

By Senator Saunders

37-49A-05

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 for 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 preserving this state's unique natural
15 systems and to protecting the health and welfare of the people
16 of the state, and

17 WHEREAS, the Legislature has enacted into law a series
18 of water resource planning and regulatory programs aimed at
19 protecting, preserving, restoring, and enhancing the state's
20 water resources, and

21 WHEREAS, the Legislature has also enacted laws to
22 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 to
3 ensure that necessary revisions are prepared through
4 coordinated action by state and regional agencies and local
5 governments, and

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

10 WHEREAS, the Legislature finds that there is a need to
11 comprehensively consider how the multibillion 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 Environmental
26 Protection or their designees shall serve as ex officio,
27 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 businesses.

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, 2005, and the first meeting of the
23 commission shall be held no later than September 1, 2005. The
24 chair of the commission shall be elected from the voting
25 members by the majority of the voting members present at the
26 commission's first meeting. Any vacancy occurring in the
27 membership of the commission shall be filled in the same
28 manner as the original 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 voting members present. 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 this state'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:

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

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

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

20 (d) Increasing water reuse, including resolving
21 disputes relating to determining the feasibility of
22 infrastructure financing and development and the colocation of
23 power generating facilities;

24 (e) Identifying the appropriate role of the state in
25 assisting local governments in implementing alternative water
26 supply projects, including, without limitation, providing
27 additional financial and technical assistance;

28 (f) Promoting cost-effective agricultural water
29 conservation and efficiency practices, including providing
30 long-term funding support for the Urban Irrigation Laboratory
31 Programs; and

1 (g) Providing public education about, and increasing
2 public participation in, programs that promote the protection
3 and conservation of water resources, including those that
4 increase efficiency in the various water uses.

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

10 (5) The commission shall, by February 1, 2006, provide
11 to the President of the Senate, the Speaker of the House of
12 Representatives, and the Governor an interim written report of
13 the specific recommendations that may be formulated at that
14 time. A final written report shall be provided to the same
15 officers by February 1, 2007, with recommendations for all the
16 issues identified in paragraphs (3)(a)-(g), including
17 legislative recommendations.

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

30 (7) The commission may select an executive director
31 who shall report to the commission and serve at its pleasure.

1 The Department of Environmental Protection shall provide other
2 staff and consultants after consultation with the commission.
3 Funding for these expenses shall be provided through the
4 Department of Environmental Protection.

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

8 (9) The commission shall continue in existence until
9 its objectives are achieved, but not later than September 1,
10 2007.

11 Section 2. The sum of \$250,000 is appropriated from
12 the General Revenue Fund to the Department of Environmental
13 Protection for the purpose of implementing this act.

14 Section 3. This act shall take effect upon becoming a
15 law.

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18 SENATE SUMMARY

19 Creates the 2020 Water Study Commission, composed of
20 appointees of the Governor, the President of the Senate,
21 and the Speaker of the House of Representatives and
22 nonvoting, ex officio members, to study state water
23 resource management and planning laws and make
24 recommendations with respect to water resource protection
25 and use. Requires a final report with recommendations by
26 February 1, 2007.
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