

By Senator Laurent

17-1192-01

See HB

1 A bill to be entitled

2 An act relating to Florida water supply policy;

3 establishing the "Water Supply 2020" study

4 commission; providing for membership and

5 responsibilities; requiring submission of

6 reports with recommendations to the Governor

7 and Legislature; providing for technical

8 advisory committees; providing for

9 reimbursement of expenses of commission and

10 committee members; providing for an executive

11 director and staff for the commission;

12 providing for the assistance and cooperation of

13 state agencies; providing for termination of

14 the commission; providing an appropriation;

15 providing effective dates.

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17 WHEREAS, it is the intent of the Legislature to ensure

18 for all Floridians an adequate, reliable, and affordable

19 supply of water, and

20 WHEREAS, past water management policies have failed to

21 result in a system of facilities and transmission adequate to

22 supply the water needed by Florida's residents, and

23 WHEREAS, Florida's population is expected to double

24 over the next three decades, with commensurate increases in

25 demand for water, and

26 WHEREAS, four of the five state water management

27 districts have determined that their water supplies are

28 inadequate to meet demands projected through 2020, and

29 WHEREAS, it is the intent of the Legislature to promote

30 measures for and the development of adequate and alternative

31 supplies of water, and

1 WHEREAS, the location, construction, and operation of
2 water supply facilities and water transmission facilities may
3 have a significant impact on the welfare of the state's
4 residents, on the natural resources of the state, and on the
5 location and growth of industry, NOW, THEREFORE,

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

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9 Section 1. (1) The "Water Supply 2020" study
10 commission is created. The commission shall be composed of 23
11 members, 19 appointed by the Governor, 2 appointed by the
12 President of the Senate, and 2 appointed by the Speaker of the
13 House of Representatives. In addition, the Governor may
14 appoint ex officio, nonvoting commission members.

15 (a) The Governor shall appoint the following members
16 to serve on the commission:

17 1. The Commissioner of Agriculture.

18 2. The Secretary of Environmental Protection.

19 3. Two representatives from governmentally owned water
20 supply utilities, one from a utility serving 200,000 or more
21 customers and one from a utility serving less than 200,000
22 customers.

23 4. A representative from an environmental advocacy
24 organization.

25 5. An individual who is a residential water consumer
26 obtaining water from a water supply utility.

27 6. A representative from a regional water supply
28 authority.

29 7. A representative from a privately owned water
30 supply utility.

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1 8. A representative from an industrial or commercial
2 entity self-supplier obtaining its water from ground or
3 surface water sources.

4 9. A representative from an agricultural entity
5 self-supplier obtaining its water from ground or surface water
6 sources.

7 10. At least one individual from the private sector
8 who has advanced training, knowledge, and experience in water
9 supply and water resource development.

10 11. An individual with expertise in funding the
11 construction and implementation of water supply facilities.

12 12. A representative from the real estate development
13 industry.

14 13. A county commissioner.

15 14. A commissioner or council member of a Florida
16 municipality.

17 (b) The President of the Senate shall appoint two
18 members of the Senate to serve on the commission. The Speaker
19 of the House of Representatives shall appoint two members of
20 the House to serve on the commission.

21 (c) The appointments must be made by July 1, 2001, and
22 the first meeting of the commission shall be held by August 1,
23 2001. The chair of the commission shall be appointed by the
24 Governor, or failing such appointment, shall be elected by the
25 majority of the membership at its first meeting.

26 (d) Any vacancy occurring in the membership or chair
27 of the commission shall be filled in the same manner as the
28 original appointment.

29 (2) Each member, excluding ex officio members, of the
30 commission is entitled to one vote. Recommendations and
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1 actions of the commission shall require a majority vote of the
2 membership of the commission.

3 (3) The commission shall determine what Florida's
4 water supply needs will be in 20 years and how best to ensure
5 those needs are developed, with adequate facilities, in an
6 efficient, affordable, and reliable manner that will result in
7 adequate water supply and responsible protection of the
8 environment. Based on its findings, the commission shall
9 recommend appropriate water policies for this state, including
10 statutory changes, if necessary. In making its determinations,
11 the commission shall consider all relevant topics, including,
12 but not limited to:

13 (a) Forecasts through the year 2020 of the state's
14 population growth, water supply needs, and current supply.

15 (b) Existing, emerging, and projected water supply
16 technologies, including, but not limited to, desalinization,
17 aquifer storage, public-private partnerships including
18 potential incentive programs for providing water, conservation
19 technologies, surface water collection and reservoirs,
20 groundwater withdrawals, and potential development of regional
21 or statewide water transmission grids; the potential
22 contribution of these technologies, and others, to reliable
23 water supplies; and the impact of these technologies on the
24 state, its environment, and existing policies.

