

June 14, 2005

Ms. Glenda E. Hood  
Secretary of State  
Florida Department of State  
R.A. Gray Building  
500 South Bronough Street  
Tallahassee, FL 32399-0250

Dear Secretary Hood:

I hereby transmit to you, with my signature, House Bill 1555, entitled:

An act relating to the Hasting Drainage District . . .

House Bill 1555 constitutes the codification of all special acts relating to the Hasting Drainage District into a single act, pursuant to section 189.429, Florida Statutes.

While the codification aspects of the bill appear to be straightforward, Section 2 presents a concern. It provides the District all rights with respect to right-of-ways through another district, (Flagler Estates Road and Water Control District), and places the burden of maintaining these right-of-ways on taxpayers of the Flagler Estates district. While these provisions are existing law, an opportunity to remove an unfair tax burden was missed.

Hasting's drainage canals and ditches traverse the Flagler Estates district. These drainage canals and ditches convey and drain water that falls on both districts and the burden should be shared by all that benefit. Chapter 298, Florida Statutes, "Drainage and Water Control," contemplates equitable assessments based on the benefits received from works of the districts.

My objection to this provision cannot be carried out by veto because the same flaw exists in current law. I am encouraged by conversations with the two districts that they will work cooperatively toward an equitable solution for the Legislature's consideration in 2006.

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I hereby transmit House Bill 1555, with my signature.

Sincerely,

Jeb Bush