

1 A bill to be entitled
2 An act relating to the Pahokee Water Control
3 District, Palm Beach County; providing for
4 codification of special laws regarding special
5 districts pursuant to chapters 97-255 and
6 98-320, Laws of Florida, relating to the
7 Pahokee Water Control District, a special tax
8 district of the State of Florida composed of
9 the County of Palm Beach; providing legislative
10 intent; codifying, reenacting, and amending
11 chapter 10002, Laws of Florida, 1923; chapter
12 13715, Laws of Florida, 1929; chapter 14779,
13 Laws of Florida, 1931; chapter 18042, Laws of
14 Florida, 1937; chapter 19607, Laws of Florida,
15 1939; chapters 20652 and 20695, Laws of
16 Florida, 1941; chapter 23622, Laws of Florida,
17 1947; chapter 28440, Laws of Florida, 1953;
18 chapter 30151, Laws of Florida, 1955; and
19 chapters 57-433, 63-877, 71-817, 77-618,
20 80-563, 82-354, and 97-335, Laws of Florida;
21 providing for minimum charter requirements;
22 amending the district's maintenance tax cap;
23 providing for repeal of all prior special acts
24 related to the district; providing for
25 precedence over conflicting law to the extent
26 of such conflict; providing severability;
27 providing an effective date.

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29 Be It Enacted by the Legislature of the State of Florida:
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1 Section 1. Pursuant to chapters 97-255 and 98-320,
2 Laws of Florida, this act constitutes the codification of all
3 special acts relating to the Pahokee Water Control District,
4 an independent special district. It is the intent of the
5 Legislature in enacting this law to provide a single,
6 comprehensive special act charter for the District, including
7 all current legislative authority granted to the District by
8 its several legislative enactments and any additional
9 authority granted by this act. It is further the intent of
10 this act to preserve all District authority, including the
11 authority to annually assess and levy against the taxable
12 property in the District.

13 Section 2. Chapter 10002, Laws of Florida, 1923;
14 chapter 13715, Laws of Florida, 1929; chapter 14779, Laws of
15 Florida, 1931; chapter 18042, Laws of Florida, 1937; chapter
16 19607, Laws of Florida, 1939; chapters 20652 and 20695, Laws
17 of Florida, 1941; chapter 23622, Laws of Florida, 1947;
18 chapter 28440, Laws of Florida, 1953; chapter 30151, Laws of
19 Florida, 1955; and chapters 57-433, 63-877, 71-817, 77-618,
20 80-563, 82-354, and 97-335, Laws of Florida, relating to the
21 Pahokee Water Control District, are codified, reenacted,
22 amended, and repealed as herein provided.

23 Section 3. The Pahokee Water Control District is
24 re-created, and the charter for such district is re-created
25 and reenacted to read:

26 Section 1. In accordance with section 189.404(3),
27 Florida Statutes, the following are the minimum requirements
28 for the charter of the Pahokee Water Control District:

29 (a) The District is organized and exists for all
30 purposes set forth in this act and chapter 298, Florida
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1 Statutes, as they may be amended from time to time, so far as
2 not inconsistent with this act.

3 (b) The powers, functions, and duties of the District
4 regarding non-ad valorem assessments, bond issuance, other
5 revenue-raising capabilities, budget preparation and approval,
6 liens and foreclosure of liens, use of tax deeds and tax
7 certificates as appropriate for non-ad valorem assessments,
8 and contractual agreements shall be as set forth in chapters
9 189, 197, and 298, Florida Statutes, this act, or any other
10 applicable general or special law, as they may be amended from
11 time to time.

12 (c) The District was created by chapter 10002, Laws of
13 Florida, 1923, a special legislative act.

14 (d) The District's charter may be amended only by
15 special act of the Legislature.

16 (e) In accordance with chapter 298, Florida Statutes,
17 the District is governed by a Board of Supervisors. The
18 membership and organization of the Board shall be as set forth
19 in this act and chapter 298, Florida Statutes, as they may be
20 amended from time to time.

21 (f) The compensation of Board members shall be
22 governed by this act and chapter 298, Florida Statutes, as
23 they may be amended from time to time.