25 (c) Siting of new water supply facilities and
26 transmission systems and the need to create a statutory siting
27 act.

28 (d) The state's existing statewide, regional, and
29 districtwide laws, rules, and regulations governing the
30 collection, treatment, transmission, and delivery of water.

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1 (e) Analysis of the impacts of state and local
2 government laws, rules, and regulations on water supply.

3 (f) Activities of other states concerning the
4 collection, treatment, transmission, and distribution of
5 water.

6 (g) Environmental impact of existing and new
7 technologies for water supply and transmission in the state.

8 (4) The commission shall review the efforts of the
9 water management districts to determine whether the water
10 management districts are efficiently implementing the
11 requirements of sections 373.0361 and 373.0831, Florida
12 Statutes. For those water management districts that are
13 preparing regional water supply plans, the commission shall:

14 (a) Review the water resource development projects and
15 water supply developments proposed by each district.

16 (b) Review the estimated amount of water to become
17 available through each water resource development project and
18 water supply development project.

19 (c) Review the timetable and estimated cost of
20 construction, operation, and maintenance of each water
21 resource development project and water supply development
22 project.

23 (d) Review the sources and amount of funds budgeted or
24 expended for each water resource development project or water
25 supply development project.

26 (e) Determine the water resources development projects
27 and water supply development projects that have been
28 implemented, the amount of money expended to date on each
29 project, the amount of new water that is now available as a
30 result of each project, and whether the amount of water
31 available is sufficient to meet the projected demand.

1 (f) Determine whether the water management districts
2 have developed and are properly implementing the regional
3 water supply plans consistent with the requirements of
4 sections 373.0361 and 373.0831, Florida Statutes.

5 (g) Make such appropriate recommendations to the
6 Legislature as it deems appropriate to ensure that the
7 required regional water supply plans are properly prepared and
8 implemented consistent with the statutory requirements of
9 sections 373.0361 and 373.0831, Florida Statutes.

10 (h) Determine if additional moneys are needed for the
11 construction, operation, and maintenance of water resources
12 development projects and water supply development projects. If
13 additional moneys are needed, the commission shall recommend
14 specific sources for such funding and the amount of funding
15 required.

16 (i) Determine if additional incentives or changes in
17 statutory authority are required to ensure that sufficient
18 water is available for all existing and future
19 reasonable-beneficial uses and the natural systems. If
20 additional incentives or changes are needed, the commission
21 shall recommend the incentives that are needed, options for
22 providing the incentives, and the needed statutory changes.

23 (5) The commission shall, by February 1, 2002, provide
24 to the Governor, the President of the Senate, and the Speaker
25 of the House of Representatives a written report containing
26 specific recommendations for water supply policies and siting
27 of facilities for this state, including legislative
28 recommendations. By January 15, 2003, the commission shall
29 provide a final written report to the Governor, the President
30 of the Senate, and the Speaker of the House of
31 Representatives.

1 (6) The commission may establish and appoint any
2 necessary technical advisory committees. Commission members
3 and the members of any technical advisory committee may not
4 receive remuneration for their services, but members other
5 than public officers and employees shall be entitled to be
6 reimbursed by the Florida Public Service Commission for travel
7 or per diem expenses in accordance with chapter 112, Florida
8 Statutes. Public officers and employees shall be reimbursed by
9 their respective agencies in accordance with chapter 112,
10 Florida Statutes.

11 (7) An executive director of the commission shall be
12 selected by the Governor. The executive director serves at the
13 pleasure of the Governor and reports to the commission. The
14 Florida Public Service Commission, the Department of
15 Environmental Protection, and the Department of Community
16 Affairs shall provide other staff and consultants, after
17 consultation with the commission. Funding for expenses related
18 to the executive director, staff, and consultants shall be
19 provided through the Florida Public Service Commission.

20 (8) All agencies under the control of the Governor are
21 directed, and all other agencies are requested, to render
22 assistance and cooperation to the commission.

23 (9) The commission shall continue in existence until
24 its objectives are achieved, but not later than March 1, 2003.

25 Section 2. Effective July 1, 2001, there is
26 appropriated from the Public Service Regulatory Trust Fund to
27 the Florida Public Service Commission the sum of \$250,000 to
28 implement the provisions of this act.

29 Section 3. This act shall take effect upon becoming a
30 law.

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LEGISLATIVE SUMMARY

Creates the "Water Supply 2020" study commission to forecast Florida's water supply needs and determine how best to meet them. Provides for appointment of commission members. Provides responsibilities. Provides for appointment of technical advisory committees and an executive director. Provides for the assistance and cooperation of state agencies. Provides for reports with recommendations to the Governor and Legislature, and for termination of the commission by March 1, 2003. Provides an appropriation.