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A bill to be entitled

An act relating to Polk County; abolishing the Peace Creek Drainage District and transferring its powers, duties, functions, assets, and liabilities to the Lake Region Lakes Management District; amending the charter of the Lake Region Lakes Management District, as reenacted and amended by chapter 2004-393, Laws of Florida,; redefining the territorial boundaries of the district; clarifying eligibility to vote for members of the board of commissioners of the district; prohibiting the board of commissioners of the district from taking specified actions with respect to canals and waterways within areas of the district; providing an effective date.

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

Section 1. The Peace Creek Drainage District is abolished on July 1, 2005. Beginning on that date, the Board of Commissioners of the Lake Region Lakes Management District shall assume all powers and duties formerly exercised by the Board of Supervisors of the Peace Creek Drainage District, and the Lake Region Lakes Management District shall succeed to all assets and liabilities of the Peace Creek Drainage District.

Section 2. Section 1 of the charter of the Lake Region Lakes Management District, as reenacted and amended by chapter 2004-393, Laws of Florida, is amended to read:

Section 1. Purpose and territorial boundaries.--That for the purpose of acquiring, constructing, operating, maintaining, and protecting a system of boat canals, drainage canals; dams,

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30 locks, and other proper and necessary works in connection
 31 therewith, for the purpose of aiding in flood control, lake
 32 level management, and protecting, maintaining, and improving the
 33 water quality in the lakes and canals in conjunction with state,
 34 county, and city agencies, for the purpose of connecting the
 35 lakes within or adjacent to the boundaries hereinafter
 36 prescribed, and for moving waters out of such lakes, and for the
 37 purpose of promoting access to the lakes and the public
 38 convenience, utility, and welfare, the Lake Region Lakes
 39 Management District (the "district"), in Polk County has been
 40 created and established, and is hereby confirmed, as an
 41 independent special district.⁷ The territorial boundaries ~~of~~
 42 ~~which~~ are as follows, to wit:

43 (1) Beginning at the center of east line of
 44 section 2, or township twenty-eight (28) south, of
 45 range twenty-six (26) east; thence south with section
 46 line between section one (1) and two (2), eleven (11)
 47 and twelve (12), thirteen (13) and fourteen (14),
 48 twenty-three (23) and twenty-four (24), to the
 49 northeast corner of section twenty-six (26) said
 50 township and range; Thence east on section line to
 51 northeast corner of northwest quarter of section
 52 twenty-five (25), thence south with the half section
 53 line to the center of section thirteen (13), township
 54 29 south, range 26 east; Thence west on the half
 55 section line to the southwest corner of the northwest
 56 quarter of section line to the southwest corner of the
 57 northwest quarter of section sixteen (16) said
 58 township and range; Thence north with section line to

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59 | the northwest corner of the southwest quarter of
60 | section four (4), said township and range; Thence west
61 | with the half section line to center of section six
62 | (6) said township and range; Thence north with half
63 | section line to the northwest corner of northeast
64 | quarter (NE 1/4) of section thirty-one (31), township
65 | 28 south, range 26 east; Thence west with section line
66 | to southeast corner of section twenty-five (25),
67 | township 28 south, range 25 east; Thence north with
68 | the section line to the northeast corner of section
69 | twenty-four (24), said township and range; Thence west
70 | to center of north line of section twenty-four (24);
71 | thence north with half section line to center of
72 | section one (1), township 28, range 25; Thence east
73 | with the half section line to the northeast corner of
74 | southeast quarter (SE 1/4) of section two (2),
75 | township 28 south, range 26 east, the point of
76 | beginning; embracing within said district the
77 | following lands, viz; The south half of sections two,
78 | three, four, five and six and all of sections seven,
79 | eight, nine, ten, eleven, fourteen, fifteen, sixteen,
80 | seventeen, eighteen, nineteen, twenty, twenty-one,
81 | twenty-two, twenty-three, twenty-six, twenty-seven,
82 | twenty-eight, twenty-nine, thirty, thirty-two, thirty-
83 | three, thirty-four, and thirty-five and the west half
84 | of sections twenty-five and thirty-six and the east
85 | half of section thirty-one in township 28 south, range
86 | 26 east and all of sections two, three, four, nine,
87 | ten and eleven, and the west half of sections one and

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88 twelve and the north half of sections five, fourteen,
 89 fifteen and sixteen and the northeast quarter of
 90 section six and the northwest quarter of section
 91 thirteen in township 29 south, range 26 east, and the
 92 east half of sections twelve and thirteen, and the
 93 southeast quarter of section one in township 28 south,
 94 range 25 east.

