

House Bill No. 857

An act relating to the Pal-Mar Water Control District, Palm Beach and Martin Counties; codifying, amending, reenacting, and repealing special acts relating to the district; providing boundaries; providing for a board of supervisors; providing membership, terms of office, removal from office, and powers of the board; repealing chapters 82-356 and 85-483, Laws of Florida; providing for severability; providing an effective date.

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

Section 1. Pursuant to section 189.429(1), Florida Statutes, this act constitutes the codification of all special acts relating to the Pal-Mar Water Control 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 prior legislative enactments and any additional authority granted by this act. It is further the intent of this act to preserve all district powers and authority as set forth herein.

Section 2. Chapters 82-356 and 85-483, Laws of Florida, are codified, reenacted, amended, and repealed as herein provided.

Section 3. The Pal-Mar Water Control District is re-created and the charter for such district is re-created and reenacted to read:

Section 1. District created and boundaries thereof.—That for the purpose of reclaiming and protecting the lands hereinafter described from the effects of water by drainage or otherwise, for sanitary and agricultural purposes, to be conducive to the public health, convenience, and welfare of public utility and benefit, and that such purposes will be effected by the drainage of said lands, and for other purposes stated in this act, a district is hereby created and established in Palm Beach and Martin Counties, to be known as Pal-Mar Water Control District, an independent special district, the territorial boundaries of which are as follows:

Begin at the point of intersection of the East line of Section 32, Township 40 South, Range 41 East and the North right of way line of State Road 706; thence run Westerly along said right of way line to the intersection of said North right of way line of State Road 706 with the North right of way line of State Road 710 (Bee Line Highway); thence run Northwest-erly along said North right of way line of said State Road 710 to the intersection of said right of way line with the West line of the East one-half (E½) of Section 23, Township 40 South, Range 39 East; thence run Northerly along said West line of the East one-half (E½) to the Northerly line of said Section 23; thence run Northerly along the West line of the East one-half (E½) of Section 14, Township 40 South, Range 39 East, to the Northerly line of said Section 14; thence run Northerly along the West line of the East one-half (E½) of Section 11, Township 40 South, Range 39 East, to the Northerly line of Section 11, thence run Northerly

along the West line of the East one-half (E½) of Section 2, Township 40 South, Range 39 East to the South right of way line of State Road 76; thence run Northeasterly along said South right of way line of said State Road 76 to the intersection with the East line of the West one-half (W½) of Section 36, Township 39 South, Range 39 East; thence run Southerly along said East line of the West one-half (W½) of said Section 36 to the North line of Section 1, Township 40 South, Range 39 East; thence run South along the East line of the West one-half (W½) of said Section 1, Township 40 South, Range 39 East to the North line of Section 12, Township 40 South, Range 39 East; thence run Southerly along the East line of the West one-half (W½) of said Section 12 to the North line of Section 13, Township 40 South, Range 39 East; thence run Easterly along said North line to the Northeast corner of said Section 13; thence run Southerly along the East line of said Section 13 to an intersection with the Old Jupiter Grade; thence meander said Old Jupiter Grade Southeasterly through Section 18, Township 40 South, Range 40 East, to the East line of said Section 18; thence run Southerly along said East line to the Southeast corner of said Section 18; thence run Easterly along the North line of Section 20, Township 40 South, Range 40 East, to the Northeast corner of said Section 20; thence run Easterly along the North line of Section 21, Township 40 South, Range 40 East, to the Northeast corner of said Section 21; thence run Northerly along the West line of Section 15, Township 40 South, Range 40 East, to an intersection with the Old Jupiter Grade; thence meander Southeasterly along the Old Jupiter Grade to an intersection with the South line of said Section 15; thence run Easterly along said South line to the South Quarter Corner of said Section 15; thence run Northerly along the West line of the East one-half (E½) of said Section 15 to the North line of said Section 15; thence run Northerly along the West line of the East one-half (E½) of Section 10, Township 40 South, Range 40 East, to the North line of said Section 10; thence run Easterly along said North line to the Northeast corner of said Section 10; thence run Easterly along the North line of Section 11, Township 40 South, Range 40 East, to the Northeast corner of said Section 11; thence run Easterly along the North line of Section 12, Township 40 South, Range 40 East, to the Northeast corner of said Section 12; thence run Southerly along the East line of said Section 12 to the Southeast corner of said Section 12; thence run Easterly along the North line of Section 18, Township 40 South, Range 41 East, to the Northeast corner; thence run Southerly along the East line of said Section 18 to the Southeast corner of said Section 18; thence run Easterly along the North line of Section 20, Township 40 South, Range 41 East, to the Northeast corner of said Section 20; thence run Southerly along the East line of said Section 20 to the Southeast corner of said Section 20; thence run Southerly along the East line of Section 29, Township 40 South, Range 41 East, to the Southeast corner of said Section 29; thence run Southerly along the East line of Section 32, Township 40 South, Range 41 East, to the Point of Beginning.

