

By Representative Negron

1                                   A bill to be entitled  
2           An act relating to the Troup-Indiantown Water  
3           Control District, Martin County; amending  
4           chapter 63-819, Laws of Florida; providing  
5           district status and boundaries; providing for  
6           applicability of chapters 298 and 189, Florida  
7           Statutes, and other general laws; providing a  
8           district charter; providing for liberal  
9           construction; providing a saving clause in the  
10          event any provision of the act is deemed  
11          invalid; providing an effective date.

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

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15           Section 1. Chapter 63-819, Laws of Florida, is amended  
16 to read:

17           (Substantial rewording of chapter. See  
18           chapter 63-819, Laws of Florida, for present text.)  
19           Section 1. Status and boundaries of Troup-Indiantown  
20 Water Control District.--The Troup-Indiantown Water Control  
21 District is hereby declared to be an independent water control  
22 district and a public corporation of the State of Florida  
23 pursuant to chapter 298, Florida Statutes, as it may be  
24 amended from time to time, and the lands lying within the area  
25 described as follows in Martin County, Florida, shall hereby  
26 constitute the Troup-Indiantown Water Control District:

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28           Beginning at the southeast corner of Section  
29           33, Township 39 South, Range 39 East, run  
30           thence East with the South line of Section 34 a  
31           distance of 60 feet to a point; run thence

1 North on a line 60 feet East of and parallel to  
2 the East lines of Sections 33, 28, 21 and 16 to  
3 a point in the North line of Section 15 which  
4 is 60 feet East of the Northwest corner of said  
5 Section 15; run thence in a straight line to  
6 the Northeast corner of Section 9; run thence  
7 Northward with the East line of Section 4 to  
8 the Northeast corner thereof; thence run  
9 Westward with the North lines of Section 4, 5,  
10 and 6 to a point in the North line of Section  
11 6, which is 50 feet East of the Northwest  
12 corner of said Section 6; run thence Southward  
13 with a line which is 50 feet East of and  
14 parallel to the West lines of Sections 6 and 7  
15 and the North one-half of Section 18 to a  
16 point; run thence Southeastward in a straight  
17 line to the Northeast corner of Section 30; run  
18 thence Southeastward to the Southwest corner of  
19 the East one-half of the Southwest one-quarter  
20 of Section 29; run thence Eastward with the  
21 South line of Section 29 a distance of 1329.12  
22 feet to the Northwest corner of the East  
23 one-half of Section 32; run thence South with  
24 the West line of the East one-half of Section  
25 32 a distance of 1675.73 feet to a concrete  
26 monument which is on the Southwest bank of a  
27 drainage canal; run thence South 23E 49' 29"  
28 East a distance of 614.2 feet to a point on the  
29 Southwest bank of said drainage canal; run  
30 thence South 20E 16' 59" East a distance of  
31 873.6 feet to a point on the Southwest bank of

1 said drainage canal; run thence South 37E 49'  
2 39" East a distance of 1426.46 feet to a point  
3 on the Southwest bank of said drainage canal;  
4 run thence South 42E 05' 24" East a distance of  
5 429.70 feet to a point on the Southwest bank of  
6 said drainage canal; run thence South 22E 51'  
7 04" East a distance of 830.8 feet to a point on  
8 the Southwest bank of said drainage canal; run  
9 thence South 32E 45' 39" East a distance of  
10 65.38 feet to an intersection point with the  
11 South line of Section 32, which point is 569.23  
12 feet West of the Southeast corner of said  
13 Section 32; run thence East with the South  
14 lines of Sections 32 and 33 to the point of  
15 Beginning.  
16 and  
17 Beginning at a point on the South line of the  
18 North 1/2 of Section 34, Township 39 South,  
19 Range 39 East, which point is 60 feet East of  
20 the Southwest corner of the North 1/2 of said  
21 Section 34, thence run East along the South  
22 boundary line of the North 1/2 of Sections 34  
23 and 35 to the Southeast corner of the Northwest  
24 1/4 of Section 35; thence run North along the  
25 East boundary line of the West 1/2 of Sections  
26 35, 26, 23, 14 and 11, to the North line of  
27 Section 11; thence run West along the North  
28 lines of Sections 10 and 11 to the Northwest  
29 corner of Section 10; thence South in a  
30 straight line to a point on the South line of  
31 Section 10, which point is 60 feet East of the

