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CS/HB 981

2013 Legislature

1
2 An act relating to the North St. Lucie River Water
3 Control District, St. Lucie County; codifying,
4 amending, reenacting, and repealing special acts
5 relating to the district; providing a charter for the
6 district; providing district boundaries; providing
7 purpose; providing for a governing board and its
8 membership, compensation, and duties; providing
9 requirements for financial disclosure, meeting
10 notices, reporting, public records maintenance, and
11 per diem expenses; providing for the issuance of
12 bonds; providing for elections; authorizing the levy
13 of taxes, non-ad valorem assessments, fees, and
14 service charges; providing for termination of the
15 district; providing for construction and severability;
16 repealing chapters 7973 (1919), 8896 (1921), 9635
17 (1923), 11129 (1925), 12106 (1927), 12108 (1927),
18 12109 (1927), 14773 (1931), 14774 (1931), 14775
19 (1931), 16089 (1933), 22111 (1943), 22714 (1945),
20 26790 (1951), 28379 (1953), 28647 (1953), 57-842, 59-
21 979, 59-980, 65-1225, 69-1544, 96-529, and 2012-237,
22 Laws of Florida; providing an effective date.

23
24 Be It Enacted by the Legislature of the State of Florida:

25
26 Section 1. Pursuant to s. 189.429, Florida Statutes, this
27 act constitutes the codification of all special acts and court
28 decrees relating to the North St. Lucie River Water Control

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29 District. It is the intent of the Legislature in enacting this
 30 act to provide a single, comprehensive special act charter for
 31 the district, including all current legislative authority
 32 granted to the district by its several legislative enactments
 33 and any additional authority granted by this act. It is the
 34 further intent of the Legislature that this act preserve all
 35 district authority in addition to any authority contained in
 36 chapter 298, Florida Statutes.

37 Section 2. Chapters 7973 (1919), 8896 (1921), 9635 (1923),
 38 11129 (1925), 12106 (1927), 12108 (1927), 12109 (1927), 14773
 39 (1931), 14774 (1931), 14775 (1931), 16089 (1933), 22111 (1943),
 40 22714 (1945), 26790 (1951), 28379 (1953), 28647 (1953), 57-842,
 41 59-979, 59-980, 65-1225, 69-1544, 96-529, and 2012-237, Laws of
 42 Florida, are amended, codified, reenacted, and repealed as
 43 herein provided.

44 Section 3. The North St. Lucie River Water Control
 45 District is re-created, and the charter for such district is re-
 46 created and reenacted to read:

47 Section 1. Status and boundaries of North St. Lucie River
 48 Water Control District.—The North St. Lucie River Water Control
 49 District is declared to be an independent water control district
 50 and a public corporation of the state pursuant to chapters 189
 51 and 298, Florida Statutes, and the lands lying within the area
 52 described as follows in St. Lucie County shall constitute the
 53 North St. Lucie River Water Control District:

54
 55 Beginning at the NE corner of Section 5, Township 35
 56 South, Range 40 East; run thence West along the North

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57 | boundary lines of said Sections 5 and 6, Township 35
 58 | South, Range 40 East, and Sections 1, 2, 3, 4, 5 and
 59 | 6, Township 35 South, Range 39 East, and Sections 1,
 60 | 2, 3, and 4, Township 35 South, Range 38 East to the
 61 | NW corner of Section 4, Township 35 South, Range 38
 62 | East; run thence South along the West boundary lines
 63 | of Sections 4, 9, 16, 21, 28 and 33, Township 35
 64 | South, Range 38 East, and Sections 4, 9 and 16,
 65 | Township 36 South, Range 38 East to the SW corner of
 66 | Section 16, Township 36 South, Range 38 East; run
 67 | thence East along the South boundary lines of Sections
 68 | 16, 15, 14, and 13, Township 36 South, Range 38 East,
 69 | and Sections 18 and 17, Township 36 South, Range 39
 70 | East to the SE corner of Section 17, Township 36
 71 | South, Range 39 East; run thence North to the NE
 72 | corner of the said Section 17; run thence East to the
 73 | SE corner of the SW 1/4 of Section 9, Township 36
 74 | South, Range 39 East; run thence North to the SW
 75 | corner of the N 1/2 of the N 1/2 of the SW 1/4 of the
 76 | SE 1/4 of Section 4, Township 36 South, Range 39 East;
 77 | run thence East to the SE corner of the N 1/2 of the N
 78 | 1/2 of the SW 1/4 of the SE 1/4 of said section 4,
 79 | Township 36 South, Range 39 East; run thence North to
 80 | the NW corner of the NE 1/4 of SE 1/4 of Section 4,
 81 | Township 36 South, Range 39 East; run thence East
 82 | along half section lines of Sections 4, 3, 2 and 1,
 83 | Township 36 South, Range 39 East, and Section 6,
 84 | Township 36 South, Range 40 East to the NE corner of