24 (g) The administrative duties of the Board shall be as
25 set forth in this act and chapter 298, Florida Statutes, as
26 they may be amended from time to time.

27 (h) Requirements for financial disclosure, meeting
28 notices, reporting, public records maintenance, and per diem
29 expenses for officers and employees shall be as set forth in
30 chapters 112, 189, 286, and 298, Florida Statutes, as they may
31 be amended from time to time.

1 (i) The procedures and requirements governing the
2 issuance of bonds, notes, and other evidence of indebtedness
3 by the District shall be as set forth in chapters 189 and 298,
4 Florida Statutes, and applicable general laws, as they may be
5 amended from time to time.

6 (j) The procedures for conducting District elections
7 and for qualification of electors shall be pursuant to
8 chapters 189 and 298, Florida Statutes, and applicable general
9 laws, as they may be amended from time to time.

10 (k) The District may be financed by any method
11 established in this act, chapters 189 and 298, Florida
12 Statutes, or any applicable general laws, as they may be
13 amended from time to time.

14 (l) In accordance with chapter 298, Florida Statutes,
15 the District may continue to levy upon all of the real taxable
16 property in the District a special tax each year as
17 maintenance tax.

18 (m) The method for collecting non-ad valorem
19 assessments, fees, or service charges shall be as set forth in
20 chapters 197 and 298, Florida Statutes, as they may be amended
21 from time to time.

22 (n) The District's planning requirements shall be as
23 set forth in chapters 189 and 298, Florida Statutes, as they
24 may be amended from time to time.

25 Section 2. The creation and organization of the
26 Pahokee Water Control District, as created and organized by
27 the Circuit Court of Palm Beach County under the provisions of
28 former Article I, Chapter III, Title VII, First Division of
29 the Revised General Statutes of Florida, 1920, is hereby
30 ratified, validated, and confirmed.

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1 Section 3. The Pahokee Water Control District so
2 created and organized, and by this act ratified, validated,
3 and confirmed, shall embrace and include all the lands within
4 the following boundaries:

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6 Commencing at the northwest corner of Section
7 Fifteen (15), Township Forty-two (42) South,
8 Range Thirty-seven (37) East, and running
9 thence southerly and along the West Section
10 Line of said Section to the Southwest corner of
11 said Section Fifteen (15), which is also the
12 Northeast corner of Section Twenty-one (21)
13 same Township and Range; thence westerly along
14 the north line of said Section Twenty-one (21)
15 to the northwest corner of said Section, which
16 is also the northeast corner of Section Twenty
17 (20), same Township and Range; thence southerly
18 and along the lines dividing the aforesaid
19 Sections Twenty-one (21) and Twenty (20), and
20 continuing in the same line which divides
21 Sections Twenty-eight (28) and Twenty-nine
22 (29), and Thirty-three (33) and Thirty-two
23 (32), same Township and Range, to the southerly
24 line of said Township Forty-two (42) South;
25 thence due East along said Township line to the
26 Palm Beach Canal; thence following the West
27 bank of said Palm Beach Canal in a
28 northwesterly direction to the section line
29 dividing Sections 12 and 13, Township 42, Range
30 37; thence West along said section line to the
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1 Northwest corner of Section 15, Township 42,
2 Range 37, the point of beginning.

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4 Section 4. For the purpose of providing a necessary
5 outlet for the drainage of the East Beach Water Control
6 District, formerly the West Unit of the Pahokee Water Control
7 District, and the disposal of the same by gravity into the
8 West Palm Beach Canal, the Board of Supervisors of the Pahokee
9 Water Control District is hereby authorized to acquire and
10 maintain a right-of-way 100 feet wide, necessary for the canal
11 and spoil bank thereof, which will constitute the outlet, the
12 same to commence at a point where the north line of the
13 Pahokee Water Control District intersects the eastern shore of
14 Pelican Lake and from thence to run eastwardly along the
15 northerly line of the Pahokee Water Control District to a
16 point where the same intersects and will empty into the West
17 Palm Beach Canal, and to provide in connection with said
18 outlet drainage canal whatever flood gates may be necessary,
19 sluices, and other works pertinent to the same and as may be
20 necessary to accomplish the objective and purpose for which it
21 is constructed.

