

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

28 (1) The board member seats shall be numbered seats 1, 2,

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29 3, 4, and 5, respectively.

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

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

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

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

53 (3) Seat 1 shall be converted to a nonpartisan office as
54 defined by section 97.021, Florida Statutes. Candidates for this
55 position shall qualify with the Palm Beach County Supervisor of
56 Elections pursuant to section 99.061, Florida Statutes. The

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57 qualifying period for seat 1 shall be between noon of the 71st
58 day before the date of the annual landowners' meeting to noon of
59 the 67th day before the date of the annual landowners' meeting.
60 The district-administered election shall be held the day of the
61 annual landowner's meeting in 2012, and every 3 years
62 thereafter, for a term of 3 years, by a plurality of the
63 district qualified electors voting in such election. "Qualified
64 electors" shall have the same meaning as in section
65 189.4051(1)(a), Florida Statutes. The board member elected to
66 seat 1 shall take office within 10 days after election and shall
67 serve until expiration of his or her term, resignation, or
68 removal, or the election of a new board member for that seat.

69 (4) Seats 2, 3, 4, and 5 shall be elected by the
70 landowners of the district at the annual landowner's meeting in
71 accordance with this section. The terms of office for seats 2,
72 3, 4, and 5 shall be 3 years each.

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

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

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

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