

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 Representative Davis, M. offered the following:

2

3 **Amendment (with title amendment)**

4 Remove the entire body and insert:

5 Section 1. Sections 10 and 14 of section 2 of chapter 98-  
6 524, Laws of Florida, are amended to read:

7 Section 10. Board of supervisors; election; organization;  
8 terms of office; benefits; quorum; report and minutes.--

9 (1) The board of supervisors of the district shall be the  
10 governing body of the district and shall exercise the powers  
11 granted to the district under this act and under chapter 298,  
12 Florida Statutes. The board shall consist of six members, until  
13 the first meeting of the board following certification of the  
14 November 2006 election, and seven members thereafter. ~~and,~~  
15 Except as otherwise provided herein, each member shall hold  
16 office for a term of 4 years and until his or her successor

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17 shall be chosen and shall qualify. ~~A majority of the members of~~  
18 ~~the board shall be residents of Broward County. All of the~~  
19 ~~members of the board shall be residents of the State of Florida~~  
20 ~~and shall own land lying within the boundaries of the district.~~

21 (2) Beginning with the November 2004 election, a candidate  
22 for the office of supervisor shall, at the time of his or her  
23 qualification for office, be a qualified elector of the South  
24 Broward Drainage District and shall qualify with the county  
25 supervisor of elections in accordance with the Florida Election  
26 Code and this act. To be a qualified candidate of the South  
27 Broward Drainage District, he or she shall, at the time of his  
28 or her qualification, have continuously resided within the  
29 boundaries of the district and within the respective zone that  
30 he or she may represent for the 60 days immediately preceding  
31 his or her qualifying for office and until he or she is inducted  
32 into office. Each supervisor shall reside within the district  
33 and within the geographical zone he or she represents during his  
34 or her entire term in office, but any supervisor who has the  
35 boundaries of his or her zone changed and because of said change  
36 no longer resides within the zone he or she represents shall  
37 remain in office until the normal expiration of his or her term.

38 (3)~~(2)~~ Notwithstanding any other provision of this act,  
39 the persons who are members of the board of supervisors of the  
40 district in office when this act takes effect shall constitute  
41 the members of the board until the next election for their  
42 seats. Those members of the board whose terms expire in June  
43 2004 shall remain members of the board and their terms shall be  
44 extended from June 2004 until their successors are inducted into

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45 office at the first regularly scheduled meeting of the board  
46 following certification of the November 2004 general election.  
47 Those members of the board whose terms expire in June 2006 shall  
48 remain members of the board and their terms shall be extended  
49 from June 2006 until their successors are inducted into office  
50 at the first regularly scheduled meeting of the board following  
51 certification of the November 2006 general election.

52 (4) After the effective date of this act, except as stated  
53 herein, all supervisors shall be elected by the qualified  
54 electors of the district on a nonpartisan basis. Except as  
55 stated herein, the seven supervisors shall be elected from seven  
56 single-member zones which shall be identified as Zone 1, Zone 2,  
57 Zone 3, Zone 4, Zone 5, Zone 6, and Zone 7. The supervisors  
58 shall be elected from the registered voters of each respective  
59 zone.

60 (5) That part of the district located within the  
61 district's seven zones is as follows:

62 (a) Zone 1:

63 All of Sections 31, 32 and 33 of Township 50 South,  
64 Range 40 East,

65 Together with;

66 All of Sections 4, 5, 6, and 7 of Township 51 South,  
67 Range 40 East,

68 Together with;

69 All of Sections 34, 35 and 36 of Township 50 South,  
70 Range 39 East,

71 Together with;

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72 | All of Sections 1, 2, 3, 10, 11 and 12 of Township 51

73 | South, Range 39 East,

74 | Together with;

75 | All of Sections 28, 29 and 30 of Township 50 South,

76 | Range 40 East lying south of the South Florida Water

77 | Management District Canal C-11 right-of-way,

78 | Together with;

79 | All of Sections 25, 26 and 27 of Township 50 South,

80 | Range 39 East lying south of the South Florida Water

81 | Management District Canal C-11 right-of-way,

82 | Together with;

83 | The North one-half (N 1/2) of Section 18, of Township

84 | 51 South, Range 40 East,

85 | Together with;

86 | The North one-half (N 1/2) of Sections 13, 14 and 15

87 | of Township 51 South, Range 39 East.

