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HB 979

2013 Legislature

1
2 An act relating to Fort Pierce Farms Water Control
3 District, St. Lucie County; codifying the district's
4 charter pursuant to s. 189.429, Florida Statutes;
5 providing legislative intent; amending, codifying,
6 repealing, and reenacting all special acts relating to
7 Fort Pierce Farms Water Control District as a single
8 act; repealing chapters 9981 (1923), 10549 (1925),
9 12033 (1927), 16032 (1933), 25447 (1949), 65-1226, 78-
10 609, 82-376, 87-448, and 2012-240, Laws of Florida,
11 relating to the Fort Pierce Farms Water Control
12 District; providing an effective date.

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

15
16 Section 1. Pursuant to s. 189.429, Florida Statutes, this
17 act constitutes the codification of all special acts and court
18 decrees relating to Fort Pierce Farms Water Control District. It
19 is the intent of the Legislature in enacting this act to provide
20 a single, comprehensive special act charter for the district,
21 including all current legislative authority granted to the
22 district by its several legislative enactments and any
23 additional authority granted by this act. It is the further
24 intent of the Legislature that this act preserve all district
25 authority in addition to any authority contained in chapter 298,
26 Florida Statutes, as amended from time to time.

27 Section 2. Chapters 9981 (1923), 10549 (1925), 12033
28 (1927), 16032 (1933), 25447 (1949), 65-1226, 78-609, 82-376, 87-

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29 448, and 2012-240, Laws of Florida, are amended, codified,
 30 reenacted, and repealed as herein provided.

31 Section 3. The Fort Pierce Farms Water Control District is
 32 re-created, and the charter for such district is re-created and
 33 reenacted to read:

34 Section 1. Status and boundaries of Fort Pierce Farms
 35 Water Control District.—The Fort Pierce Farms Water Control
 36 District is hereby declared to be an independent water control
 37 district and a public corporation of the state pursuant to
 38 chapters 189 and 298, Florida Statutes, and the lands lying
 39 within the area described as follows in St. Lucie County shall
 40 hereby constitute the Fort Pierce Farms Water Control District:

41
 42 Beginning at the SE corner of Section 31, Township 34
 43 South, Range 40 East, run North along the section line
 44 to the NE corner of the SE 1/4 of Section 30, said
 45 Township and Range, thence West along the 1/4 section
 46 line to the NW corner of the NE 1/4 of the SE 1/4 of
 47 said Section 30, thence North along the 1/4 section
 48 line to the NE corner of the SW 1/4 of the NE 1/4 of
 49 said Section 30, thence West along the 1/4 section
 50 line to the NW corner of the SW 1/4 of the NE 1/4 of
 51 said Section 30, thence North along the 1/4 section
 52 line to the NE corner of the NW 1/4 of said Section
 53 30, thence West along the section line to the NW
 54 corner of said Section 30, thence North along the
 55 section line to the NE corner of the SE 1/4 of the SE
 56 1/4 of Section 24, Township 34 South, Range 39 East,

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57 thence West along the 1/4 section line to the NW
 58 corner of the SE 1/4 of the SE 1/4 of said Section 24,
 59 thence North along the 1/4 section line through said
 60 Section 24, and through Section 13, said Township and
 61 Range to the NE corner of the SW 1/4 of the NE 1/4 of
 62 said Section 13, thence west along the 1/4 section
 63 line through said Section 13, and Section 14, said
 64 Township and Range, to the NW corner of the SW 1/4 of
 65 the NE 1/4 of said Section 14, thence North along the
 66 1/4 Section line to the NE corner of the NW 1/4 of
 67 said Section 14, thence West along the 1/4 section
 68 line to the NW corner of the NE 1/4 of the NW 1/4 of
 69 said Section 14, thence North along the 1/4 section
 70 line through Section 11, and through Section 2, said
 71 Township and Range, to the NW corner of the NE 1/4 of
 72 the NW 1/4 of said Section 2, thence West along the
 73 township line dividing Township 33 and 34, to the NW
 74 corner of Section 5, Township 34 South, Range 39 East,
 75 thence South along the West section line of Section 5,
 76 Section 8 and Section 17, to the SW corner of the NW
 77 1/4 of Section 17, said Township and Range, thence
 78 East along the 1/4 section line to the NW corner of
 79 the NE 1/4 of the SW 1/4 of Section 16, said Township
 80 and Range, thence South along the 1/4 section line to
 81 the SW corner of the NE 1/4 of SW 1/4 of said Section
 82 16, thence East along the 1/4 section line to the SE
 83 corner of the NE 1/4 of the SW 1/4 of said Section 16,
 84 thence South along the 1/4 section line to the SW

