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A bill to be entitled

An act relating to the South Broward Drainage District, Broward County; amending chapter 98-524, Laws of Florida; revising the number of members on the board of supervisors of the district; revising provisions relating to qualifications of candidates for supervisor; providing the method of election of supervisors; providing the term of office for supervisors; providing single-member zones; providing that the officers of the district shall be members of the board of supervisors; providing for the limitation of supervisors' benefits; deleting obsolete provisions; providing severability; providing an effective date.

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

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

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

(1) The board of supervisors of the district shall be the governing body of the district and shall exercise the powers granted to the district under this act and under chapter 298, Florida Statutes. The board shall consist of six members, until the first meeting of the board following certification of the November 2004 election, and five members thereafter. ~~and,~~ Except as otherwise provided herein, each member shall hold office for a term of 4 years and until his or her successor shall be chosen and shall qualify. ~~A majority of the members of~~

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30 ~~the board shall be residents of Broward County. All of the~~
 31 ~~members of the board shall be residents of the State of Florida~~
 32 ~~and shall own land lying within the boundaries of the district.~~

33 (2) Beginning with the November 2004 election, a candidate
 34 for the office of supervisor shall, at the time of his or her
 35 qualification for office, be a qualified elector of the South
 36 Broward Drainage District and shall qualify with the county
 37 supervisor of elections in accordance with the Florida Election
 38 Code and this act. To be a qualified elector of the South
 39 Broward Drainage District, a person shall, at the time of his or
 40 her qualification, have continuously resided within the
 41 boundaries of the district and within the respective zone that
 42 he or she may represent for the 60 days immediately preceding
 43 his or her qualifying for office and until he or she is inducted
 44 into office. Each supervisor shall reside within the district
 45 and within the geographical zone he or she represents during his
 46 or her entire term in office, but any supervisor who has the
 47 boundaries of his or her zone changed and because of said change
 48 no longer resides within the zone he or she represents shall
 49 remain in office until the normal expiration of his or her term.

50 (3)(2) Notwithstanding any other provision of this act,
 51 the persons who are members of the board of supervisors of the
 52 district in office when this act takes effect shall constitute
 53 the members of the board until the next election for their
 54 seats. Those members of the board whose terms expire in June
 55 2004 shall remain members of the board and their terms shall be
 56 extended from June 2004 until their successors are inducted into
 57 office at the first regularly scheduled meeting of the board
 58 following certification of the November 2004 general election.

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59 Those members of the board whose terms expire in June 2006 shall
 60 remain members of the board and their terms shall be extended
 61 from June 2006 until their successors are inducted into office
 62 at the first regularly scheduled meeting of the board following
 63 certification of the November 2006 general election.

64 (4) After the effective date of this act, except as stated
 65 herein, all supervisors shall be elected by the qualified
 66 electors of the district on a nonpartisan basis. Except as
 67 stated herein, the five supervisors shall be elected from five
 68 single-member zones which shall be identified as Zone 1, Zone 2,
 69 Zone 3, Zone 4, and Zone 5. The supervisors shall be elected
 70 from the registered voters of each respective zone.

71 (5) That part of the district located within the
 72 district's five zones is as follows:

73 (a) Zone 1:
 74 All of Sections 31, 32 and 33 of Township 50 South,
 75 Range 40 East,
 76 Together with
 77 All of Sections 4, 5, 6, 7 and 8 of Township 51 South,
 78 Range 40 East,
 79 Together with
 80 All of Sections 34, 35 and 36 of Township 50 South,
 81 Range 39 East,
 82 Together with
 83 All of Sections 1, 2, 3, 11 and 12 of Township 51
 84 South, Range 39 East,
 85 Together with
 86 All of Sections 28, 29 and 30 of Township 50 South,
 87 Range 40 East lying south of the South Florida Water