88 | (b) Zone 2:

89 | All of Sections 19, 30, 31 and 32 of Township 51

90 | South, Range 40 East,

91 | Together with;

92 | The South one-half (S 1/2) of Sections 18 and 29 of

93 | Township 51 South, Range 40 East,

94 | Together with;

95 | All of the South one-half (S 1/2) of Section 28 of

96 | Township 51 South, Range 40 East lying west of the

97 | centerline of the Interstate Highway I-75 right-of-

98 | way,

99 | Together with;

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100 All of Sections 22, 23, 24, 25, 26, 27, 34, 35 and 36  
101 of Township 51 South, Range 39 East,  
102 Together with;  
103 The South one-half (S 1/2) of Sections 13, 14 and 15  
104 of Township 51 South, Range 39 East,  
105 Together with;  
106 All of Section 33 of Township 51 South, Range 40 East  
107 lying west of the centerline of the Interstate Highway  
108 I-75 right-of-way.  
109 (c) Zone 3:  
110 All of the South one-half (S 1/2) of Section 15 of  
111 Township 51 South, Range 40 East lying west of the  
112 centerline of the Interstate Highway I-75 right-of-  
113 way,  
114 Together with;  
115 All of the North one-half (N 1/2) of Section 22 of  
116 Township 51 South, Range 40 East lying west of the  
117 centerline of the Interstate Highway I-75 right-of-  
118 way,  
119 Together with;  
120 All of Sections 8, 9, 10, 11, 16 and 17 of Township 51  
121 South, Range 40 East,  
122 Together with;  
123 The North one-half (N 1/2) of Sections 14, 15, 20 and  
124 21 of Township 51 South, Range 40 East.  
125 (d) Zone 4:  
126 All of Sections 23, 26, 27, 34, 35 and 36 of Township  
127 51 South, Range 40 East,

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128        Together with;  
129        All of Section 30 of Township 51 South, Range 41 East,  
130        Together with;  
131        The South one-half (S 1/2) of Section 19 of Township  
132        51 South, Range 41 East,  
133        Together with;  
134        The South one-half (S 1/2) of Sections 14, 20, 21, 22  
135        and 25 of Township 51 South, Range 40 East,  
136        Together with;  
137        All of the South one-half (S 1/2) of Sections 15 and  
138        28 of Township 51 South, Range 40 East lying east of  
139        the centerline of the Interstate Highway I-75 right-  
140        of-way,  
141        Together with;  
142        The North one-half (N 1/2) of Sections 28 and 29 of  
143        Township 51 South, Range 40 East,  
144        Together with;  
145        All of the North one-half (N 1/2) of Section 22 of  
146        Township 51 South, Range 40 East lying east of the  
147        centerline of the Interstate Highway I-75 right-of-  
148        way,  
149        Together with;  
150        All of Section 33 of Township 51 South, Range 40 East  
151        lying east of the centerline of the Interstate Highway  
152        I-75 right-of-way.  
153        (e) Zone 5:  
154        All of Sections 12, 13 and 24 of Township 51 South,  
155        Range 40 East,

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156 Together with;  
157 All of Section 7 of Township 51 South, Range 41 East,  
158 Together with;  
159 The North one-half (N 1/2) of Section 18 of Township  
160 51 South, Range 41 East,  
161 Together with;  
162 The North one-half (N 1/2) of Section 25 of Township  
163 51 South, Range 40 East.

164 (f) Zone 6:  
165 All of Sections 8, 17, 20 and 29 of Township 51 South,  
166 Range 41 East,  
167 Together with;  
168 The South one-half (S 1/2) of Section 18 of Township 51  
169 South, Range 41 East,  
170 Together with;  
171 The North one-half (N 1/2) of Sections 9 and 19 of  
172 Township 51 South, Range 41 East.

173 (g) Zone 7:  
174 All of Sections 15, 16, 21 and 28 of Township 51 South,  
175 Range 41 East,  
176 Together with;  
177 The South one-half (S 1/2) of Sections 9 and 10 of  
178 Township 51 South, Range 41 East,  
179 Together with;  
180 The Southwest one-quarter (SW 1/4) of Section 11 of  
181 Township 51 South, Range 41 East,  
182 Together with;

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183 The Northwest one-quarter (NW 1/4) of Section 14 of

184 Township 51 South, Range 41 East,

185 Together with;

186 The North one-half (N 1/2) of Section 22 of Township

187 51 South, Range 41 East.

188 (6) Commencing with the first regularly scheduled meeting

189 of the board following certification of the November 2006

190 general election, except as stated in this act, the board shall

191 be composed of seven members as follows:

192 (a) Three supervisors shall be elected in the general

193 election of November 2004. At the November 2004 general

194 election, one supervisor shall be elected from the combined

195 registered voters from Zones 1 and 2, one supervisor shall be

196 elected from the combined registered voters from Zones 3 and 4,

197 and one supervisor shall be elected from the combined registered

198 voters from Zones 5, 6, and 7. The supervisors elected in

199 November 2004 shall serve until their terms expire in November

200 2008.

