

By Senator Saunders

37-81-04

1 A bill to be entitled
2 An act relating to water resources; creating
3 the 2020 Water Study Commission; providing for
4 appointment and qualification of members,
5 providing duties of the commission; providing
6 for public hearings; providing for an executive
7 director and technical advisory committees;
8 requiring reports; providing duties of the
9 Department of Environmental Protection;
10 providing an appropriation; providing an
11 effective date.
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13 WHEREAS, the management of the water resources of the
14 state is critical to the preservation of Florida's unique
15 natural systems and to the protection of the health and
16 welfare of the people of the state, and
17 WHEREAS, the Florida Legislature has enacted into law a
18 series of water resource planning and regulatory programs
19 aimed at the protection, preservation, restoration, and
20 enhancement of the state's water resources, and
21 WHEREAS, the Florida Legislature has also enacted laws
22 to encourage conservation, the efficient use of water, and the
23 development of cost-effective alternative water supply
24 technologies in order to minimize dependence upon historic
25 water supply sources, and
26 WHEREAS, despite these efforts, the future availability
27 of water necessary to maintain the state's natural systems,
28 and to meet the future demands of the state's agricultural and
29 urban areas, remains in question, and
30 WHEREAS, regular evaluation of the Florida Water Plan
31 and district or regional water supply plans, including the

1 alternative water supply development provisions, is necessary
2 to determine whether state goals are being attained and
3 necessary revisions should be prepared through coordinated
4 action by state and regional agencies and local governments,
5 and

6 WHEREAS, local and regional governments throughout the
7 state repeatedly request funding assistance from the state to
8 address their water, wastewater, and stormwater infrastructure
9 needs, and

10 WHEREAS, the Legislature finds there is a need to
11 comprehensively consider how the multi-billion dollar water
12 resources infrastructure needs are to be met, in order to
13 preserve and enhance the quality of the state's water
14 resources and protect the health and welfare of the people of
15 the state, NOW, THEREFORE,

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

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19 Section 1. (1) The 2020 Water Study Commission is
20 created. The commission shall be composed of 17 voting
21 members, 7 of whom are appointed by the Governor, 5 of whom
22 are appointed by the President of the Senate, and 5 of whom
23 are appointed by the Speaker of the House of Representatives.
24 In addition, the Commissioner of Agriculture, the Secretary of
25 Community Affairs, and the secretary of the Department of
26 Environmental Protection or their designees shall serve as ex
27 officio nonvoting members of the commission. The Governor's
28 appointments must include at least one appointment from each
29 of the following interest groups:

30 (a) Business interests, such as development or real
31 estate.

1 (b) Agricultural interests, such as farming, forestry,
2 aquaculture, or silvaculture.

3 (c) Environmental interests, such as resource-based
4 conservation and environmental quality or conservation groups.

5 (d) Community representatives, such as citizen groups,
6 not-for-profit community associations, citizen planners, or
7 affordable housing groups.

8 (e) Local and regional governments, such as
9 municipalities, counties, special districts, metropolitan
10 planning organizations, water management districts, or
11 regional planning councils.

12 (f) Water resources management and planning
13 specialists, such as professional planners, attorneys,
14 engineers, or architects.

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16 The President of the Senate and the Speaker of the House of
17 Representatives shall each select one appointee from five of
18 the six categories listed in paragraphs (a)-(f) and, in
19 addition, shall each appoint two members from their respective
20 chambers of the Legislature to serve on the commission as ex
21 officio nonvoting members. Appointments under this subsection
22 shall be made by July 1, 2004, and the first meeting of the
23 commission shall be held no later than September 1, 2004. The
24 chair of the commission shall be elected from the voting
25 members by the majority of the membership at its first
26 meeting. Any vacancy occurring in the membership of the
27 commission shall be filled in the same manner as the original
28 appointment.

29 (2) Each voting member of the commission is entitled
30 to one vote, and action of the commission requires a
31 two-thirds vote of the members present. However, action of the

1 commission may be taken only at a meeting at which a majority
2 of the voting commission members are present.

3 (3) The commission shall review the operation and
4 implementation of Florida's water resource management and
5 planning laws, including, but not limited to, chapters 163,
6 373, and 403, Florida Statutes, for the purpose of formulating
7 specific recommendations relating to the following:

8 (a) The funding for the cleanup of all the water
9 bodies that have been determined by the Department of
10 Environmental Protection pursuant to section 403.067, Florida
11 Statutes, to be impaired;

12 (b) Identification of regulatory and financial
13 incentives to local governments to increase the amount of
14 water utility collection fees dedicated to the implementation
15 of conservation and water-reclamation projects;

16 (c) Simplification and streamlining of permitting
17 processes at both the state and federal levels for alternative
18 water supply technologies;

19 (d) Increased use of water reuse, including resolution
20 of disputes relating to the determination of feasibility of
21 infrastructure financing and development and colocation of
22 power generating facilities;

23 (e) Identification of the appropriate role of the
24 state in assisting local governments in the implementation of
25 alternative water supply projects, including, without
26 limitation, the provision of further financial and technical
27 assistance;

28 (f) Promotion of cost-effective agricultural water
29 conservation practices, including providing long-term funding
30 support for the Urban Irrigation Laboratory Programs; and
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1 (g) Citizen participation in education about and the
2 promotion of water resource protection and conservation
3 programs.

4 (4) At least six public hearings must be held by the
5 commission in different regions of the state to solicit input
6 from the public on how they want the state, regional agencies,
7 and their municipalities and counties to provide for the
8 protection and enhancement of the state's water resources.

9 (5) The commission shall, by February 1, 2005, provide
10 to the President of the Senate, the Speaker of the House of
11 Representatives, and the Governor an interim written report of
12 the specific recommendations that may be formulated at that
13 time. A final written report shall be provided to the same
14 officers by February 1, 2006, with recommendations for all the
15 issues identified in paragraphs (3)(a)-(g), including
16 legislative recommendations.

17 (6) The commission may establish and appoint any
18 necessary technical advisory committees. Commission members,
19 and the members of any technical advisory committees that are
20 appointed, shall not receive remuneration for their services,
21 but members other than public officers and employees are
22 entitled to be reimbursed by the Department of Environmental
23 Protection for travel or per diem expenses in accordance with
24 chapter 112, Florida Statutes. Public officers and employees
25 shall be reimbursed by their respective agencies in accordance
26 with chapter 112, Florida Statutes.

27 (7) The commission may select an executive director
28 who shall report to the commission and serve at its pleasure.
29 The Department of Environmental Protection shall provide other
30 staff and consultants after consultation with the commission.

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1 Funding for these expenses shall be provided through the
2 Department of Environmental Protection.

3 (8) Each commission member may receive per diem and
4 expenses for travel, as provided in section 112.061, Florida
5 Statutes, while carrying out official business of the
6 commission.

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

10 (10) The commission shall continue in existence until
11 its objectives are achieved, but not later than September 1,
12 2006.

13 Section 2. The sum of \$250,000 is appropriated from
14 the General Revenue Fund to the Department of Environmental
15 Protection to implement this act.

16 Section 3. This act shall take effect upon becoming a
17 law.

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20 SENATE SUMMARY

21 Creates the 2020 Water Study Commission, composed of
22 appointees of the Governor, the President of the Senate,
23 and the Speaker of the House of Representatives and
24 nonvoting ex officio members, to study state water
25 resource management and planning laws and make
26 recommendations with respect to water resource protection
27 and use. Requires a final report, with recommendations,
28 by February 1, 2006.
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