

By Senator Klein

28-350B-99

1 A bill to be entitled
2 An act relating to the Lake Worth Drainage
3 District, Palm Beach County; amending s. 4 of
4 section 2 of chapter 98-525, Laws of Florida;
5 providing for the board of supervisors of the
6 district to be elected from single-member
7 subdistricts; increasing the membership of the
8 board of supervisors; deleting provisions that
9 authorize a referendum on the procedures for
10 electing the board of supervisors; providing
11 for the members of the board of supervisors on
12 the effective date of the act to remain in
13 office until the expiration of their terms;
14 providing an effective date.

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

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18 Section 1. Section 4 of section 2 of chapter 98-525,
19 Laws of Florida, is amended to read:

20 Section 4. Board of supervisors; elections.--

21 (1) BOARD OF SUPERVISORS, ~~APPOINTMENTS, ELECTIONS,~~
22 ~~POWERS, DUTIES, AND TERMS OF OFFICE.~~--There is hereby created
23 a Board of Supervisors of the Lake Worth Drainage District,
24 which shall be the governing body of the district. The board
25 of supervisors shall consist of five ~~three~~ persons. ~~Each~~
26 ~~candidate to be qualified for the office of supervisor shall~~
27 ~~be either himself or herself a landowner or he or she shall be~~
28 ~~the president of a corporate landowner, and all of the~~
29 ~~qualified voters of the entire district shall be allowed to~~
30 ~~vote for the election of all of the supervisors to be elected.~~

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1 ~~All supervisors shall hold office for a term of 3 years and~~
2 ~~until their successors are duly elected and qualified.~~

3 ~~(a) Hereafter, on the first Wednesday after the 3rd of~~
4 ~~October, a qualified supervisor shall be elected for a term of~~
5 ~~3 years in rotation, by the landowners of the district, to~~
6 ~~take the place of the retiring supervisor.~~

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

10 ~~(c) All vacancies or expirations on the board of~~
11 ~~supervisors shall be filled as required by this subsection.~~

12 ~~All supervisors shall hold office until their successors have~~
13 ~~been elected and qualified.~~

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

22 (2) SINGLE-MEMBER SUBDISTRICT ELECTIONS; SUBDISTRICT
23 BOUNDARIES.--

24 (a) Definitions.--As used in this subsection, the
25 term:

26 1. "Board" means the Board of Supervisors of the Lake
27 Worth Drainage District.

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

29 3. "Qualified elector" means any person at least 18
30 years of age who is a citizen of the United States, a
31 permanent resident of Florida, and a freeholder, freeholder's

1 spouse, or authorized representative of a legal entity holding
2 title to land in the district. Presidents or other indicated
3 officers or agents may represent corporations or other legal
4 entities, guardians may represent their wards, and executors
5 and administrators may represent the estates of deceased
6 persons and be qualified to represent the corporate landowner
7 and hold the office of supervisor.

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

9 ~~1. Petition.--A referendum shall be called by the~~
10 ~~board of supervisors of the district on the question of~~
11 ~~whether members of the board should be elected on a~~
12 ~~single-member subdistrict basis, provided a petition signed by~~
13 ~~10 percent or more of the qualified electors of the district~~
14 ~~is filed with the board requesting a referendum on adoption of~~
15 ~~the election procedures set forth in this subsection.~~

16 ~~2. Referendum.--Upon verification by the Supervisor of~~
17 ~~Elections of Palm Beach County that 10 percent of the~~
18 ~~qualified electors of the district have petitioned the board~~
19 ~~of supervisors, a referendum election shall be called by the~~
20 ~~board at the next regularly scheduled election or within 6~~
21 ~~months after verification, whichever is earlier.~~

22 ~~3. Disapproval of referendum.--If the qualified~~
23 ~~electors of the district disapprove the election procedures~~
24 ~~described in this subsection, elections of the members of the~~
25 ~~board shall continue as described in subsection (1) and s.~~
26 ~~298.12, Florida Statutes. No further referendum on the~~
27 ~~question shall be held for a minimum of 2 years.~~

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

30 ~~a. Increase in board size.--If the qualified electors~~
31 ~~approve the election procedure described in this subsection,~~

