficient moneys to pay the costs of reporting and transcribing the same.

If the Board shall find that the proposed plan or development will not materially affect adversely any of the rights and interests of the public heretofore set out in this section, said Board shall then grant and issue a permit for said proposed plan or development or any modification thereof according to the provisions of this Act as hereinbefore provided.

If the Board shall find that the said proposed plan or development will materially affect adversely any of the rights or interests

of the public heretofore set out in this section, the said Board shall deny the application and refuse to issue a permit for the proposed plan or development.

Said permit, if granted, shall not be effective until thirty (30) days after the filing of the determination with the Clerk, and if a petition for rehearing is filed, until said petition is heard and determined.

Any person, firm or corporation, including the State of Florida, Orange County, Florida, and any municipal corporation in said District in the event they are aggrieved by the findings of fact and determination of the Board, may, within thirty (30) days of such findings and determination, petition for rehearing, stating in their petition the grounds upon which the governing District has erred in its findings and wherein they are aggrieved by said findings. The governing District may, in its discretion, grant or deny such rehearing.

Any person, firm or corporation, including the State of Florida, Orange County, Florida, and any municipal corporation in said District who is aggrieved by the Board's ruling on the petition for rehearing shall have the right to have the entire cause reviewed by the Circuit Court of the Ninth Judicial Circuit of Florida in and for Orange County as provided by law for other appeals to the Circuit Court.

Section 13. The Board may, if it deems it necessary, employ an examiner or examiners who shall conduct such of the public hearings provided for by Section 12 of this Act as may be referred to said examiner or examiners by the Board.

(a) The Board may enter an order referring the hearing to an examiner, which order shall be filed by the Clerk of the Board and shall become a part of the records of said Board.

(b) The examiner shall regulate all of the proceedings in every hearing before him, upon every reference, and he shall have full authority to examine the proponent, the objector and all witnesses, upon oath, touching all material matters relative to the application and also to direct the mode in which the matters requiring evidence shall be proved before him, and generally to do other act, and direct all other inquiries and proceedings in the matter before him which he may deem necessary and proper to the justice and

merits thereof and the rights of the parties. The examiner shall also administer the oath to all witnesses testifying before him.

(c) The evidence in all examinations before the examiner shall be taken down in writing by the examiner or by some other person, by his authority, in his presence and shall be transcribed and filed with his report.

(d) The examiner shall forthwith, after the public hearing, make his report to the Board. Said report shall be in writing and shall make findings of fact and recommendations as to the determination of the application, and attached to said report and made a part thereof shall be all testimony taken at said public hearing, together with all engineering and other data considered by the examiner in making his recommendations.

(e) Said report shall be filed with the Clerk of the Board and the Clerk of the Board shall notify by mail or personal service all of the persons, firms or corporations entitled under Section 12 of this Act to notice of the hearing that said report has been filed. Any person, firm or corporation, including the State of Florida, Orange County, Florida, and any municipality within said District, in the event they are aggrieved by the findings of fact and recommendations of the examiner, may, within thirty (30) days of the mailing of the notice of the filing of said report, file exceptions to said report, which exceptions shall specify wherein they are aggrieved and wherein the report and recommendations are erroneous. If no exceptions are filed within the said time as above provided, the report shall be confirmed by order of the Board. If exceptions are filed, they shall stand for hearing before the Board within thirty (30) days of the filing of the exceptions and notice of said hearing, in writing by the Clerk, shall be given to those persons entitled under the terms of this Act to notice of the filing of the examiner's report.

(f) At the hearing, before the Board, of exceptions to the examiner's report, the Board shall consider the exceptions to the examiner's report and the record of testimony taken before the examiner, without presumptions as to the examiner's findings of fact, the engineering and other data, and shall either confirm the examiner's report or enter such other determination in the matter as is proper; said order shall be filed with the Clerk of the Board and shall be open to the public. After the entry of said

order, the procedure for rehearing before the Board and review by the Circuit Court shall be the same as heretofore provided where the Board originally hears the testimony.

(g) The compensation of the examiner and of all other persons necessary to conduct said hearings, including a reporter, shall be paid by the Board.

