

1 A bill to be entitled
2 An act relating to Loxahatchee Groves Water Control
3 District, Palm Beach County; amending chapter 99-425,
4 Laws of Florida; revising procedures for election of
5 members of the board of supervisors; providing that
6 this act shall take precedence over any conflicting
7 law to the extent of such conflict; providing
8 severability; providing an effective date.

9
10 Be It Enacted by the Legislature of the State of Florida:

11
12 Section 1. Subsections a. and d. of section 2 of section 2
13 of chapter 99-425, Laws of Florida, are amended to read:

14 Section 2. Landowner's meeting and election of
15 supervisors.—

16 a. Election of supervisors.—Every year in the same month
17 that a supervisor's term expires as provided in ss. 298.11 and
18 298.12, Florida Statutes, the district shall call a meeting of
19 the landowners in the district for the purpose of electing a
20 supervisor for such vacancy or existing vacancies. There shall
21 be one ballot for each vacancy. To be elected, a candidate must
22 have a majority of the votes on that ballot. In the event no
23 candidate receives a majority of votes on the first ballot, a
24 run-off ballot shall be held between the two candidates
25 receiving the highest number of votes on the first ballot. The
26 following procedures shall apply to the election of board
27 members, including appointees, to the board of supervisors of
28 the district:

29 (1) The board member seats shall be numbered seats 1, 2,
 30 3, 4, and 5, respectively.

31 (a) The seats held by the board members whose terms expire
 32 in 2012 shall be designated seat 1 and seat 2, respectively.
 33 Either seat 1 or seat 2 shall be elected by the qualified
 34 electors of the district, as described in paragraph (3), which
 35 determination shall be decided by lot. The seat held by the
 36 board member whose term expires in 2012 and who is determined by
 37 lot to be elected by the qualified electors of the district, as
 38 described in paragraph (3), shall be designated seat 1. The seat
 39 held by the board member whose term expires in 2012 and who is
 40 determined by lot to be elected by the landowners of the
 41 district, pursuant to this subsection, shall be designated seat
 42 2.

43 (b) The seat held by the board member whose term expires
 44 in 2013 shall be designated seat 3.

45 (c) The seats held by the board members whose terms expire
 46 in 2014 shall be designated seat 4 and seat 5, respectively.

47 (2) The board member holding seat 1 shall serve until the
 48 expiration of his or her term in 2012. The current 2012 term of
 49 the board member holding seat 2 shall be extended for 1
 50 additional year until 2013. The board member holding seat 3
 51 shall serve until the expiration of his or her term in 2013. The
 52 board members holding seat 4 and seat 5 shall serve until the
 53 expiration of their terms in 2014.

54 (3) Seat 1 shall be converted to a nonpartisan office as
 55 defined by section 97.021, Florida Statutes. Candidates for this
 56 position shall qualify with the Palm Beach County Supervisor of

57 Elections pursuant to section 99.061, Florida Statutes. The
 58 qualifying period for seat 1 shall be between noon of the 71st
 59 day before the date of the annual landowners' meeting to noon of
 60 the 67th day before the date of the annual landowners' meeting.
 61 The district-administered election shall be held the day of the
 62 annual landowner's meeting in 2012, and every 3 years
 63 thereafter, for a term of 3 years, by a plurality of the
 64 district qualified electors voting in such election. "Qualified
 65 electors" shall have the same meaning as in section
 66 189.4051(1) (a), Florida Statutes. The board member elected to
 67 seat 1 shall take office within 10 days after election and shall
 68 serve until expiration of his or her term, resignation, or
 69 removal, or the election of a new board member for that seat.

70 (4) Seats 2, 3, 4, and 5 shall be elected by the
 71 landowners of the district at the annual landowner's meeting in
 72 accordance with this section. The terms of office for seats 2,
 73 3, 4, and 5 shall be 3 years each.

74 d. Membership of the board of supervisors.—The board of
 75 supervisors of the district shall consist of ~~be increased from~~
 76 ~~three members to~~ five members.

77 Section 2. In the event of a conflict of the provisions of
 78 this act with the provisions of any other act, the provisions of
 79 this act shall control to the extent of such conflict.

80 Section 3. In the event any section or provision of this
 81 act is determined to be invalid or unenforceable, such
 82 determination shall not affect the validity of or enforceability
 83 of each other section and provision of this act.

84 Section 4. This act shall take effect upon becoming a law.