22 Section 5. The Board of Supervisors of the Pahokee
23 Water Control District shall be composed of three citizens of
24 the United States, who shall be resident freeholders of the
25 State of Florida.

26 Section 6. The Board of Supervisors of the Pahokee
27 Water Control District is hereby authorized, empowered, and
28 directed to levy and impose upon all of the lands, including
29 lands held by the Board of Trustees of the Internal
30 Improvement Trust Fund of Florida, or its successor, lying and
31 being situate within the boundaries of the District, a tax not

1 to exceed the sum of \$40 per acre, per annum, and such tax
2 shall be known and designated a maintenance tax. The proceeds
3 of said maintenance tax shall be used for purposes for which
4 maintenance taxes are authorized to be levied by the
5 provisions of chapter 298, Florida Statutes.

6 Section 7. All other acts and proceedings of the
7 Circuit Court of Palm Beach County taken by, for, and on
8 behalf of the District since the creation thereof, and all of
9 the acts and proceedings of the Board of Supervisors, the
10 Commissioners, and all other officers and agents of the
11 District, and of Palm Beach County, acting for and on behalf
12 of the District, and any and all tax levies and assessments
13 which have been made by the Board of Supervisors for and on
14 behalf of the District, are each and every one of them, and
15 each and every part thereof, hereby ratified, validated, and
16 confirmed.

17 Section 8. The action of the Board of Supervisors,
18 officers, and receivers of the Pahokee Water Control District
19 and of the Tax Collector of Palm Beach County, in accepting
20 bonds, interest coupons, and other obligations of the
21 District, and each unit thereof, in the payment of taxes and
22 assessments, and all compromises, adjustments, and settlements
23 of delinquent taxes or assessments heretofore made, are hereby
24 ratified, confirmed, validated, and declared to be legal,
25 valid, and binding.

26 Section 9. The Board of Supervisors shall have the
27 power to employ a person to be designated the General Manager
28 of the District and to vest in him or her such authority, to
29 delegate to him or her the performance of such duties, and to
30 provide such compensation as may be determined by the Board.
31 The Board may require the General Manager to furnish bond with

1 good and sufficient surety in such amount as the Board may by
2 resolution determine.

3 Section 10. The Board of Supervisors is authorized and
4 empowered to enter into arrangements with other drainage and
5 water control districts in the Everglades area for the pooling
6 of insurance coverage, for the purchase, rental, and use of
7 equipment, buildings, and facilities, and for the services of
8 employees of the District.

9 Section 4. Chapter 10002, Laws of Florida, 1923;
10 chapter 13715, Laws of Florida, 1929; chapter 14779, Laws of
11 Florida, 1931; chapter 18042, Laws of Florida, 1937; chapter
12 19607, Laws of Florida, 1939; chapters 20652 and 20695, Laws
13 of Florida, 1941; chapter 23622, Laws of Florida, 1947;
14 chapter 28440, Laws of Florida, 1953; chapter 30151, Laws of
15 Florida, 1955; and chapters 57-433, 63-877, 71-817, 77-618,
16 80-563, 82-354, and 97-335, Laws of Florida, are hereby
17 repealed, except to the extent inconsistent herewith.

18 Section 5. In the event of a conflict of the
19 provisions of this act with the provisions or any other act,
20 the provisions of this act shall control to the extent of such
21 conflict.

22 Section 6. In case any one or more of the sections or
23 provisions of this act or the application of such sections or
24 provisions to any situation, circumstances, or person shall
25 for any reason be held to be unconstitutional, such
26 unconstitutionality shall not affect any other sections or
27 provisions of this act or the application of such sections or
28 provisions to any other situation, circumstances, or person,
29 and it is intended that this act shall be construed and
30 applied as if such section or provision had not been included
31 herein for any unconstitutional application.

1 Section 7. This act shall take effect upon becoming a
2 law.

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