201 (b) In the general election of November 2006, and in the

202 November general election of every fourth year thereafter, one

203 supervisor shall be elected from the zone in which the

204 supervisor elected in 2004 from Zones 1 and 2 is not a resident,

205 one supervisor shall be elected from the zone in which the

206 supervisor elected in 2004 from Zones 3 and 4 is not a resident,

207 and one supervisor shall be elected from each of the two zones

208 in which the supervisor elected in 2004 from Zones 5, 6, and 7

209 is not a resident.

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210 (c) In the general election of November 2008, the zones in  
211 which the supervisors elected in 2004 reside and whose terms of  
212 office expire in November 2008 shall be designated as the zones  
213 whose representatives shall be elected in 2008 and in the  
214 November general election of every fourth year thereafter.

215 (d) If only one candidate qualifies for an office, that  
216 candidate shall be deemed elected. If two or more candidates  
217 qualify for an office, the names of those candidates shall be  
218 placed on the ballot for the designated November general  
219 election.

220 (e) The candidate receiving the highest number of votes  
221 cast for the office of supervisor for each respective zone at  
222 each respective election shall be declared elected to such  
223 office. If the vote results in a tie, the outcome shall be  
224 determined by lot.

225 (f) Supervisors elected or reelected shall be inducted  
226 into office at the first regularly scheduled meeting of the  
227 board following certification of the election.

228 (7) Except as provided in this section, election of  
229 supervisors shall be as provided in the Florida Election Code  
230 and revisions thereto.

231 (8) The boundaries of Zones 1, 2, 3, 4, 5, 6, and 7 shall  
232 be reviewed and revised by the board upon the occurrence of any  
233 of the following events:

234 (a) The district's geographical area changes by 10 percent  
235 or more;

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236 (b) The district's population changes by 10 percent or  
237 more since the previous determination of the single-member zone  
238 boundaries;

239 (c) Any annexation, deannexation, or merger causes the  
240 population of the district to increase or decrease by 5 percent  
241 or more; or

242 (d) The passage of at least 10 years since the previous  
243 review of the single-member zone boundaries. If the population  
244 of the single-member zones meets the requirements of subsection  
245 (9), the boundaries of the single-member zones may remain as is.

246 (9) With the assistance of the district director,  
247 engineer, and attorney, revisions to the boundaries of the seven  
248 zones shall result in the population of each zone being no less  
249 than 13.58 percent of the total population of the district and  
250 no greater than 15 percent of the total population of the  
251 district according to the latest census or official population  
252 determination.

253 ~~(3) In the month of June of 2000, there shall be held a~~  
254 ~~meeting of the landowners of South Broward Drainage District at~~  
255 ~~the office of the district in Broward County, for the purpose of~~  
256 ~~holding an election to fill the seats of the three supervisors~~  
257 ~~whose terms expire in June of 2000; and, in the month of June of~~  
258 ~~each fourth year thereafter, there shall be held such a meeting~~  
259 ~~to fill the same three seats. In the month of June of 2002,~~  
260 ~~there shall be held a meeting of the landowners of South Broward~~  
261 ~~Drainage District at the office of the district in Broward~~  
262 ~~County for the purpose of holding an election to fill the seats~~  
263 ~~of the three supervisors whose terms expire in June of 2002;~~

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264 ~~and, in the month of June of each fourth year thereafter, there~~  
265 ~~shall be held such a meeting to fill the same three seats.~~  
266 ~~Notice of said landowners' meeting shall be published as~~  
267 ~~provided by section 20. The president of the board of~~  
268 ~~supervisors shall conduct the meeting. At such meeting, each~~  
269 ~~landowner shall be entitled to cast one vote for each person to~~  
270 ~~be elected. A landowner may vote in person or by proxy in~~  
271 ~~writing. Each landowner shall be entitled to cast one vote for~~  
272 ~~each acre of land owned by him and located within the district~~  
273 ~~boundaries. Fractions of an acre shall be treated as one acre,~~  
274 ~~entitling the landowner to one vote with respect thereto. The~~  
275 ~~three persons at the respective elections who receive the~~  
276 ~~highest number of votes for the office of supervisor shall be~~  
277 ~~declared elected.~~

278 (10)(4) Each supervisor, before entering upon his or her  
279 official duties, shall take and subscribe to an oath of office  
280 as prescribed in s. 298.13, Florida Statutes.

281 (11)(5) All supervisors shall hold office for the terms  
282 for which they are elected or appointed and until their  
283 successors shall be chosen and qualify. In case of a vacancy in  
284 the office of any supervisor, the remaining supervisor or  
285 supervisors, even though less than a quorum, may fill such  
286 vacancy for the unexpired term of the supervisor who vacated his  
287 or her office.

