

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

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

BILL: SB 1180

SPONSOR: Senator Dockery

SUBJECT: Southwest Florida Water Management District

DATE: January 26, 2004 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Molloy/Menendez</u>	<u>Kiger</u>	<u>NR</u>	<u>Favorable</u>
2.	_____	_____	<u>GO</u>	_____
3.	_____	_____	<u>AED</u>	_____
4.	_____	_____	<u>AP</u>	_____
5.	_____	_____	<u>RC</u>	_____
6.	_____	_____	_____	_____

I. Summary:

This bill revises the residency requirements for vacancies on the governing board of the Southwest Florida Water Management District to provide that two members of the board shall reside in Polk County.

This bill amends s. 373.073, F.S.

II. Present Situation:

Water Management Districts Governing Boards

In 1972, the Legislature enacted the Florida Water Resources Act which divided the state into five water management districts with boundaries based on watershed and hydrogeologic basins. These five districts, now known as the Northwest Florida Water Management District, the Suwannee River Water Management District, the St. Johns River Water Management District, the Southwest Florida Water Management District, and the South Florida Water Management District, were to each be headed by a governing board composed of nine members, each of who was required to reside within the district. Governing board members were appointed by the Governor for four-year terms, and each appointment was confirmed by the Senate. Governing board members were not term-limited.

In 1976, the Legislature enacted chapter 76-243, Laws of Florida, which expanded the boundaries of the Southwest Florida Water Management District to include the Manasota Watershed Basin of the Ridge and Lower Gulf Coast Water Management District. The act established specific residency requirements for the governing board members of all five water management districts, and provided that the members of the Manasota Basin were to become members of the Southwest Florida Water Management District governing board. The Southwest

District's governing board composition was revised to include **one** member residing in the Withlacoochee River Basin; **one** member residing in the Hillsborough, Alafia, and Little Manatee River Basin; **one** member residing in the Peace River Basin; **one** member residing in the Manatee and Myakka River Basins; **one** member residing in the watershed basin north of the Anclote River Basin and west of the Ocklawaha River Basin excluding the Withlacoochee River; **one** member residing in the watershed basin south of the northern limits of the Anclote River Basin and west of the Hillsborough River Basin including Pinellas County, and **three** at large members. Of the three at large members, no county could have more than two members on the governing board. Pinellas and Hillsborough Counties were allowed to each have two members on the governing board.

In 1988, the Legislature enacted chapter 88-242, Laws of Florida, to provide that effective July 1, 1990, the governing board of the Southwest Florida Water Management District be expanded from nine members to eleven members, and be composed of **two** members residing in Hillsborough County; **two** members residing in Pinellas County; **one** member residing in the area consisting of Hillsborough and Pinellas Counties; **one** member residing in Sarasota County; **one** member residing in Polk County; **one** member residing in Pasco County; **one** member at large from Levy, Marion, Citrus, Sumter, Hernando, and Lake Counties; **one** member at large from Manatee, Hardee, DeSoto, Charlotte and Highlands Counties; and **one** member at large from Levy, Marion, Citrus, Sumter, Hernando, Lake, Manatee, Hardee, DeSoto, Charlotte, and Highlands Counties. Of the at large members, no county could be represented by more than one member. This is the current structure of the governing board.

Prior to 1997, governing board members were appointed by the Governor to serve four-year terms which started on March 2 preceding the date of appointment, and terminated on March 1 of the year the term was scheduled to end. Members were eligible to serve out a term, even in a year when a new Governor was elected. However, in 1997, the Legislature enacted chapter 97-160, Laws of Florida, to provide the Governor with more oversight over the water management district governing boards. The act provided that beginning in January 1999, the Governor was authorized to appoint three members to each governing board in the first year of the Governor's term of office. In each of the second and third years of the Governor's term, three members could be appointed to the governing board of the Southwest Florida Water Management District, and two members could be appointed to each governing board of the other four water management districts. In the fourth year of the Governor's term, two members could be appointed to the governing board of each district.

III. Effect of Proposed Changes:

This bill provides that the membership of the Southwest Florida Water Management District governing board will be revised as vacancies occur. Polk County will be represented by two members instead of one member, and the requirement that one member of the governing board reside in the area consisting of Hillsborough and Pinellas Counties is repealed. Hillsborough and Pinellas Counties will retain two members each on the governing board.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. Other Constitutional Issues:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Polk County residents will benefit from additional representation on the Southwest Florida Water Management District governing board, while Hillsborough and Pinellas Counties residents will lose the 1 member representing the two counties.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.