1 ~~the board of supervisors of the district shall be increased to~~
2 ~~five members and elections shall be held pursuant to the~~
3 ~~criteria described in this subparagraph beginning with the~~
4 ~~next regularly scheduled election of the board.~~

5 ~~b. Single-member subdistrict elections.--If the~~
6 ~~election process described in this subparagraph is approved by~~
7 ~~the qualified electors of the district,Members of the board~~
8 of supervisors shall be elected from five single-member
9 subdistricts, the boundaries of which are set forth in
10 paragraph (c). Only those qualified electors owning property
11 or representing property in a subdistrict may cast votes for
12 candidates for the subdistrict. However, an owner or
13 representative may only cast votes in a subdistrict election
14 equal to the acreage owned within the subdistrict. Each acre,
15 or fraction thereof, of land in the district shall represent
16 one vote, and each owner shall be entitled to one vote, in
17 person or by proxy, for every acre, or fraction thereof, of
18 land owned within the district. The subdistrict candidate
19 receiving the greatest number of votes shall be the supervisor
20 from that subdistrict.

21 ~~a.c.~~ a.c. Term of office.--All board members shall have a
22 term of 4 years ~~except the board members elected at the first~~
23 ~~election following the referendum prescribed in subparagraph~~
24 ~~2.~~ With respect to the members initially elected, the three
25 candidates receiving the greatest number of votes from
26 subdistricts 1, 2, and 3 shall be elected for a period of 4
27 years, and the two candidates receiving the greatest number of
28 votes from subdistricts 4 and 5 shall be elected for a period
29 of 2 years. Subsequent elections shall be held to elect
30 members of the board during the same month as the first
31 election in years when any board member's term will expire.

1 b.d. Qualifications.--Elections for board members
2 shall be nonpartisan. Qualification shall occur during the
3 qualifying period established by section ~~ss.~~99.061, Florida
4 Statutes. Each candidate to be qualified for the office of
5 supervisor shall be a qualified elector of the district.

6 c.e. Vacancies.--If any vacancy occurs in a seat
7 occupied by a governing board member, the remaining members of
8 the board shall, within 45 days after receipt of a
9 resignation, appoint a person who would eligible to hold the
10 office for the unexpired term of the resigning member.

11 (c) Boundaries of single-member subdistricts.--~~If the~~
12 ~~referendum called by the board of supervisors on the question~~
13 ~~of whether the board should be elected on a single-member~~
14 ~~subdistrict basis is approved,~~The district shall be divided
15 for the purposes of electing members to the board upon the
16 following territorial boundaries:

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

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

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12 3. The boundary lines of subdistrict 3 shall be:
13 All that part of the JURISDICTIONAL LIMITS OF
14 THE LAKE WORTH DRAINAGE DISTRICT lying easterly
15 of the centerline of FLORIDA'S TURNPIKE and
16 lying northerly of the South line of Township
17 44 South, Range 42 East, and northerly of the
18 South line of Township 44 South, Range 43 East,
19 all in Palm Beach County, Florida.

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21 4. The boundary lines of subdistrict 4 shall be:
22 All that part of the JURISDICTIONAL LIMITS OF
23 THE LAKE WORTH DRAINAGE DISTRICT lying easterly
24 of the centerline of FLORIDA'S TURNPIKE and
25 lying southerly of the North line of Township
26 44 1/2 South, Range 42 East, and southerly of
27 the North line of Township 44 1/2 South,
28 Range 43 East, and lying northerly of the
29 centerline of DELRAY WEST ROAD (State Road
30 806), all in Palm Beach County, Florida.

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1 5. The boundary lines of subdistrict 5 shall be:
2 All that part of the JURISDICTIONAL LIMITS OF
3 THE LAKE WORTH DRAINAGE DISTRICT lying easterly
4 of the centerline of FLORIDA'S TURNPIKE and
5 lying southerly of the centerline of DELRAY
6 WEST ROAD (State Road 806), all in Palm Beach
7 County, Florida.

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9 Section 2. The members of the board of supervisors who
10 are in office on the effective date of this act shall continue
11 in office for the remainder of their terms. The two additional
12 members must be qualified electors of two subdistricts that
13 are not represented by a board member on the effective date of
14 this act. The terms of office for the two additional members
15 shall be established so that the terms of the board members
16 are staggered.

17 Section 3. This act shall take effect July 1, 2000.
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