

ENROLLED

HB 857, Engrossed 1

2005 Legislature

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A bill to be entitled
 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 Chapters 82-356 and 85-483, Laws of Florida, are codified, reenacted, amended, and repealed as herein provided.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:

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

40
41 Begin at the point of intersection of the East line of
42 Section 32, Township 40 South, Range 41 East and the
43 North right of way line of State Road 706; thence run
44 Westerly along said right of way line to the
45 intersection of said North right of way line of State
46 Road 706 with the North right of way line of State
47 Road 710 (Bee Line Highway); thence run Northwesterly
48 along said North right of way line of said State Road
49 710 to the intersection of said right of way line with
50 the West line of the East one-half (E½) of Section 23,
51 Township 40 South, Range 39 East; thence run Northerly
52 along said West line of the East one-half (E½) to the
53 Northerly line of said Section 23; thence run
54 Northerly along the West line of the East one-half
55 (E½) of Section 14, Township 40 South, Range 39 East,
56 to the Northerly line of said Section 14; thence run

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57 Northerly along the West line of the East one-half
58 (E½) of Section 11, Township 40 South, Range 39 East,
59 to the Northerly line of Section 11, thence run
60 Northerly along the West line of the East one-half
61 (E½) of Section 2, Township 40 South, Range 39 East to
62 the South right of way line of State Road 76; thence
63 run Northeasterly along said South right of way line
64 of said State Road 76 to the intersection with the
65 East line of the West one-half (W½) of Section 36,
66 Township 39 South, Range 39 East; thence run Southerly
67 along said East line of the West one-half (W½) of said
68 Section 36 to the North line of Section 1, Township 40
69 South, Range 39 East; thence run South along the East
70 line of the West one-half (W½) of said Section 1,
71 Township 40 South, Range 39 East to the North line of
72 Section 12, Township 40 South, Range 39 East; thence
73 run Southerly along the East line of the West one-half
74 (W½) of said Section 12 to the North line of Section
75 13, Township 40 South, Range 39 East; thence run
76 Easterly along said North line to the Northeast corner
77 of said Section 13; thence run Southerly along the
78 East line of said Section 13 to an intersection with
79 the Old Jupiter Grade; thence meander said Old Jupiter
80 Grade Southeasterly through Section 18, Township 40
81 South, Range 40 East, to the East line of said Section
82 18; thence run Southerly along said East line to the
83 Southeast corner of said Section 18; thence run
84 Easterly along the North line of Section 20, Township

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85 40 South, Range 40 East, to the Northeast corner of
 86 said Section 20; thence run Easterly along the North
 87 line of Section 21, Township 40 South, Range 40 East,
 88 to the Northeast corner of said Section 21; thence run
 89 Northerly along the West line of Section 15, Township
 90 40 South, Range 40 East, to an intersection with the
 91 Old Jupiter Grade; thence meander Southeasterly along
 92 the Old Jupiter Grade to an intersection with the
 93 South line of said Section 15; thence run Easterly
 94 along said South line to the South Quarter Corner of
 95 said Section 15; thence run Northerly along the West
 96 line of the East one-half (E½) of said Section 15 to
 97 the North line of said Section 15; thence run
 98 Northerly along the West line of the East one-half
 99 (E½) of Section 10, Township 40 South, Range 40 East,
 100 to the North line of said Section 10; thence run
 101 Easterly along said North line to the Northeast corner
 102 of said Section 10; thence run Easterly along the
 103 North line of Section 11, Township 40 South, Range 40
 104 East, to the Northeast corner of said Section 11;
 105 thence run Easterly along the North line of Section
 106 12, Township 40 South, Range 40 East, to the Northeast
 107 corner of said Section 12; thence run Southerly along
 108 the East line of said Section 12 to the Southeast
 109 corner of said Section 12; thence run Easterly along
 110 the North line of Section 18, Township 40 South, Range
 111 41 East, to the Northeast corner; thence run Southerly
 112 along the East line of said Section 18 to the

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113 Southeast corner of said Section 18; thence run
 114 Easterly along the North line of Section 20, Township
 115 40 South, Range 41 East, to the Northeast corner of
 116 said Section 20; thence run Southerly along the East
 117 line of said Section 20 to the Southeast corner of
 118 said Section 20; thence run Southerly along the East
 119 line of Section 29, Township 40 South, Range 41 East,
 120 to the Southeast corner of said Section 29; thence run
 121 Southerly along the East line of Section 32, Township
 122 40 South, Range 41 East, to the Point of Beginning.

123
 124 the foregoing boundaries containing and including the following
 125 lands, to-wit:

126
 127 All that portion of the Southeast Quarter of Section
 128 35 lying South of State Road 76 and all of that
 129 portion of the Southwest Quarter of Section 36, lying
 130 South of State Road 76, Township 39 South, Range 39
 131 East; the West Half of Section 1, Township 40 South,
 132 Range 39 East; that portion of the East Half of
 133 Section 2 lying South of State Road 76, Township 40
 134 South, Range 39 East; the East Half of Section 11, the
 135 West Half of Section 12, all of Section 13, the East
 136 Half of Section 14, that portion of the East Half of
 137 Section 23 lying North of State Road 710 and that
 138 portion of Sections 24 and 25 lying North of State
 139 Road 710, Township 40 South, Range 39 East.

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141 That portion of Section 18 lying South of the Old
 142 Jupiter Grade, less the West 150 feet of said Section
 143 18; Section 19, less the West 150 feet of said Section
 144 19; all of Sections 20 and 21; all of Sections 27, 28,
 145 29 and 30, LESS the West 150 feet of Section 30, all
 146 lying North of State Road 706 and 710; Sections 31,
 147 32, 33, 34, 35 and 36, Township 40 South, Range 40
 148 East, lying North of State Roads 706 and 710; and
 149 Section 31, Township 40 South, Range 41 East; the East
 150 one-half (E½) of Section 20 and all of Sections 29 and
 151 32, Township 40 South, Range 41 East, Palm Beach
 152 County; EXCEPTING therefrom rights-of-way for public
 153 roads.

154
 155 East Half of Section 10; all of Sections 11, 12, 13,
 156 14; East half of Section 15; that part of the West
 157 half of Section 15 lying South of the Old Jupiter
 158 Road; Section 22, except that part of the Northwest
 159 Quarter (NW¼) of Section 22, lying North of the Old
 160 Jupiter Road; Sections 23 and 26; all in Township 40
 161 South, Range 40 East; the foregoing lands lying and
 162 being in Martin County, Florida.

163
 164 West 150 feet of Section 18, South of the Old Jupiter
 165 Grade and West 150 feet of Sections 19 and 30, North
 166 of State Road 710, Township 40 South, Range 40 East;
 167 that part of the Northwest Quarter of Section 22,

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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.

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

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

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

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

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

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

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

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

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