

Amendment No. 01 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

The Committee on Governmental Rules & Regulations offered the following:

Amendment (with title amendment)

On page 7, line 5, of the bill

insert:

Section 4. Subsection (2) of Section 298.005, Florida Statutes is amended to read:

(2) "Owner" means the owner of the freehold estate, subject to assessment pursuant to this act as appears by the deed record. The term does not include reversioners, remaindermen, or mortgagees, who are not to be counted and need not be notified by publication or served by process, but are to be represented by the present owners of the freehold estate in any proceeding under this chapter.

Section 5. Subsection (2) of Section 298.11, Florida Statutes is amended to read:

(2) The landowners, when assembled, shall organize by the election of a chair and secretary of the meeting, who shall conduct the election. At the election, each and every

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1 assessable acre of land in the district shall represent one
2 share, and each owner shall be entitled to one vote in person
3 or by proxy in writing duly signed, for every assessable acre
4 of land owned by him or her in the district, and the three
5 persons receiving the highest number of votes shall be
6 declared elected as supervisors. The appointment of proxies
7 shall comply with s. 607.0722. Landowners owning less than 1
8 assessable acre in the aggregate shall be entitled to one
9 vote. Landowners with more than 1 assessable acre are entitled
10 to one additional vote for any fraction of an acre greater
11 than 1/2 acre, when all of the landowners' acreage has been
12 aggregated for purposes of voting. The landowners shall at
13 such election determine the length of the terms of office of
14 each supervisor so elected by them, which shall be
15 respectively 1, 2, and 3 years, and they shall serve until
16 their successors shall have been elected and qualified.

17 Section 6. Subsection (1) of Section 298.12, Florida
18 Statutes is amended to read:

19 (1) Every year in the same month after the time for
20 the election of the first board of supervisors, it shall call
21 a meeting of the landowners in the district in the same manner
22 as is provided for in s. 298.11, and the owners of land in
23 such district shall meet at the stated time and place and
24 elect one supervisor. Owners whose assessments have not been
25 paid for the previous year shall not be entitled to vote.
26 ~~therefor, or~~ In case of ~~their~~ failure to elect, the Governor
27 shall appoint such supervisor, who shall hold the supervisor's
28 office for 3 years or until his or her successor is elected
29 and qualified; and in case of a vacancy in any office of
30 supervisor elected by the landowners, the remaining
31 supervisors or, if they fail to act within 30 days, the

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1 Governor may fill such vacancy until the next annual meeting,
2 when a successor shall be elected for the unexpired term.

3 Section 7. Subsection (8) of Section 298.225, Florida
4 Statutes is amended to read:

5 (8) If the preparation of a water control plan or
6 amendment under this section does not result in revision of
7 the district's current plan or require the alteration or
8 increase of any levy of assessments or taxes beyond the
9 maximum amount previously authorized by general law, special
10 law, or judicial proceeding, a change in the use of said
11 assessments or taxes, or substantial change to district
12 facilities, the provisions of s. 298.301(2)-(9) do not apply
13 to the plan adoption process. This section and s. 298.301 do
14 not apply to minor, insubstantial amendments to district
15 plans authorized by special law Minor, insubstantial
16 amendments shall include amendments to the water control plan
17 which replace, relocate, reconstruct or improve and upgrade
18 district facilities and operations consistent with the adopted
19 water control plan but do not require increasing assessments
20 beyond the maximum amount authorized by law.

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23 ===== T I T L E A M E N D M E N T =====

24 And the title is amended as follows:

25 On page 2, line 8,

26

27 after the semicolon insert:

28 amending s. 298.005, F.S.; providing that an
29 owner is one who owns a freehold estate subject
30 to assessment pursuant to this act; amending s.
31 298.11, F.S.; providing that voting rights are

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1 based on assessable acres; s. 298.12, F.S.;
2 prohibiting owners in arrears for the previous
3 year's assessment from voting; amending s.
4 298.225, F.S.; defining minor, insubstantial
5 amendments;
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