95 And:

96 Beginning at the Northwest corner of Section 2,
 97 Township 28 South, Range 26 East, Polk County,
 98 Florida;

99 Run thence Easterly, along the north line thereof, to
 100 the Northeast corner of the West one-half of the
 101 Northeast quarter of said Section 2;

102 Thence Southerly, along said east line of the west
 103 one-half of the Northeast quarter of said Section 2,
 104 to the Southeast corner thereof;

105 Thence Westerly, along the south line of the west one-
 106 half of the Northeast quarter and the south line of
 107 the Northwest quarter of said Section 2, to the
 108 Southeast corner of the north one-half of Section 3,
 109 Township 28 South, Range 26 East;

110 Thence continue Westerly, along the south line of the
 111 North one-half of said Section 3, to the southeast
 112 corner of the north one-half of Section 4, Township 28
 113 South, Range 26 East;

114 Thence continue Westerly, along the south line of the
 115 north one-half of said Section 4, to the southeast
 116 corner of the north one-half of Section 5, Township 28

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117 South, Range 26 East;

118 Thence continue Westerly, along the south line of the

119 north one-half of said Section 5, to the southeast

120 corner of the north one-half of Section 6, Township 28

121 South, Range 26 East;

122 Thence continue Westerly, along the south line of the

123 north one-half of said Section 6, to the southeast

124 corner of the Northeast quarter of Section 1, Township

125 28 South, Range 25 East;

126 Thence continue Westerly, along the south line of the

127 Northeast quarter and the south line of the Northwest

128 quarter of said Section 1, to the southwest corner of

129 the East one-half of the Northwest quarter of said

130 Section 1;

131 Thence Northerly, along the west line of the East one-

132 half of the Northwest quarter of said Section 1, to

133 the northwest corner thereof;

134 Thence Easterly, along the north line of the East one-

135 half of the Northwest quarter of said Section 1, to

136 the southwest corner of the South one-half of the

137 Southeast quarter of Section 36, Township 27 South,

138 Range 25 East;

139 Thence Northerly, along the west line of the South

140 one-half of the Southeast quarter of said Section 36,

141 to the northwest corner thereof;

142 Thence Easterly, along the north line of the South

143 one-half of the Southeast quarter of said Section 36,

144 to the northeast corner thereof, also being a point on

145 the westerly line of Section 31, Township 27 South,

146 Range 26 East;
 147 Thence Northerly, along the west line of said Section
 148 31, to the southwest corner of Section 30, Township 27
 149 South, Range 26 East;
 150 Thence continue Northerly, along the west line of said
 151 Section 30, to the southwest corner of Section 19,
 152 Township 27 South, Range 26 East;
 153 Thence continue Northerly, along the west line of said
 154 Section 19, to the northwest corner thereof;
 155 Thence Easterly, along the north line of said Section
 156 19, to the northwest corner of Section 20, Township 27
 157 South, Range 26 East;
 158 Thence continue Easterly, along the north line of said
 159 Section 20, to the southwest corner of the Southeast
 160 quarter of the Southeast quarter of Section 17,
 161 Township 27 South, Range 26 East;
 162 Thence Northerly, along the west line of the Southeast
 163 quarter of the Southeast quarter of said Section 17,
 164 to the northwest corner thereof;
 165 Thence Easterly, along the north line of the Southeast
 166 quarter of the Southeast quarter of said Section 17,
 167 to the northeast corner thereof;
 168 Thence Southerly, along the east line of the Southeast
 169 quarter of the Southeast quarter of said Section 17,
 170 to the Northwest corner of Section 21, Township 27
 171 South, Range 26 East;
 172 Thence Easterly, along the north line of said Section
 173 21, to the northeast corner thereof;
 174 Thence Southerly, along the east line of said Section

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175 21, to the northwest corner of the Southwest quarter
 176 of Section 22, Township 27 South, Range 26 East;
 177 Thence Easterly, along the north line of the Southwest
 178 quarter of said Section 22, to the northeast corner
 179 thereof;
 180 Thence Southerly, along the east line of the Southwest
 181 quarter of said Section 22, to the southeast corner
 182 thereof, also being a point on the north line of
 183 Section 27, Township 27 South, Range 26 East;
 184 Thence Easterly, along the north line of said Section
 185 27, to the northeast corner thereof;
 186 Thence Southerly, along the east line of said Section
 187 27, to the northeast corner of Section 34, Township 27
 188 South, Range 26 East;
 189 Thence continue Southerly, along the east line of said
 190 Section 34, to the southeast corner thereof and the
 191 Point of Beginning.

192 (2) That part of Sections 25 and 26 lying south
 193 of U.S. Hwy. 17-92, and Sections 35 and 36, all in
 194 Township 27 South, Range 26 East;
 195 and
 196 That part of Section 30 lying south of U.S. Hwy. 17-
 197 92, and Section 31, all in Township 27 South, Range 27
 198 East;
 199 and
 200 Section 1, and the East one-half of the Northeast
 201 quarter of Section 2, and Sections 12, 13, and 24, and
 202 the East one-half of Section 25, and the West one-half
 203 of Section 25 lying north of C.R. 542, and the East