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85 corner of the SE 1/4 of said Section 16, thence East
 86 along the 1/4 section line to the NW corner of the NE
 87 1/4 of the NE 1/4 of Section 21, said Township and
 88 Range, thence South along the 1/4 section line to the
 89 SW corner of the SE 1/4 of the NE 1/4 of said Section
 90 21, thence East along the 1/4 section line to the NW
 91 corner of the E 1/2 of the NW 1/4 of the SW 1/4 of
 92 Section 22, said Township and Range, and thence South
 93 to the SW corner of the E 1/2 of the NW 1/4 of the SW
 94 1/4 of said Section 22, thence East along the 1/4
 95 section line to the NW corner of the E 1/2 of the W
 96 1/2 of SE 1/4 of SW 1/4 of said Section 22, thence
 97 South to the SW corner of the E 1/2 of W 1/2 of SE 1/4
 98 of the SW 1/4 of said Section 22, thence West to the
 99 NW corner of the NW 1/4 of Section 27, said Township
 100 and Range, thence South to the NE corner of the SE 1/4
 101 of the NE 1/4 of Section 28, said Township and Range,
 102 thence West to the NW corner of the SW 1/4 of the NE
 103 1/4 of said Section 28, thence South along the 1/4
 104 section line to the center of said Section 28, thence
 105 East along the 1/4 section line to the center of
 106 Section 27, said Township and Range, thence East along
 107 the 1/4 section line to the NW corner of the E 1/2 of
 108 the NW 1/4 of the SE 1/4 of said Section 27, thence
 109 South to the SW corner of the E 1/2 of the NW 1/4 of
 110 the SE 1/4 of said Section 27, thence West along the
 111 1/4 section line to the NW corner of the SW 1/4 of the
 112 SE 1/4 of said Section 27, thence South along the 1/4

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113 section line to the SW corner of the SE 1/4 of said
 114 Section 27, thence West along the section line to the
 115 NW corner of Section 34, said Township and Range,
 116 thence South along the section line to the SW corner
 117 of said Section 34, thence East along the township
 118 line dividing Township 34 and Township 35 to the point
 119 of beginning.

121 Section 2. Minimum charter requirements.—In accordance
 122 with s. 189.404(3), Florida Statutes, the following are the
 123 minimum requirements for the charter of the Fort Pierce Farms
 124 Water Control District:

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

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

129 (3) In accordance with chapter 189, Florida Statutes, this
 130 act, and ss. 298.11 and 298.12, Florida Statutes, the governing
 131 board of the district shall be designated the "Board of
 132 Supervisors of the Fort Pierce Farms Water Control District" and
 133 shall be composed of three persons, who shall be qualified to
 134 hold such office if they are landowners within the district,
 135 residents of the state, and citizens of the United States,
 136 elected on a 1-acre, one-vote basis by the landowners in the
 137 district; however, landowners owning less than 1 acre in the
 138 aggregate shall be entitled to one vote. Landowners with more
 139 than 1 acre shall be entitled to one additional vote for any
 140 fraction of an acre greater than 1/2 acre owned when a

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141 landowner's acreage has been aggregated for purposes of voting.
142 The membership and organization of the governing board shall be
143 as set forth in this charter and chapter 298, Florida Statutes,
144 provided this charter controls with respect to any
145 inconsistency.

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

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

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

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

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

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

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169 (10) The district is authorized to assess and levy a
170 maintenance tax that shall be equal and uniform in amount upon
171 each acre of land assessed, and upon any tract or parcel less
172 than 1 acre in size, and shall not exceed \$25 per acre in any
173 one year.

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

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

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

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

184 Section 4. Provisions of chapter 298, Florida Statutes,
185 made applicable.—The Fort Pierce Farms Water Control District
186 hereby created shall be an independent water control district
187 and a public corporation of this state. The provisions of state
188 law applicable to water control districts or subdistricts which
189 are embodied in chapter 298, Florida Statutes, so far as not
190 inconsistent with this act, are hereby declared to be applicable
191 to the Fort Pierce Farms Water Control District. The Fort Pierce
192 Farms Water Control District shall have all of the powers and
193 authorities conferred in this act and chapter 298, Florida
194 Statutes.

195 Section 5. Severability.—If any provision of this act or
196 the application thereof to any person or circumstance is held

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197 invalid, the invalidity shall not affect other provisions or
198 applications of the act which can be given effect without the
199 invalid provision or application, and to this end the provisions
200 of this act are declared severable.

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

204 Section 4. Chapters 9981 (1923), 10549 (1925), 12033
205 (1927), 16032 (1933), 25447 (1949), 65-1226, 78-609, 82-376, 87-
206 448, and 2012-240, Laws of Florida, are repealed.

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