1        Southwest corner of Section 10; thence run  
2        South parallel to 60 feet East of the West  
3        lines of Section 15, 22, 27 and 34 to the point  
4        of beginning. All of said lands lying and being  
5        in Township 34 South, Range 39 East.  
6        and  
7        Beginning at a point on the South line of the  
8        North 1/2 of Section 34, Township 39 South,  
9        Range 39 East, which point is 60 feet East of  
10       the Southwest corner of the North 1/2 of said  
11       Section 34, thence run East along the South  
12       boundary line of the North 1/2 of Sections 34  
13       and 35, to the Southeast corner of the  
14       Northwest 1/4 of Section 35; thence run North  
15       along the North-South quarter-section lines of  
16       Section 35, 26, 23, 14 and 11, to the North  
17       line of Section 11; thence run West along the  
18       North lines of Section 11 and 10 to the  
19       Northwest corner of Section 10; thence run  
20       South in a straight line to a point in the  
21       South line of Section 10, which point is 60  
22       feet East of the Southwest corner of Section  
23       10; thence run South parallel to and 60 feet  
24       East of the West lines of Sections 15, 22, 27  
25       and 34, to the Point of Beginning. All of said  
26       lands lying and being in Township 39 S, Range  
27       39E.

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29        Section 2. Minimum charter requirements.--In  
30        accordance with section 189.404(3), Florida Statutes, the  
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1 following subsections shall constitute the charter of the  
2 Troup-Indiantown Water Control District:

3 (1) The district is organized and exists for all  
4 purposes set forth in this act and chapter 298, Florida  
5 Statutes, as they may be amended from time to time.

6 (2) The powers, functions, and duties of the district  
7 regarding ad valorem taxation, bond issuance and other  
8 revenue-raising capabilities, budget preparation and approval,  
9 liens and foreclosure of liens, use of tax deeds and tax  
10 certificates as appropriate for non-ad valorem assessments,  
11 and contractual agreements shall be as set forth in chapters  
12 170, 189, 197, and 298, Florida Statutes, or any other  
13 applicable general or special law, as they may be amended from  
14 time to time.

15 (3) The district's charter may be amended only by  
16 special act of the Legislature.

17 (4) In accordance with chapter 189, Florida Statutes,  
18 this act, and section 298.11, Florida Statutes, the district  
19 is governed by a three-member board, elected on a one-acre,  
20 one-vote basis by the landowner in the district; however,  
21 landowners owning less than one acre shall be entitled to one  
22 vote. Landowners with more than one acre shall be entitled to  
23 one additional vote for any fraction of an acre greater than  
24 1/2 acre owned, when all of the landowner's acreage has been  
25 aggregated for purposes of voting. The membership and  
26 organization of the board shall be as set forth in this act  
27 and chapter 298, Florida Statutes, as they may be amended from  
28 time to time.

29 (5) The compensation of board members shall be  
30 governed by this act and chapter 298, Florida Statutes, as  
31 they may be amended from time to time.

