

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.

15  
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.

31

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 January ~~October~~, a qualified supervisors shall be elected for  
5 a term of 3 years ~~in rotation~~, by the landowners of the  
6 district, to 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 (b)(d) Whenever an election is authorized or required  
15 by this subsection to be held by the landowners at any  
16 particular or stated time of day, and if, for any reason, such  
17 election is not or cannot be held at such time or on such day,  
18 then in such event and in all and every such event the power  
19 or duty to hold such election shall not cease or lapse, but  
20 such election shall be held thereafter as soon as practicable  
21 and consistent with this subsection.

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

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1           (2) SINGLE-MEMBER SUBDISTRICT ELECTIONS; SUBDISTRICT  
2 BOUNDARIES.--

3           (a) Definitions.--As used in this subsection, the  
4 term:

5           1. "Board" means the Board of Supervisors of the Lake  
6 Worth Drainage District.

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

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

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

19           ~~1. Petition.--A referendum shall be called by the~~  
20 ~~board of supervisors of the district on the question of~~  
21 ~~whether members of the board should be elected on a~~  
22 ~~single-member subdistrict basis, provided a petition signed by~~  
23 ~~10 percent or more of the qualified electors of the district~~  
24 ~~is filed with the board requesting a referendum on adoption of~~  
25 ~~the election procedures set forth in this subsection.~~

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

1           ~~3. Disapproval of referendum.--If the qualified~~  
2 ~~electors of the district disapprove the election procedures~~  
3 ~~described in this subsection, elections of the members of the~~  
4 ~~board shall continue as described in subsection (1) and s.~~  
5 ~~298.12, Florida Statutes. No further referendum on the~~  
6 ~~question shall be held for a minimum of 2 years.~~

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

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

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

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

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1           2.c. Term of office.--All board members shall have a  
2 term of 3 ~~4~~ years except the board members elected at the  
3 first election following the effective date of this act.~~the~~  
4 ~~referendum prescribed in subparagraph 2. With respect to the~~  
5 ~~members initially elected, the three candidates receiving the~~  
6 ~~greatest number of votes from subdistricts 1, 2, and 3 shall~~  
7 ~~be elected for a period of 4 years, and the two candidates~~  
8 ~~receiving the greatest number of votes from subdistricts 4 and~~  
9 ~~5 shall be elected for a period of 2 years. Subsequent~~  
10 ~~elections shall be held to elect members of the board during~~  
11 ~~the same month as the first election in years when any board~~  
12 ~~member's term will expire.~~

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

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

1 (c) Boundaries of single-member subdistricts.--~~If the~~  
2 ~~referendum called by the board of supervisors on the question~~  
3 ~~of whether the board should be elected on a single-member~~  
4 ~~subdistrict basis is approved,~~The district shall be divided  
5 for the purposes of electing members to the board upon the  
6 following territorial boundaries:

7  
8 1. The boundary lines of subdistrict 1 shall be:  
9 All that part of the JURISDICTIONAL LIMITS OF  
10 THE LAKE WORTH DRAINAGE DISTRICT lying westerly  
11 of the centerline of FLORIDA'S TURNPIKE and  
12 lying northerly of the South lines of BLOCKS 59  
13 and 60, PALM BEACH FARMS CO. PLAT NO. 3, as  
14 same is recorded in Plat Book 2 at pages 45  
15 through 54, Public Records of Palm Beach  
16 County, Florida, and northerly of the South  
17 line of Township 45 South, Range 41 East, all  
18 in Palm Beach County, Florida.

19  
20 2. The boundary lines of subdistrict 2 shall be:  
21 All that part of the JURISDICTIONAL LIMITS OF  
22 THE LAKE WORTH DRAINAGE DISTRICT lying westerly  
23 of the centerline of FLORIDA'S TURNPIKE and  
24 lying southerly of the North lines of BLOCKS 62  
25 and 63, PALM BEACH FARMS CO. PLAT NO. 3, as  
26 same is recorded in Plat Book 2 at pages 45  
27 through 54, Public Records of Palm Beach  
28 County, Florida, and southerly of the North  
29 line of Township 46 South, Range 41 East, all  
30 in Palm Beach County, Florida.

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1           3. The boundary lines of subdistrict 3 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 northerly of the South line of Township  
6           44 South, Range 42 East, and northerly of the  
7           South line of Township 44 South, Range 43 East,  
8           all in Palm Beach County, Florida.

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

20  
21           5. The boundary lines of subdistrict 5 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 centerline of DELRAY  
26           WEST ROAD (State Road 806), all in Palm Beach  
27           County, Florida.

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

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1           Section 7. Meetings of landowners; election of  
2 supervisors.--

3           (6) As to the elections of supervisors, the qualified  
4 candidate receiving the highest number of votes for supervisor  
5 shall be declared and elected as such supervisor. If more than  
6 one person is nominated for any vacancy on the board of  
7 supervisors, the candidate receiving the majority of the votes  
8 shall be elected. In the event no candidate receives a  
9 majority, then the landowners shall vote on two candidates  
10 receiving the most votes in a runoff election and the one  
11 receiving the majority shall be elected.

12           Section 3. The members of the board of supervisors who  
13 are in office on the effective date of this act shall continue  
14 in office for the remainder of their terms. Those supervisors  
15 represent subdistricts 1, 4, and 5. The two additional  
16 members must be qualified residents from each of subdistricts  
17 2 and 3. The initial terms of office for the two additional  
18 members shall be 2 years for the member from subdistrict 2 and  
19 3 years for the member from subdistrict 3.

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