

CHAPTER 2013-257

Committee Substitute for House Bill No. 981

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

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

Section 1. Pursuant to s. 189.429, Florida Statutes, this act constitutes the codification of all special acts and court decrees relating to the North St. Lucie River Water Control District. It is the intent of the Legislature in enacting this act to provide a single, comprehensive special act charter for the district, including all current legislative authority granted to the district by its several legislative enactments and any additional authority granted by this act. It is the further intent of the Legislature that this act preserve all district authority in addition to any authority contained in chapter 298, Florida Statutes.

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57-842, 59-979, 59-980, 65-1225, 69-1544, 96-529, and 2012-237, Laws of Florida, are amended, codified, reenacted, and repealed as herein provided.

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

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

Beginning at the NE corner of Section 5, Township 35 South, Range 40 East; run thence West along the North boundary lines of said Sections 5 and 6, Township 35 South, Range 40 East, and Sections 1, 2, 3, 4, 5 and 6, Township 35 South, Range 39 East, and Sections 1, 2, 3, and 4, Township 35 South, Range 38 East to the NW corner of Section 4, Township 35 South, Range 38 East; run thence South along the West boundary lines of Sections 4, 9, 16, 21, 28 and 33, Township 35 South, Range 38 East, and Sections 4, 9 and 16, Township 36 South, Range 38 East to the SW corner of Section 16, Township 36 South, Range 38 East; run thence East along the South boundary lines of Sections 16, 15, 14, and 13, Township 36 South, Range 38 East, and Sections 18 and 17, Township 36 South, Range 39 East to the SE corner of Section 17, Township 36 South, Range 39 East; run thence North to the NE corner of the said Section 17; run thence East to the SE corner of the SW $\frac{1}{4}$ of Section 9, Township 36 South, Range 39 East; run thence North to the SW corner of the N $\frac{1}{2}$ of the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 4, Township 36 South, Range 39 East; run thence East to the SE corner of the N $\frac{1}{2}$ of the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said section 4, Township 36 South, Range 39 East; run thence North to the NW corner of the NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 4, Township 36 South, Range 39 East; run thence East along half section lines of Sections 4, 3, 2 and 1, Township 36 South, Range 39 East, and Section 6, Township 36 South, Range 40 East to the NE corner of the W $\frac{3}{4}$ of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 6, Township 36 South, Range 40 East; run thence South to the SE corner of the W $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 6, Township 36 South, Range 40 East; run thence East to the NE corner of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 5, Township 36 South, Range 40 East; run thence South to the SE corner of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 5, Township 36 South, Range 40 East; run thence East to the SE corner of the said Section 5; run thence South to the SW corner of Section 9, Township 36 South, Range 40 East; run thence East to the NE corner of the NW $\frac{1}{4}$ of Section 16, Township 36 South, Range 40 East; run thence South to the SW corner of the NE $\frac{1}{4}$ of said Section 16, Township 36 South, Range 40 East; run thence East along half section line to West bank of St. Lucie River; thence meander West bank of river southerly to the NE corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 16, Township 36 South, Range 40 East; thence South to the section line; run thence East along South boundary lines of Sections 16 and 15, Township 36 South, Range 40 East to the SE corner of Section 15, Township 36 South, Range 40 East; run thence North along East boundary lines of Sections 15, 10 and 3, Township 36 South, Range 40 East to the NE corner of Section 3, Township 36 South, Range 40 East; run thence West to the NW corner of said Section 3, Township 36 South, Range 40 East; run thence North along East boundary lines of Sections 33 and 28, Township 35 South, Range 40 East to the NE corner of Section 28, Township 35 South, Range 40 East; run thence West to the SW corner of the SE $\frac{1}{4}$ of Section 21, Township 35 South, Range 40 East; run thence North to the NW corner of the NE $\frac{1}{4}$ of Section 21, Township 35 South, Range 40 East; thence run West along the North boundary lines of Sections 21 and 20, Township 35 South, Range 40 East to the NW

corner of the E 1/4 of the NW 1/4 of the NE 1/4, said Section 20; run thence South to the SE corner of the NW 1/4 of the NE 1/4 of the SW 1/4 of the NE 1/4 of said Section 20; run thence West to the SW corner of the NW 1/4 of the NE 1/4 of the SE 1/4 of the NW 1/4 of said Section 20; run thence North to the NW corner of the NE 1/4 of the NE 1/4 of the NW 1/4 of said Section 20; run thence East to the SE corner of the SW 1/4 of Section 17, Township 35 South, Range 40 East; run thence North along half section lines of Sections 17, 8 and 5, Township 35 South, Range 40 East to the NW corner of the SW 1/4 of the NE 1/4 of said Section 5, Township 35 South, Range 40 East; run thence East to the SE corner of the NE 1/4 of the NE 1/4 of said Section 5, Township 35 South, Range 40 East; run thence North to the point of beginning.

Section 2. Minimum charter requirements.—In accordance with s. 189.404(3), Florida Statutes, the following are the minimum requirements for the charter of the North St. Lucie River Water Control District:

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

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

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

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

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

(6) Requirements for financial disclosure, meeting notices, reporting, public records maintenance, and per diem expenses for district officers and employees shall be as set forth in chapters 112, 189, 190, 286, and 298, Florida Statutes, and all other applicable general laws of the state.

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

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

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

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

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

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

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

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

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

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

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

Section 4. Chapters 7973 (1919), 8896 (1921), 9635 (1923), 11129 (1925), 12106 (1927), 12108 (1927), 12109 (1927), 14773 (1931), 14774 (1931), 14775

(1931), 16089 (1933), 22111 (1943), 22714 (1945), 26790 (1951), 28379 (1953), 28647 (1953), 57-842, 59-979, 59-980, 65-1225, 69-1544, 96-529, and 2012-237, Laws of Florida, are repealed.

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

Approved by the Governor June 28, 2013.

Filed in Office Secretary of State June 28, 2013.