

Bill No. SB 2596

Amendment No.

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11	Senator Klein moved the following amendment:		
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13	Senate Amendment		
14	Delete everything after the enacting clause		
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16	and insert:		
17	Section 1. Section 4 of section 2 of chapter 98-525,		
18	Laws of Florida, is amended to read:		
19	Section 4. Board of supervisors; elections.--		
20	(1) BOARD OF SUPERVISORS, APPOINTMENTS, ELECTIONS,		
21	POWERS, DUTIES, AND TERMS OF OFFICE. --There is hereby created		
22	a Board of Supervisors of the Lake Worth Drainage District,		
23	which shall be the governing body of the district. The board		
24	of supervisors shall consist of <u>five</u> three persons. Each		
25	candidate to be qualified for the office of supervisor shall		
26	be either himself or herself a landowner or he or she shall be		
27	the president of a corporate landowner, and All of the		
28	qualified voters of the entire district shall be allowed to		
29	vote for the election of all of the supervisors to be elected.		
30	All supervisors shall hold office for a term of 3 years and		
31	until their successors are duly elected and qualified.		

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1 (a) Hereafter, on the first Wednesday after the 3rd of
2 January ~~October~~, a qualified supervisors shall be elected for
3 a term of 3 years ~~in rotation~~, by the landowners of the
4 district, to take the place of the retiring supervisor.

5 ~~(b) In case of a vacancy in the office of any~~
6 ~~supervisor, the remaining supervisors shall within 60 days~~
7 ~~fill such vacancy by appointment for the unexpired term.~~

8 ~~(c) All vacancies or expirations on the board of~~
9 ~~supervisors shall be filled as required by this subsection.~~
10 ~~All supervisors shall hold office until their successors have~~
11 ~~been elected and qualified.~~

12 (b)(d) Whenever an election is authorized or required
13 by this subsection to be held by the landowners at any
14 particular or stated time of day, and if, for any reason, such
15 election is not or cannot be held at such time or on such day,
16 then in such event and in all and every such event the power
17 or duty to hold such election shall not cease or lapse, but
18 such election shall be held thereafter as soon as practicable
19 and consistent with this subsection.

20 (c) In addition to the notice required by law, the
21 district shall cause notice to be published, once a week for
22 two (2) consecutive weeks immediately preceding the date of
23 the regular district election, in a newspaper of general
24 circulation in the district, of not less than one-fourth page
25 size, providing a map of the district and the date, time, and
26 location of where the election will be held. The district
27 shall also take all steps to insure that there is a reasonable
28 level of publicity concerning the election.

29 (2) SINGLE-MEMBER SUBDISTRICT ELECTIONS; SUBDISTRICT
30 BOUNDARIES.--

31 (a) Definitions.--As used in this subsection, the

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1 term:

2 1. "Board" means the Board of Supervisors of the Lake
3 Worth Drainage District.

4 2. "District" means the Lake Worth Drainage District.

5 3. "Qualified elector" means any person at least 18
6 years of age who is a citizen of the United States, a
7 permanent resident of Florida, and a freeholder, freeholder's
8 spouse, or authorized representative of a legal entity holding
9 title to land in the district. Presidents or other indicated
10 officers or agents may represent corporations or other legal
11 entities, guardians may represent their wards, and executors
12 and administrators may represent the estates of deceased
13 persons and be qualified to represent the corporate landowner
14 and hold the office of supervisor.

