

By Senator Dudley

25-1200A-98

See HB

1                                   A bill to be entitled  
2           An act relating to Central County Water Control  
3           District in Hendry County; amending chapter  
4           70-702, Laws of Florida, as amended; requiring  
5           that two of the five supervisors of the  
6           district be elected by a vote of qualified  
7           electors residing in the district and  
8           establishing qualifications and procedures  
9           therefor; changing the annual meeting date;  
10          requiring payment of special assessments as a  
11          condition for voting at an annual meeting;  
12          providing for a referendum; providing an  
13          effective date.

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

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17           Section 1. Section 9 is added to chapter 70-702, Laws  
18 of Florida, as amended, to read:

19           Section 9. Election of Supervisors.--

20           (1) DEFINITIONS.--As used in this section, the term:

21           (a) "Qualified elector" means any person at least 18  
22 years of age who is a citizen of the United States, a  
23 permanent resident of Florida, and a resident of the district  
24 who registers with the supervisor of elections of Hendry  
25 County when the registration books are open.

26           (b) "Governing board member" means any duly elected  
27 member of the Board of Supervisors of Central County Water  
28 Control District elected pursuant to this section, provided  
29 that any board member elected by popular vote shall be a  
30 district elector and any board member elected on a

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1 one-acre/one-vote basis shall meet the requirements of s.  
2 298.11, Florida Statutes, for election to the board.

3 (2) BOARD OF SUPERVISORS.--

4 (a) Composition of board.--

5 1. The number of members of the governing board of the  
6 Central County Water Control District shall be five, two of  
7 whom shall be elected by the qualified electors residing in  
8 the district and three of whom shall be elected at the annual  
9 meeting in accordance with the requirements and procedures set  
10 forth in s. 298.11, Florida Statutes, except that no voting by  
11 proxy shall be allowed.

12 2. All governing board members elected by qualified  
13 electors shall be elected at large.

14 (b) Term of office.--

15 1. All governing board members elected by qualified  
16 electors shall have a term of 4 years except for governing  
17 board members elected at the first election following the  
18 referendum prescribed in subsection (3). The candidate  
19 receiving the highest number of votes at such election shall  
20 have a term of 4 years and the candidate receiving the second  
21 highest number of votes shall have a term of 2 years.

22 2. All governing board members elected at the annual  
23 meeting in accordance with s. 298.11, Florida Statutes, shall  
24 have a term of 3 years.

25 3. If a vacancy occurs in a seat occupied by a  
26 governing board member, the remaining members of the governing  
27 board shall, within 60 days after receipt of a resignation or  
28 notice of that member's death or other disqualification,  
29 appoint a person who would be eligible to hold the office for  
30 the unexpired term of the vacating member.

31 (c) Landowners' meetings.--

1           1. The annual landowners' meeting shall be held  
2 pursuant to s. 298.11, Florida Statutes, in October of each  
3 year, commencing in October 1999, and at least one governing  
4 board member shall be elected at each annual meeting.

5           2. At any landowners' meeting called pursuant to this  
6 section, 50 percent of the district acreage shall not be  
7 required to constitute a quorum and each governing board  
8 member shall be elected by a majority of the acreage  
9 represented by owners present and voting at said meeting or  
10 having voted prior to the meeting by absentee ballot under  
11 procedures adopted by the governing board.

12           (d) Qualifications.--

13           1. Elections for governing board members elected by  
14 qualified electors shall be nonpartisan. Qualifications shall  
15 be pursuant to the Florida Election Code and shall occur  
16 during the qualifying period established by s. 99.061, Florida  
17 Statutes. Qualification requirements under this subsection  
18 shall apply to only those governing board member candidates  
19 elected by qualified electors, which members shall be  
20 qualified electors residing in the district at the time of  
21 qualification and during the term of their office. Following  
22 the first election pursuant to this section, elections to the  
23 governing board by qualified electors shall occur at the next  
24 regularly scheduled election closest in time to the expiration  
25 date of the term of the elected governing board member. If the  
26 next regularly scheduled election is beyond the normal  
27 expiration time for the term of an elected governing board  
28 member, the governing board member shall hold office until the  
29 election of a successor.

30           2. Qualification and election of members of the  
31 governing board elected at the annual meeting shall be in

1 accordance with this act and chapter 298, Florida Statutes. No  
2 proxy voting shall be permitted.

3 3. In addition to any other qualification requirements  
4 set forth in this or any other special act relating to Central  
5 County Water Control District and in chapter 298, Florida  
6 Statutes, it shall be a requirement for voting at an annual  
7 meeting on a one-acre/one-vote basis that the special  
8 assessments levied by the district for the year preceding the  
9 annual meeting shall have been paid on the parcel of land for  
10 each vote cast. The board of supervisors shall establish  
11 procedures to implement this subparagraph, which procedures  
12 shall, among other things, allow a vote to be cast upon the  
13 showing of a receipt for the required assessment, or for the  
14 relevant tax statement, from the county tax collector.

15 4. The two supervisor terms that expire in 1999 shall  
16 be filled by the election held at the 1999 annual meeting. The  
17 candidate receiving the highest number of votes shall be  
18 elected to a 3-year term and the candidate receiving the  
19 second-highest number of votes shall be elected to a 2-year  
20 term. Thereafter, supervisors elected at an annual meeting to  
21 replace a supervisor whose term has expired shall have a term  
22 of 3 years.

23 Section 2. (1) The 1998 annual meeting of the Central  
24 County Water Control District is postponed until a date in  
25 June 1998 to be set by the Board of Supervisors.

26 (2) In the event that section 1 of this act becomes  
27 law after the referendum required by section 3, there shall be  
28 no election of supervisors at the 1998 annual meeting of the  
29 district, and the new governing board members for the two  
30 terms expiring in 1998 shall be elected by the qualified

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1 electors at the November 1998 general election in accordance  
2 with this act.

3 (3) In the event that section 1 does not take effect  
4 after the referendum required by section 3, the 1998 annual  
5 meeting shall be recessed at the time the referendum results  
6 are announced until a date in September 1998, at which time  
7 the annual election of supervisors shall be held and the terms  
8 of the members of the governing board elected at such meeting  
9 shall run until the annual meeting held in the year such term  
10 would have expired had this act not been enacted.

11 (4) All terms for members of the governing board are  
12 extended until their successors are elected and qualified  
13 according to the provisions of this act and chapter 298,  
14 Florida Statutes.

15 Section 3. (1) Section 1 of this act shall take  
16 effect only upon its approval by a majority vote of those  
17 voting in a referendum to be held at the district's annual  
18 meeting in June 1998, in accordance with the provisions of law  
19 and voting procedures currently in effect for the district.

20 (2) Sections 2 and 3 of this act shall take effect  
21 upon becoming a law.  
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