Section 14. That the aforementioned provisions of Section 12 shall not deny the right of any upland owner to construct a dock or wharf in front of his upland as provided by the laws of the state, but said District may make reasonable rules and regulations for the construction thereof in order to carry out the provisions and intent of this Act.

Section 15. No permit shall be issued for more than a one (1) year period. Work under said permit must be commenced within six (6) months from the date of issuance and shall be completed within one (1) year from the date of issuance of said permit; and in the event said work is not commenced or completed within said period, reapplication shall be made to the District. For any non-compliance with or for violations of its terms, the permit may be revoked after notice of intent so to do has been furnished by the District and opportunity afforded within reasonable time for hearings thereon.

Section 16. (a) The applicant or applicants for the purchase of submerged land, islands, sandbars, swamp and overflow lands, including all sovereignty lands from the Trustees of the Internal Improvement Fund of the State of Florida shall, concurrently with the filing of said application with the Trustees of the Internal Improvement Fund, file a copy of same with the District, together with such other information as said District may require. The governing authority of the District shall then set a public hearing and publish notice of such public hearing one (1) time in a newspaper of general circulation in the area this is qualified to publish legal notices at least one (1) week prior to said public hearing. That said notice shall state the legal description of the land to be purchased, together with a general description of the land to be purchased. An affidavit of proof of publication shall be furnished to the Board before its consideration of said application. The said governing authority shall further cause notices to be sent by mail or personal service to each of the upland or other property owners

within five hundred (500) feet of the land to be purchased, and such other property owners as the said governing authority deems might be adversely affected by the proposed sale of said land; and such notices shall be substantially the same as are required to be published in a newspaper, as hereinbefore provided; that all municipalities or other public agencies who may be affected by the sale of said land shall also be notified by mail as hereinbefore provided.

(b) At said public hearing the said governing authority of the District shall consider what recommendations it will submit to the Trustees of the Internal Improvement Fund of the State of Florida. All of the proponents and opponents of the sale of said land shall be heard by the said governing authority at said public hearing and the said governing authority shall then determine its recommendations, which recommendations it shall immediately cause to be submitted in writing to the Trustees of the Internal Improvement Fund.

(c) In considering their recommendations, the said governing authority may obtain such engineering and other data and hear such testimony under oath as it may deem necessary.

(d) The Board shall assess such filing fees and costs as may be necessary for the filing, processing and determination of the application to purchase submerged lands; provided, however, such fees and costs shall not exceed Ten Dollars (\$10.00).

(e) The recommendations of the Board as submitted to the Trustees of the Internal Improvement Fund, irrespective of whether they be adverse or favorable, shall not in any way affect any subsequent action of the Board on an application for a permit or permits to develop said land under the provisions of this Act.

Section 17. The Board shall have the power to annually assess, levy and collect a special tax upon the lands in the District, which special tax shall be in addition to all other taxes levied and assessed for State and County purposes provided that taxes shall not be levied, assessed and collected in an amount in excess of two (2) mills on the total assessed valuation of the lands within the District and the valuation of the land shall be determined by the valuation established by the Tax Assessor of Orange County, Florida, for lands within said District.

The Board shall collect and keep the said tax in a separate fund to be known as the "Lake Conway Water and Navigation Control District Fund."

Section 18. That the special tax authorized by this Act shall be assessed, equalized and collected upon the land within the District by the same officers in the same manner as is provided by law for the assessment, equalization, and collection of other county taxes. And the Board of County Commissioners shall assess and have collected from all land within said District the taxes as herein provided until all warrants, checks, bonds or other indebtedness shall have been paid in full and cancelled. The Tax Collector shall immediately upon receipt of taxes paid under the provisions of this law disburse the same to the Clerk of the Board for use by the Board in the manner provided by this law.

Section 19. The Board is authorized and empowered to expend and use the said moneys collected under the taxing, fee and/or bond provisions of this law to carry out the intent and purpose of this law and said authority and power shall include, but is not limited to, the payment of costs and expenses incident to the administration of the District, the payment of personnel wages and salaries, the payments of costs incident to the issuance of bonds, to the payment of the interest and sinking fund of bonds that may be issued as hereinafter provided, and the payment of engineering or other technical experts who may be employed to assist and advise the Board. The Board is also authorized and empowered to expend the funds collected by the taxing, fee and/or bond provision of this law to build, construct, erect and maintain wells, canals and drainage facilities and to provide suitable personnel and equipment to regulate and control the water craft using the said waters of the District, and in general to carry out the intent and purpose of this Act.

