

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Environmental Preservation and Conservation Committee

BILL: SB 1426

INTRODUCER: Senator Detert

SUBJECT: Comprehensive Statewide Water Conservation Program

DATE: January 25, 2012

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Hinton	Yeatman	EP	Favorable
2.			AG	
3.			BC	
4.				
5.				
6.				

I. Summary:

This bill repeals an obsolete provision requiring the Department of Environmental Protection to submit a report on the progress made in implementing the comprehensive statewide water conservation program to the President of the Senate, the Speaker of the House of Representatives, and the appropriate substantive committees of the Legislature.

This bill repeals Section 373.227(5) of the Florida Statutes.

II. Present Situation:

In 2004, the Florida Legislature passed a bill addressing state water supply issues. The law created s. 373.227, F.S., which mandated the development of a comprehensive statewide water conservation program for public water supplies.¹ The legislative intent of the new law included making a variety of conservation measures available for the efficient use of water in the water management districts (WMDs) in the form of a manual. The manual was to be used to aid local governments applying for water management district consumptive use permits.² Subsection (5) of the bill required submission of a progress report on the development of the conservation program by December 1, 2005.

¹ Section 373.227(2), F.S.

² Consumptive Use Permits are a type of permit that authorizes water withdrawals from surface or groundwater supplies for reasonable and beneficial uses such as public supply (drinking water), agricultural and landscape irrigation, and industry and power generation.

Legislative Intent and Elements of the Comprehensive Statewide Conservation Program

Under s. 373.227(1), F.S., the Legislature finds that the social, economic, and cultural conditions of the state relating to the use of public water supply vary by service area and that public water supply utilities must have the flexibility to tailor water conservation measures to best suit their individual circumstances. Section 373.227(1), F.S., also provides that water is provided by a public water supply utility, and the Legislature intends that a variety of conservation measures be made available and used to encourage efficient water use. To implement these findings, s. 373.227(2), F.S., directs the Department of Environmental Protection (DEP), in cooperation with the water management districts (WMDs) and other stakeholders, to develop a comprehensive statewide water conservation program for public water supply that:

- Encourages utilities to implement water conservation programs that are economically efficient, effective, affordable, and appropriate;
- Allows no reduction in, and increase where possible, utility-specific water conservation effectiveness over current programs;
- Is goal-based, accountable, measurable, and implemented collaboratively with water suppliers, water users, and water management agencies;
- Includes cost and benefit data on individual water conservation practices;
- Creates a clearinghouse or inventory for water conservation programs and practices available to public water supply utilities which will provide an integrated statewide database for the collection, evaluation, and dissemination of quantitative and qualitative information on public water supply conservation programs and practices and their effectiveness;
- Develops a standardized water conservation planning process for utilities; and
- Develop and maintain a Florida-specific water conservation guidance document containing a menu of affordable and effective water conservation practices to assist public water supply utilities in the design and implementation of goal-based, utility-specific water conservation plans.

Section 373.227(5), F.S., directs the DEP to submit a report by December 1, 2005, to the President of the Senate, the Speaker of the House of Representatives, and the appropriate subcommittees of the Senate and the House of Representatives on the progress made in implementing the water conservation program described above. The report must include any statutory changes and funding necessary for the continued development and implementation of the program. The DEP has submitted the required report.

III. Effect of Proposed Changes:

Section 1 repeals s. 373.227(5), F.S., requiring the DEP to submit a progress report concerning the implementation of the water conservation program to the President of the Senate, the Speaker of the House of Representatives, and the appropriate committees of the Senate and House of Representatives by December 1, 2005.

Section 2 provides an effective date of July 1, 2012.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.