

By Representative Johnson

1                                   A bill to be entitled  
2           An act relating to the Oklawaha Basin  
3           Recreation and Water Conservation and Control  
4           Authority, Lake County; amending chapter 29222,  
5           Laws of Florida, 1953, as amended; changing the  
6           name of the authority to the Lake County Water  
7           Conservation Authority; increasing the number  
8           of members of the board of trustees from three  
9           to five; requiring that members be elected in  
10          nonpartisan elections conducted by the county  
11          supervisor of elections in accordance with the  
12          Florida Election Code; requiring that each  
13          member reside in a different county commission  
14          district of Lake County; changing the terms of  
15          board members, to conform; providing for  
16          transition; prohibiting any board member from  
17          serving as executive director of the authority;  
18          changing the number of board members required  
19          to constitute a quorum, to conform; providing  
20          for certification of millage to the county  
21          property appraiser for assessment; providing  
22          severability; providing an effective date.

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

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26           Section 1. Sections 2, 4, 6, and 9(b) of chapter  
27 29222, Laws of Florida, 1953, as amended, are amended to read:

28           Section 2. That for the purposes of (1) controlling  
29 and conserving the fresh water resources of Lake County; (2)  
30 fostering and improving the tourist business in the county by  
31 improvements to the streams, lakes, and canals in the county;

1 (3) providing recreational facilities for the tourists and  
2 citizens and taxpayers of the county by a more efficient use  
3 of the streams, lakes, and canals in the county; and (4)  
4 preserving, protecting, and improving the fish and wildlife of  
5 the county, there is hereby created and incorporated a special  
6 taxing district extending territorially throughout the present  
7 limits of Lake County, Florida. The district shall be known  
8 and designated as "The Lake County Water Conservation  
9 Authority ~~Oklawaha Basin Recreation and Water Conservation and~~  
10 ~~Control Authority in Lake County,~~" but shall hereafter in this  
11 Act, for convenience, be referred to as "the Authority."

12 Section 4. That a governing body for the Authority is  
13 hereby created, consisting of five ~~three~~ members who are  
14 residents of Lake County, Florida, each of whom shall reside  
15 in a geographic area identical to a County Commission District  
16 not resided in by any other member, which body shall be known  
17 and designated as the "Board of Trustees of the Lake County  
18 Water Conservation Authority ~~Oklawaha Basin recreation and~~  
19 ~~water conservation and control authority in Lake county,~~" but  
20 which shall hereinafter be referred to as "the Board." The  
21 members of the Board shall be elected by the voters of Lake  
22 County in nonpartisan elections conducted by the supervisor of  
23 elections pursuant to section 189.405, Florida Statutes, in  
24 accordance with the Florida Election Code, chapters 97 through  
25 106, Florida Statutes, beginning with the general election in  
26 November of 2000, for terms of four years, beginning on the  
27 second Tuesday following the general election in which the  
28 member is elected. For purposes of staggering terms, the two  
29 additional Board members shall be elected to initial terms of  
30 two years and shall reside in geographic areas identical to  
31 County Commission Districts in which current Board members do

1 not reside. Current Board members shall serve until the  
2 expiration of their terms or until their successors are  
3 elected, whichever occurs sooner. Thereafter, all terms of  
4 Board members shall be four years. However, in the period of  
5 transition from appointed to elected members, the Governor may  
6 appoint a member to fill any vacancy on the Board resulting  
7 from the term of any of the three current appointees expiring  
8 if that seat would be vacant for more than 2 months prior to  
9 the November 2000 general election. At the first meeting in  
10 December of each year, the Board shall elect ~~appointed by the~~  
11 ~~governor and confirmed by the senate of the state of Florida,~~  
12 ~~and shall hold office for four years; provided, that in~~  
13 ~~appointing the members of the first board, the governor shall~~  
14 ~~appoint the members for the following terms, to-wit: one~~  
15 ~~member for a two-year term, one member for a three-year term,~~  
16 ~~and one member for a four-year term, and thereafter each~~  
17 ~~member shall be appointed for a four-year term. Immediately~~  
18 ~~upon their appointment and in January of each succeeding year~~  
19 ~~the members of the board shall meet and select one of their~~  
20 ~~number as Chairman and one as Vice Chairman of the Board. The~~  
21 ~~Clerk of the Circuit Court of Lake County, Florida, shall act~~  
22 ~~as Secretary and Treasurer of the Board without any additional~~  
23 ~~compensation. In the event the provision pertaining to the~~  
24 ~~duties of the Clerk of the Circuit Court is for any reason~~  
25 ~~held to be invalid, the Board may select one of its members to~~  
26 ~~serve as its Secretary and Treasurer, or it may appoint a~~  
27 ~~non-member of the Board as its Secretary and Treasurer, and~~  
28 ~~such member of non-member shall receive compensation~~  
29 ~~commensurate with the duties and responsibilities as~~  
30 ~~determined by the Board. The Board shall~~ may ~~select one of its~~  
31 ~~members or~~ a non-member to serve as Executive ~~a~~ Director of

1 the Authority, and such ~~member or~~ non-member shall receive  
2 compensation commensurate with the responsibilities as  
3 determined by the Board. ~~In the event of the appointment of a~~  
4 ~~member of the board as director, he shall not be entitled to~~  
5 ~~receive pay "per diem" as compensation for his services except~~  
6 ~~as provided in section 8 of this act.~~The Board shall require  
7 a surety bond of any person, including the Clerk of the  
8 Circuit Court, who shall act as Secretary and Treasurer of the  
9 Board, in an amount to be fixed by the Board, which bond in  
10 the case of the appointment of the Clerk of the Circuit Court  
11 or a member of the Board shall be in addition to the bond  
12 furnished by such person ~~him~~ as Clerk of the Circuit Court or  
13 as a member of the Board, and the premium thereon shall be  
14 paid by the Board as a necessary expense of operation.

15 Section 6. That three ~~two~~ members of the Board shall  
16 constitute a quorum for the transaction of business, and a  
17 majority vote of all members present shall be necessary in  
18 order to authorize any action by the Board. The Chairman shall  
19 be entitled to vote on all questions.

20 Section 9(b). Each year a budget shall be prepared by  
21 the Authority ~~Oklawaha basin recreation and water conservation~~  
22 ~~and control authority in Lake County~~, and a millage sufficient  
23 to meet the budget within the provisions of law shall be  
24 certified to the ~~board of county commissioners of Lake County~~  
25 Property Appraiser for assessment.

26 Section 2. If any provision of this act or the  
27 application thereof to any person or circumstance is held  
28 invalid, the invalidity shall not affect other provisions or  
29 applications of the act which can be given effect without the  
30 invalid provision or application, and to this end the  
31 provisions of this act are declared severable.

1           Section 3. This act shall take effect upon becoming a  
2 law.  
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