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WHEREAS, at that time and place, Bane Waddell Cheek was a student in a physical education class at the Haines City High School which is a part of the Polk County School System, and

WHEREAS, the District School Board of Polk County was negligent in the supervision, instruction and in the use of a mini-trampoline in said physical education class, and

WHEREAS, as a result of said acts Bane Waddell Cheek was injured while using a mini-trampoline in said physical education class. Said injuries included a fracture of the cervical spine with resulting quadraplegia below the level of the fifth cervical vertebra, resulting in paralysis and loss of all bodily functions below the fifth cervical level, these injuries being permanent, and

WHEREAS, the negligence of the District School Board of Polk County as alleged above was the proximate cause of said injuries to Bane Waddell Cheek, and

WHEREAS, Bane Waddell Cheek has been caused to suffer physical incapacitation, a loss of his past and future earning capacity, mental pain and suffering, disfigurement, humiliation, embarrassment, the inability to lead a normal life and future medical expenses, and

WHEREAS, Fred and Nancy Cheek, as parents and guardian of Bane Waddell Cheek, have incurred expenses for the past medical expenses, rehabilitation expenses, expenses for the modification to their home, expenses for transportation and other rehabilitation equipment, as well as the loss of services, society and companionship of their son, NOW, THEREFORE,

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

Section 1. The facts stated in the preamble to this act are found and declared to be true.

Section 2. The District School Board of Polk county is authorized and directed to compensate Bane Waddell Cheek in the amount of \$350,000 for injuries and damages sustained, and further, to compensate Fred and Nancy Cheek in a sum of \$50,000 for past and future medical rehabilitation and expenses out of the funds of the District School Board of Polk County not otherwise appropriated.

Section 3. This act shall take effect upon becoming a law.

Approved by the Governor June 29, 1979.

Filed in Office Secretary of State July 3, 1979.

CHAPTER 79-557

House Bill No. 1517

An act relating to the Polk County Industrial Development Authority; amending Section 2 of chapter 69-1510, Laws of Florida, to provide for removal of members; adding Section 9A to chapter 69-1510, Laws of Florida, to provide for the alteration or change, of the structure, organization, programs, activities, or existence of the

Authority; amending Section 11 of chapter 69-1510, Laws of Florida, to authorize the Authority to utilize the privileges, benefits and powers of an industrial development authority created pursuant to Part III of chapter 159, Florida Statutes; providing an effective date.

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

Section 1. Section 2 of chapter 69-1510, Laws of Florida, is amended to read:

Section 2. The Authority shall be composed of nine (9) members, each of whom shall be a resident and freeholder of Polk County. The authority members shall be appointed by the board of county commissioners of Polk County in the following manner and for the following terms: Each member shall serve a term of three (3) years, except that of the members initially appointed, three (3) members shall serve terms of one (1) year, three (3) members shall serve terms of two (2) years and three (3) members shall serve terms of three (3) years. Each member shall serve and continue to hold office until his successor is appointed and qualified. Any member of the Authority may be removed without cause by a three-fifths vote of the board of county commissioners of Polk County, or for neglect of duty or misconduct in office by a majority vote of a quorum of the board of county commissioners of Polk County. A member may be removed for misconduct in office or neglect of duty only after he has been given a copy of the charges at least 10 days prior to the hearing thereon and has had an opportunity to be heard in person or by counsel. If a member is removed, a record of the proceedings, together with the charges and findings thereon when removal is for misconduct in office or neglect of duties, shall be filed in the office of the clerk of the circuit court for Polk County. In the event of a vacancy in the office of any member during a term of office, the said board of county commissioners shall appoint a successor for the period of the unexpired term. Each member shall subscribe and file with the clerk of the circuit court of said county an oath accepting the office of member and binding himself to well and truly perform the duties of the office but no bond shall be required of him as a condition of holding office. The authority may provide for its officers or for each member to be bonded in an amount to be set by the authority and the cost of said bonds shall be a proper authority expense. At least one (1) member of the authority shall reside in each county commissioner district and not more than three (3) members shall reside in the same county commissioner district; except that a change in the district lines during any member's term of office shall not act to divest him of his office until the expiration of his term. All terms of members shall be measured from the date this act becomes a law.

Section 2. Section 9A is added to chapter 69-1510, Laws of Florida, to read:

Section 9A. The board of county commissioners of Polk County may, at its sole discretion, and at any time, alter or change the structure, organizations, programs, or activities of the Authority, and may eliminate the Authority, subject to any limitation on the impairment of contracts entered into by the Authority.

Section 3. Section 11 of chapter 69-1510, Laws of Florida, is amended to read:

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Section 11. The Authority shall be endowed with and authorized to exercise all the powers in connection with the authorization, issuance and sale of revenue bonds to finance the cost of capital projects conferred on counties, municipalities, special districts and other local governmental bodies by the Florida Industrial Development Financing Act and all of the privileges, benefits, powers and terms including definitions of such act shall be fully applicable to the authority. In addition, the Authority may act in any manner and to any purpose, that an industrial development authority created pursuant to s. 159.45, Florida Statutes, may act. In addition, the Authority shall be endowed with and authorized to exercise, either singularly or in conjunction with any other powers hereby granted, all powers that are conferred upon industrial development authorities created pursuant to Part III of Chapter 159, Florida Statutes, as the same may be amended from time to time, and the authority may exercise or avail itself of any or all such privileges, benefits, and powers of Part III.

Section 4. This act shall take effect July 1, 1979.

Became a law without the Governor's approval.

Filed in Office Secretary of State July 3, 1979.

CHAPTER 79-558

House Bill No. 466

An act relating to the City of Punta Gorda; authorizing the City Council to create special taxing districts for the maintenance of canals, waterways and navigable channels, including the maintenance and reconstruction of bulkheads, retaining walls and other appurtenances; providing a procedure therefor; providing for a referendum prior to the creation of any such district; providing for the expenses of creation; providing the powers of the district.

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

Section 1. The City Council of the City of Punta Gorda may, by ordinance, establish one or more districts for the purpose of maintenance and reconstruction of bulkheads, retaining walls and other appurtenances as it shall, in its discretion, determine to be necessary in the public interest. Any such district shall consist of only incorporated, contiguous areas of said City, comprising part but not all of the areas of such City.

Section 2. Prior to the consideration of any such ordinance, the City Council of the City of Punta Gorda shall first cause a preliminary report to be made by the City Engineer or other qualified engineer, which report, together with any other relevant or pertinent matter, shall include at least the following:

(1) A general description of the territory proposed to be included within such district.