

CHAMBER ACTION

1 The Local Government Council recommends the following:

2  
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

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

14  
15 Be It Enacted by the Legislature of the State of Florida:

16  
17 Section 1. Pursuant to section 189.429(1), Florida  
18 Statutes, this act constitutes the codification of all special  
19 acts relating to the Pal-Mar Water Control District. It is the  
20 intent of the Legislature in enacting this law to provide a  
21 single, comprehensive special act charter for the district,  
22 including all current legislative authority granted to the  
23 district by its prior legislative enactments and any additional

HB 857

2005  
CS

24 | authority granted by this act. It is further the intent of this  
 25 | act to preserve all district powers and authority as set forth  
 26 | herein.

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 28 | are codified, reenacted, amended, and repealed as herein  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

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

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

44 |  
 45 | Begin at the point of intersection of the East line of  
 46 | Section 32, Township 40 South, Range 41 East and the  
 47 | North right of way line of State Road 706; thence run  
 48 | Westerly along said right of way line to the  
 49 | intersection of said North right of way line of State  
 50 | Road 706 with the North right of way line of State  
 51 | Road 710 (Bee Line Highway); thence run Northwesterly

HB 857

2005  
CS

52 | along said North right of way line of said State Road  
53 | 710 to the intersection of said right of way line with  
54 | the West line of the East one-half (E½) of Section 23,  
55 | Township 40 South, Range 39 East; thence run Northerly  
56 | along said West line of the East one-half (E½) to the  
57 | Northerly line of said Section 23; thence run  
58 | Northerly along the West line of the East one-half  
59 | (E½) of Section 14, Township 40 South, Range 39 East,  
60 | to the Northerly line of said Section 14; thence run  
61 | Northerly along the West line of the East one-half  
62 | (E½) of Section 11, Township 40 South, Range 39 East,  
63 | to the Northerly line of Section 11, thence run  
64 | Northerly along the West line of the East one-half  
65 | (E½) of Section 2, Township 40 South, Range 39 East to  
66 | the South right of way line of State Road 76; thence  
67 | run Northeasterly along said South right of way line  
68 | of said State Road 76 to the intersection with the  
69 | East line of the West one-half (W½) of Section 36,  
70 | Township 39 South, Range 39 East; thence run Southerly  
71 | along said East line of the West one-half (W½) of said  
72 | Section 36 to the North line of Section 1, Township 40  
73 | South, Range 39 East; thence run South along the East  
74 | line of the West one-half (W½) of said Section 1,  
75 | Township 40 South, Range 39 East to the North line of  
76 | Section 12, Township 40 South, Range 39 East; thence  
77 | run Southerly along the East line of the West one-half  
78 | (W½) of said Section 12 to the North line of Section  
79 | 13, Township 40 South, Range 39 East; thence run

Page 3 of 9

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb0857-01-c1

80 | Easterly along said North line to the Northeast corner  
 81 | of said Section 13; thence run Southerly along the  
 82 | East line of said Section 13 to an intersection with  
 83 | the Old Jupiter Grade; thence meander said Old Jupiter  
 84 | Grade Southeasterly through Section 18, Township 40  
 85 | South, Range 40 East, to the East line of said Section  
 86 | 18; thence run Southerly along said East line to the  
 87 | Southeast corner of said Section 18; thence run  
 88 | Easterly along the North line of Section 20, Township  
 89 | 40 South, Range 40 East, to the Northeast corner of  
 90 | said Section 20; thence run Easterly along the North  
 91 | line of Section 21, Township 40 South, Range 40 East,  
 92 | to the Northeast corner of said Section 21; thence run  
 93 | Northerly along the West line of Section 15, Township  
 94 | 40 South, Range 40 East, to an intersection with the  
 95 | Old Jupiter Grade; thence meander Southeasterly along  
 96 | the Old Jupiter Grade to an intersection with the  
 97 | South line of said Section 15; thence run Easterly  
 98 | along said South line to the South Quarter Corner of  
 99 | said Section 15; thence run Northerly along the West  
 100 | line of the East one-half (E½) of said Section 15 to  
 101 | the North line of said Section 15; thence run  
 102 | Northerly along the West line of the East one-half  
 103 | (E½) of Section 10, Township 40 South, Range 40 East,  
 104 | to the North line of said Section 10; thence run  
 105 | Easterly along said North line to the Northeast corner  
 106 | of said Section 10; thence run Easterly along the  
 107 | North line of Section 11, Township 40 South, Range 40