the foregoing boundaries containing and including the following lands, to-wit:

All that portion of the Southeast Quarter of Section 35 lying South of State Road 76 and all of that portion of the Southwest Quarter of Section 36, lying South of State Road 76, Township 39 South, Range 39 East; the West Half of Section 1, Township 40 South, Range 39 East; that portion of the East Half of Section 2 lying South of State Road 76, Township 40 South, Range 39 East; the East Half of Section 11, the West Half of Section 12, all of Section 13, the East Half of Section 14, that portion of the East Half of Section 23 lying North of State Road 710 and that portion of Sections 24 and 25 lying North of State Road 710, Township 40 South, Range 39 East.

That portion of Section 18 lying South of the Old Jupiter Grade, less the West 150 feet of said Section 18; Section 19, less the West 150 feet of said Section 19; all of Sections 20 and 21; all of Sections 27, 28, 29 and 30, LESS the West 150 feet of Section 30, all lying North of State Road 706 and 710; Sections 31, 32, 33, 34, 35 and 36, Township 40 South, Range 40 East, lying North of State Roads 706 and 710; and Section 31, Township 40 South, Range 41 East; the East one-half (E½) of Section 20 and all of Sections 29 and 32, Township 40 South, Range 41 East, Palm Beach County; EXCEPTING therefrom rights-of-way for public roads.

East Half of Section 10; all of Sections 11, 12, 13, 14; East half of Section 15; that part of the West half of Section 15 lying South of the Old Jupiter Road; Section 22, except that part of the Northwest Quarter (NW¼) of Section 22, lying North of the Old Jupiter Road; Sections 23 and 26; all in Township 40 South, Range 40 East; the foregoing lands lying and being in Martin County, Florida.

West 150 feet of Section 18, South of the Old Jupiter Grade and West 150 feet of Sections 19 and 30, North of State Road 710, Township 40 South, Range 40 East; that part of the Northwest Quarter of Section 22, lying North of the Old Jupiter Grade, Township 40 South, Range 40 East.

Sections 24 and 25, Township 40 South, Range 40 East; Section 18, 19 and 30, and the West half of Section 20, Township 40 South, Range 41 East; EXCEPTING therefrom rights-of-way for public roads.

All that part of State Road S-711 lying in Sections 18, 19, 30 and 31, Township 40 South, Range 41 East, and also lying in Sections 24, 25 and 36, Township 40 South, Range 40 East.

Easement in Sections 2, 11, 14, 23, 24 and 25, Township 40 South, Range 39 East.

Section 2. Board of supervisors.—

(1) The Board of Supervisors of the Pal-Mar Water Control District shall have five supervisors selected as follows:

(a) One supervisor shall be either a member of the Board of County Commissioners of Palm Beach County or a landowner within the district appointed by the Board of County Commissioners of Palm Beach County.

(b) One supervisor shall be either a member of the Board of County Commissioners of Martin County or a landowner within the district appointed by the Board of County Commissioners of Martin County.

(c) Three supervisors shall be selected by the landowners in accordance with section 298.11, Florida Statutes.

(2) The appointed supervisors of the Pal-Mar Water Control District shall serve 1-year terms of office beginning the second Wednesday in June of each year or until such time as a successor has been selected.

(3) Any supervisor appointed by the Board of County Commissioners of Palm Beach County or the Board of County Commissioners of Martin County may be removed by the appointing board for dishonesty, incompetency, or failure to perform the duties imposed on that supervisor by chapter 298, Florida Statutes.

Section 3. Powers of board of supervisors.—

(1) The Board of Supervisors of the Pal-Mar Water Control District in Palm Beach and Martin Counties is hereby authorized to plan, construct, and maintain different water control systems by units of development within the district, with different assessment areas according to the benefits received, so as to most equitably provide for assessments according to benefits, based upon the plans and recommendations of the chief engineer for the district.

(2) The board of supervisors is hereby prohibited from planning, constructing, and maintaining different water control systems by units of development within the district unless the owners of a majority of the acres within the unit to be developed express their desire, in writing or by referendum or by certified letter, to have the water control system developed.

Section 4. Chapters 82-356 and 85-483, Laws of Florida, are repealed.

Section 5. In case any one or more of the sections or provisions of this act or the application of such sections or provisions to any situation, circumstances, or person shall for any reason be held to be unconstitutional, such unconstitutionality shall not affect any other sections or provisions of this act or the application of such sections or provisions to any other situation, circumstance, or person, and it is intended that this act shall be construed and applied as if such section or provision had not been included herein for any unconstitutional application.

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

Approved by the Governor May 26, 2005.

Filed in Office Secretary of State May 26, 2005.