288 (12)(6) At the first meeting of the board following  
289 certification of the general election of November 2004 and at  
290 the first regularly scheduled meeting of the board following  
291 certification of the general election in the month of November

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292 of every other year thereafter ~~As soon as practicable after each~~  
293 ~~election,~~ the board shall organize by electing from ~~choosing one~~  
294 ~~of their~~ members a number ~~president,~~ a secretary, and a  
295 treasurer of the board ~~and by electing a secretary, who need not~~  
296 ~~be a member of the board.~~

297 (13)~~(7)~~ A majority of the members of the board shall  
298 constitute a quorum.

299 (14) Except as stated in sections 12 and 14, the  
300 supervisors of the district shall not receive any benefits,  
301 including, but not limited to, state or district retirement,  
302 health insurance, medical insurance, dental insurance, or life  
303 insurance.

304 (15)~~(8)~~ The board shall keep a permanent record book  
305 entitled "Record of Proceedings of South Broward Drainage  
306 District," in which shall be recorded minutes of all meetings,  
307 resolutions, proceedings, certificates, bonds given by all  
308 employees, and any and all corporate acts, which book shall at  
309 reasonable times be opened to the inspection of any elector,  
310 landowner, taxpayer, resident, or bondholder of the district,  
311 and such other persons as the board may determine to have a  
312 proper interest in the proceedings of the board. Such record  
313 book shall be kept at any office or other regular place of  
314 business maintained by the board in Broward County.

315 ~~(9) Whenever any election shall be authorized or required~~  
316 ~~by this act to be held by the landowners at any particular or~~  
317 ~~stated time or day, and if for any reason such election is not~~  
318 ~~held at such time or on such day, then in such event the power~~  
319 ~~or duty to hold such election shall not cease or lapse, but such~~

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320 ~~election shall be held thereafter when practicable, and in~~  
321 ~~accordance with the procedures provided by this act.~~

322 Section 14. Treasurer; depositories; fiscal agent.--

323 (1) The board shall, as provided by subsection 10(12),  
324 elect designate a member of the board ~~person who is a resident~~  
325 ~~of the state, or a bank or trust company organized under the~~  
326 ~~laws of the state,~~ as treasurer of the district, who shall have  
327 charge of the funds of the district. Such funds shall be  
328 disbursed only upon the order of or pursuant to the resolution  
329 of the board by warrant or check signed by the treasurer, or by  
330 such other person as may be authorized by the board. The  
331 treasurer may not hold any other office provided for in this  
332 ~~act, except that the same person may not be president and~~  
333 ~~treasurer.~~ The board may give the treasurer such other or  
334 additional powers and duties as the board may deem appropriate,  
335 and fix his or her compensation; and may require the treasurer  
336 to give a bond in such amount, on such terms, and with such  
337 sureties as may be deemed satisfactory to the board to secure  
338 the performance by the treasurer of his or her powers and  
339 duties. The board shall audit or have audited the books of the  
340 treasurer at least once a year.

341 (2) The board is authorized to select as depositories in  
342 which the funds of the board and of the district shall be  
343 deposited any banking corporation organized under the laws of  
344 the state or under the national banking act, doing business in  
345 the state, upon such terms and conditions as to the payment of  
346 interest by such depository upon the funds so deposited as the  
347 board may deem just and reasonable.

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348 (3) The board may employ a fiscal agent, who shall be  
349 either a resident of the state or a corporation organized under  
350 the laws of this or any other state and authorized by such laws  
351 to act as such fiscal agent for municipal corporations in the  
352 state and who shall assist in the keeping of the tax books, the  
353 collection of taxes, and the remitting of funds to pay maturing  
354 bonds and coupons, and perform such other or additional services  
355 and duties as fiscal agent and receive such compensation as the  
356 board may determine.

357 Section 2. A certified copy of this act shall be recorded  
358 in the Broward County Public Records by the South Broward  
359 Drainage District.

360 Section 3. In the event any section or provision of this  
361 act is determined to be invalid or unenforceable, such  
362 determination shall not affect the validity of or enforceability  
363 of each other section and provision of this act, and to this end  
364 the provisions of this act are declared severable.

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

366

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

368 Remove the entire title and insert:

369 A bill to be entitled  
370 An act relating to the South Broward Drainage District,  
371 Broward County; amending chapter 98-524, Laws of Florida;  
372 providing for the number of supervisors of the district;  
373 providing single-member zones; providing the method of  
374 election of supervisors; providing the qualifications of  
375 supervisors; providing the term of office for supervisors;

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376 | providing that the officers of the district shall be  
377 | members of the board of supervisors; providing for the  
378 | limitation of supervisors' benefits; deleting obsolete  
379 | provisions; providing severability; providing an effective  
380 | date.

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