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204 one-half of Section 36, all in Township 28 South,
 205 Range 26 East;
 206 and
 207 The West quarter of Section 4, and the West one-half
 208 of the Northwest quarter of Section 9, and the West
 209 one-half of Section 21, and Section 28 lying west of
 210 Alternate U.S. Hwy. 27 and lying north of C.R. 542,
 211 and Section 33, less the Northeast quarter, and the
 212 South one-half of Section 34, and all of Sections 5,
 213 6, 7, 8, 17, 18, 19, 20, 29, 30, 31, and 32, all in
 214 Township 28 South, Range 27 East;
 215 and
 216 The East one-half of Section 1, and the East one-half
 217 of Section 12, and Section 13 less the Northwest
 218 quarter, and the South one-half of Section 14, and the
 219 South one-half of Section 15, and the South one-half
 220 of Section 28, and the South one-half of Section 29,
 221 and the South one-half of Section 30, and all of
 222 Sections 22, 23, 24, 25, 26, 27, 31, 32, 33, 34, 35,
 223 and 36, all in Township 29 South, Range 26 East;
 224 and
 225 All of Sections 3, 4, 5, 6, 7, and 8, and the West
 226 three-quarters of Section 9, and all of Sections 16,
 227 17, 18, 19, 20, and 21, and Section 27 lying west of
 228 U.S. Hwy. 27, and all of Sections 28, 29, 30, 31, 32,
 229 and 33, and Section 34 lying west of U.S. Hwy. 27, all
 230 in Township 29 South, Range 27 East;
 231 and
 232 The South one-half of Section 25, and the South one-

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233 half of Section 26, and all of Sections 35 and 36, all
 234 in Township 29 South, Range 25 East;
 235 and
 236 All of Sections 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13,
 237 14, 15, 16, 17, 20, 21, 22, 23, 24, 25, 26, 27, 28,
 238 29, 34, and 35, all in Township 30 South, Range 26
 239 East;
 240 and
 241 That part of Section 3 lying west of U.S. Hwy. 27, and
 242 all of Sections 4, 5, 6, 7, 8, and 9, and that part of
 243 Section 10 lying west of U.S. Hwy. 27, and that part
 244 of Section 14 lying west of U.S. Hwy. 27, and all of
 245 Sections 15, 16, 17, 18, 19, 20, 21, and 22, and that
 246 part of Section 23 lying west of U.S. Hwy. 27, and
 247 that part of Section 26 lying west of U.S. Hwy. 27,
 248 and all of Sections 27, 28, 29, and 30, all in
 249 Township 30 South, Range 27 East.

250 All of the above lands lying in Polk County, Florida.

251 Section 3. Section 2 of the charter of the Lake Region
 252 Lakes Management District, as reenacted and amended by chapter
 253 2004-393, Laws of Florida, is amended to read:

254 Section 2. Elections.--The governing body of the district
 255 shall consist of three commissioners, who must ~~shall~~ be
 256 qualified electors residing within the ~~said~~ district, and they
 257 shall be known and designated as the "Board of Commissioners of
 258 the Lake Region Lakes Management District." The board of
 259 commissioners shall be the governing body of the district, whose
 260 duty, authority, and power shall be as provided in this act.
 261 Each present commissioner shall continue to hold office until

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262 his or her current term expires in 1990. For the purposes of
 263 qualification and running for office in 1990 and thereafter,
 264 commission seats shall be designated as seat 1, seat 2, and seat
 265 3. Members elected to seats 1 and 3 at the 1990 general election
 266 shall hold office for a period of 4 years until the general
 267 election in 1994. The member elected to seat 2 shall hold office
 268 for a period of 2 years until the general election of 1992
 269 whereupon the member elected for that seat in 1992 shall hold
 270 office for a period of 4 years. Thereafter, all commissioners
 271 shall hold office for terms of 4 years each. At the general
 272 election every 4 years, a successor shall be elected by the
 273 electors of the district as redefined in this act. Members shall
 274 be elected in a nonpartisan fashion with no political party
 275 affiliation shown on the ballot, and must receive a majority
 276 vote of those electors voting in the election. Election of
 277 members shall be held at the same time as the first primary
 278 election as provided by law. If no candidate receives a majority
 279 of the votes cast in such primary, a runoff election of the two
 280 candidates receiving the greatest number of votes will be held
 281 at the same time as the general election. Elected commissioners
 282 shall take office on the first Tuesday following the first
 283 Monday in January following their election.

284 Section 4. Subsection (3) is added to section 3 of the
 285 charter of the Lake Region Lakes Management District, as
 286 reenacted and amended by chapter 2004-393, Laws of Florida, to
 287 read:

288 Section 3. General powers and authority.--

289 (3) Notwithstanding subsection (2), the board of
 290 commissioners may not construct a canal or other navigable

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291 waterway, nor may it take any action to improve, maintain, or
292 repair any existing canal or other navigable waterway, when the
293 result of such action would be to create public access to lands
294 within that area of the district described in section 1(2) of
295 this charter if such access did not exist on the effective date
296 of this act.

297 Section 5. This act shall take effect July 1, 2005.