

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 1039

Southwest Florida Water Management District

SPONSOR(S): Bowen

TIED BILLS:

IDEN./SIM. BILLS: SB 1776

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) <u>Committee on Environmental Protection</u>	<u>5 Y, 0 N</u>	<u>Kliner</u>	<u>Kliner</u>
2) <u>Environment & Natural Resources Council</u>	<u></u>	<u>Kliner</u>	<u>Hamby</u>
3) <u></u>	<u></u>	<u></u>	<u></u>
4) <u></u>	<u></u>	<u></u>	<u></u>
5) <u></u>	<u></u>	<u></u>	<u></u>

SUMMARY ANALYSIS

This bill revises the residence requirements for governing board members of the Southwest Florida Water Management District. It sets the number of board members from Hillsborough or Pinellas counties to two each by deleting language that gives Hillsborough or Pinellas an additional "at large" member designation.

The bill increases, from 1 to 2, the number of board members that reside in Polk County.

The bill also revises the qualifications for the "at large" seats on the board to provide for: one "at large" member to be from Levy, Marion, Citrus, Sumter, Hernando, and Lake Counties; one "at large" member to be from Hardee, DeSoto, and Highlands Counties; and one "at large" member to be from Sarasota and Charlotte Counties.

Fiscal impact: None.

HB 1039 has one amendment traveling with the bill. For an explanation of this amendment please refer to Section IV. (Amendment/Council Substitute Changes).

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

The bill does not appear to implicate any of the House Principles.

B. EFFECT OF PROPOSED CHANGES:

Present Situation

Presently, eleven members of the Southwest Florida Water Management District Governing Board are selected from candidates who have significant experience, including but not limited to, the following areas:

- Agriculture
- Development
- Local government
- Water utilities
- Law
- Civil engineering
- Environmental science
- Hydrology
- Accounting
- Financial business

Vacancies for governing board members are to be filled according to residency requirements, representing areas designated by the United States Water Resources Council in United States Geological Survey, River Basin and Hydrological Unit Map of Florida – 1975, Map Series No. 72, as follows:

SWFWMD Governing Board residency			
Counties	Permanent seats	Potential seats	Total potential seats
Hillsborough	2	1	3
Pinellas	2	1	3
Manatee	1		1
Polk	1		1
Pasco	1		1
Levy		2	1*
Marion		2	1*
Citrus		2	1*
Sumter		2	1*
Hernando		2	1*
Lake		2	1*
Sarasota		2	1*
Hardee		2	1*
Desoto		2	1*
Charlotte		2	1*
Highlands		2	1*

*s. 373.073(2)(e)9., F.S., provides that these counties shall not have more than one member on the governing board

Effect of proposed Changes

This bill revises the residence requirements for governing board members of the Southwest Florida Water Management District. It sets the number of board members from Hillsborough or Pinellas counties to two each by deleting language that gives Hillsborough or Pinellas an additional "at large" member designation.

The bill increases, from 1 to 2, the number of board members that reside in Polk County.

The bill also revises the qualifications for the "at large" seats on the board to provide for: one "at large" member to be from Levy, Marion, Citrus, Sumter, Hernando, and Lake Counties; one "at large" member to be from Hardee, DeSoto, and Highlands Counties; and one "at large" member to be from Sarasota and Charlotte Counties.

SWFWMD Governing Board residency			
Counties	Permanent seats	Potential seats	Total potential seats
Hillsborough	2		2
Pinellas	2		2
Manatee	1		1
Polk	2		2
Pasco	1		1
Levy		1	1
Marion		1	1
Citrus		1	1
Sumter		1	1
Hernando		1	1
Lake		1	1
Sarasota		1	1
Hardee		1	1
Desoto		1	1
Charlotte		1	1
Highlands		1	1

*s. 373.073(2)(e)9., F.S., provides that these counties shall not have more than one member on the governing board.

C. SECTION DIRECTORY:

Section 1. Amends subsection (e) of subsection (2) of section 373.073, F.S.;

- Deleting the requirement that one member shall reside in Hillsborough and Pinellas County. These two counties would still each have two members.
- Increasing the number of board members from Polk County from 1 to 2.
- Clarifying that of the 3 at large board members, appointed from the following counties; Levy, Marion, Citrus, Sumter, Hernando Lake, Sarasota, Hardee, DeSoto, Charlotte, or Highlands, no county may have more than one representative.

Section 2. This bill shall take effect upon becoming a law.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None

2. Expenditures:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None

D. FISCAL COMMENTS:

None

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable because this bill does not appear to: require cities or counties to spend funds or take actions requiring the expenditure of funds; reduce the authority that cities or counties have to raise revenues in the aggregate; or reduce the percentage of a state tax shared with cities or counties.

2. Other:

None

B. RULE-MAKING AUTHORITY:

None

C. DRAFTING ISSUES OR OTHER COMMENTS:

None

D. STATEMENT OF THE SPONSOR

No statement submitted

IV. AMENDMENTS/COUNCIL SUBSTITUTE CHANGES

On March 21, 2007, the Committee on Environmental Protection adopted one strike all amendment that is traveling with the bill. The amendment:

- Increases the total number of board members of the Southwest Florida Water Management District by two, to a total of 13.
- Adds an additional, permanent member for Polk County, raising its total number of seats to two.

- Revises the qualifications for the “at large” seats on the board to provide for one ‘at large’ member to be from Hardee, DeSoto, and Highlands Counties; and one “at large” member to be from Sarasota and Charlotte Counties.