15 (b) Single-member subdistrict elections.--

16 ~~1. Petition.--A referendum shall be called by the~~
17 ~~board of supervisors of the district on the question of~~
18 ~~whether members of the board should be elected on a~~
19 ~~single-member subdistrict basis, provided a petition signed by~~
20 ~~10 percent or more of the qualified electors of the district~~
21 ~~is filed with the board requesting a referendum on adoption of~~
22 ~~the election procedures set forth in this subsection.~~

23 ~~2. Referendum.--Upon verification by the Supervisor of~~
24 ~~Elections of Palm Beach County that 10 percent of the~~
25 ~~qualified electors of the district have petitioned the board~~
26 ~~of supervisors, a referendum election shall be called by the~~
27 ~~board at the next regularly scheduled election or within 6~~
28 ~~months after verification, whichever is earlier.~~

29 ~~3. Disapproval of referendum.--If the qualified~~
30 ~~electors of the district disapprove the election procedures~~
31 ~~described in this subsection, elections of the members of the~~

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1 ~~board shall continue as described in subsection (1) and s.~~
2 ~~298.12, Florida Statutes. No further referendum on the~~
3 ~~question shall be held for a minimum of 2 years.~~

4 ~~4. Approval of referendum; single-member subdistrict~~
5 ~~elections.--~~

6 ~~a. Increase in board size.--If the qualified electors~~
7 ~~approve the election procedure described in this subsection,~~
8 ~~the board of supervisors of the district shall be increased to~~
9 ~~five members and elections shall be held pursuant to the~~
10 ~~criteria described in this subparagraph beginning with the~~
11 ~~next regularly scheduled election of the board.~~

12 ~~b. Single-member subdistrict elections.--If the~~
13 ~~election process described in this subparagraph is approved by~~
14 ~~the qualified electors of the district,~~

15 ~~1. Members of the board of supervisors shall be~~
16 ~~elected from five single-member subdistricts, the boundaries~~
17 ~~of which are set forth in paragraph (c). Only those qualified~~
18 ~~electors owning property or representing property in a~~
19 ~~subdistrict may cast votes for candidates for the subdistrict.~~
20 ~~However, an owner or representative may only cast votes in a~~
21 ~~subdistrict election equal to the acreage owned within the~~
22 ~~subdistrict. Each acre, or fraction thereof, of land in the~~
23 ~~district shall represent one vote, and each owner shall be~~
24 ~~entitled to one vote, in person or by proxy, for every acre,~~
25 ~~or fraction thereof, of land owned within the district. The~~
26 ~~subdistrict candidate receiving the greatest number of votes~~
27 ~~shall be the supervisor from that subdistrict.~~

28 ~~2.e. Term of office.--All board members shall have a~~
29 ~~term of 3 4 years except the board members elected at the~~
30 ~~first election following the effective date of this act.the~~
31 ~~referendum prescribed in subparagraph 2. With respect to the~~

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1 ~~members initially elected, the three candidates receiving the~~
2 ~~greatest number of votes from subdistricts 1, 2, and 3 shall~~
3 ~~be elected for a period of 4 years, and the two candidates~~
4 ~~receiving the greatest number of votes from subdistricts 4 and~~
5 ~~5 shall be elected for a period of 2 years. Subsequent~~
6 ~~elections shall be held to elect members of the board during~~
7 ~~the same month as the first election in years when any board~~
8 ~~member's term will expire.~~

9 3.d. Qualifications.--Elections for board members
10 shall be nonpartisan. A candidate for the office of
11 supervisor of subdistrict 3, 4, or 5 shall at the time of
12 election be a landowner and resident of the subdistrict for
13 which he or she qualifies. Qualification shall occur during
14 the qualifying period established by ss. 99.061, Florida
15 Statutes. Each candidate to be qualified for the office of
16 supervisor of subdistrict 1 or 2 shall at the time of election
17 be a qualified elector of the district.

18 4.e. Vacancies.--A vacancy shall occur if a supervisor
19 ceases to be qualified for the seat that he or she holds. If
20 any vacancy occurs in a seat occupied by a governing board
21 member, the remaining members of the board shall, within 45
22 days after receipt of a resignation or other event causing a
23 vacancy, appoint a person who would be eligible to hold the
24 office until the next regularly scheduled district election at
25 which time an election will be held to fill the unexpired term
26 of the vacant seat for the unexpired term of the resigning
27 member.