Section 20. The Board is authorized and empowered to issue bonds to enable the Board to obtain funds to finance the projects and programs which it may deem necessary as authorized by this Act and to carry out the purposes of this Act.

In issuing and selling said bonds and in disbursing the proceeds thereof, the Board may act in conformity with the provisions of the General Laws of the State of Florida applicable to the issuance and sale of bonds for the purpose of constructing hardsurfaced

roads and public buildings as set out in Florida Statutes, Chapter 130, 1955, and as may be amended hereafter, with the exception that the tax for the payment of interest and to provide a sinking fund for the payment of the bonds shall be assessed and collected only upon the land within the boundaries of said District.

Section 21. Wherever the Board in behalf of said District shall have authorized the issuance of bonds pursuant to any provisions of this Act, such Board may, if it shall so elect, cause such bonds to be validated in accordance as nearly as it is practicable to apply the same, with the provisions of Chapter 75 of Florida Statutes 1955, and as may thereafter be amended, relating to the validating of bonds issued by counties and municipalities, taxing district or political district for which purpose in the event of the exercise of such election by the Board, all the provisions of said Act of the Legislature shall be held to also include and apply to bonds issued by the said District, and the decree of validation that shall be entered by the Court shall have the same conclusive force and effect as said Act now relates to bonds issued by counties and municipalities, but this provision as to validation proceedings shall not be construed as being compulsory upon, but only optional with the Board of County Commissioners.

Section 22. The Board may meet and hold its public hearings in any public meeting place within Orange County, Florida.

Section 23. The Board shall have the power to enforce its findings and determinations by injunction or other legal process.

Section 24. The provisions of this Act shall be liberally construed in order to effectively carry out its purposes.

Section 25. That for the purpose of assisting and advising the Board of County Commissioners there is hereby created an Advisory Committee. There shall be three (3) members of said Advisory Committee to be appointed by the Board from among the resident freeholders within said District for a term of two years, and the said members shall serve without any compensation or remuneration whatsoever. Vacancies occurring on said Committee shall be promptly filled by the Board.

Section 26. Penalties: Any person, firm, partnership or corporation convicted of violating any of the provisions of this Act or who shall fail to abide by and obey all orders and resolutions promulgated as hereby provided, shall be deemed guilty of a mis-

demeanor and upon conviction thereof shall be punished by fine not exceeding two hundred dollars (\$200.00) or by imprisonment in the County Jail not to exceed ninety (90) days, or by both such fine and imprisonment.

Section 27. It is hereby determined by the Legislature of the State of Florida the purposes of this Act are hereby declared and found to be for a good and valid public purpose and that this Act confers special benefits upon the lands within the District hereinbefore described in the Act and the Board is therefore authorized and empowered to assess, levy and collect ad valorem taxes upon the lands within the District in the manner and for the purposes hereinbefore described.

Section 28. Saving Clause: If any section, sentence, clause, phrase or word of this Act is for any reason held or declared to be unconstitutional, inoperative or void, such holding or invalidity shall not affect the remaining portions of this Act, and it shall be construed to have been the legislative intent to pass this Act without such unconstitutional, invalid or inoperative part therein, and the remainder of this Act, after the exclusion of such part or parts shall be deemed and held to be valid as if such part or parts had not been included herein, or if this Act, or any provision thereof, shall be held inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other person, property or circumstance.

Section 29. All laws or parts of laws in conflict herewith are hereby repealed.

Section 30. This Act shall take effect immediately upon becoming law.

Became a law without the Governor's approval.

Filed in Office Secretary of State June 29, 1957.

CHAPTER 57-1644

SENATE BILL NO. 1232

AN ACT providing for liens in favor of operators of hospitals in Orange County, Florida, and liens in favor of governmental agencies paying for care of individuals.