88 Management District Canal C-11 right-of-way,
 89 Together with
 90 All of Sections 25, 26 and 27 of Township 50 South,
 91 Range 39 East lying south of the South Florida Water
 92 Management District Canal C-11 right-of-way,
 93 Together with
 94 All of Sections 9 and 10 of Township 51 South, Range
 95 40 East lying west of the centerline of the Interstate
 96 Highway I-75 right-of-way,
 97 Together with
 98 The North one-half (N 1/2) of Sections 16, 17, and 18
 99 of Township 51 South, Range 40 East,
 100 Together with
 101 The North one-half (N 1/2) of Sections 13 and 14 of
 102 Township 51 South, Range 39 East,
 103 Together with
 104 The East one-half (E 1/2) of Section 10 of Township 51
 105 South, Range 39 East,
 106 Together with
 107 All of the North one-half (N 1/2) of Section 15 of
 108 Township 51 South, Range 40 East lying west of the
 109 centerline of the Interstate Highway I-75 right-of-
 110 way,
 111 Together with
 112 The Northeast one-quarter (NE 3) of Section 15 of
 113 Township 51 South, Range 39 East.
 114 (b) Zone 2:
 115 All of Sections, 19, 20, 29, 30, 31 and 32 of Township
 116 51 South, Range 40 East,

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117 Together with
 118 All Sections 15, 21, 22, 28 and 33 of Township 51
 119 South, Range 40 East lying west of the centerline of
 120 the Interstate Highway I-75 right-of-way,
 121 Together with
 122 All of the South one-half (S 1/2) of Section 15,
 123 Township 51 South, Range 40 East lying west of the
 124 centerline of the Interstate Highway I-75 right-of-
 125 way,
 126 Together with
 127 The South one-half (S 1/2) of Sections 16, 17, and 18
 128 of Township 51 South, Range 40 East,
 129 Together with
 130 All of Sections 22, 23, 24, 25, 26, 27, 34, 35 and 36
 131 of Township 51 South, Range 39 East,
 132 Together with
 133 The South one-half (S 1/2) of Sections 13, 14 and 15
 134 of Township 51 South, Range 39 East,
 135 Together with
 136 The Northwest one-quarter (NW 3) of Section 15 of
 137 Township 51 South, Range 39 East,
 138 Together with
 139 The West one-half (W 1/2) of Section 10 of Township 51
 140 South, Range 39 East.
 141 (c) Zone 3:
 142 All of Sections 9, 10, 15, 21, 22, 28 and 33 of
 143 Township 51 South, Range 40 East lying east of the
 144 centerline of the Interstate Highway I-75 right-of-
 145 way,

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146 Together with
 147 All of Sections 11, 14, 23, 24, 25, 26, 27, 34, 35 and
 148 36 of Township 51 South, Range 40 East,
 149 Together with
 150 The South one-half (S 1/2) of Section 13 of Township
 151 51 South, Range 40 East.
 152 (d) Zone 4:
 153 All of Sections 12 of Township 51 South, Range 40
 154 East,
 155 Together with
 156 All of Sections 7, 8, 17, 18, 19, and 30 of Township
 157 51 South, Range 41 East,
 158 Together with
 159 The North one-half (N 1/2) of Section 13 of Township
 160 51 South, Range 40 East,
 161 Together with
 162 The North one-half (N 1/2) of Section 20 of Township
 163 51 South, Range 41 East.
 164 (e) Zone 5:
 165 All of Sections 9, 15, 16, 21, 28 and 29 of Township
 166 51 South, Range 41 East,
 167 Together with
 168 The South one-half (S 1/2) of Section 10 of Township
 169 51 South, Range 41 East,
 170 Together with
 171 The Southwest one-quarter (SW 3) of Section 11 of
 172 Township 51 South, Range 41 East,
 173 Together with
 174 The Northwest one-quarter (NW 3) of Section 14 of

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175 Township 51 South, Range 41 East,
 176 Together with
 177 The North (N 1/2) of Section 22 of Township 51 South,
 178 Range 41 East,
 179 Together with
 180 The South (S 1/2) of Section 20 of Township 51 South,
 181 Range 41 East.

182 (6) Commencing with the first regularly scheduled meeting
 183 of the board following certification of the November 2004
 184 general election, except as stated in this act, the board shall
 185 be composed of five members as follows:

186 (a) Two supervisors shall be elected in the general
 187 election of November 2004. At the November 2004 general
 188 election, one supervisor shall be elected from the combined
 189 registered voters from Zones 1 and 2 and one supervisor shall be
 190 elected from the combined registered voters from Zones 3, 4, and
 191 5. The supervisors elected in November 2004 shall serve until
 192 their terms expire in November 2008.

