

Bill No. SB 2502

Barcode 282494

CHAMBER ACTION

Senate

House

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The Committee on Environmental Preservation (Dockery)  
recommended the following amendment:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause

and insert:

Section 1. Section 373.1135, Florida Statutes, is  
created to read:

373.1135 Small business program.--Each water  
management district, as created in this chapter, may implement  
a small business program designed to help small businesses,  
including those owned by women and minorities, to participate  
in district procurement and contract activities. The purpose  
of the program is to spur economic development and support  
small businesses, including women and minority-owned  
businesses, to successfully expand in the marketplace. Program  
specifics shall be provided by rule pursuant to s. 373.113.

Section 2. Paragraph (a) of subsection (1) of section  
373.073, Florida Statutes, is amended to read:

373.073 Governing board.--

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1           (1)(a) The governing board of each water management  
 2 district shall be composed of 9 members who shall reside  
 3 within the district, except that the Southwest Florida Water  
 4 Management District shall be composed of 11 members who shall  
 5 reside within the district. Members of the governing boards  
 6 shall be appointed by the Governor, subject to confirmation by  
 7 the Senate at the next regular session of the Legislature, and  
 8 the refusal or failure of the Senate to confirm an appointment  
 9 creates a vacancy in the office to which the appointment was  
 10 made. The term of office for a governing board member is 4  
 11 years and commences on March 2 of the year in which the  
 12 appointment is made and terminates on March 1 of the fourth  
 13 calendar year of the term or will continue in office until a  
 14 successor is appointed. Terms of office of governing board  
 15 members shall be staggered to help maintain consistency and  
 16 continuity in the exercise of governing board duties and to  
 17 minimize disruption in district operations.

18           Section 3. Subsection (13) of section 373.414, Florida  
 19 Statutes, is amended to read:

20           373.414 Additional criteria for activities in surface  
 21 waters and wetlands.--

22           (13) Any declaratory statement issued by the  
 23 department under s. 403.914, 1984 Supplement to the Florida  
 24 Statutes 1983, as amended, or pursuant to rules adopted  
 25 thereunder, or by a water management district under s.  
 26 373.421, in response to a petition filed on or before June 1,  
 27 1994, shall continue to be valid for the duration of such  
 28 declaratory statement. Any such petition pending on June 1,  
 29 1994, shall be exempt from the methodology ratified in s.  
 30 373.4211, but the rules of the department or the relevant  
 31 water management district, as applicable, in effect prior to

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1 the effective date of s. 373.4211, shall apply. Until May 1,  
2 1998, activities within the boundaries of an area subject to a  
3 petition pending on June 1, 1994, and prior to final agency  
4 action on such petition, shall be reviewed under the rules  
5 adopted pursuant to ss. 403.91-403.929, 1984 Supplement to the  
6 Florida Statutes 1983, as amended, and this part, in existence  
7 prior to the effective date of the rules adopted under  
8 subsection (9), unless the applicant elects to have such  
9 activities reviewed under the rules adopted under this part,  
10 as amended in accordance with subsection (9). In the event  
11 that a jurisdictional declaratory statement pursuant to the  
12 vegetative index in effect prior to the effective date of  
13 chapter 84-79, Laws of Florida, has been obtained and is valid  
14 prior to the effective date of the rules adopted under  
15 subsection (9) or July 1, 1994, whichever is later, and the  
16 affected lands are part of a project for which a master  
17 development order has been issued pursuant to s. 380.06(21),  
18 the declaratory statement shall remain valid for the duration  
19 of the buildout period of the project. Any jurisdictional  
20 determination validated by the department pursuant to rule  
21 17-301.400(8), Florida Administrative Code, as it existed in  
22 rule 17-4.022, Florida Administrative Code, on April 1, 1985,  
23 shall remain in effect for a period of 5 years following the  
24 effective date of this act if proof of such validation is  
25 submitted to the department prior to January 1, 1995. In the  
26 event that a jurisdictional determination has been revalidated  
27 by the department pursuant to this subsection and the affected  
28 lands are part of a project for which a development order has  
29 been issued pursuant to s. 380.06(15), a final development  
30 order to which s. 163.3167(8) applies has been issued, or a  
31 vested rights determination has been issued pursuant to s.

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1 380.06(20), the jurisdictional determination shall remain  
2 valid until the completion of the project, provided proof of  
3 such validation and documentation establishing that the  
4 project meets the requirements of this sentence are submitted  
5 to the department prior to January 1, 1995. Activities  
6 proposed within the boundaries of a valid declaratory  
7 statement issued pursuant to a petition submitted to either  
8 the department or the relevant water management district on or  
9 before ~~prior~~ to June 1, 1994, or a revalidated jurisdictional  
10 determination, prior to its expiration shall continue  
11 thereafter to be exempt from the methodology ratified in s.  
12 373.4211 and to be reviewed under the rules adopted pursuant  
13 to ss. 403.91-403.929, 1984 Supplement to the Florida Statutes  
14 1983, as amended, and this part, in existence prior to the  
15 effective date of the rules adopted under subsection (9),  
16 unless the applicant elects to have such activities reviewed  
17 under the rules adopted under this part, as amended in  
18 accordance with subsection (9).

19 Section 4. This act shall take effect upon becoming a  
20 law.

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23 ===== T I T L E A M E N D M E N T =====

24 And the title is amended as follows:

25 Delete everything before the enacting clause

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27 and insert:

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A bill to be entitled

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An act relating to water management districts;

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creating s. 373.1135, F.S.; authorizing each

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water management district to establish a small

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1 business program to encourage small businesses,  
2 including those owned by women and minorities,  
3 to participate in district procurement and  
4 contract activities; amending s. 373.073, F.S.;  
5 allowing a water management district government  
6 board member to serve until a replacement has  
7 been appointed; amending s. 373.414, F.S.;  
8 allowing a petition for a jurisdictional  
9 declaratory statement to be submitted to either  
10 the Department of Environmental Protection or a  
11 water management district on or before June 1,  
12 1994; providing an effective date.

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