

HB 1481

2012

1 A bill to be entitled
2 An act relating to Loxahatchee Groves Water Control
3 District, Palm Beach County; amending chapter 99-425,
4 Laws of Florida; revising procedures for election of
5 members of the board of supervisors; providing that
6 this act shall take precedence over any conflicting
7 law to the extent of such conflict; providing
8 severability; providing an effective date.
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10 Be It Enacted by the Legislature of the State of Florida:
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12 Section 1. Subsections a. and d. of section 2 of section 2
13 of chapter 99-425, Laws of Florida, are amended to read:

14 Section 2. Landowner's meeting and election of
15 supervisors.-

16 a. Election of supervisors.-Effective beginning June 2012,
17 the following procedures shall apply to the election of board
18 members, including appointees, to the board of supervisors of
19 the district: Every year in the same month that a supervisor's
20 term expires as provided in ss. 298.11 and 298.12, Florida
21 Statutes, the district shall call a meeting of the landowners in
22 the district for the purpose of electing a supervisor for such
23 vacancy or existing vacancies. There shall be one ballot for
24 each vacancy. To be elected, a candidate must have a majority of
25 the votes on that ballot. In the event no candidate receives a
26 majority of votes on the first ballot, a run-off ballot shall be
27 held between the two candidates receiving the highest number of
28 votes on the first ballot.

29 (1) The board member seats shall be numbered seats 1, 2,
 30 3, 4, and 5, respectively.

31 (a) The seats held by the board members whose terms expire
 32 in 2012 shall be designated seat 1 and seat 2, respectively.
 33 Either seat 1 or seat 2 shall be elected by the qualified
 34 electors of the district, as described in paragraph (3), which
 35 determination shall be decided by lot. The seat held by the
 36 board member whose term expires in 2012 and who is determined by
 37 lot to be elected by the qualified electors of the district, as
 38 described in paragraph (3), shall be designated seat 1. The seat
 39 held by the board member whose term expires in 2012 and who is
 40 determined by lot to be elected by the landowners of the
 41 district, pursuant to this subsection, shall be designated seat
 42 2.

43 (b) The seat held by the board member whose term expires
 44 in 2013 shall be designated seat 3.

45 (c) The seats held by the board members whose terms expire
 46 in 2014 shall be designated seat 4 and seat 5, respectively.

47 (2) The board member holding seat 1 shall serve until the
 48 expiration of his or her term in 2012. The current 2012 term of
 49 the board member holding seat 2 shall be extended for 1
 50 additional year until 2013. The board member holding seat 3
 51 shall serve until the expiration of his or her term in 2013. The
 52 board members holding seat 4 and seat 5 shall serve until the
 53 expiration of their terms in 2014.

54 (3) Seat 1 shall be converted to a nonpartisan office as
 55 defined by section 97.021, Florida Statutes. Candidates for this
 56 position shall qualify with the Palm Beach County Supervisor of

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57 Elections pursuant to section 99.061, Florida Statutes, with the
58 district-administered election to be held during the month of
59 the annual landowner's meeting in 2012, and every 3 years
60 thereafter, for a term of 3 years, by a plurality of the
61 district qualified electors voting in such election. "Qualified
62 electors" shall have the same meaning as in section
63 189.4051(1)(a), Florida Statutes. The board member elected to
64 seat 1 shall take office within 10 days after election and shall
65 serve until expiration of his or her term, resignation, or
66 removal, or the election of a new board member for that seat.

67 (4) Seats 2, 3, 4, and 5 shall be elected by the
68 landowners of the district at the annual landowner's meeting in
69 accordance with this section. The terms of office for seats 2,
70 3, 4, and 5 shall be 3 years each.

71 d. Membership of the board of supervisors.—The board of
72 supervisors of the district shall consist of ~~be increased from~~
73 ~~three members to~~ five members.

74 Section 2. In the event of a conflict of the provisions of
75 this act with the provisions of any other act, the provisions of
76 this act shall control to the extent of such conflict.

77 Section 3. In the event any section or provision of this
78 act is determined to be invalid or unenforceable, such
79 determination shall not affect the validity of or enforceability
80 of each other section and provision of this act.

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