HB 857

2005  
CS

108 East, to the Northeast corner of said Section 11;  
 109 thence run Easterly along the North line of Section  
 110 12, Township 40 South, Range 40 East, to the Northeast  
 111 corner of said Section 12; thence run Southerly along  
 112 the East line of said Section 12 to the Southeast  
 113 corner of said Section 12; thence run Easterly along  
 114 the North line of Section 18, Township 40 South, Range  
 115 41 East, to the Northeast corner; thence run Southerly  
 116 along the East line of said Section 18 to the  
 117 Southeast corner of said Section 18; thence run  
 118 Easterly along the North line of Section 20, Township  
 119 40 South, Range 41 East, to the Northeast corner of  
 120 said Section 20; thence run Southerly along the East  
 121 line of said Section 20 to the Southeast corner of  
 122 said Section 20; thence run Southerly along the East  
 123 line of Section 29, Township 40 South, Range 41 East,  
 124 to the Southeast corner of said Section 29; thence run  
 125 Southerly along the East line of Section 32, Township  
 126 40 South, Range 41 East, to the Point of Beginning.

127  
 128 the foregoing boundaries containing and including the following  
 129 lands, to-wit:

130  
 131 All that portion of the Southeast Quarter of Section  
 132 35 lying South of State Road 76 and all of that  
 133 portion of the Southwest Quarter of Section 36, lying  
 134 South of State Road 76, Township 39 South, Range 39  
 135 East; the West Half of Section 1, Township 40 South,

136 Range 39 East; that portion of the East Half of  
 137 Section 2 lying South of State Road 76, Township 40  
 138 South, Range 39 East; the East Half of Section 11, the  
 139 West Half of Section 12, all of Section 13, the East  
 140 Half of Section 14, that portion of the East Half of  
 141 Section 23 lying North of State Road 710 and that  
 142 portion of Sections 24 and 25 lying North of State  
 143 Road 710, Township 40 South, Range 39 East.

144  
 145 That portion of Section 18 lying South of the Old  
 146 Jupiter Grade, less the West 150 feet of said Section  
 147 18; Section 19, less the West 150 feet of said Section  
 148 19; all of Sections 20 and 21; all of Sections 27, 28,  
 149 29 and 30, LESS the West 150 feet of Section 30, all  
 150 lying North of State Road 706 and 710; Sections 31,  
 151 32, 33, 34, 35 and 36, Township 40 South, Range 40  
 152 East, lying North of State Roads 706 and 710; and  
 153 Section 31, Township 40 South, Range 41 East; the East  
 154 one-half (E½) of Section 20 and all of Sections 29 and  
 155 32, Township 40 South, Range 41 East, Palm Beach  
 156 County; EXCEPTING therefrom rights-of-way for public  
 157 roads.

158  
 159 East Half of Section 10; all of Sections 11, 12, 13,  
 160 14; East half of Section 15; that part of the West  
 161 half of Section 15 lying South of the Old Jupiter  
 162 Road; Section 22, except that part of the Northwest  
 163 Quarter (NW¼) of Section 22, lying North of the Old

HB 857

2005  
CS

164 Jupiter Road; Sections 23 and 26; all in Township 40  
 165 South, Range 40 East; the foregoing lands lying and  
 166 being in Martin County, Florida.

167  
 168 West 150 feet of Section 18, South of the Old Jupiter  
 169 Grade and West 150 feet of Sections 19 and 30, North  
 170 of State Road 710, Township 40 South, Range 40 East;  
 171 that part of the Northwest Quarter of Section 22,  
 172 lying North of the Old Jupiter Grade, Township 40  
 173 South, Range 40 East.

174  
 175 Sections 24 and 25, Township 40 South, Range 40 East;  
 176 Section 18, 19 and 30, and the West half of Section  
 177 20, Township 40 South, Range 41 East; EXCEPTING  
 178 therefrom rights-of-way for public roads.

179  
 180 All that part of State Road S-711 lying in Sections  
 181 18, 19, 30 and 31, Township 40 South, Range 41 East,  
 182 and also lying in Sections 24, 25 and 36, Township 40  
 183 South, Range 40 East.

184  
 185 Easement in Sections 2, 11, 14, 23, 24 and 25,  
 186 Township 40 South, Range 39 East.

187  
 188 Section 2. Board of supervisors.--

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

HB 857

2005  
CS

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

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

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

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

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

211        Section 3. Powers of board of supervisors.--

212        (1) The Board of Supervisors of the Pal-Mar Water Control  
 213 District in Palm Beach and Martin Counties is hereby authorized  
 214 to plan, construct, and maintain different water control systems  
 215 by units of development within the district, with different  
 216 assessment areas according to the benefits received, so as to  
 217 most equitably provide for assessments according to benefits,



HB 857

2005  
CS

218 based upon the plans and recommendations of the chief engineer  
 219 for the district.

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

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

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

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