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85 | the W 3/4 of the NW 1/4 of the SW 1/4 of Section 6,
 86 | Township 36 South, Range 40 East; run thence South to
 87 | the SE corner of the W 1/2 of the NW 1/4 of the SW 1/4
 88 | of Section 6, Township 36 South, Range 40 East; run
 89 | thence East to the NE corner of the SW 1/4 of the SW
 90 | 1/4 of Section 5, Township 36 South, Range 40 East;
 91 | run thence South to the SE corner of the SW 1/4 of the
 92 | SW 1/4 of said Section 5, Township 36 South, Range 40
 93 | East; run thence East to the SE corner of the said
 94 | Section 5; run thence South to the SW corner of
 95 | Section 9, Township 36 South, Range 40 East; run
 96 | thence East to the NE corner of the NW 1/4 of Section
 97 | 16, Township 36 South, Range 40 East; run thence South
 98 | to the SW corner of the NE 1/4 of said Section 16,
 99 | Township 36 South, Range 40 East; run thence East
 100 | along half section line to West bank of St. Lucie
 101 | River; thence meander West bank of river southerly to
 102 | the NE corner of the SW 1/4 of the SE 1/4 of Section
 103 | 16, Township 36 South, Range 40 East; thence South to
 104 | the section line; run thence East along South boundary
 105 | lines of Sections 16 and 15, Township 36 South, Range
 106 | 40 East to the SE corner of Section 15, Township 36
 107 | South, Range 40 East; run thence North along East
 108 | boundary lines of Sections 15, 10 and 3, Township 36
 109 | South, Range 40 East to the NE corner of Section 3,
 110 | Township 36 South, Range 40 East; run thence West to
 111 | the NW corner of said Section 3, Township 36 South,
 112 | Range 40 East; run thence North along East boundary

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113 lines of Sections 33 and 28, Township 35 South, Range
 114 40 East to the NE corner of Section 28, Township 35
 115 South, Range 40 East; run thence West to the SW corner
 116 of the SE 1/4 of Section 21, Township 35 South, Range
 117 40 East; run thence North to the NW corner of the NE
 118 1/4 of Section 21, Township 35 South, Range 40 East;
 119 thence run West along the North boundary lines of
 120 Sections 21 and 20, Township 35 South, Range 40 East
 121 to the NW corner of the E 1/4 of the NW 1/4 of the NE
 122 1/4, said Section 20; run thence South to the SE
 123 corner of the NW 1/4 of the NE 1/4 of the SW 1/4 of
 124 the NE 1/4 of said Section 20; run thence West to the
 125 SW corner of the NW 1/4 of the NE 1/4 of the SE 1/4 of
 126 the NW 1/4 of said Section 20; run thence North to the
 127 NW corner of the NE 1/4 of the NE 1/4 of the NW 1/4 of
 128 said Section 20; run thence East to the SE corner of
 129 the SW 1/4 of Section 17, Township 35 South, Range 40
 130 East; run thence North along half section lines of
 131 Sections 17, 8 and 5, Township 35 South, Range 40 East
 132 to the NW corner of the SW 1/4 of the NE 1/4 of said
 133 Section 5, Township 35 South, Range 40 East; run
 134 thence East to the SE corner of the NE 1/4 of the NE
 135 1/4 of said Section 5, Township 35 South, Range 40
 136 East; run thence North to the point of beginning.

137
 138 Section 2. Minimum charter requirements.-In accordance
 139 with s. 189.404(3), Florida Statutes, the following are the
 140 minimum requirements for the charter of the North St. Lucie

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141 River Water Control District:

142 (1) The district is organized and exists for all purposes
143 set forth in this act and chapter 298, Florida Statutes.

144 (2) The district's charter may be amended only by special
145 act of the Legislature.