193 (b) In the general election of November 2006, and in the
 194 November general election of every fourth year thereafter, one
 195 supervisor shall be elected from the zone in which the
 196 supervisor elected in 2004 from Zones 1 and 2 is not a resident,
 197 and one supervisor shall be elected from each of the 2 zones in
 198 which the supervisor elected in 2004 from Zones 3, 4, and 5 is
 199 not a resident.

200 (c) In the general election of November 2008, the zones in
 201 which the supervisors elected in 2004 reside and whose terms of
 202 office expire in November 2008 shall be designated as the zones
 203 whose representatives shall be elected in 2008 and in the

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204 November general election of every fourth year thereafter.

205 (d) If only one candidate qualifies for an office, that
 206 candidate shall be deemed elected. If two or more candidates
 207 qualify for an office, the names of those candidates shall be
 208 placed on the ballot for the designated November general
 209 election.

210 (e) The candidate receiving the highest number of votes
 211 cast for the office of supervisor for each respective zone at
 212 each respective election shall be declared elected to such
 213 office. If the vote results in a tie, the outcome shall be
 214 determined by lot.

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

218 (7) Except as provided in this section, election of
 219 supervisors shall be as provided in the Florida Election Code
 220 and revisions thereto.

221 (8) The boundaries of Zones 1, 2, 3, 4, and 5 shall be
 222 reviewed and revised by the board upon the occurrence of any of
 223 the following events:

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

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

229 (c) Any annexation, deannexation, or merger causes the
 230 population of the district to increase or decrease by 5 percent
 231 or more; or

232 (d) The passage of at least 10 years since the previous

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233 review of the single member zone boundaries. If the population
 234 of the single-member zones meets the requirements of subsection
 235 (9), the boundaries of the single-member zones may remain as is.

236 (9) With the assistance of the district director,
 237 engineer, and attorney, revisions to the boundaries of the five
 238 zones shall result in the population of each zone being no less
 239 than 19 percent of the total population of the district and no
 240 greater than 21 percent of the total population of the district
 241 according to the latest census or official population
 242 determination.

243 ~~(3) In the month of June of 2000, there shall be held a~~
 244 ~~meeting of the landowners of South Broward Drainage District at~~
 245 ~~the office of the district in Broward County, for the purpose of~~
 246 ~~holding an election to fill the seats of the three supervisors~~
 247 ~~whose terms expire in June of 2000; and, in the month of June of~~
 248 ~~each fourth year thereafter, there shall be held such a meeting~~
 249 ~~to fill the same three seats. In the month of June of 2002,~~
 250 ~~there shall be held a meeting of the landowners of South Broward~~
 251 ~~Drainage District at the office of the district in Broward~~
 252 ~~County for the purpose of holding an election to fill the seats~~
 253 ~~of the three supervisors whose terms expire in June of 2002;~~
 254 ~~and, in the month of June of each fourth year thereafter, there~~
 255 ~~shall be held such a meeting to fill the same three seats.~~
 256 ~~Notice of said landowners' meeting shall be published as~~
 257 ~~provided by section 20. The president of the board of~~
 258 ~~supervisors shall conduct the meeting. At such meeting, each~~
 259 ~~landowner shall be entitled to cast one vote for each person to~~
 260 ~~be elected. A landowner may vote in person or by proxy in~~
 261 ~~writing. Each landowner shall be entitled to cast one vote for~~

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262 ~~each acre of land owned by him and located within the district~~
 263 ~~boundaries. Fractions of an acre shall be treated as one acre,~~
 264 ~~entitling the landowner to one vote with respect thereto. The~~
 265 ~~three persons at the respective elections who receive the~~
 266 ~~highest number of votes for the office of supervisor shall be~~
 267 ~~declared elected.~~

268 (10)~~(4)~~ Each supervisor, before entering upon his or her
 269 official duties, shall take and subscribe to an oath of office
 270 as prescribed in s. 298.13, Florida Statutes.

271 (11)~~(5)~~ All supervisors shall hold office for the terms
 272 for which they are elected or appointed and until their
 273 successors shall be chosen and qualify. In case of a vacancy in
 274 the office of any supervisor, the remaining supervisor or
 275 supervisors, even though less than a quorum, may fill such
 276 vacancy for the unexpired term of the supervisor who vacated his
 277 or her office.