28 (c) Boundaries of single-member subdistricts.--If the
29 referendum called by the board of supervisors on the question
30 of whether the board should be elected on a single-member
31 subdistrict basis is approved, The district shall be divided

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1 for the purposes of electing members to the board upon the
2 following territorial boundaries:

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1. The boundary lines of subdistrict 1 shall be:
All that part of the JURISDICTIONAL LIMITS OF
THE LAKE WORTH DRAINAGE DISTRICT lying westerly
of the centerline of FLORIDA'S TURNPIKE and
lying northerly of the South lines of BLOCKS 59
and 60, PALM BEACH FARMS CO. PLAT NO. 3, as
same is recorded in Plat Book 2 at pages 45
through 54, Public Records of Palm Beach
County, Florida, and northerly of the South
line of Township 45 South, Range 41 East, all
in Palm Beach County, Florida.

2. The boundary lines of subdistrict 2 shall be:
All that part of the JURISDICTIONAL LIMITS OF
THE LAKE WORTH DRAINAGE DISTRICT lying westerly
of the centerline of FLORIDA'S TURNPIKE and
lying southerly of the North lines of BLOCKS 62
and 63, PALM BEACH FARMS CO. PLAT NO. 3, as
same is recorded in Plat Book 2 at pages 45
through 54, Public Records of Palm Beach
County, Florida, and southerly of the North
line of Township 46 South, Range 41 East, all
in Palm Beach County, Florida.

3. The boundary lines of subdistrict 3 shall be:
All that part of the JURISDICTIONAL LIMITS OF
THE LAKE WORTH DRAINAGE DISTRICT lying easterly
of the centerline of FLORIDA'S TURNPIKE and

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1 lying northerly of the South line of Township
2 44 South, Range 42 East, and northerly of the
3 South line of Township 44 South, Range 43 East,
4 all in Palm Beach County, Florida.

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6 4. The boundary lines of subdistrict 4 shall be:
7 All that part of the JURISDICTIONAL LIMITS OF
8 THE LAKE WORTH DRAINAGE DISTRICT lying easterly
9 of the centerline of FLORIDA'S TURNPIKE and
10 lying southerly of the North line of Township
11 44 1/2 South, Range 42 East, and southerly of
12 the North line of Township 44 1/2 South,
13 Range 43 East, and lying northerly of the
14 centerline of DELRAY WEST ROAD (State Road
15 806), all in Palm Beach County, Florida.

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17 5. The boundary lines of subdistrict 5 shall be:
18 All that part of the JURISDICTIONAL LIMITS OF
19 THE LAKE WORTH DRAINAGE DISTRICT lying easterly
20 of the centerline of FLORIDA'S TURNPIKE and
21 lying southerly of the centerline of DELRAY
22 WEST ROAD (State Road 806), all in Palm Beach
23 County, Florida.

24
25 Section 2. Section 7(6) of chapter 98-525,
26 Laws of Florida, is amended to read:

27 Section 7. Meetings of landowners; election of
28 supervisors.--

29 (6) As to the elections of supervisors, the qualified
30 candidate receiving the highest number of votes for supervisor
31 shall be declared and elected as such supervisor. If more than

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1 one person is nominated for any vacancy on the board of
2 supervisors, the candidate receiving the majority of the votes
3 shall be elected. In the event no candidate receives a
4 majority, then the landowners shall vote on two candidates
5 receiving the most votes in a runoff election and the one
6 receiving the majority shall be elected.

7 Section 3. The members of the board of supervisors who
8 are in office on the effective date of this act shall continue
9 in office for the remainder of their terms. Those supervisors
10 represent subdistricts 1, 4, and 5. The two additional
11 members must be qualified residents from each of subdistricts
12 2 and 3. The initial terms of office for the two additional
13 members shall be 2 years for the member from subdistrict 2 and
14 3 years for the member from subdistrict 3.

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

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