- 1       (6) The administrative duties of the board of  
2 supervisors shall be as set forth in this act and chapter 298,  
3 Florida Statutes, as they may be amended from time to time.
- 4       (7) Requirements for financial disclosure, meeting  
5 notices, reporting, public records maintenance, and per diem  
6 expenses for officers and employees shall be as set forth in  
7 chapters 112, 189, 286, and 298, Florida Statutes, as they may  
8 be amended from time to time.
- 9       (8) The procedures and requirements governing the  
10 issuance of bonds, notes, and other evidence of indebtedness  
11 by the district shall be as set forth in chapter 298, Florida  
12 Statutes, and applicable general laws, as they may be amended  
13 from time to time.
- 14       (9) The procedures for conducting district elections  
15 and for qualification of electors shall be pursuant to  
16 chapters 189 and 298, Florida Statutes, as they may be amended  
17 from time to time; however, a quorum for purposes of holding  
18 the annual meeting or any special meeting shall consist of  
19 those landowners present in person or represented by proxy at  
20 said meeting.
- 21       (10) The district may be financed by any method  
22 established in this act, chapter 298, Florida Statutes, and  
23 applicable general laws, as they may be amended from time to  
24 time.
- 25       (11) The methods for collecting non-ad valorem  
26 assessments, fees, or service charges shall be as set forth in  
27 chapters 170, 197, and 298, Florida Statutes, and other  
28 applicable general laws, as they may be amended from time to  
29 time.
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1       (12) The district's planning requirements shall be as  
2 set forth in chapters 189 and 298, Florida Statutes, as they  
3 may be amended from time to time.

4       (13) The district's geographic boundary limitations  
5 shall be as set forth in this act.

6       (14) The district shall have all powers provided to it  
7 by this act, chapters 189 and 298, Florida Statutes, and other  
8 applicable general laws, as they may be amended from time to  
9 time.

10       (15) The district is hereby permitted, authorized, and  
11 empowered to engage in irrigation as well as drainage. The  
12 term "irrigation" as herein used is defined to mean the  
13 maintaining and controlling of water levels within said  
14 district and furnishing, supplying, and providing irrigation  
15 water by means of pumps, pumping operations, or gravity flow  
16 from reservoirs, wells, or canals and by installing,  
17 operating, keeping, and maintaining pumps, pumping stations,  
18 dams, floodgates, sluiceways, and such other works as the  
19 board of supervisors of said district may deem necessary and  
20 proper in order to keep, maintain, and control said water  
21 levels and to furnish, supply, and provide irrigation water  
22 for all of the lands lying within said district.

23       The district is hereby permitted, authorized, and  
24 empowered to own, construct, maintain, and operate such roads,  
25 bridges, culverts, and passageways as the board of supervisors  
26 of said district may deem necessary and proper for access to  
27 and from all of the drainage and irrigation facilities of the  
28 district, as well as to provide access to and from the lands  
29 lying within the boundaries thereof.

30       All pumps, pumping stations, dams, floodgates,  
31 sluiceways, wells, reservoirs, roads, bridges, culverts,

1 passageways, and such other works as the board of supervisors  
2 of said district may determine necessary shall become and be a  
3 part of the plan of reclamation of said district.

4 Section 3. Ratification of prior acts.--All acts and  
5 proceedings of the circuit court taken by, for, and on behalf  
6 of the district since the creation thereof, and all of the  
7 acts and proceedings of the board of supervisors, the  
8 commissioners, and all other officers and agents of the  
9 district, and of the county, acting for and on behalf of the  
10 district, and any and all tax levies and assessments which  
11 have been made by the board of supervisors for and on behalf  
12 of the district, are each and every one of them, and each and  
13 every part thereof, hereby ratified, validated, and confirmed.

14 Section 4. Liberal construction.--It is intended that  
15 the provisions of this act shall be liberally construed for  
16 accomplishing the work authorized and provided for or intended  
17 to be provided for by this act, and where strict construction  
18 would permit or assist in the accomplishment of any part of  
19 the work authorized by this act, the liberal construction  
20 shall be chosen.

21 Section 5. Invalidity.--If any section, subsection,  
22 sentence, clause, or phrase of this act is held to be  
23 unconstitutional, such holding shall not affect the validity  
24 of the remaining portions of the act, the Legislature hereby  
25 declaring that it would have passed this act and each section,  
26 subsection, sentence, clause, and phrase thereof, irrespective  
27 of any other separate section, subsection, sentence, clause,  
28 or phrase thereof, and irrespective of the fact that any one  
29 or more other sections, subsections, sentences, clauses, or  
30 phrases thereof may be declared unconstitutional.

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