278 (12)~~(6)~~ At the first meeting of the board following
 279 certification of the general election of November 2004 and at
 280 the first regularly scheduled meeting of the board following
 281 certification of the general election in the month of November
 282 of every other year thereafter ~~As soon as practicable after each~~
 283 ~~election,~~ the board shall organize by electing from ~~choosing one~~
 284 ~~of their~~ members a number president, a secretary, and a
 285 treasurer of the board ~~and by electing a secretary, who need not~~
 286 ~~be a member of the board.~~

287 (13)~~(7)~~ A majority of the members of the board shall
 288 constitute a quorum.

289 (14) Except as stated in sections 12 and 14, the
 290 supervisors of the district shall not receive any benefits,

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291 including, but not limited to, state or district retirement,
 292 health insurance, medical insurance, dental insurance, or life
 293 insurance.

294 (15)(8) The board shall keep a permanent record book
 295 entitled "Record of Proceedings of South Broward Drainage
 296 District," in which shall be recorded minutes of all meetings,
 297 resolutions, proceedings, certificates, bonds given by all
 298 employees, and any and all corporate acts, which book shall at
 299 reasonable times be opened to the inspection of any elector,
 300 landowner, taxpayer, resident, or bondholder of the district,
 301 and such other persons as the board may determine to have a
 302 proper interest in the proceedings of the board. Such record
 303 book shall be kept at any office or other regular place of
 304 business maintained by the board in Broward County.

305 ~~(9) Whenever any election shall be authorized or required~~
 306 ~~by this act to be held by the landowners at any particular or~~
 307 ~~stated time or day, and if for any reason such election is not~~
 308 ~~held at such time or on such day, then in such event the power~~
 309 ~~or duty to hold such election shall not cease or lapse, but such~~
 310 ~~election shall be held thereafter when practicable, and in~~
 311 ~~accordance with the procedures provided by this act.~~

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

313 (1) The board shall, as provided by section 10(12), elect
 314 a member of the board ~~designate a person who is a resident of~~
 315 ~~the state, or a bank or trust company organized under the laws~~
 316 ~~of the state,~~ as treasurer of the district, who shall have
 317 charge of the funds of the district. Such funds shall be
 318 disbursed only upon the order of or pursuant to the resolution
 319 of the board by warrant or check signed by the treasurer, or by

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320 such other person as may be authorized by the board. The
 321 treasurer may not hold any other office provided for in this
 322 act, ~~except that the same person may not be president and~~
 323 ~~treasurer~~. The board may give the treasurer such other or
 324 additional powers and duties as the board may deem appropriate,
 325 and fix his or her compensation; and may require the treasurer
 326 to give a bond in such amount, on such terms, and with such
 327 sureties as may be deemed satisfactory to the board to secure
 328 the performance by the treasurer of his or her powers and
 329 duties. The board shall audit or have audited the books of the
 330 treasurer at least once a year.

331 (2) The board is authorized to select as depositories in
 332 which the funds of the board and of the district shall be
 333 deposited any banking corporation organized under the laws of
 334 the state or under the national banking act, doing business in
 335 the state, upon such terms and conditions as to the payment of
 336 interest by such depository upon the funds so deposited as the
 337 board may deem just and reasonable.

338 (3) The board may employ a fiscal agent, who shall be
 339 either a resident of the state or a corporation organized under
 340 the laws of this or any other state and authorized by such laws
 341 to act as such fiscal agent for municipal corporations in the
 342 state and who shall assist in the keeping of the tax books, the
 343 collection of taxes, and the remitting of funds to pay maturing
 344 bonds and coupons, and perform such other or additional services
 345 and duties as fiscal agent and receive such compensation as the
 346 board may determine.

347 Section 2. A certified copy of this act shall be recorded
 348 in the Broward County Public Records by the South Broward

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349 Drainage District.

350 Section 3. In the event any section or provision of this
351 act is determined to be invalid or unenforceable, such
352 determination shall not affect the validity of or enforceability
353 of each other section and provision of this act, and to this end
354 the provisions of this act are declared severable.

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