146 (3) In accordance with chapter 189, Florida Statutes, this
147 act, and ss. 298.11 and 298.12, Florida Statutes, the governing
148 board of the district shall be designated the "Board of
149 Supervisors of the North St. Lucie River Water Control District"
150 and shall be composed of three persons, who shall be qualified
151 to hold such office if they are landowners within the district,
152 residents of the state, and citizens of the United States,
153 elected on a one-acre, one-vote basis by the owners of
154 assessable land in the district; however, landowners owning less
155 than one assessable acre in the aggregate shall be entitled to
156 one vote. Landowners owning more than one assessable acre shall
157 be entitled to one additional vote for any fraction of an acre
158 greater than one-half acre owned, when a landowner's acreage has
159 been aggregated for purposes of voting. The membership and
160 organization of the governing board shall be as set forth in
161 this charter and chapter 298, Florida Statutes, provided this
162 charter controls with respect to any inconsistency.

163 (4) The compensation of the governing board members shall
164 be governed by chapter 298, Florida Statutes.

165 (5) The administrative duties of the governing board shall
166 be as set forth in this act and chapters 189 and 298, Florida
167 Statutes.

168 (6) Requirements for financial disclosure, meeting

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169 notices, reporting, public records maintenance, and per diem
 170 expenses for district officers and employees shall be as set
 171 forth in chapters 112, 189, 190, 286, and 298, Florida Statutes,
 172 and all other applicable general laws of the state.

173 (7) The procedures and requirements governing the issuance
 174 of bonds, notes, and other evidence of indebtedness by the
 175 district shall be as set forth in chapters 189 and 298, Florida
 176 Statutes, and applicable general laws.

177 (8) The procedures for conducting district elections or
 178 referenda and for qualification of electors shall be pursuant to
 179 chapters 189 and 298, Florida Statutes; however, a quorum for
 180 purposes of holding the annual meeting or any special meetings
 181 shall consist of those landowners present in person or
 182 represented by proxy at said meeting.

183 (9) The district may be financed by any method authorized
 184 by this act, chapter 298, Florida Statutes, and other applicable
 185 general laws of the state.

186 (10) The district is authorized to assess and levy a
 187 minimum maintenance tax in an amount not to exceed \$25 per year
 188 upon each tract or parcel of land within said district without
 189 regard to the net assessment of benefits assessed.

190 (11) The methods for collecting non-ad valorem
 191 assessments, fees, or service charges shall be as set forth in
 192 chapters 197 and 298, Florida Statutes, and other applicable
 193 general laws of the state.

194 (12) The district's planning requirements shall be as set
 195 forth in chapters 189 and 298, Florida Statutes.

196 (13) The district's geographic boundary shall be as set

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197 forth in this act.

198 Section 3. Existence.—The district shall exist until
199 December 31, 2111.

200 Section 4. Provisions of other laws made applicable.—The
201 North St. Lucie River Water Control District hereby created
202 shall be an independent water control district and a public
203 corporation of this state. The provisions of state law
204 applicable to water control districts or subdistricts which are
205 embodied in chapter 298, Florida Statutes, so far as not
206 inconsistent with this act, are declared to be applicable to the
207 North St. Lucie River Water Control District. The North St.
208 Lucie River Water Control District shall have all of the powers
209 and authorities conferred in this act and chapter 298, Florida
210 Statutes.

211 Section 5. Severability.—If any provision of this act or
212 the application thereof to any person or circumstance is held
213 invalid, the invalidity shall not affect other provisions or
214 applications of the act which can be given effect without the
215 invalid provision or application, and to this end the provisions
216 of this act are declared severable.

217 Section 6. Construction.—This act shall be construed as a
218 remedial act and shall be liberally construed to promote the
219 purpose for which it is intended.

220 Section 4. Chapters 7973 (1919), 8896 (1921), 9635 (1923),
221 11129 (1925), 12106 (1927), 12108 (1927), 12109 (1927), 14773
222 (1931), 14774 (1931), 14775 (1931), 16089 (1933), 22111 (1943),
223 22714 (1945), 26790 (1951), 28379 (1953), 28647 (1953), 57-842,
224 59-979, 59-980, 65-1225, 69-1544, 96-529, and 2012-237, Laws of

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225 Florida, are repealed.

226 Section 5. This act shall take effect upon becoming a law.