

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.)

Prepared By: Environmental Preservation Committee

BILL: SB 98

SPONSOR: Senator Saunders

SUBJECT: Water Study Commission

DATE: March 21, 2005 REVISED: 4/5/05 _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Baum	Kiger	EP	Unfavorable
2.	_____	_____	GO	_____
3.	_____	_____	GA	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

Please see last section for Summary of Amendments

- Technical amendments were recommended
- Amendments were recommended
- Significant amendments were recommended

I. Summary:

This bill creates the 2020 Water Study Commission, composed of appointees of the Governor, the President of the Senate, and the Speaker of the House of Representatives and nonvoting, ex officio members, to study state water resource management and planning laws and make recommendations with respect to water resource protection and use. It requires a final report with recommendations by February 1, 2007.

This bill provides for the sum of \$250,000 to be appropriated from the General Revenue Fund to the Department of Environmental Protection for the purpose of creating the 2020 Water Study Commission.

II. Present Situation:

This is currently nothing existing within the state comparable to the commission proposed by the bill. In general oversight for water supply and development issues is by the state's five water management districts created in s. 373.069, F.S.. Pursuant to s. 373.0831, F.S., the districts, in part, are charged with:

- Water supply planning and water resource development.
- Taking the lead in identifying and implementing water resource development projects.

- The development of the 20 year regional water supply plan.

The regional water supply plan provided for in s. 373.0361, F.S., shall at a minimum address the following: water supply development; water resource development; recovery and prevention strategies; funding; public interest; technical issues; minimum flows and levels; and reservations. Funding issues are also addressed throughout various portions of the plan.

Status reports on the plans are provided annually and they are re-evaluated every 5 years.

III. Effect of Proposed Changes:

This bill creates the 2020 Water Study Commission.

The commission is to be composed of 17 voting members, 7 of whom are appointed by the Governor, 5 of whom are appointed by the President of the Senate, and 5 of whom are appointed by the Speaker of the House of Representatives. The Commissioner of Agriculture, the Secretary of Community Affairs, and the Secretary of Environmental Protection or their designees shall serve as ex officio, nonvoting members.

The Governor's appointees shall include at least one individual from each of the following groups:

- Business
- Agriculture
- Environmental
- Community representatives
- Local and Regional governments
- Water resources management and planning specialists

The bill also requires the President of the Senate and the Speaker of the House of Representatives to select one appointee from five of the six above groups, in addition to appointing two members from their respective chambers of the Legislature to serve on the commission as ex officio, nonvoting members. These appointees must be made by July 1, 2005.

The bill provides that the first meeting of the commission shall be held no later than September 1, 2005 and at which time the chair of the commission will be elected from the voting members by the majority of the voting members present at the commission's first meeting.

The bill provides that each voting member of the commission is entitled to one vote and action of the committee requires a two-thirds vote of the voting members present. A majority of the voting commission members must be present for the commission to take action.

The bill provides that the commission shall review the operation and implementation of Florida's water resource management and planning laws, including, but not limited to, chapters 163 (Intergovernmental Programs), 373 (Water Resources) and 403 (Environmental Control), Florida Statutes, for the purpose of formulating specific recommendations relating to:

- Funding by the Department of Environmental Protection, pursuant to section 403.067, F.S., (establishment and implementation of total maximum daily loads).
- Regulatory and financial incentives to local governments to increase the amount of water utility collection fees dedicated to water conservation efforts or water projects.
- Streamlining the permitting processes for alternative water supply technologies.
- Methods for increasing water reuse.
- Identifying the appropriate role of the state in assisting local governments with the development of alternative water supply development, including both financial and technical assistance.
- Promoting cost-effective agricultural water conservation and efficiency practices, including providing long-term funding support for the Urban Irrigation Laboratory Programs.
- Providing public education aimed towards increasing public participation and awareness of water issues.

The bill provides that at least six public hearings must be held by the commission in six different regions of the state to gather resident input on protection and enhancement of the state's water resources.

The bill provides that, by February 1, 2006, the commission shall create an interim written report of specific recommendations to the Governor, the President of the Senate and the Speaker of the House of Representatives. A final written report shall be provided by February 1, 2007, to the same officers.

The bill provides that the commission may establish and appoint any necessary technical advisory committees.

Members of these committees shall not receive remuneration for their services except those who are entitled to reimbursement by either the DEP or their respective agencies pursuant to chapter 112, Florida Statutes.

Additional administrative requirements provided by the bill are:

- The commission may select an executive director and the DEP shall, with their own funding, provide additional staff and consultants after consultation with the commission.
- All agencies under the control of the Governor be directed, and all other agencies are requested, to render assistance and cooperation to the commission.
- The commission shall continue in existence until its objectives are achieved, but not later than September 1, 2007.

The bill provides for the sum of \$250,000 to be appropriated from the General Revenue Fund to the DEP for the purpose of creating the 2020 Water Study Commission.

In addition to the creation of the commission the bill provides for a series of legislative findings with regard to water:

- The management of the water resources in Florida is critical to preserving the state's unique natural systems and to protecting the health and welfare of the people who live in Florida
- The Legislature has enacted into laws a series of water resource planning and regulatory programs aimed at protecting, preserving, restoring and enhancing Florida's water resources. Additionally, the Legislature has also enacted laws to encourage conservation, the efficient use of water, and the development of cost-effective alternative water supply technologies in order to minimize dependence upon historic water supply.
- Despite the Legislature's efforts, the future availability of water necessary to maintain the state's natural systems, and to meet the future demands of Florida's agricultural and urban areas, remains in question.
- Regular evaluation of the Florida Water Plan and district or regional water supply plans, including the alternative water supply development provisions, is necessary to determine whether state goals are being attained and to ensure that necessary revisions are prepared through coordinated action by the State of Florida and regional agencies and local governments.
- Local and regional governments throughout the State of Florida repeatedly request funding assistance from the state to address water, wastewater and stormwater infrastructure needs.
- The Legislature finds that there is a need to comprehensively consider how the multibillion dollar water resources infrastructure needs are to be met in order to preserve and enhance the quality of the State of Florida's water resources and protect the health and welfare of the people of the state.

The bill shall take effect upon becoming law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

C. Government Sector Impact:

The sum of \$250,000 is appropriated from the General Revenue Fund to the Department of Environmental Protection for the purpose of creating the 2020 Water Study Commission.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.

VIII. Summary of Amendments:

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The amendment adopted by the Committee adds “geologists” to the interest group category of water resources management and planning specialists, for which the Governor is required to appoint one member to the commission from this interest group.

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